

PLANNING PERFORMANCE FRAMEWORK REPORT

2019-20

HISTORIC ENVIRONMENT SCOTLAND | ÀRAINNEACHD EACHDRAIDHEIL ALBA

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INTRODUCTION

This Report details the planning performance of Historic Environment Scotland (HES) from 1 April 2019 to 31 March 2020. It sets out our role in the planning system and gives an update on our ongoing work to secure positive outcomes for the historic environment.

We have prepared the Report in line with the requirements of the 'Key Agencies Group Model' for the Planning Performance Framework Review Reports. It demonstrates how we have performed against the agreed Performance Markers for 2019-20, and describes our contribution to the planning system under the following themes:

- Place-making
- Capacity Building
- Service
- Service Improvements

The Report gives both quantitative and qualitative evidence of our performance, which has been consistent with the high level set in previous years.

We have continued to exceed all our target timescales for decision making and consultation responses and have continued our drive to improve the quality of our service.

We have two teams who lead our planning engagement role – Casework and Designations. Both teams sit within the Heritage Directorate. Our key aim is to promote consideration of the historic environment at all stages of the planning process.

Key areas of our work include:

- producing historic environment policy and guidance
- input into the development of plans, programmes and strategies
- engaging with emerging development proposals
- providing advice via Design Review Panels
- reviewing development proposals at application stage
- providing advice on grant aid applications
- determining applications for Scheduled Monument Consent (SMC)

We also promote high quality development by sponsoring awards and issuing grants for the conservation of historic assets and places.



ABOUT HISTORIC ENVIRONMENT SCOTLAND

We are a charity and public body leading the way in protecting, understanding and sharing Scotland's historic environment, for today and for the future.

- We care for more than 300 sites of national importance all across the country and are the largest operator of paid visitor attractions in Scotland.
- We look after internationally significant archives and artefacts.
- We are at the forefront of investigating and researching the historic environment and addressing the impacts of climate change on its future.
- We protect our historic places through designations and consents, promote their sustainable development, and provide millions of pounds each year to local communities to repair and revitalise their historic environment.
- We provide advice and guidance about the historic environment, and offer a wide range of training and learning opportunities.
- In every aspect of our work we strive to follow our five organisational values – we are collaborative, professional, innovative, open and respectful.

We want the historic environment to make a real difference to people's lives. A difference to our health, to our economy, to our culture, to our environment. We want heritage to involve everyone so that we all benefit. Our Corporate Plan, Heritage for All, sets out our vision and priorities from 2019 onwards. Our vision is that the historic environment is cherished, understood, shared and enjoyed with pride, by everyone.

These are the five outcomes that we want to achieve and that will help us realise our vision:

1. The historic environment makes a real difference to people's lives.
2. The historic environment is looked after, protected and managed for the generations to come.
3. The historic environment makes a broader contribution to the economy of Scotland and its people.
4. The historic environment inspires a creative and vibrant Scotland.
5. The historic environment is cared for and championed by a high-performing organisation.

The year covered by this Report coincides with the disruption caused by the COVID-19 outbreak and our move to home working from mid-March. Coming at the very end of the year, COVID-19 has not significantly affected our annual performance. This will not be the case next year and our service improvement targets for 2020-21 reflect the disruption caused by COVID-19.

WHAT WE DO IN THE PLANNING SYSTEM

We are a large organisation with a vast range of skills and expertise, and a wide-ranging knowledge base. All of these can contribute to our role in the planning system, but it is our Heritage Directorate that leads on this process. This Report focuses on the work of our Casework and Designations Teams, which sit within the Heritage Directorate. These teams, in consultation with others when appropriate, carry out the majority of our planning related activities.

The aim of our work in the planning system is to inform and enable good decision-making, so that the historic environment of Scotland is valued and protected.
Our Designations Team makes and maintains lists of nationally important historic buildings, archaeological sites and monuments, gardens and designed landscapes and historic battlefields. They also advise Scottish Ministers on the designation of historic Marine Protected Areas.

Our Casework Team provides advice on the potential impacts of development on the historic environment. This advice is often linked to our statutory functions relating to various planning and consenting processes. These include listed building consent and conservation area consent, and our role as regulator for scheduled monument consent. We are also a consultation body for developments requiring an Environmental Impact Assessment, and a Consultation Authority for Strategic Environmental Assessment.



CASE STUDY 1
KINGSTON HOUSE, CENTRE STREET / CLYDE PLACE, GLASGOW

Kingston House is a Category B listed building located on a long-term vacant site comprising two city blocks on the south bank of the Clyde. The site was selected by Barclays Bank as the location for new offices for approximately 2000 back-room staff. This development has very significant regeneration benefits for Glasgow and will bring a large number of new jobs to the city.

Kingston House is a four-storey warehouse built in 1878. The external walls are built of sandstone, with large windows; its internal structure is based on a composite iron and timber frame. Until recently it was in use as a hostel and is in good condition. Kingston House is prominently visible on the approach to Tradeston from King George V Bridge. Barclays chose this site partly because they perceived the place-making qualities of this building and wanted to use it as a gateway to their development.

Barclay's desire to use the building as a gateway resulted in a façade retention scheme that kept only the two street-facing elevations (with no roof or windows) supported by an internal concrete frame. It was our view that this intervention would severely reduce the special interest of the building and would hasten the decay of the remaining fabric.

Since the building was in good condition, we did not consider that an intervention of this magnitude was desirable or necessary.

Because of the significant regeneration benefits of the wider development we did not object to the proposal, but our consultation response explained the history and importance of the building at some length and strongly encouraged a less interventionist scheme. We suggested that, if office conversion was not possible, the building should remain roofed and that the internal iron and timber frame should be retained and exposed by removing the floors in a similar manner to the approach taken at the Verdant Works in Dundee.

The Council granted listed building consent to the original proposal, but the applicants were nevertheless persuaded by our advice to reconsider their approach. Following our suggestion, they revised the scheme to retain and expose the internal timber and iron structure. This allows the essential elements of the building to remain intact and makes it possible for the floors to be reinstated in the future. The building will now provide a unique multi-purpose atrium space.



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CASE STUDY 2

179A CANONGATE, EDINBURGH



In February 2018 we received a consultation proposing the demolition of buildings within Edinburgh Old Town, and their replacement with eight-storey blocks of student housing.

The site is within the Old and New Towns of Edinburgh World Heritage Site and the Edinburgh Old Town Conservation Area. It sits just behind the buildings fronting the Canongate, including the Category A listed Tolbooth, and it is adjacent to the Category A listed Canongate Kirk and kirkyard.

The site contains a series of Victorian buildings which are not listed. Most of them are associated with the New Street gasworks, but they incorporate walling from the Magdalene Asylum (1806). Although the buildings do not merit individual listing, we consider that they add to the character and appearance of the Edinburgh Old Town Conservation Area. In particular, they contribute to our understanding of the area's nineteenth century industrial phase, which is often overlooked.

In March 2018, we objected to the conservation area consent application for the demolition, and then to the planning application. We considered that this was justified by the potential impact the density and height of the new development would have on the Canongate Kirk and Tolbooth, and on the topography of the Old Town and World Heritage site, which is a key component of the site's Outstanding Universal Value.

The application was withdrawn in May 2018. Early in 2019 a revised scheme came forward, again for substantial demolition, with three-to six-storey student housing. The applicant's agents argued that purpose-built student housing was the only viable option for the site.

We objected again to the scale of demolition and redevelopment and also raised concerns about the viability assessment.

We considered the site was attractive for several uses, and that the primary issue was retention of characterful buildings, rather than the maximisation of financial gain.

We asked City of Edinburgh Council to investigate viability, and soon after the application was again withdrawn.

With two objections from us and the likely refusal of both schemes by the Council, the applicants looked afresh at the site and changed direction. In the latter half of 2019 we attended meetings to discuss an alternative development of offices (the existing use). We looked at options that presented a reduced level of demolition and redevelopment on the site.

Following a new application, in January 2020 we responded to the Council welcoming the reduced scale of demolition, and the more contextual response to development on the site, including increased permeability and open space.

In this case study we objected to two schemes for the redevelopment of a historic site. Alongside the Council we pushed for, and achieved a better solution for the historic environment.

OUR STAFF

The Casework and Designations Teams are specialists with knowledge of architectural history, archaeology, planning and environmental assessments. We employ 70 members of staff in the Casework and Designation Teams.

Casework Team	
Head of Casework	1
Deputy Head of Casework	8
Senior Casework Officer	20
Casework Officer	6
Field Officer	6
Graduate Trainee	1
Casework Support Officer	1
Casework Technician	4
Team total	47
Designations Team	
Head of Designations	1
Deputy Head of Designations	3
Senior Designations Officer	6
Designations Officer	8
Designations Support Manager	1
Designations Support Officer	3
Designations Support Assistant	1
Team total	23
TOTAL	70

OUR DECISION-MAKING

Decision-making processes are standardised across the Casework and Designations Teams, underpinned by a set of sign-off and quality control procedures. Our detailed schedule of governance for decision-making for designations and casework is available on our website.

PERFORMANCE MARKERS

This report uses narrative, statistics and case studies to demonstrate how HES achieves positive outcomes in the historic environment against agreed performance markers. These are grouped under three broad headings: Placemaking, Capacity Building and Service.

PLACE-MAKING

A. STRATEGIC PLANNING

Participation in national and strategic plan-making helps us to achieve shared outcomes. By contributing to these plans, we help to protect and conserve the historic environment for the enjoyment, enrichment and benefit of everyone, now and in the future.

We provide advice and information to support the development and delivery of a broad range of national plans, policies and strategies. In response to the Housing to 2040 consultation we advocated for our historic environment to play a key role in a sustainable future.

We offered advice on key questions arising from consultations on Planning Performance and Fees and the Programme for Extending Permitted Development Rights in Scotland. We have also advised on the need for recognition of the role of culture and the historic environment as a powerful tool in improving outcomes for island communities as part of the development of a National Islands Plan.

We have taken relevant plans, policies and strategies into account in our contributions to every stage of the planning process. This includes our input to the preparation of development plans, our advice on development management decisions, and our work in developing our own policies and guidance in support of a plan-led system.

Historic Environment Scotland and Planning Reform

2019 saw the Planning (Scotland) Act 2019 gain Royal Assent. This legislation brings with it various changes to the operation of the planning system and in due course will go on to influence how policies for decision-making are updated and applied. We have continued to offer a significant amount of advice and evidence on these changes and look forward to working with Scottish Government and others as reforms to the planning system are implemented through the Transforming Scotland's Planning Programme.

This includes the ongoing preparation of a new National Planning Framework (NPF) which will incorporate Scottish Planning Policy. In response to the Call for Ideas for the new NPF we offered extensive comments on a number of topic areas, including the key role that the care and maintenance of our existing assets will play in a sustainable future, and the delivery of climate change targets. We also emphasised the positive effects that our historic environment can have for health and wellbeing.

We have also considered the impact of new legislation on our working processes. We continue to develop our working practices to support these changes. We also contribute to planning system reform and associated legislative workstreams through our involvement in the Key Agencies Group.

Other recent proposals we have engaged with include the Planning Performance and Fees: Consultation for introducing a fee for listed building consent and conservation area consent applications. Our detailed consultation response explains our position that evidence would be required in support of any such fees. This is so that possible effects on the attractiveness and viability of owning and maintaining historic buildings are fully understood.

Our response to this consultation also made clear that the overall performance of the planning system should be measured in terms of its outcomes for our heritage. This recognises that the appropriate management of our historic environment can make a positive contribution to our well-being and economic prosperity.

We have also participated in the Scottish Government's workstreams on making changes to Permitted Development Rights (PDR) to ensure that our heritage assets are protected appropriately. We responded to a consultation on the proposed Work Programme for Reviewing and Extending Permitted Development Rights and its accompanying Sustainability Appraisal, which incorporated an environmental assessment.

Our response on the environmental assessment set out our views on the effects on our heritage outlined in the Sustainability Appraisal. We also commented on proposals for mitigating and monitoring effects on our heritage. Our contribution will inform the detailed PDR workstreams, and we will continue to provide advice on this as the work programme progresses.

CASE STUDY 3
HOUSING TO 2040

We were pleased to participate in the Scottish Government's recent conversation on the future of our homes and communities in 2040.

Approximately 40% of buildings on the Buildings at Risk Register for Scotland (HES, January 2020) are residential. This is the largest classification within the Register. The most recent housing condition survey (Scottish Government, 2018) found that 75% of all dwellings have some degree of disrepair, with 30% of dwellings requiring urgent repair.

These factors make it crucial for us to emphasise that a key aspect of delivering the housing we need must be investment in the on-going maintenance, use and reuse of our existing buildings and places. Not only will this be essential for meeting the challenge of climate change, it will help to sustain the value of our heritage and the important contribution it makes to our well-being, our economic prosperity and the quality of our places.

We issued a detailed response to the Scottish Government's wide-ranging Housing to 2040 Consultation. In the letter we made eight recommendations to the Scottish Government on steps required for adapting our housing system to meet current challenges.

Our advice was supported and influenced by our attendance at the 'Present Voices, Future Lives' exhibition and our participation at a parliamentary reception on the topic.



B. DEVELOPMENT PLAN ENGAGEMENT

In our role as a Key Agency, we advise planning authorities at every stage of the development planning process. We play an active role in guiding development to the right places, and we promote the historic environment at the heart of placemaking. We also offer advice to planning authorities on their development plan policies to ensure that our historic environment is given an appropriate level of protection within the planning system.

We are a Consultation Authority for Strategic Environmental Assessment (SEA), and almost half of the SEA consultations we respond to relate to development planning. We advise planning authorities on the assessment and reporting of environmental effects resulting from their development plans. This helps to ensure that development is planned in a sustainable way and that potential effects on the historic environment are taken into account in the plan-making process.

At an operational level, we support this engagement by having a coordinating case lead for each development plan and its accompanying SEA. This supports continuity of engagement and consultation throughout the process.

In early 2020 we hosted a symposium with fellow Consultation Authorities, SEPA and SNH, to explore how development planning and site assessment could be improved and streamlined, highlighting where we see best practice with a focus on effective delivery of mitigation and positive effects. We aim to develop further guidance in this area over the coming year.

C. DEVELOPMENT MANAGEMENT

Our key performance indicator in our business plan is to deal with 90% of regulatory activities, consultations and decisions within required timescales. We consistently meet and exceed this target. Our comments are a material consideration in decision-making process, and an important part of our service.

We are a statutory consultee for planning applications affecting historic environment assets designated as being of national importance, applications for listed building consent and applications for conservation area consent.

We are a named consultation body for applications for planning permission that require Environmental Impact Assessment (EIA). We engage at an early stage of this process to ensure that potential significant impacts on the historic environment are identified and considered throughout. Where possible, we identify opportunities to mitigate significant impacts, and contribute to the iterative design process of developments. If relevant, we will also set out where we consider significant impacts are unlikely, allowing for topics or specific impacts to be scoped out of the process, which supports proportionate EIA.

CASE STUDY 4

TROSTAN LOCH WINDFARM

We were consulted on a proposal for a wind farm west of Moniaive in Dumfries & Galloway. Three of the turbines would have been prominently visible directly behind Craigdarroch House in views to it from its entrance drive and principal avenue.

Craigdarroch is a Category A listed house designed in 1726 by William Adam, the leading Scottish architect of his generation. It is located on one side of a river valley and the surrounding hills and planting provide a strong sense of enclosure, which forms an important element of the house's setting.

Directly in front of the house is a long avenue. The entrance drive runs parallel to this, but takes a slightly meandering course, so that the house is largely hidden on approach until it is suddenly revealed as you turn a gentle bend.

Three of the turbines of the proposed development would have been prominently visible above the ridge line of the hill that forms the backdrop to the house.

This would have significantly impacted on views to the house from the entrance drive and avenue.

We initially objected to the proposal because of its impact on the setting of Craigdarroch. In our letter we explained the impact, why it was significant, and advised that the three turbines should be moved. We worked with Scottish Government Energy Consents Unit and our site visit with them formed part of their team CPD.

As a result of our advice, the applicant moved the turbines to different locations downhill of their original positions, so that they will no longer be visible from Craigdarroch. This has demonstrated that the applicant can deliver the development in a way that met their needs while avoiding impacts on the setting of this significant house.



CASE STUDY 5
ENERGY ISLES WINDFARM

During August, we were consulted on a proposal for a major onshore windfarm in the remote north of Yell, the Shetland Islands. The wind farm would have included 29 turbines up to 200m in height. Our engagement with the developer and other stakeholders is a great example of how we improve outcomes for the historic environment and contribute to sustainable development in line with the Historic Environment Policy for Scotland.

Our advice focussed on potential impacts on a single scheduled monument known as Burgi Geos promontory fort. We engaged throughout the design process from Scoping through to full Environmental Impact Assessment.

Burgi Geos was built on a breathtaking promontory between precipitous 60m high cliffs. The fort's builders created unique and exceptional architecture comprising lines of jagged boulders and a bank that funnel visitors onto a lower saddle of rock before rising to meet a wall of drystone masonry. These features create an impressive and striking approach complemented by the fort's dramatic setting. The fort is a focal point for visitors in a currently 'empty' landscape.

While all of the proposed turbines would have been visible from the fort, we were particularly concerned about the closest few. These turbines would have been visible in their entirety within a few hundred metres of the fort. The proximity and scale of these proposed turbines would have reduced the fort's role as a focal point for visitors. They would also have been a serious distraction in a key view out from the fort through its entrance, dominating the monument's architecture.

We concluded that these potential impacts on the fort's setting would have severely compromised our understanding, appreciation and experience of it. We objected to the development but suggested a clear path for mitigating these impacts in line with Historic Environment Policy 4.

We were very pleased that after discussions with us and other stakeholders, including Scottish Natural Heritage, the applicant improved the design of the proposed windfarm by deleting turbines and we removed our objection.



Pre-application engagement

We continue to provide high quality advice at pre-application stages. Our aim is to identify potential historic environment issues, and to give certainty as early as possible in the process. Through early engagement, we are often able to recommend mitigation measures to avoid or reduce adverse impacts to the historic environment, and to advise on the content of submissions for formal applications.

We are routinely involved in discussions and site visits for emerging development proposals, and more than 15% of our planning caseload is pre-application advice. However, we are aware that around 85% of all the applications we objected to last year had not benefited from pre-application engagement with us, and we believe some of these unresolved issues may have been resolved earlier if we had been involved during initial phases of engagement.

We are also aware that many planning authorities have stepped back from providing pre-application advice due to financial pressures, arguing it is not a statutory duty. However, many have begun to introduce scaled fees for pre-application advice, including Highland, West Lothian, East Ayrshire and Edinburgh.

We remain committed to early engagement due to the value it brings and have attempted to attend any pre-application meeting where we are likely to be involved in the application process.

We will always try to give the appropriate level of advice in order to secure the future of important historic environment assets for the benefit of communities and the local economy.

Consenting

We are the decision-making authority for scheduled monument consent (SMC). Determining applications for SMC in a reasonable timescale can make a huge difference to the management of scheduled monuments. This is particularly important where timescales can influence opportunities for funding, or where works can only be done at certain times of year. For monuments that are also visitor attractions, the consenting process can affect the accessibility and experience of the historic site.

Through this process, we aim to ensure the long-term protection of scheduled monuments wherever possible. Historic assets can be complex and sometimes minor changes can affect their cultural significance. To get the best outcomes we work with many partners from different disciplines and sectors. In some cases these partnerships will last many years, as we work together to find long-term, sustainable outcomes for the historic places that we value.

CASE STUDY 6

PORT HOUSE, 11 EXCHANGE STREET, JEDBURGH

Under our Conservation Area Regeneration Scheme (CARS) programme we can offer grant of up to £2 million to support cohesive heritage-focused community and economic growth projects within Conservation Areas across Scotland.

CARS are designed to deliver a combination of different scales of investment:

- larger building repair projects
- small third-party grant schemes providing funding for repairs to properties in private ownership
- activities which promote community engagement with the local heritage
- training for professionals in traditional building skills

All of these can contribute to sustainable economic and community development within the Conservation Area.

In January 2017 we awarded £866,500 to help the regeneration of Jedburgh town centre in a CARS scheme that will run until March 2022.

Port House on Exchange Street has been on the Buildings at Risk Register since 2011, and was identified as a priority project for larger repairs.

Port House dates from 1899 and was built for the Co-operative Society for commercial and retail use. Its cast-iron frame is significant as an early example of this method of construction outside of Scotland's cities. It is listed at category A in recognition of its importance.

We were involved at an early stage in assessing both the proposed CARS project and the plans for Port House. This included visiting the building in 2016. It was immediately apparent that a comprehensive scheme of alteration would be needed to bring the building back into use.

Our assessment showed that this could be undertaken without major impacts on the significance of the building. This is partly because the original ground floor frontage had been heavily altered and we could see the considerable scope for restoration works. Our understanding of the building was aided by the survival of the original architectural drawings.

When applications were submitted for the proposed alterations in 2019, our past involvement enabled us to provide a light touch response to listed building consent consultation. We were able to support the project and responded to the consultation within our 14-day target.



CASE STUDY 7

OUSDALE BROCH, ORD OF CAITHNESS

2019-20 saw the stabilisation, consolidation, and provision of limited public access to Ousdale Broch in Caithness, a few miles north of Helmsdale. Brochs are circular drystone structures that are Iron Age in origin, although some have later reuse, and are domestic yet defensive in nature. Ousdale is one of the best-preserved brochs in Caithness, a region of Scotland that can lay claim to having more brochs than anywhere else in Scotland.

Works to protect, conserve, and consolidate scheduled monuments often take many years to develop and bring to fruition. Every monument is unique and has its own set of cultural significance attributes and corresponding challenges. Completing works of this type invariably involves collaboration with a variety of funders and the sourcing of specialist advice in order to produce a viable project with outcomes that are sustainable and manageable in the long-term.

Ousdale Broch was subject to antiquarian excavations in 1891 when the entrance passage, intra-mural chambers and interior were largely cleared out. The excavator undertook some relatively careful rebuilding works to the masonry at the inner end of the entrance passage shortly after the archaeological works were completed.

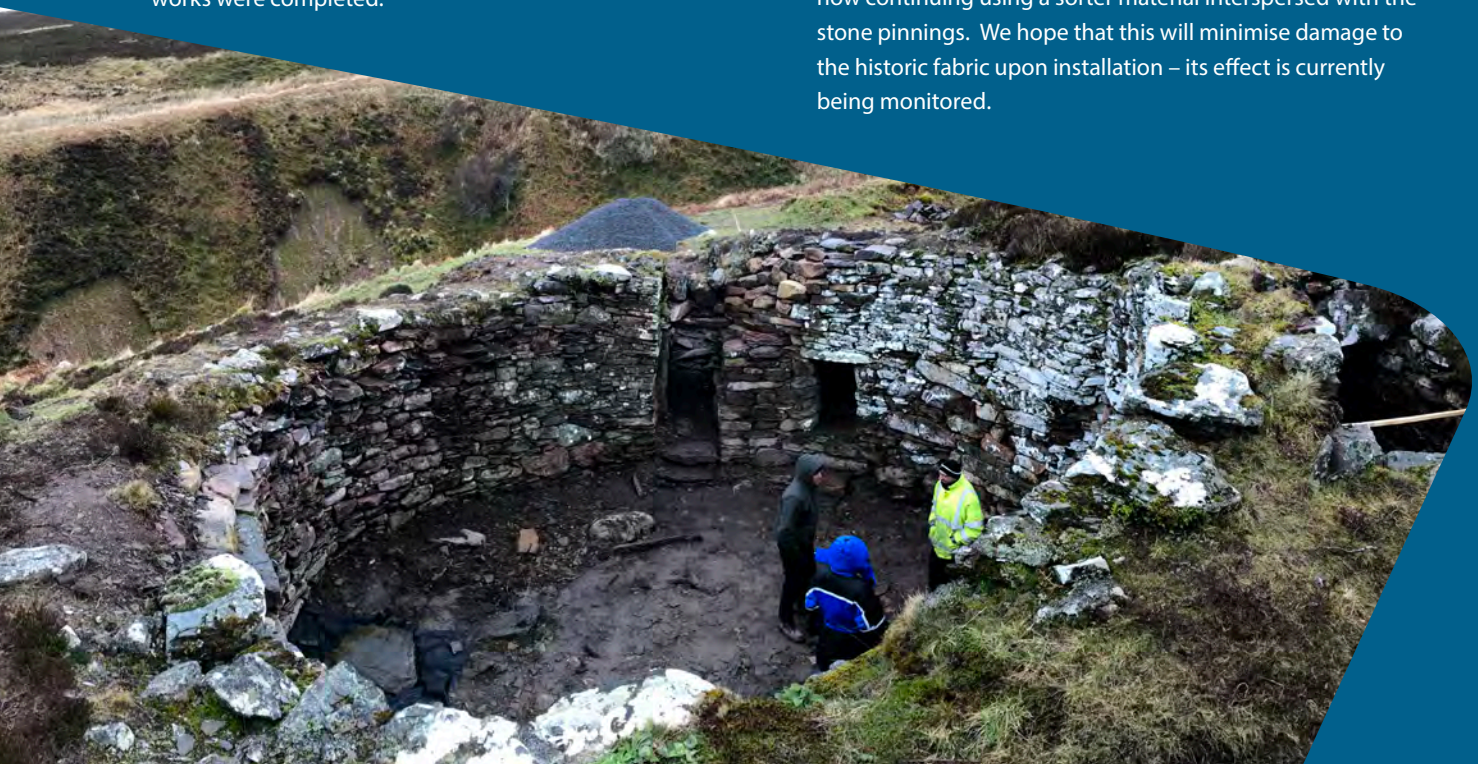
This rebuilding was presumably an attempt to prevent further degradation of surviving masonry. The rubble in the interior had been supporting the masonry, and now that it had been removed, the masonry was being threatened by collapse.

In recent years the antiquarian rebuilding has partially collapsed, threatening the long-term survival of the surrounding Iron Age masonry.

In response, the Caithness Broch Project (a local archaeological charity seeking to promote Caithness through its archaeology and broch sites) worked with us to develop a project to protect, conserve, consolidate and interpret the monument for future generations. Specialist conservation-accredited engineers were brought on board to provide a detailed costed scheme of works and to project manage the works on site. The project is in receipt of funding from the HES Historic Environment Repair Grant scheme, as well as LEADER funding via the Scottish Rural Development Programme.

Conservation, consolidation and access works have been deliberately light-touch and designed to require little ongoing maintenance. The nature of the stone used to build the broch is such that it fractures easily, meaning that the usual methods of inserting stone pinnings into voids to support masonry were actually causing further degradation of the historic stonework.

This required a dynamic response. Following close collaboration on site between us, the engineers, and the stonemasons an alternative approach was found. Works are now continuing using a softer material interspersed with the stone pinnings. We hope that this will minimise damage to the historic fabric upon installation – its effect is currently being monitored.



CAPACITY BUILDING

D. SHARING GOOD PRACTICE, SKILLS AND KNOWLEDGE

We work with colleagues across the planning and development sector to promote the historic environment and share skills, knowledge and good practice. We respond to Scottish Government consultations and engage with or sit on a number of national groups. These include the Heads of Planning Group, the Royal Town Planning Institute, the Key Agencies Group, and the BEFS historic environment working group.

Throughout this year we have also participated in a range of partnership projects with key stakeholders, local communities and communities of interest. These projects have provided opportunities for sharing knowledge and expertise in dealing with historic environment issues.

We provided support and contributed £20,000 to projects emerging from the Inner Forth Futures initiative.

The Inner Forth Futures initiative aims to build on the legacy of the Inner Forth Landscape Initiative (IFLI) and provide local people with opportunities to promote their natural and cultural heritage. The initiative extends across Stirling, Clackmannanshire, Falkirk and Fife.

We have also partnered and provided support to the Garnock Connections and Galloway Glens initiatives, a suite of 25 projects restoring wildlife habitats and historic sites around the River Garnock, from Lochwinnoch to Irvine in southwest Scotland. We have a representative on the project board and on the steering group. The project team of ecologists and archaeologists works to ensure that both natural and cultural heritage goals are achieved which maximises benefits for the area.

The projects are developed with, and led by, the local communities. Our involvement has helped ensure that cultural heritage is deeply embedded in the partnership and is central to flagship elements, including community excavations at Ardrossan Castle and consolidation of the medieval ruins of Peel Tower at RSPB's Lochwinnoch reserve.

These projects aim to enhance and improve community access to natural and cultural heritage.

CASE STUDY 8

FINLAGGAN, ISLAY

During the reporting year we contributed to the development of a project to improve the long-term viability of public access to Finlaggan. This project has involved close collaboration with the landowner, the community group Finlaggan Trust that manages the site, and SEPA.

Finlaggan was the seat of the Lord of the Isles. It is scheduled as a monument of national importance and it also contributes at an international level to our understanding of the medieval kingdom that encompassed much of western Scotland and Northern Ireland. It served as a residence and inauguration site for the Lords of the Isles and as a meeting place for the Council of the Isles. It occupies two islands in Loch Finlaggan, Eilean Mor and Eilean na Comhairle (the Council Isle). There are also associated remains on the shore.

The cultural significance of Finlaggan extends beyond its physical remains. It has ongoing resonance in the hearts and minds of anyone who shares an interest in the origins of the Scottish nation.

The ability to be able to physically access and experience and learn from the site forms a key component of its significance. It is also a critical site within the tourism offering of Islay.

Despite running repairs, the existing wooden access walkway to Eilean Mor is failing as it has reached the end of its functional life span. Part of the failure appears to be as a result of more regular flooding events of a greater magnitude than have previously been observed. This means that the walkway is regularly submerged underwater, contributing to its decay.

The walkway does not just provide pedestrian access to Eilean Mor. It is also the only way for a mower to reach the island to routinely cut the grass and keep vegetation under control. Maintenance of this type is an important part of the monument's preservation.

In assessing options for a replacement walkway, a variety of issues have required detailed consideration and collaboration with others. As well as more regular severe flooding events, climate change may be contributing to vegetation changes at the outflow of the loch. These changes may be impacting on the way that water flows through the loch, which would change how sediment accumulates at the inflow right next to the walkway. This can affect flooding events.

No matter what the cause is, fluctuating water levels may lead to the damage of archaeological deposits close to the waterline.

As part of our work recognising 2020 as the Year of Coasts and Waters, we have offered grant funding to the Finlaggan Trust to support the construction of a replacement walkway. Water level monitoring in Loch Finlaggan is required as a condition of the grant aid.



We collaborated with SEPA to support the community group in setting up a gauge board and datalogger, with SEPA providing spare equipment and specialist technical advice in the process. These works will provide important information for the future management of the monument and contribute to our understanding of the changes occurring in the environment.

Collaboration

In April 2019 new guidance was published on Good Practice during Wind Farm Construction. This is a joint publication with a number of partner agencies and organisations, and we contributed a chapter on the historic environment incorporating input from the wider heritage sector. The guidance builds on over 20 years of experience in wind farm construction in Scotland and is intended to be used by all those with an interest in wind farm developments. It has significant buy-in from the renewables industry.

Training activities

In our commitment to sharing good practice across the sector, we regularly engage in training activities. During 2019-20, we facilitated and contributed to various planning skills events. We have identified some of the highlights below.

We provided support and advice to planning authorities on the implementation of the Historic Environment Policy for Scotland. This included the creation of a short YouTube video introducing the new policy and setting out its status within the planning system. We also hosted a webinar with the Improvement Service on 30 April 2019. This provided detailed technical advice and gave participants the chance to ask questions about the new policy.

We have also held meetings and training seminars with individual planning authorities on the new policy. These have included North Lanarkshire Council, Argyll and Bute Council and South Ayrshire Council. Our training seminars have aimed to bring a broad range of expertise on the designation and management of the historic environment to planning authorities. We hope to undertake more of this work in future and to create stronger links with our planning authority colleagues.

We have also shared our knowledge and expertise of the Environmental Impact Assessment (EIA) process with stakeholders across the sector. This has involved collaborating with the Scottish Government, other consultation bodies and private sector practitioners on 'Scotland's Community EIA Conference 2019'.

At the event we hosted a practitioner workshop on 'Collaborative Scoping' which aimed to promote early engagement and proportionate EIA.

Together with other consultation bodies, we also hosted a two-day training seminar on the EIA process for practitioners from across the public sector. This intensive training event aimed to promote best practice and facilitate broad discussion on the current use of EIA.

In relation to Strategic Environmental Assessment we hosted a meeting with fellow consultation authorities SEPA and SNH to share good practice in the assessment of Local Development Plan spatial strategies. This discussion also included the identification of opportunities that will arise from the new development planning process. We considered how the Consultation Authorities can be best placed to help support its delivery and where we can add further value through advice and guidance.

Policy and guidance

One of the ways we build capacity and share good practice across the sector is by ensuring that our key policy and guidance documents are up to date and fit for purpose.

This year, the new Historic Environment Policy for Scotland (HEPS) was formally adopted. HEPS is our first strategic policy for the whole of the historic environment. It is a material consideration for all types of decision-making including planning permission, listed building consent and scheduled monument consent. More generally, we hope that the principles set out in HEPS will help ensure that historic environment issues and impacts are considered in all types of decisions.

During this year we progressed discussion on the policy and guidance that sits below HEPS. Several documents are in preparation, but finalisation of the documents and the start of public consultations on draft documents has been delayed as a result of the COVID-19 outbreak.

We established an external policy forum, which brought together a wide range of stakeholders, and which met twice to discuss policy prioritisations and the specific workstreams being progressed.

There has been a hiatus associated with COVID-19, and there may need to be some re-prioritisation, but we hope to reconvene the forum in the coming months.

CASE STUDY 9

MANAGING CHANGE IN THE HISTORIC ENVIRONMENT

The new Historic Environment Policy for Scotland (HEPS) was launched on 1 April 2019, and formally adopted on the 1st of May 2019. HEPS is a strategic policy document for the whole of the historic environment, which supports and enables good decision-making for changes to the historic environment.

Three new non-statutory guidance notes were also published at the same time as HEPS. They form part of the existing Managing Change in the Historic Environment series and explain how to apply the policies in HEPS.

Asset Management sets out the principles that apply to the management of the historic environment for those organisations that have large land and property portfolios. They are expected to build protection, management, maintenance or repair of historic assets into their operational and budgetary plans.

Use and Adaptation of Listed Buildings aims to support, promote and enable the continued use, reuse and adaptation of listed buildings. It is focused towards buildings whose long-term future is uncertain and suggests alternatives to demolition.

Demolition of Listed Buildings provides guidance for the consideration of proposals to demolish listed buildings and sets out the factors that should be taken into account in decision-making.

From April 2019 onwards we have been publishing case studies that illustrate specific examples of how change to listed buildings has been managed. The case studies show examples of where listed buildings have been sensitively reused and adapted, often as part of wider schemes that create well-designed, sustainable places.

These case studies are not policy guidance, but examples of good practice. They are intended to benefit local authorities, developers, architects and members of the public. They are short and visually engaging with images demonstrating possible solutions and opportunities for listed buildings.

Through the case studies we have promoted the use and adaptation of school buildings. The appeal of reusing historic school buildings goes far beyond their architectural aesthetics. These buildings tend to be in the centre of towns, be focal points for the local communities and, like many traditional buildings, be built with high quality, long-lasting materials.

The case studies include the refurbishment and extension of Marr College, Troon to allow its continued educational use. In other studies, the decision had already been made to relocate schools, requiring a new use for the existing buildings.

Most former schools are robust well-constructed buildings, with high floor-to-ceiling heights and large classrooms and windows. They are often easily adaptable, providing an ideal opportunity for a variety of conversion and reuse proposals.



A good example is the former Forfar Academy in Angus, where the building was reconfigured and remodelled internally to provide much-needed affordable housing for the town.

Key Agencies Group

During this year we chaired the Key Agencies Group (KAG). As one of the public bodies that make up the group, an important part of our role in the planning system is to work with the group to share information and support decision-making.

This year KAG has continued to engage closely with the ongoing reforms to the Scottish planning system. This has involved supporting the parliamentary process for the Planning (Scotland) Act 2019 and identifying where proposed amendments to the legislation may result in a weakening of environmental protections. KAG has also been involved in wide-ranging activities to support the implementation of the Planning (Scotland) Act 2019 since it received Royal Assent.

This work has involved collaborating on a joint response letter to the Scottish Government's 'Call for Ideas' for the development of the National Planning Framework 4 (NPF4). This letter highlighted where, collectively, the Key Agencies can help support the development of NPF4 to address Scotland's current social, environmental and economic challenges. Similarly, KAG has engaged on Scottish Government workstreams for the development of Regional Spatial Strategies. KAG also held a detailed discussion workshop on promoting links between the Strategic Environmental Assessment (SEA) process and new procedures for the preparation of Local Development Plans.

KAG collaborated on other key initiatives to support the culture change and improved joint-working required as part of the ongoing planning reforms. These have involved collaborative approaches to placemaking, the use of environmental evidence in development planning and promoting skills development across the sector.

We have also responded collectively to the current challenges presented by COVID-19. This has involved providing joint information to the High Level Group on Planning Performance and Heads of Planning Scotland on the impacts of COVID-19 on service levels across the Key Agencies Group.

CASE STUDY 10

PLACEMAKING GROUP

One of the most important ways that we can contribute to improving outcomes for people and places is working collaboratively. As part of our commitment to the Place Principle, we have created a working group on Placemaking alongside Key Agency partners.

The group offers collaborative support to planning authorities and developers on complex or large-scale developments. This input can be carried out at any stage of the development process. In our experience, the most effective collaborative work is carried out at the earlier stages of development. This allows for environmental solutions and placemaking principles to influence designs as they evolve.

We hosted the first workshop for the group in August 2019 at the Engine Shed in Stirling.

Stirling Council suggested the Forthside site to be discussed. Forthside is a large-scale redevelopment area in a strategic location. It sits between the railway station and the river and is close to both the city centre and open countryside.

Participants from Stirling Council included officers from planning and transport. Key Agency participants included HES, SEPA, Forestry Scotland, Scottish Water, Sport Scotland and NHS Scotland.

The workshop took the form of a masterplan visioning exercise and was facilitated by Architecture and Design Scotland. We worked together to gain an understanding of the wider context of the site, and discussed the significant issues. This allowed participants to consider what the priorities should be, and identify opportunities for development.

The participants then explored spatial scenarios and development principles that could give direction to a sustainable place-based approach to the site. The group considered issues such as green and blue infrastructure, active travel, shared services and the reconnection of the city to the river.

Following from this event, a report of the workshop was prepared and issued to Stirling Council for their consideration. We hope to continue to work with the Council as options for the area evolve. As part of our ongoing commitment to working with others, the Key Agency Placemaking group will now look to roll this offer of collaborative support out more widely. The Placemaking group will be looking for more partners to work with to develop and refine this new joint key agency approach to the development of complex and/or large-scale sites.

Graduate programme

We are actively engaged in helping to develop careers in planning and the historic environment. We continue to run our graduate programme, inviting recent graduates to work with us for a year to gain knowledge and experience in the sector. We currently have a graduate in post.

E. EVIDENCE AND DATA-SHARING

We are continuing to contribute to the Key Agencies sub-group on environmental evidence, which is contributing to the Scottish Government Data Pathfinder project. The aim of this work is to develop data insights, based upon environmental data work to date, to realise the potential of planning data. We hope that this will help to inform how our data is used in development planning as new systems are established.

We also continue to share data with local authority Historic Environment Records, in collaboration with the Improvement Service, and make it freely available online via PastMap. This facility helps direct people to the sources of historic environment data. PastMap has been made more accessible to professionals and the public alike thanks to a new training video available at www.pastmap.org.uk and on the HES website.

Engaging with communities to enable them to understand and record their heritage is an important step in empowering them to play a greater role in the planning system, particularly with Local Place Plans. Work undertaken within 2019-20 included rural community engagement and training through the Tomintoul & Glenlivet Landscape Partnership and as part of the Badenoch Heritage Great Place Project. Our work also included community mapping activities with urban communities as part of the fifth and final year of our Scotland's Urban Past programme.

SERVICE

F. DECISION-MAKING TIMESCALES

Our Headline Indicators for 2019-20 are consistent with previous years, showing a high level of service across all our planning engagement roles. These cover our timescales for decision-making and consultation responses across the following areas:

- Development planning
- Strategic Environmental Assessment
- Development management
- Listed building and conservation area consent
- Scheduled monument consent

We have also used this section to report on our other main activities associated with the planning process.

This section covers:

- Designations
- Scheduled monument enforcement
- Complaints handling
- Field officer programme

Development planning

During 2019-20 we were consulted on 51 development plan related cases. We have seen a small decrease in this type of consultation for the second year. This decrease is almost entirely seen in the number of consultations on Supplementary Guidance, with other numbers more steady. This reflects the fact that the single biggest consultation type has consistently been Supplementary Guidance so smaller percentage fluctuations create larger variations in the overall numbers.

This year, we responded to 100% of statutory development plan consultations within the required timescales. We did miss one non-statutory deadline for a response to a pre-Main Issues Report consultation.

Strategic Environmental Assessment

During 2019-20 we received 163 Strategic Environmental Assessment (SEA) consultations, and we responded to all of these consultations within the required timescales. 74 of these (45%) related to Local Development Plans and Strategic Development Plans. This proportion is the same as in the last reporting year.

Development Planning Casework			
Consultation Type	2019-20	2018-19	2017-18
Pre-Main Issues Reports	9	5	14
Main Issues Reports	4	6	10
Draft Proposed Plans	2	4	9
Proposed Plans	5	8	3
Modified Plans	1	1	0
Action Programme	4	4	1
Examination/Further Information requests	4	0	2
Supplementary Guidance	22	32	39
Total	51	60	78
Percentage statutory development plan consultations within the required timescale	100%	98%	100%

SEA consultations							
Consultation type	Target (days)	2019-20		2018-19		2017-18	
Screening report	28	102	99%	73	100%	89	100%
Scoping report	35	22	100%	32	100%	25	100%
Environmental report	As agreed (typically 6 weeks)	39	100%	32	100%	30	100%
Total		163	100%	137	100%	144	100%

Development management

Our development management headline indicators reflect our response timescales for the following consultation types:

- Planning applications
- Planning applications accompanied by Environmental Impact Assessments
- Listed building consent
- Conservation area consent

In 2019-20 we were consulted on 880 planning applications, 12% of which were accompanied by an Environmental Impact Assessment – a relatively significant increase on 8% last reporting year. We were consulted on 2760 statutory listed building and 126 conservation area consents.

We provided pre-application advice on 298 cases affecting historic environment assets. This number does not include pre-application advice given at the scoping stage of Environmental Impact Assessment, which would add another 120 consultations.

42 of our consultation responses were objections, of which 20 were planning application objections, 13 were listed building consent objections and 9 were conservation area consent objections – 2% of planning applications, 0.5% of listed building consent applications, and 7% of conservation area consent applications.

Our full breakdown of consultation response timescales is given in the table below.

We maintained a high level of service in all development management cases through 2019-20, responding to 96% (3612 of 3766) of consultations within required timescales. Our target percentage for this is set in our business plan at 90%.

As in previous years, our response times are well within target percentages. This is also the case for all individual application types except conservation area consent, where we responded to less than 90% within 14 days. The small numbers of this consultation type mean that slight variations can affect percentages more than in other consultation types. This case type also generates a far higher percentage of objections and it is likely that these two factors are related.

Another factor that may contribute to these issues is a lack of pre-application consultation for conservation area consent – we dealt with only five such cases in the reporting year. Pre-application consultation can avoid the need for us to object at application stage. Objections based on a lack of justification or supporting materials can often be avoided if these requirements are agreed in advance. In cases where we have received pre-application consultation, we are more likely to be able to respond in a shorter timescale and with more focussed advice.

There has been a minimal downward trend in our overall percentage over the past three reporting years. This year this is primarily seen in the reporting for planning application responses. This could be caused by a number of external factors, including increased numbers of complex cases or the adequacy of information provided to support applications. It could also be affected by internal factors such as staffing levels or working processes and procedures.

Of the 61 planning applications where we responded after the agreed deadline, nine responses were objections (15% as opposed to the average 2%), and 29 responses (almost half) were considering impacts on multiple historic assets. It is likely that these factors influenced the longer timescales taken.

Development management consultations					
Consultation type	Agreed timescale (days)	Target percentage	Actual percentage		
			2019-20	2018-19	2017-18
Planning applications	14	82%	93%	96%	96%
Planning applications with Environmental Impact Assessment	28 (or as otherwise agreed)	80%	100%	97%	100%
Listed Building Consent	14	90%	97%	97%	99%
Conservation Area Consent	14	90%	83%	91%	86%
All consultations	-	-	96%	97%	98%

CASE STUDY 11
INVERKEITHING PRIMARY SCHOOL

The former Inverkeithing Primary School buildings are located just outside the historic town centre. The school moved to new buildings in 2006, leaving the two listed buildings of 1874 & 1913 with an uncertain future. A proposal to retain and convert the two buildings to housing secured planning permission and listed building consent in 2013, but unfortunately work never started and an application was later submitted for total demolition. We objected as we did not consider their loss had been justified against national policy on the demolition of listed buildings.

In 2018 a fire caused major damage to the 1913 building. In September 2019 we were consulted on a listed building consent application for the total demolition of both buildings. We asked our Designations Team to review whether the listed building still met the designation criteria. We wanted this review to take place before responding to the consultation so it was necessary to miss our 14-day target for responding to listed building consent consultations.

The conclusion was that the 1874 building remained a good, representative example of a school built just after the 1872 Education Act and therefore met the criteria for listing at category C.

The raising of the school leaving age and the necessary expansion of secondary education facilities resulted in the enlargement of many early school buildings, often in a more classical style of architecture. Here in Inverkeithing, a new building was constructed allowing the 1874 building to retain its original character and appearance. We also concluded that the 1913 building no longer met the criteria for listing because of the extensive loss of fabric caused by the fire.

These conclusions allowed us to provide a proportionate and clear response to the listed building consent consultation. We objected to the demolition of the 1874 building as this was not justified against our policy and guidance on the demolition of listed buildings. We also accepted that demolition of the 1913 building could be justified.

We were able to assess the application and review the designation within 5 weeks of receiving the consultation. This is longer than our 14-day target but this added time gave us more certainty.

Our Designations Team have subsequently amended the designation to legally exclude the 1913 building and ancillary structures.



Scheduled monument consent

Scheduled monument consent is the mechanism we use to ensure that any changes to monuments of national importance are appropriate and sympathetic to their character. Works on scheduled monuments, including repairs, require consent.

Crown bodies (government departments or executive agencies) are not required to apply for scheduled monument consent. Instead, these bodies apply to us for scheduled monument clearance.

Metal and mineral detecting consent is required for the use of any equipment capable of detecting metal or minerals on scheduled monuments.

This includes metal detectors, magnetometry/gradiometer surveys and ground penetrating radar. These consent applications were previously referred to as Section 42 Consent.

In 2019-20 we handled 348 applications for scheduled monument consent, scheduled monument clearance and metal and mineral detection consent. This represents a significant increase of 18%. We determined 95% of these within 8 weeks, which comfortably meets our 80% target. 30% of scheduled monument consent applicants engaged with our pre-application advice service.

We notified 5% of scheduled monument consent cases (15) to Ministers. Due to the increased time this process takes, 13 of these cases missed their target and this represents a significant proportion of the 19 cases where the deadline was not met.

All our scheduled monument consent decisions are published through our online portal. The Historic Environment Scotland Act 2014 introduced a right of appeal against scheduled monument consent decisions. None of our decisions have yet been subject to appeal.

Scheduled Monument Consent								
	Agreed timescale	Target percentage	2019-20		2018-19		2017-2018	
Scheduled monument consent applications	8 weeks	80%	317	94%	259	88%	Not Reported	Not Reported
Scheduled monument clearance applications	8 weeks	80%	9	100%	9	100%	Not Reported	Not Reported
Metal and mineral detecting consent (previously S42)	8 weeks	80%	22	100%	28	100%	Not Reported	Not Reported
Total			348	95%	296	90%	235	93%

Where unauthorised works on scheduled monuments are reported to us, we take a proportionate approach to resolving these issues. For minor breaches, we will issue an advisory letter. In the most serious of cases, we will submit a report to the Procurator Fiscal. This may in turn lead to prosecution.

In 2019-20 we dealt with 160 reports of unauthorised works on scheduled monuments. This represents a significant increase of 17% and continues an increasing trend seen over the last 5 years. Two cases were referred to the Procurator Fiscal, leading to individuals being charged with offences under the Ancient Monuments and Archaeological Areas Act 1979.

We have also been improving the information we provide on our website to clearly explain our role in protecting scheduled monuments. This included publication in March of a new leaflet, Compliance and Enforcement at Scheduled Monuments. This leaflet explains how we investigate and respond to possible cases of damage.

Scheduled Monuments: Unauthorised Works Cases			
	2019-20	2018-19	2017-2018
Reports of unauthorised works	160	137	73
Advisory letters	24	41	24
Informal Resolutions	21	15	11
Warnings	4	1	1
Enforcement Notices	0	1	0
Referral to Procurator Fiscal	2	0	0

CASE STUDY 12
SCOTTISH HERITAGE CRIME GROUP

The Scottish Partnership Against Rural Crime (SPARC) was the first in the UK to recognise Heritage Crime as a priority area in its new Rural Crime Strategy.

Heritage crime is defined as any criminal activity which causes damage to a heritage asset. This includes metal theft, vandalism, and intentional damage to both historic buildings and monuments.

In April 2019, Fiona Hyslop MSP, Cabinet Secretary for Culture, Tourism and External Affairs, launched a new partnership to tackle heritage crime in Scotland, and support the work of SPARC. It brought together representatives from Police Scotland, Historic Environment Scotland, Treasure Trove, the Association of Planning Enforcement Officers and the Association of Local Government Archaeological Officers.

The group works collaboratively to reduce the damage, impact and cost of heritage crime throughout Scotland. It does this by raising awareness of the impacts of criminal damage and strengthening information-sharing between partners.

SPARC and the Scottish Heritage Crime Group (SHCG) took a stall at the Royal Highland Show that was very effective in raising awareness among important stakeholders like farmers and land managers.

As the decision-maker for works on scheduled monuments, and the enforcement authority, we have a key role in the investigation of heritage crime. We have invested in professional training for enforcement officers and, with the help of the SHCG, strengthened collaborative working with Police Scotland.

"As guardians of Scotland's heritage, it is our responsibility to protect it from those who would seek to harm and degrade it through theft, vandalism or other forms of criminality." Culture Secretary Fiona Hyslop

"Heritage crime robs us of our history, and its cost and impact on communities is enormous - not just in monetary value but in social costs. Any damage caused denies future generations the opportunity to enjoy our heritage, and this is why the Scottish Heritage Crime Group, working as a sub group of the Scottish Partnership Against Rural Crime, has been formed. It will play a vital role in protecting and preserving Scotland's heritage for generations to come." Inspector Alan Dron, Rural Crime Coordinator at Police Scotland and Chair of the SHCG



Fiona Hyslop with Alex Paterson (Chief Executive, HES) and Alan Dron (Chair of the SHCG).

Designations

This year, we made 1434 designation decisions. This includes decisions to designate new sites and places, and decisions to amend or remove existing designations. It also includes minor record changes, and 303 cases where we decided not to take any action.

Maintaining accurate and up to date records is key for understanding designated sites and places and giving them appropriate weight in the planning process. There are currently over 55,000 national designations which include scheduled monuments, listed buildings, gardens and designed landscapes, battlefields and historic marine protected areas.

We designate new sites and places every year. We also remove designations where sites and places no longer meet the relevant criteria. A significant number of removals from the Schedule or the List reflect instances where a site or place was previously both a listed building and a scheduled monument. We have recently completed a project to decide which designation is most appropriate for sites and places where this was the case – the details of this are given in the case study below.

There is a right of appeal against both scheduling and listing. Three listing appeals were submitted this year, all of which were dismissed. For listing, two Certificate of Intention Not to List applications were confirmed, meaning that a building won't be listed for five years from the date the certificate is granted.

Amendments are material changes to designations. These alter what is designated. For scheduled monuments, Inventory gardens and designed landscapes, and Inventory battlefields, this is a change to the description or the boundary map of the designated area. For listed buildings, this is a change to the address identified in the listing.

Minor record changes are updates to the supplementary information which describe the site or place, identify its location or provide additional references or data. These cases reflect ongoing maintenance of our designation records.

The table on the next page sets out the changes made to scheduled monuments, listed buildings, gardens and designed landscapes and battlefields designations. There have been no changes to historic marine protected areas this year.

Scheduled monument designations	2019-20	2018-19	2017-18
Designations (additions to the Schedule)	7	26	18
Changes to existing designations:			
Amendments	34	50	53
Minor record changes	335	638	246
Removal from Schedule	55	22	44
Appeals	0	0	0
Listed buildings	**2019-20**	**2018-19**	**2017-18**
Designations (additions to the List)	42	14	42
Changes to existing designations:			
Amendments	88	91	84
Minor record changes	451	762	313
Removal from the List	112	71	155
Appeals	3	2	5
Certificate of Intention Not To List (COINTL)	2	0	0
Gardens and designed landscapes	**2019-20**	**2018-19**	**2017-18**
Designations (additions to the Inventory)	1	2	0
Changes to existing designations			
Amendments	1	4	9
Minor record changes	4	4	11
Removal from Inventory	0	2	6
Battlefields	**2019-20**	**2018-19**	**2017-18**
Designations (additions to the Inventory)	0	0	0
Changes to existing designations			
Amendments	1	0	0
Minor record changes	0	0	0
Removal from Inventory	1	0	0
Total number of designation decisions (including all designations and other work not mentioned above)	**1434**	**2377**	**1369**

CASE STUDY 13
DUAL DESIGNATION PROJECT

Designation is the legal recognition of some of our most important historic sites and places. Due to the separate origins and development of the system of protection for buildings and monuments, some were recognised under both systems. These were 'dual designated' – both as scheduled monuments and as listed buildings.

2019 marked the completion of our five-year Dual Designation project. The project was carried out by our Designations Team with input from other parts of the organisation such as our Casework Team and Conservation Directorate.

It has long been recognised that this situation where a site or place was designated both a scheduled monument and a listed building was confusing to the public, planning authorities and heritage professionals.

Legislation states that where a structure is both listed and scheduled, scheduled monument consent takes precedence and listed building consent is not required. However, the two different consent regimes operate under different policies and these can create contradictory messages for the management of monuments and buildings.

The differences between scheduling and listing can be confusing and many people conflate the two processes. Rationalising the designations would remove this confusion. This involved deciding which was the most appropriate form of designation for each site or place that was dual designated.

During the lifetime of the project we reviewed almost 1000 dual designated sites, some of which had multiple listed buildings within them. Many of these were relatively straightforward. Structures that are better managed as listed buildings were removed from the schedule. These included structures such as bridges that remain in some form of use and market crosses that had been moved from their original locations. Others where there was a high likelihood of significant archaeological deposits surviving are better managed as scheduled monuments, and these were removed from the list.

Some cases were very complex, for instance Edinburgh Castle, which comprised a single scheduled monument and over 30 listed buildings. The project streamlined these designations leaving one scheduled monument, covering the castle and some surrounding area, and seven listed buildings – all memorials. Other cases such as Fort George provided opportunities to work with key partners, in this case Highland Council and the Ministry of Defence. Working with these partners gave us a better understanding of the implications of our decisions and clearer outcomes. In this case the scheduling was removed, leaving the complex of buildings, which are in use, listed at Category A.

By the end of the project we had dealt with 1121 cases encompassing 999 separate designations. Scotland is the only nation to have completed this work in the United Kingdom.



CASE STUDY 14

DESIGNATION ENGAGEMENT WITH PERTH & KINROSS COUNCIL PROPOSED LOCAL DEVELOPMENT PLAN

In December 2018, Perth and Kinross Council asked us to review 23 scheduled monuments as part of a programme of updates that was to inform the Perth & Kinross Local Development Plan 2 (2020).

The scheduled monuments identified for review were located within sites proposed for allocation within the plan, and on the edges of settlements identified as being under development pressure.

The objectives of the review were to ensure that the scheduled monuments were correctly described on designation records, that their boundaries were accurately mapped and that the sites continued to meet the criterion of national importance required for scheduling.



The local authority hoped that this review would provide clarification and greater certainty regarding the boundaries and significance of these monuments, prior to the adoption of the proposed allocated sites in the Local Development Plan.

Our Designations Team undertook the scheduled monument review in two-stages. The first stage involved a rapid desk-based assessment using information such as existing designation records and aerial imagery. This allowed us to communicate an early view to Perth & Kinross Council: 15 of the 23 scheduled monuments were adequately designated; one required an update to the online mapping, while seven required a full review, a process requiring site visits and consultation with owners and occupiers.

This second phase took place during 2019 and resulted in the removal of one site from the Schedule of nationally important monuments, and amendments to six other scheduled monuments.

The project has improved the quality of the Schedule for Perth & Kinross. It also ensured that the important decisions that the Local Development Plan is taking regarding land-use and the historic environment are based on the most up-to-date information.

In the longer term, this will benefit the work of Perth & Kinross Council when considering planning applications at these sites, and also our Casework team when responding to planning consultations. The project has shown that designation reviews at an early stage in the development plan process could be beneficial in other local authority areas and demonstrates our commitment to prioritise designation work to assist the planning system.

Complaints handling and requests for information

We received five formal complaints. Two complaints were handled under stage one (frontline resolution). One of these related to how we make contact with owners and occupiers when carrying out our survey work, whilst this was not upheld, we took the opportunity to review our procedures when contacting owners and occupiers, now making sure our surveying vehicles contain contact information. We are also in the final stage of producing a leaflet that explains our archaeological survey work. The other complaint was about our handling of a designations case, which was partially upheld, and the clarity of our standard letters was improved.

Three of our formal complaints were handled under stage two (investigation) of our complaints handling procedure. One complaint, which related to our handling of a scheduled monument consent case, was not upheld. The other two were partially upheld. The first related to joining up our historic environment data, which we continue to work hard to improve. The second was about unauthorised works at scheduled monuments and the tone of our correspondence on the same subject. As a result of this we reviewed our correspondence and updated our web-based guidance about works on scheduled monuments. All were responded to within the timescales set out in the procedure.

Our guidance on complaints handling procedures is available from our website.

We received 34 information requests, all were handled under the Environmental Information (Scotland) Regulations 2004. Of these the information was released for 18, partially released for 13, withheld for none and not held for three. A review was requested of one of the Environmental Information Request responses and some additional information was released as part of this process.

Most of these requests related to information about heritage assets, their designation or advice we have given as part of a change management process.

Field officer programme

Historic Environment Scotland's field officers are based across the country and provide advice and information to owners and land managers about how to care for scheduled monuments.

We conduct regular condition monitoring visits, meet owners and occupiers, and also assess condition from aerial photographs. Our visits are weighted towards those sites where we believe their condition may have deteriorated since we last made an assessment. During 2019-20, we monitored the condition of 713 monuments across Scotland, with 74% of those monuments reported to be in optimal or satisfactory condition.

G. SERVICE STATEMENTS AND JOINT WORKING AGREEMENTS

Position statement from Scottish Natural Heritage and Historic Environment Scotland on Scotland's Landscapes

In October 2019 SNH and HES published a joint position statement on landscape. People, Place and Landscape sets out the vision and approach of SNH and HES for managing change in Scotland's landscapes.

Both of our organisations have a role to play in the conservation, management and sustainable use of our landscape resources, and in promoting their enjoyment and understanding.

We are aware of the scale and significance of changes that will be needed in our landscapes as we respond to the climate emergency.

The statement and its accompanying action plan set out how we will work together to ensure that necessary change is consistent with the approach we have set out, and also contributes positively to other cross-cutting issues such as wellbeing, community empowerment and inclusive economic growth.

H. ENGAGEMENT WITH SERVICE USERS

Public engagement in our decision-making

Over the period 2019-20, we continued to engage with the public about our designations decision-making. As part of our consultation on the proposal to list eight 1960s and '70s Brutalist multi-storey blocks of flats in Aberdeen, a significant programme of engagement was undertaken in recognition of the large number of people directly affected.

This initiative involved contacting over 839 households, meeting with several community and amenity groups and working closely with the planning and housing authority. We hosted, in partnership with Aberdeen City Council, two drop-in events near the multis which also included an exhibition on social housing. We met dozens of people face to face and received over 65 direct responses to our consultation from a variety of stakeholders – from householders to elected officials.

The comments overall were in support of listing for the buildings' special architectural and historic interest. But the overwhelming message was that there is a general lack of understanding about the implications of listing. Many people thought that changes to listed buildings were not permitted.

This was a valuable exercise that has enabled us to promote the meaning of designation to hundreds of people. It will help us prioritise more resources into addressing this gap. While the case for these listings is ongoing (its completion is currently delayed due to the COVID-19 outbreak), the summary of this case is available on our website.

We will also support Aberdeen City Heritage Trust to develop a community engagement project about the Aberdeen Multis in 2020-21.

Engagement on policy and guidance development

The development, launch and adoption of the Historic Environment Policy for Scotland (HEPS) has been a key work stream for our Designations and Casework teams in 2018-19, and we took an open, responsive approach to developing the policy. The policy was launched at the Leith Theatre in May 2019, where stakeholders and decision-makers for the historic environment who had helped develop the policy were in attendance.

Following the publication of HEPS, we continued to engage with stakeholders in developing our policy, guidance and designation priorities. To implement HEPS we set up a policy forum for external stakeholders. This will act as a reference group to inform decisions on this ongoing work.

We held meetings with this forum to gather views on a range of matters. Key amongst these are our designations plan for 2020 onwards, and new guidance, which aims to help communities understand how to value achieve recognition for the heritage that is important, is being developed.

Joint Planning System Customer Survey with Scottish Natural Heritage

This year we have worked with Scottish Natural Heritage to develop and pilot a joint approach to seeking feedback from stakeholders. The Joint Planning System Customer Survey will gather data for both organisations, helping us to understand how stakeholders feel we are performing our role in the planning system. This collaborative approach will allow performance benchmarking across the two organisations, and offers benefits in terms of efficiency and reduction of consultation fatigue for stakeholders.

Engagement in Design Review Panels

We regularly participate on panels to review and offer advice on design options. We aim to support good development and achieve positive outcomes for the historic environment where possible.

This includes:

- contributing to Architecture and Design Scotland's review panels and workshops
- attending Local Authority-led design panels
- participating the Local Authority Urban Design Forum

Sponsorship of Awards

We sit on the judging panel of the Royal Incorporation of Architects in Scotland (RIAS) awards and sponsor the Historic Environment Scotland Award for Conservation and Climate Change.

CASE STUDY 15
RIAS AWARD

We're committed to tackling climate change and reducing our carbon footprint as an organisation. We also want to support and enable others to develop and deliver high quality sustainable projects. In this way building conservation can protect our historic environment and address climate change.

To recognise outstanding achievement in this area, for the last eight years we have sponsored an Award for Conservation and Climate Change within the Royal Incorporation of Architects in Scotland (RIAS) Building of the Year awards. We also take part in the judging panel for the main awards.

This year we decided to concentrate on the regeneration of Scotland's economically disadvantaged town centres, supporting our commitment to place-making. Our winning project was the Borders Distillery in Hawick, the first distillery to open in the Borders for almost two centuries.

We also awarded a commendation to two projects West Dunbartonshire Council Offices, Church Street, Dumbarton and The Ingram Enterprise Centre, John Finnie Street, Kilmarnock.

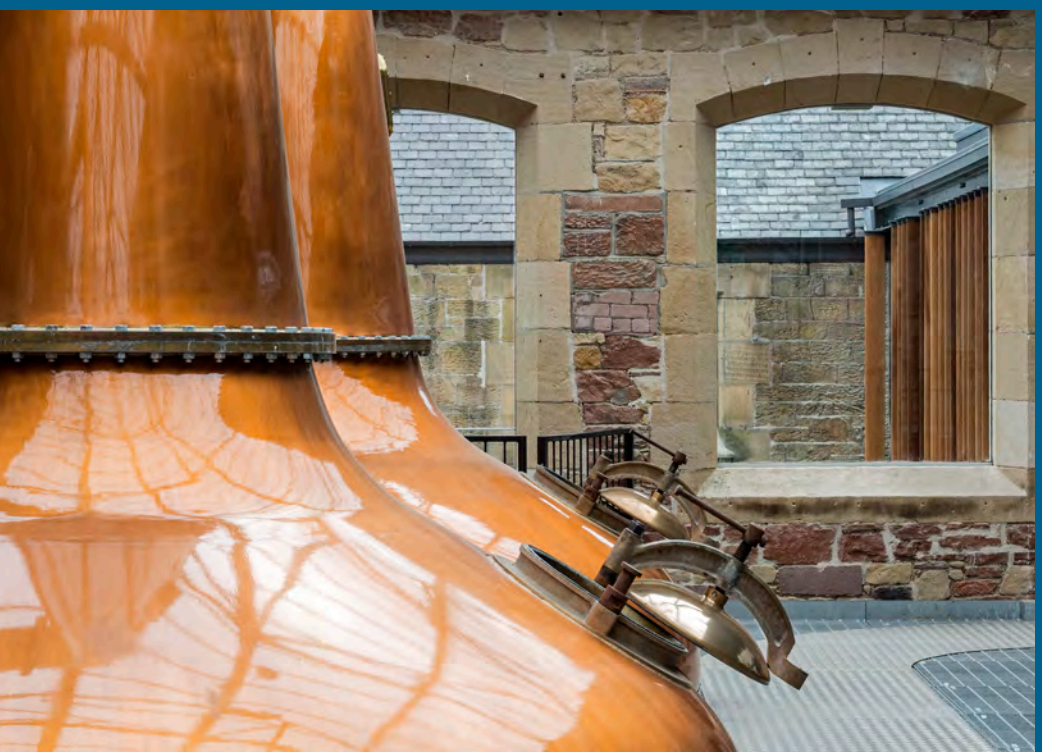
All three demonstrate that the reuse of historic buildings can have a major impact on the regeneration of our historic towns. For the Borders Distillery, instead of a new building on an out-of-town site, the decision was taken invest in Hawick's town centre, using a skilled local workforce to convert an empty listed former industrial building.

The project concentrated on energy efficiency, with natural ventilation and a target of zero-waste. River water is taken to cool the machinery, the same approach used by the Electricity Company who built the building over a century ago, and by providing no restaurant, it is hoped visitors will instead use the town's facilities.

The HES award highlights examples of best practice in building conservation that embrace sustainability in its broadest sense: social, economic and environmental. We are particularly interested in the sustainable reuse of buildings. Using existing buildings respects the long-lasting materials and embodied energy they contain and eliminates the additional carbon and other resources needed for demolition and new build.

The award also supports the growth of traditional skills and trades, and local supply chains.

More widely, we hope the award will raise awareness that sensitive and responsive changes can give traditional buildings a new lease of life, whilst helping to cut carbon emissions. Recycling a building should be the first choice, and demolition the last.



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SERVICE IMPROVEMENTS

Changes to meet this year's Improvement

	Service improvement actions for 2019-20	Was the service improvement achieved?
1	Analyse the Planning Bill and secondary legislation to identify areas where we can support implementation.	The Planning (Scotland) Act 2019 received Royal Assent in July. We have been engaging on its implementation through various routes.
2	Continue to develop our approach to supporting successful placemaking through our role in planning, including the Place Principle, Key Agencies Group initiatives on placemaking, and the Place Standard.	As part of the Key Agencies Group we continued to develop our offer of collaborative support to planning authorities and developers on complex or large-scale developments. In 2019 the group participated in its first masterplan visioning exercise in Stirling and has now rolled out a wider offer to local authorities, focussing on supporting a Green Recovery.
3	Deliver the initial priorities of the HEPS legacy programme, including: • creation of a policy steering group and preparation and publication of topic specific guidance • training for decision-makers to support the introduction of new historic environment policies • scope the facilitation of Local Authority training and forums (to replace LAHEF)	Policy steering group, external forum and internal HES forum put in place, and external forum met twice. Several documents are in preparation, with two ready for consultation at time of lockdown. We are currently reviewing priorities. Recruitment of Head of Heritage Management Policy post started but now on hold. No further progress on joint local authority forum.
4	Work with local authorities to identify more efficient and effective working practice.	We met with a planning officers from a number of local authorities including Dundee City Council and Renfrewshire Council. Issues discussed included the benefits of effective pre-application engagement.
5	Continue joint working with Scottish Natural Heritage to develop a common understanding of landscape to ensure that cultural and natural aspects are recognised.	Joint HES and SNH statement on landscape and action plan was published in October 2019. Our web pages were updated to support the statement. Work with SNH is ongoing and includes projects to ensure that the historic environment is included within Landscape Character Assessments and to progress a refresh of the joint guidance on designating Local Landscape Areas.

6	Undertake recommendations from the recent Scheduled Monument Consent User Survey to make our processes more accessible: • set out a standard for pre-application • improve information on unauthorised works • develop a more user-friendly scheduled monument consent application form	Our pre-application standards, together with a new user-friendly application form, have been prepared and will be launched after testing and feedback. We have improved access to information on how we handle cases of unauthorised works on scheduled monuments through the publication in March of a new leaflet, Compliance and Enforcement at Scheduled Monuments, that explains how we investigate and respond to possible cases of damage.
7	Delivery of 'Past Protectors', a collaborative project which will work with young people to deliver greater awareness and education around heritage crime and how to prevent it.	The project, led by Planning Aid Scotland, has continued through this financial year with workshops being held across Scotland with a variety of different types and ages of groups of young people. PAS have started the qualitative analysis, and are continuing with the project with projected completion in 2020/21.

Service improvements 2020-21

In mid-March we moved our planning and consents service to remote working in response to Scottish Government Advice around the COVID-19 outbreak. All of our staff in the Casework team, as well as our business support, are now set up to work from home.

We have continued to respond to requests for advice and to issue consents except where we have been unable to reach a final view without a site visit. The number of cases coming through has remained similar to previous years and we will update in full in the Planning Performance Report for 2020-21.

In May we published a new HES Action Plan 2020-21. This revises our workplan for the immediate future to address the impact of COVID-19 on our work and to ensure that we are able to maximise our resources to enable us to contribute to our Corporate Plan, Heritage for All, the Scottish Government's National Performance Framework and the wellbeing of everyone in Scotland. This document contains our plan for continuing to operate as best we can over the next six months and outlines how we will work over the immediate period to monitor the situation and plan for resuming our core activities when appropriate.

This year is unlike any other, with unprecedented restrictions on movement put in place, impacting on everyone's ability to continue business as usual. We are unable to set out targets for 2020-21 in the same way that we normally would.

The following 8 key service improvements for the coming year recognise that much of the next reporting year will be focused on maintaining our core functions:

1. We recognise that the best way we can improve our service is by demonstrating a broader understanding of our society and our heritage. We will do this by developing a human rights approach to our work on equality and diversity. We will listen and reflect and consider our progress in this to be a key indicator of our performance now and in the future.

2. Continue to administer our designations, advice and statutory consultation functions and scheduled monument consenting regime efficiently and transparently. In doing so, we will reflect on the findings of our joint customer survey with SNH and identify further service improvements where possible.

3. Lead HES planning response highlighting where the historic environment can make a significant contribution to a green economic recovery after the COVID-19 crisis.

4. Provide advice during the development of Scotland's National Planning Framework 4 and its incorporation of Scottish Planning Policy, as required by Scottish Government Planning and Key Agencies.

5. Work with local authorities to identify more efficient and effective working practice.

6. Continue joint working with Scottish Natural Heritage to develop a common understanding of landscape to ensure that cultural and natural aspects are recognised.

7. Review Scottish Natural Heritage's Landscape Character Assessment to ensure that the historic environment is adequately recognised and understood.

8. Review the high number of objections for conservation area consent applications and consider how policy, guidance and capacity-building with local authorities and others can be improved upon.

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HISTORIC ENVIRONMENT SCOTLAND | ÀRAINNEACHD EACHDRAIDHEIL ALBA

Historic Environment Scotland
Longmore House, Salisbury Place
Edinburgh EH9 1SH

0131 668 8600
www.historicenvironment.scot

Historic Environment Scotland – Scottish Charity No. SC045925
Registered Address: Longmore House, Salisbury Place, Edinburgh EH9 1SH