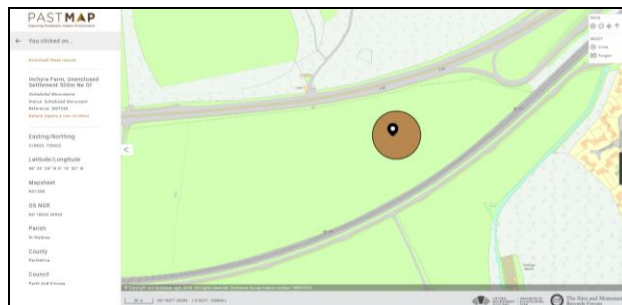
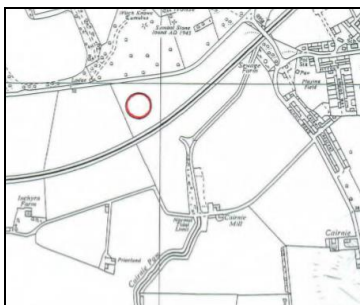




Case reference	SMC-PAK-008
Application details	Retention of polytunnels - retrospective
Site address	Inchyra Farm, unenclosed settlement 500M NE of (SM – 2736)
Applicant	Stewarts of Tayside Ltd
Determining Authority	Historic Environment Scotland (HES)
Local Authority Area	Perth & Kinross
Reason(s) for notification	Notification Direction 2015 – works to be granted Scheduled Monument Consent by Historic Environment Scotland go beyond the minimum level of intervention that is consistent with conserving what is culturally significant in a monument
Representations	NIL
Date notified to Ministers	21 September 2018
Date of recommendation	05 October 2018
Decision / recommendation	Clear

Description of Proposal and Site:

- Retrospective Scheduled Monument Consent is sought for the positioning of polytunnels. The land is former agricultural land, now used for soft fruit growing. Consent is also sought for retention of previously installed water supply pipes for irrigation purposes.
- The monument comprises the unenclosed settlement located 500m north east of Inchyra Farm, Perthshire. The monument comprises a prehistoric unenclosed settlement of prehistoric date which is visible as a series of cropmarks on oblique aerial photographs. The Scheduled area has a generally circular form. The monument is of national importance because of its potential to contribute to understanding of our the prehistoric settlement, and economy. The monument is now located between the A90 to the north, and the Dundee to Glasgow railway line to the South.



Figures 1 & 2: Scheduled Area

Consultations and Representations:

- A consultation checklist was carried out by HES. No consultations were identified as required.
- Following notification, SG Cultural and Historic Environment Division (CHED) was consulted. CHED advised of no comments on the application.

Assessment:

1. Historic Environment Scotland (HES) are minded to grant retrospective Scheduled Monument Consent for the siting of polytunnels. The polytunnels go beyond what is the minimum level of intervention which is consistent with conserving what is culturally significant in the monument. This is a significant departure from the policy set out in section 3.16 of HES' Policy Statement. As the proposal is not the minimum necessary consistent with conserving the cultural significance of the monument, notification to Scottish Ministers was required, as per The Scheduled Monument Consent (Notification of Applications) Direction 2015.
2. The application has been submitted by the firm of Stewarts of Tayside Ltd, fruit and vegetable producers.
3. Whilst the submitted application form indicated the site would impact on a SSSI, this appears to have been an error in the form completion. The nearest SSSI is the Inner Tay Estury SSSI, 1KM to the south east.
4. The Poly tunnels were sited in 2011 without scheduled monument consent. The polytunnel infrastructure comprises metal legs, and auger plates, with associated water supply piping for irrigation requirements also already in place.



Figure 3: Extent of Polytunnels



Figure 4: General Polytunnel arrangement

5. HES undertook an assessment of topsoil depth just out with the scheduled area. This indicated that the depth of topsoil across the scheduled area is likely to be in the region of 250 mm. The physical impact of the unconsented works can therefore be assessed.
 - In terms of **the irrigation system**, HES noted that it is likely that the majority of ground disturbance associated with the installation of water pipes has been limited to the top soil, although some minor disturbance below the archaeological horizon cannot be ruled out.

- In terms of **the support legs** for the polytunnels, it is noted that this will have caused small areas of localised disturbance 70 mm in diameter, up to 700 mm deep - of which the lower 400 mm have the potential to have impacted on buried archaeological deposits. Whilst each leg has only a minor localised impact, the impact is still significant due to the number of legs inserted. It is therefore likely that there has been a negative physical impact on the monument and its cultural significance.

6. HES notes that prior to installation of the polytunnels, the field was in arable rotation, and ploughed on a regular basis which would lead to erosion and damage of archaeological features. SMC is not generally required for ploughing. If these polytunnels were removed, the scheduled area would revert back to arable rotation, and be ploughed. The removal of the polytunnels and associated infrastructure could be achieved with minimal impact on the scheduled area. However, the reversion to arable cultivation would then cause long term erosion of the monument.

7. HES notes that the structures have already been in place for a period of 7 years, preventing ploughing of the land. After 10 years, ploughing will not lawfully be allowed to take place within the scheduled area, unless an application for scheduled monument consent for ploughing is granted. The retention of the polytunnels on a permanent basis offers the opportunity to permanently remove this harm. Although damage may have been caused to archaeological features and deposits, HES have assessed however that removing the polytunnels would create more damage to the monument.

8. HES has taken the view that the application should be viewed as works as set out in both Part 1 Section 2 of the AMAA Act 1979 and paragraph 3.4 of the policy statement. The previous unconsented installation of the polytunnels was not compliant with paragraphs 3.16, 3.18, 3.20 and 3.22 of the policy statement. However, the retention of this infrastructure will prevent further damage and erosion due to ploughing. By preventing further impacts on the cultural significance of the monument, it does not therefore conflict with 3.16 and 3.18 of the policy statement. This position is considered to be justified.

9. As the works will ensure the long term preservation of the monument, HES considers that they are justified in accordance with paragraph 3.17 of the policy statement. The benefits the retention of the polytunnels are considered to be greater than the negative long term effects which will result from their removal. Whilst installation was not compliant with relevant policy, the retention is concluded to be broadly consistent with relevant policy.

11. HES recommend that the consent is granted without condition, which is appropriate given no further groundworks are proposed. Intervention by ministers is not merited in this case, as no issues of national importance are raised.

Decision/Recommendation:

- The application should be cleared back to Historic Environment Scotland to issue Scheduled Monument Consent.