



Case reference	SMC-WLN-001
Application details	Formation of canal boat marina with associated bridge crossings, paths, steps, drainage, utility and landscaping works
Site address	Land adjacent to the Union Canal, River Almond to River Avon
Applicant	Winchburgh Developments Limited
Determining Authority	Historic Environment Scotland (HES)
Local Authority Area	West Lothian Council
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	1 October 2019
Date of recommendation	14 October 2019
Decision / recommendation	Clear

Description of Proposal and Site:

- Scheduled Monument Consent (SMC) is being sought for the construction of a new marina with associated works including bridge crossings, paths, steps, drainage, utility and landscape works on land adjacent to Union Canal in Winchburgh (figure 1). The works are being proposed in order to provide additional accommodation for canal boats and to facilitate access across the canal. The proposal is part of a wider masterplan for Winchburgh (see annex) and the application has been submitted by PPCA Ltd on behalf of Winchburgh Developments Ltd.
- The monument is the River Almond to River Avon branch of the Union Canal. The monument includes the entire length of canal in water, together with the banks on either side, the towing path running along one side, all overflows, distance markers and kicking stones. This application specifically relates to the stretch of canal north of Winchburgh Main Street.
- The monument is of national importance because, as an integral part of the Union Canal, it represents an excellent example of Georgian civil engineering. It was designed by the noted Scots engineer, Hugh Baird and was built in 1818-1823. It

is a continuous watercourse, over 31 miles long, was without need of a single lock and has by three major aqueducts.



Figure 1 - Proposed Marina (MLA)

Consultations and Representations:

- No representations were made on this application.
- Upon notification, PAD consulted the Scottish Government's Culture and Historic Division and they are content and have no further comment to make.

Assessment:

1. The application has been notified to Scottish Ministers as Historic Environment Scotland (HES) are minded to grant scheduled monument consent (SMC) for works that are not considered the minimum necessary consistent with conserving the cultural significance of the monument.
2. The proposed works would comprise the construction of an opening on the offside (the side opposite the towpath) of the canal to access the new marina, a new footbridge over the canal and landscaping works. The physical impact of the opening to the canal would involve excavation and removal of approximately 25 metres of the canal embankment, and landscaping of the retained offside embankment.
3. HES are of the view that historical mapping suggests there is unlikely to be archaeological remains of any historic features, other than the deposits relating to the construction of the canal itself, and that the works have been located as to avoid the masonry edge of the coal wharf. HES also state that the addition of the new footbridge over the canal would be appropriate to the character and function of the canal.
4. HES do acknowledge that the physical impact of the proposed works on the monument and its cultural significance would be locally extensive, but are of the view that as it is impacting on 150 metres of a 20km-long monument, that the works would have a minimal impact on the monument's overall cultural significance.

5. Additionally, HES also acknowledge that the proposed works would have a lasting visual impact on the monument and that these impacts would change the visual character of the monument in this area. However, HES are of the view that this change would be consistent with the changing of Winchburgh in general, as it expands from a rural context, to a more urban context.
6. Overall, HES consider that whilst the works would result in a considerable change to the physical fabric of the monument, the works would generate public benefits of national importance. These benefits would be in the form of enhanced public access, use and enjoyment of the canal. As a result, HES consider that these public benefits outweigh the impact on the cultural significance of the monument. Therefore HES consider that the proposed works comply with Scheduled Monument Consent Policies 1 and 3.
7. HES are of the view that the application has been accompanied by a detailed project design and written scheme of investigation that sets out a well-considered, appropriate and careful methodology. HES are also of the view that the project team is highly experienced and have an established track record of successfully delivering archaeological projects. Therefore, HES state no conditions need to be added to this application. As a result, HES consider that the proposed works complies with Scheduled Monument Consent Policy 4.
8. In summary, it is considered this SMC application does not raise issues of national importance that would merit intervention by Scottish Ministers.

Decision/Recommendation:

- The application should be cleared back to HES to issued Scheduled Monument Consent with no conditions.

Annex – Current Winchburgh Context and Proposed Winchburgh Masterplan

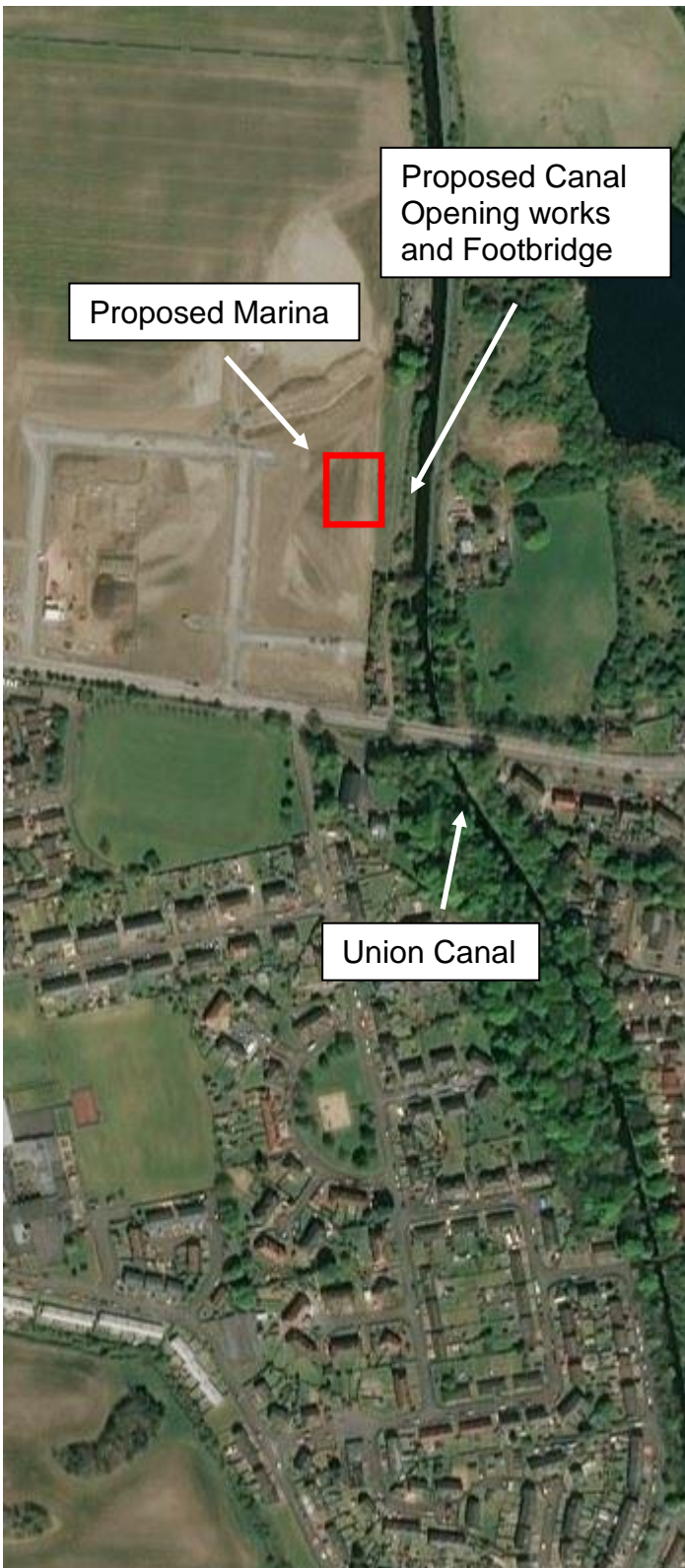


Figure 2 – Current Winchburgh Context

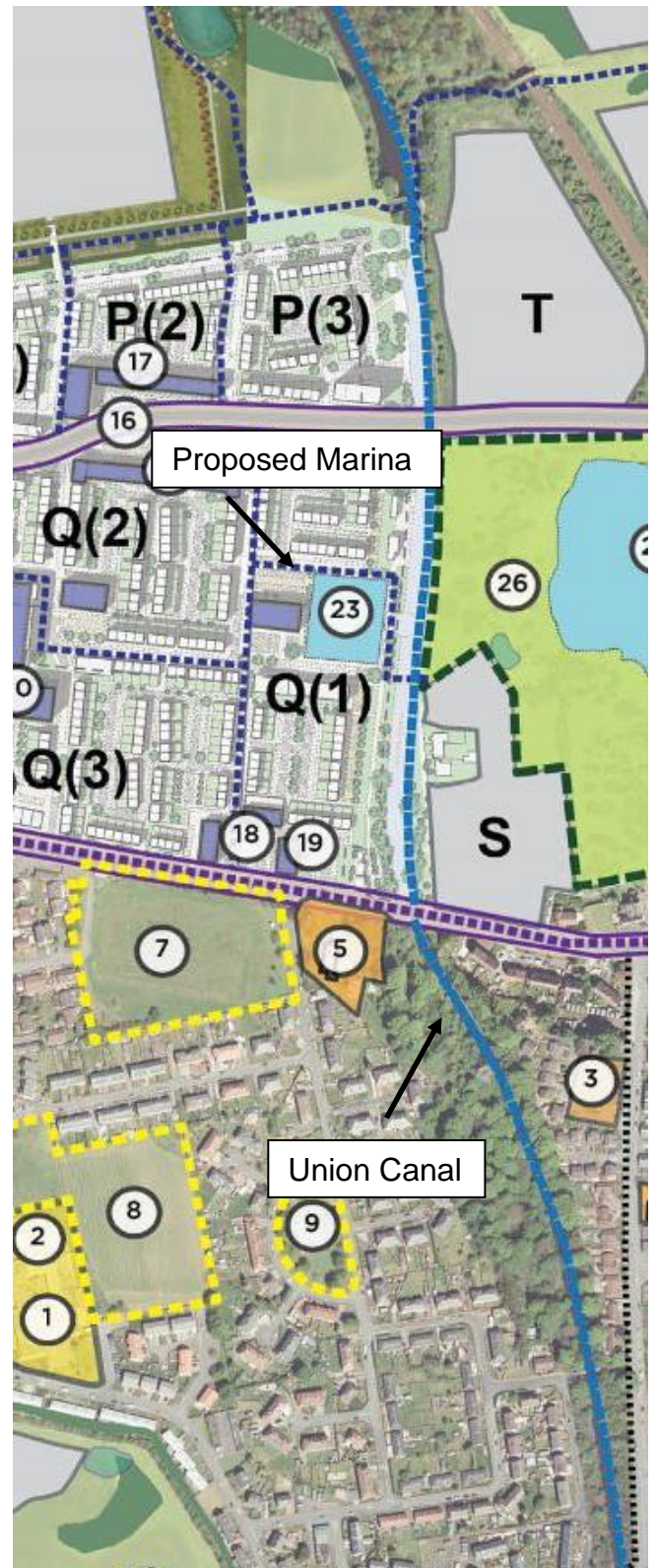


Figure 3 – Proposed Winchburgh Masterplan Context