



Case reference	SMC-NLS-001
Application details	Raising ground level, establishing parking and gardens over scheduled area
Site address	Antonine Wall, B802 to N of Cuilmuir View, Croy (SM 7639)
Applicant	Modern Homes Scotland Limited
Determining Authority	Historic Environment Scotland (HES)
Local Authority Area	North Lanarkshire 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	16 June 2020
Date of recommendation	30 July 2020
Decision / recommendation	Clear

Description of Proposal and Site:

- Scheduled Monument Consent (SMC) is sought for raising the ground level and creating parking areas and gardens as part of a brownfield housing development sited over part of the line of the Antonine Wall, immediately to the east of Nethercroy Road, north of Constarry Road at Croy.
- The monument comprises the remains of a section of the Antonine Wall which runs westward from the B802 Kilsyth Road at Croy, across an area of former industrial land and up the slope towards the open ground of Croy Hill. It consists of the rampart, the ditch, the berm (area between rampart and ditch), the upcast mound and the military roadway. The scheduled area measures a maximum of 382m west-east by a maximum of 100m north-south, including the Antonine Wall rampart, berm, ditch, upcast mound, military way and an area to the north and south where traces of activities associated with the construction and use of the monument may survive (see Figure 1). The top 50cm of all roads, tracks, hardstandings and paths within the scheduled area is excluded from the scheduling.
- The monument is of national importance because it is part of a major Roman frontier system which has the potential to increase considerably our understanding of Roman frontier policy and military organisation. The Antonine Wall is the most substantial and important Roman monument in Scotland and it is also one of Scotland's six UNESCO World Heritage Sites.

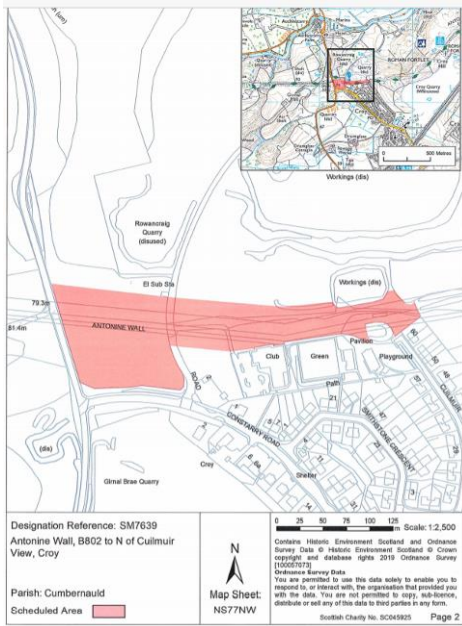


Figure 1 – Location Map - scheduled area outlined in red

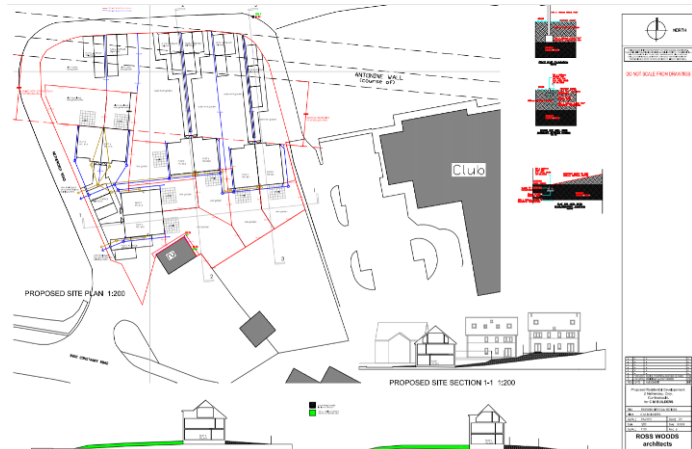


Figure 2 – Site Plan - showing built up section in green

Consultations and Representations:

- No representations were made during HES' consideration of the application.
- PAD consulted Scottish Government's Culture and Historic Environment Division (CHED) following notification. They consider the proposal does not raise any particular sensitivities beyond the fact the monument itself is an internationally recognised World Heritage Site and the works are intended to provide additional protection for the underlying archaeology.

Assessment:

1. Historic Environment Scotland (HES) are minded to grant scheduled monument consent (SMC) for the raising of ground levels by 600mm and related hard landscaping works which impacts on the Scheduled Monument as these works are not considered the minimum level of intervention consistent with conserving what is culturally significant in the monument.
2. The application has been submitted by GUARD Archaeology Ltd on behalf of the developer Modern Homes Scotland Ltd. It is accompanied by a Heritage Impact Assessment, a design statement, location map, site plan and drawings, an ecological constraints report and exchange of emails clarifying the extent of the proposed works. Agreement has also been reached between Scottish Natural Heritage and with the applicant's ecologist, concerning the prevention of harm to Great Crested Newts (European Protected Species) and agreeing to a fingertip search of the site by a qualified and appropriately licenced ecologist prior to commencement of works.
3. The proposed works include raising the ground level over the scheduled area on the northern part of the development site by 600mm using imported aggregate and topsoil to build up the surface. This would form a vertical buffer zone to protect any surviving buried remains of the Antonine Wall (this area would be used for driveways and gardens for new houses which are to be constructed to

the south and outwith the scheduled area). Works also include creating paved driveways and parking areas; erecting 0.6m and 1.8m high timber fences; creating paved paths and patios; sowing seed and turf grass and setting kerbs at edges of the development plot. The foundations of the fences, kerbing and all other works would be within the made up ground, with the exception of the kerb between Nethercroy Road and the development plot, which would be inserted into the make-up of the road. The development plot is a brown-field site, which has been extensively used and built over in the past. The proposed building up of the ground level would prevent direct impact on any surviving remains of the Antonine Wall.

4. HES consider that the works within the scheduled area have been minimised by design and are confined to a small area of the monument that has previously been extensively disturbed. During excavation on western edge of this development site in 1990, no surviving remains of the Wall were found. The northern part of the site has been heavily developed in the past. The works are not considered extensive in relation to the scale of the monument and they conclude that the proposed scheme would have a minimal impact on the cultural significance of the monument. The works do not, therefore, conflict with their Scheduled Monument Policy E1 and Scheduled Monument Consent Policy 1. The proposals have limited potential to impact on Great Crested Newts however the applicant has considered the ecological issues and will put mitigation measures in place to protect them.
5. HES believe the application has been accompanied by a range of information and a design statement that sets out a well-considered, appropriate and careful methodology. However, they require further information on the monitoring of ground works, therefore a condition is to be imposed requiring a Written Scheme of Investigation for the archaeological monitoring of ground disturbance works on site. This would ensure that archaeological information is recovered and recorded to a satisfactory standard and enable the application to be considered compliant with HES' Scheduled Monument Consent Policy 4.
6. HES conclude the proposal is broadly consistent with relevant policy, however the proposed works are not considered the minimum necessary consistent with conserving the cultural significance of the monument hence the requirement to notify Scottish Ministers.
7. In summary, this SMC application does not raise any issues of national importance that would merit intervention by Ministers.

Decision/Recommendation:

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