

# HISTORIC ENVIRONMENT POLICY FOR SCOTLAND



HISTORIC  
ENVIRONMENT  
SCOTLAND

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## INTRODUCTION

The historic environment is our surroundings as they have been shaped, used and valued by people in the past, and continue to be today. It is central to our everyday lives and our sense of place, identity and wellbeing.

It is wide-ranging – including natural and built features – and it can be valued for both its tangible and intangible aspects.

The principles and policies that make up the Historic Environment Policy for Scotland (HEPS) help us to care collectively for this precious resource as we work towards a shared vision:



Scotland's historic environment is understood and valued, cared for and protected, enjoyed and enhanced. It is at the heart of a flourishing and sustainable Scotland and will be passed on with pride to benefit future generations”

**OUR PLACE IN TIME**

## WORDS AND PHRASES USED IN THIS POLICY

These are definitions of terms and phrases as they are used in this policy, to ensure that we are all using them in the same way. Some of the following definitions have been adopted from other sources (named in brackets).

### **asset**

An asset (or 'historic asset' or 'heritage asset') is a physical element of the historic environment – a building, monument, site, place, area or landscape identified as having cultural significance.

### **community**

A community is a group of people connected by location or by a common interest.

#### *community of place*

A community of place, or place-based community, is a group of people connected because of where they live, work, visit or otherwise spend a large amount of time. It can also refer to a group of people connected to a particular geographic location.

#### *communities of practice and interest*

Communities of practice are groups of people who share a concern or a passion for a place or something they do. A community of interest is a group of people who identify with or share a similar interest or experience.

### cultural heritage

Cultural heritage is an expression of the ways of living developed by a community and passed on from generation to generation. It can include customs, practices, places, objects, artistic expressions and values, aesthetic, historic, scientific, social or spiritual aspects. (ICOMOS 2002)

### cultural significance

Cultural significance means aesthetic, historic, scientific or social value for past, present or future generations. Cultural significance can be embodied in a place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. (Australia ICOMOS Burra Charter 2013)

### decision-maker

A decision-maker for the historic environment is anyone who has a role or interest in making decisions that might affect it. In this context the term often refers to planning authorities, but it could also mean individuals, public- or private-sector organisations, Ministers, communities or developers. The decisions might be about land use, funding, alterations to a building, site or place, or long-term strategies.

### historic environment

The historic environment is ‘the physical evidence for human activity that connects people with place, linked with the associations we can see, feel and understand’. (*Our Place in Time, the Historic Environment Strategy for Scotland*)

### impact

The effect of changes on the historic environment is often referred to as the impact. This can be neutral, positive or negative. There can be impact on the physical elements of a place or on its setting, if its surroundings are changed so that our understanding, appreciation or experience is altered. Changes in the historic environment can also affect people’s associations with a place or its setting, and their responses to it.

### mitigation

Mitigation refers to ways in which we can minimise the impact on the historic environment, avoid it, or make it less damaging. Sometimes it is possible to offset the impact, compensating for it through positive actions.

### place

Place can refer to the environment in which we live, the people that inhabit these spaces and the quality of life that comes from the interaction of people and their surroundings. Architecture, public space and landscape are central to this. (*Creating Places: A Policy Statement on Architecture and Place for Scotland*)

### planning system

The planning system is the process by which local and national government bodies make decisions about how and where development should take place. Change to some designated sites and places is also managed through separate consent regimes.

### sustainable development

Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. (*World Commission on Environment and Development*)

## WHAT IS THE STATUS OF HEPS?

HEPS is a policy statement directing decision-making that affects the historic environment. It is non-statutory, which means that it is not required to be followed as a matter of law or statute. It is relevant to a wide range of decision-making at national and local levels. It is supported by detailed policy and guidance.

HEPS should be taken into account whenever a decision will affect the historic environment. This includes in plans and policies that deal with funding decisions or estate management, or other specific topics such as agriculture or energy. It is also a material consideration for planning proposals that might affect the

historic environment, and in relation to listed building consent and scheduled monument consent ('material consideration' means that decision-makers should take it into account when coming to a decision). Decisions on scheduled monument consent are made in line with Historic Environment Scotland's policy for determining consents at scheduled monuments (see 'Sources of further information and guidance').

The Scottish Government produces national policies for addressing land use matters and decisions. HEPS sits alongside these policies, and should be used with them.



## WHAT IS HEPS FOR?

HEPS is designed to support and enable good decision-making about changes to the historic environment. Good decision-making takes into account all aspects of the historic environment and the different ways people value it. Good decision-making is transparent and open to challenge, and recognises that a wide range of factors can affect the historic environment in different ways. Changes might support its long-term survival, impact on its current management or even give us new information to improve our understanding of it.

HEPS sets out a series of principles and policies for the recognition, care and sustainable

management of the historic environment. It promotes a way of understanding the value of the historic environment which is inclusive and recognises different views. It encourages consistent, integrated management and decision-making to support positive outcomes for the people of Scotland. It also supports everyone's participation in decisions that affect the historic environment.

By doing these things, HEPS helps to deliver the vision and aims of *Our Place in Time*. It takes into account principles that the UK and Scottish governments have agreed to in international charters and conventions on cultural heritage and landscape.

## HOW HAS HEPS BEEN DEVELOPED?

HEPS is for everyone who cares about decisions that affect the historic environment. This includes the people who make the decisions, as well as the people affected by or interested in them.

The policy has been developed using current research as well as established views about how to care for the historic environment. It also draws upon previous policy documents and related policy areas that affect or are affected by the historic environment.

HEPS has also been informed by work undertaken by HES to understand what the historic environment means to the people of Scotland. HES did this by listening to people's views on how to look after and manage the historic environment. These conversations have shaped this policy document.



## POLICIES FOR MANAGING THE HISTORIC ENVIRONMENT

### HEP1

Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.

### HEP2

Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.

### HEP3

Plans, programmes, policies and strategies, and the allocation of resources, should be approached in a way that protects and promotes the historic environment.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

### HEP4

Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

### HEP5

Decisions affecting the historic environment should contribute to the sustainable development of communities and places.

### HEP6

Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. Decision-making processes should be collaborative, open, transparent and easy to understand.

# WHAT ARE THE CHALLENGES AND OPPORTUNITIES FOR THE HISTORIC ENVIRONMENT?

There are a number of challenges and opportunities that affect how we understand, manage and care for the historic environment.

Decision-making has to be sufficiently flexible and adaptable to deal with wide-ranging and ongoing changes in society and the environment.

Good decisions will aim to achieve the best possible outcome for the historic environment and maximise its benefits.

## LAND MANAGEMENT

Land management affects much of the historic environment. Changes to agricultural and land use policies and practice can have a significant impact.

## CREATING AND MAINTAINING PLACES

The changing places where we live, work and play, and the ways we understand and relate to them, are among the wide range of factors that affect our wellbeing. The historic environment plays a key part in making good places.

## DIVERSITY, EQUALITY AND ACCESS

Established ways of recognising and managing the historic environment haven't always reflected our whole society. It is important to talk about the past in a way that recognises its diversity. The historic environment should be accessible and inclusive, providing a source of inspiration, enjoyment and learning for all.

## ROLES AND RESPONSIBILITIES

Taking care of the historic environment is a shared responsibility. Sometimes the interests of different groups and individuals overlap, and this can cause confusion and tension about roles and responsibilities.

## FUNDING

Some historic places and sites will rely on external funding. There are difficult choices to be made about where to spend available money, and opportunities to think creatively about approaches to funding.

## SUSTAINABLE TOURISM

Tourism brings huge benefits to the wider economy and can provide financial resources for looking after historic sites and buildings. High visitor numbers can also affect the sites themselves, sometimes creating management challenges.



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## CLIMATE CHANGE

Climate change and the effort required to mitigate and adapt to its effects have a significant impact on the historic environment. We are still working as a society to understand this impact.

## SOCIETAL CHANGE

Our communities and lifestyles are changing; our population is ageing and shifting. This can have an impact on the historic environment, changing how we interact with it and value it.

## INTANGIBLE CULTURAL HERITAGE

Established ways of managing the historic environment are often based around physical structures such as buildings and monuments – but the historic environment is made up of both intangible and tangible cultural elements.

## A HOLISTIC APPROACH TO THE ENVIRONMENT

All of our landscapes – rural and urban – are part of the historic environment. Established ways of managing them don't always recognise that natural and cultural benefits and outcomes are often interdependent.

## ECONOMIC CHANGE

Changes to the economy, whether positive or negative, have an impact on the historic environment and how it is looked after and managed. The historic environment contributes to our economy and can be a source of sustainable growth.

## COMMUNITY PARTICIPATION AND EMPOWERMENT

Decisions about the historic environment have an impact on people and communities. Empowering communities and broadening participation improves outcomes for people and for the historic environment.

## REGULATORY CHANGE

Changes to a wide range of laws and regulations can affect the management of the historic environment. It can be hard to predict and fully understand the impact of these changes.

## SKILLS AND CAPACITY

Good management relies on decision-makers having access to the right skills, expertise and capacity to look after the historic environment and make informed decisions.

# CHALLENGES AND OPPORTUNITIES

# POLICIES AND PRINCIPLES

The following policies and core principles set out HES's understanding of how the historic environment should be managed and how to apply these principles.

The principles in this document are the fundamental ideas that underpin desirable and positive outcomes for the historic environment. These principles are the basis for the policies outlined here. The policies describe how the principles should be implemented.

# UNDERSTANDING AND RECOGNITION: POLICIES AND PRINCIPLES

## Policy on understanding and recognition

### HEP1

Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.

### Core principles on understanding and recognition

- **Recognising the cultural significance of sites and places supports good decision-making.**
- **A place must be understood in order for its cultural significance to be identified.**
- **A wide range of factors contribute to cultural significance.**
- **Knowledge and information about the historic environment is critical to our understanding of our past, present and future.**
- **The historic environment changes over time, and so does how it is understood and appreciated.**
- **Research, discussion and exchange of ideas can all contribute to our understanding of the historic environment.**
- **Understanding will improve when information is made widely available and everyone has the opportunity to contribute to knowledge of the historic environment.**

### How these principles are applied

People have created the character, diversity and distinctiveness of the historic environment over time. It is fundamental to people's sense of belonging; it provides tangible links with the past, helps to define who we are, and shapes our lives today. The qualities an asset or place has and expresses may be rare, finite and vulnerable to change. Sometimes the value of a place becomes apparent only through the process of change.

Decisions affecting the historic environment should be based on careful consideration of cultural significance. This helps to ensure that the historic environment can be appreciated today and passed on with confidence for the future.

To understand a place's cultural significance, we have to understand the place itself. This involves thinking about its physical and material elements – how much of it has survived or how much of it has changed through time, as well as its wider context and setting. Elements of places which may not have a physical presence but which contribute to cultural significance need to be recognised. These intangible qualities include the knowledge and associations people have with a particular place; they might involve elements such as language and poetry, stories and song, and skills and traditions.

Different individuals and groups of people value places in different ways. Understanding this helps us to understand the cultural significance of places for past, present and future generations. Recognising why places are culturally significant helps to fulfil a range of social, environmental and economic needs.

Access to as much information and knowledge as possible is essential for understanding cultural significance. This knowledge should be shared. An inclusive approach takes account of different ways of looking at things and valuing them, and diverse interpretations of our past and heritage.

As a society, we recognise value in many different ways: in records in archives, pieces in museum collections or the legal protection given to some of our most valued historic places. Many other ways of recognising value are part of our everyday lives. We share local knowledge, cultural practices, the language we use and the stories we tell. The diversity of Scotland's rich cultural heritage should be celebrated in all its forms. People should have the opportunity to contribute to our understanding, and influence decision-making for the historic environment.

## MANAGING CHANGE: POLICIES AND PRINCIPLES

### Policies on managing change

#### HEP2

Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.

#### HEP3

Plans, programmes, policies and strategies, and the allocation of resources, should be approached in a way that protects and promotes the historic environment.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

#### HEP4

Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

### Core principles on managing change

- **Some change is inevitable.**
- **Change can be necessary for places to thrive.**
- **Caring for the historic environment benefits everyone, now and in the future.**
- **Good decisions take a long-term view.**
- **Good decisions reflect an understanding of the wider environment.**
- **Good decisions are well-informed, transparent, robust, consistent and proportionate.**
- **Good decisions make sure that nothing is lost without considering its value first and exploring options for avoiding its loss.**
- **To manage the historic environment in a sustainable way, its cultural significance and the cultural significance of elements within it have to be understood.**

## How these principles are applied

The historic environment enhances our quality of life and is a hugely valuable social, cultural, economic and environmental resource. It is finite and much of it can't be replaced. Good management maintains the quality of this resource and secures its benefits, making sure that nothing is lost without considering its value and exploring options for avoiding its loss.

Cultural significance should be considered in order to manage change through national and local policies as well as other land use management systems. If a place has cultural significance or has the potential for important new discoveries, decision-makers need to consider this when making decisions. In the planning system, this is called a 'material consideration'.

When decisions are made that affect places of cultural significance, the focus should be on avoiding or minimising adverse impact. Wherever possible, special characteristics and qualities should be protected, conserved or enhanced. Lots of actions can contribute to this, including:

- conservation
- effective maintenance
- restoration and conversion
- land management
- sensitive use of materials
- building techniques and high-quality new design
- creative and informed approaches to new development
- robust and proportionate regulation

These principles apply to the whole of the historic environment. In some cases, sites are given legal protection through formal designations, which can bring more formal obligations. In the case of listed buildings, scheduled monuments and conservation areas, consent is required for many works.

Understanding the development of the environment through time helps to inform management decisions. It offers a longer-term perspective on issues affecting the historic environment – issues like the effect of past climate change and land management. The historic environment has to be managed in a sustainable way so that it can be understood and appreciated, and so that it can benefit present and future generations.

Before decisions are made, their impact should be understood. If there is no way of being confident about what the impact of an action will be, the only way to be certain that there will be no damage is to avoid the action. This is referred to as the precautionary principle.

Sometimes the best actions for the historic environment will not be the best actions for other interests. There will be occasions where decision-makers need to manage conflicting needs. Potential conflicts should be identified and reduced as much as possible.

When decision-makers are considering potential changes, whether as a result of a development proposal or arising from environmental processes, they should use this general approach:

### Understand the historic environment

- Understand and analyse the historic environment, context, asset or place.
- Understand the cultural significance of any affected assets or places.

### Understand the background for the change

- Identify and understand the nature of and reasons for the change.

### Understand the likely impact of proposed actions or decisions

- Assess and predict the likely level of the impact of proposals on the historic environment, context, asset or place.
- Make the level of impact clear so that it can inform decision-making.

### Making decisions about impact

- Avoid negative impact where possible.
- Minimise any impact that cannot be avoided.
- Keep intervention to a minimum.
- Ensure changes to a site or place are proportionate to its cultural significance.
- Consider less detrimental alternatives if they can deliver the same objectives.
- Identify opportunities for mitigation throughout, and as early as possible.
- Identify opportunities for furthering our knowledge and understanding where possible.

### Monitoring

- Put monitoring measures in place to make sure that any mitigation has been implemented.
- Make sure measures are in place to identify any unforeseen or unintended consequences.
- Monitor the outcome and impact of the decision to provide a sound knowledge base for future policy and decision-making.

# WORKING TOGETHER: POLICIES AND PRINCIPLES

## Policies on working together

### HEP5

Decisions affecting the historic environment should contribute to the sustainable development of communities and places.

### HEP6

Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. Decision-making processes should be collaborative, open, transparent and easy to understand.

## Core principles on working together

- **Everyone has a stake in the historic environment and how it is looked after.**
- **Effective management is a collective effort.**
- **Effective management takes wider interests into account.**
- **Good management empowers and involves communities.**
- **Early dialogue and close collaboration lead to better outcomes.**

## How these principles are applied

Changes to our society, climate and economy create significant challenges for the historic environment. Resources need to be managed sustainably to balance competing demands. The different ways communities and individuals place value on the historic environment should be recognised.

Effective management of the historic environment is a shared endeavour involving individuals and organisations who own, use, manage or care about heritage. People should be empowered to use their heritage to develop their communities and places in a sustainable way. We all need to work collaboratively to respond to the challenges and opportunities we are facing, to make sure the outcome is as fair as possible.

When making decisions about the historic environment, different interests need to be taken into account. Decision-makers need to consider the consequences of decisions for a range of people. In doing this, tensions and conflicts can arise. Interrelationships and areas of common ground should be identified to encourage dialogue and collaboration, rather than focusing on competing views.



## DELIVERY AND MONITORING

Good decision-making balances current circumstances with long-term aspirations. This is central to the sustainable management of the historic environment. It is a collective responsibility to ensure that we are all striking that balance.

Decision-makers should understand and monitor decisions affecting the historic environment to learn from experience and to improve future decisions. Historic Environment Scotland will monitor this policy in collaboration with other interested parties over a ten-year period until 2029.

## SOURCES OF FURTHER INFORMATION AND GUIDANCE

### Strategy, policy and procedure

Our Place in Time:  
The Historic Environment  
Strategy for Scotland

Historic Environment Scotland:  
Designation Policy and  
Selection Guidance  
<https://www.historicenvironment.scot/designation-policy>

Designations application from  
[historicenvironment.scot/  
designation-application](http://historicenvironment.scot/designation-application)

Historic Environment Scotland:  
Scheduled Monument  
Consents Policy  
<https://www.historicenvironment.scot/smc-policy>

Historic Environment Circular 1:  
Process and Procedures  
<https://www.historicenvironment.scot/circular>

Scotland's Archaeology Strategy  
<http://archaeologystrategy.scot>

### Guidance

Managing Change in the Historic  
Environment guidance series

Managing Change Demolition of  
Listed Buildings  
<https://www.historicenvironment.scot/demolition>

Managing Change Use and  
Adaptation of Listed Buildings  
<https://www.historicenvironment.scot/use-and-adaptation>

HES case studies  
<https://www.historicenvironment.scot/adaptation-case-studies>

HES Technical advice notes  
(TANs), Short Guides, Inform  
Guides, and Practitioners Guides  
<https://www.historicenvironment.scot/archives-and-research/publications>

Scottish Government Planning  
Advice Note (PAN) 2/2011:  
Planning and Archaeology  
[www.gov.scot/publications/pan-2-  
2011-planning-archaeology](http://www.gov.scot/publications/pan-2-2011-planning-archaeology)

Scottish Government Planning  
Advice Note (PAN) 71:  
Conservation Area Management  
[www.gov.scot/publications/  
conservation-management-  
planning-advice](http://www.gov.scot/publications/conservation-management-planning-advice)

### Online resources

Historic Environment  
Scotland website -  
[www.historicenvironment.scot/  
advice-and-support](http://www.historicenvironment.scot/advice-and-support)

Designation records  
and decisions -  
[www.portal.  
historicenvironment.scot](http://www.portal.historicenvironment.scot)

Canmore: National Record  
of the Historic Environment  
[www.canmore.org.uk](http://www.canmore.org.uk)





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