

Consent Number: 0339014439

**THE ENVIRONMENTAL IMPACT ASSESSMENT (FORESTRY) (SCOTLAND)
REGULATIONS 1999**

**DETERMINATION OF AN APPLICATION UNDER REGULATION 4 OF THE
REGULATIONS FOR CONSENT TO CARRY OUT A RELEVANT PROJECT**

**Background and Statement of Reasons Supporting the Decision to Grant
Consent**

Purpose

To explain the background to Forestry Commission Scotland's (FCS) decision to grant consent, subject to conditions, to the above application. This will include the main reasons for granting consent and considerations on which the decision is based and describe, where necessary, the main measures that have been agreed to avoid and reduce (including through any enhancements) the major potential, adverse effects of the project. The applicant is the Kippendavie Estate and his agents, who led on the application for consent, are Tilhill Forestry.

Environmental Statement

The Environmental Statement and associated appendices referred to in this document are the final versions of these documents dated July 2016 and published for public consultation.

Site and Ownership

The proposed woodland creation site on Kippendavie estate sits wholly on the Sheriffmuir battlefield site, 2km east of Dunblane. It is identified on Map 7.1 (Location map - Kippendavie proposed woodland creation location - undated) of the Environmental Statement. Of relevance to the project are the small number of conifer shelterbelts on the applicant's land to the south of the MacRae monument, which have been felled recently.

The land is owned by the applicant, Kippendavie Estate, and is hill grazing land although not currently grazed. The land is also the subject of a sporting lease for pheasant shooting and roe deer stalking. The new Beaully-Denny powerline runs across the battlefield and through the middle of the proposed woodland creation area.

The Battle of Sheriffmuir is recognised as a nationally important battle in Scottish history and the defining moment of the 1715 Jacobite rising. Much of the core part of the battlefield site is obscured by forestry plantations, with the original plantation cover dating from the late 18th – 20th centuries.

Proposal for woodland creation and associated works

The proposal is to create 55.6ha of new woodland together with 7.5ha of compensatory planting to allow the recently felled shelterbelts to be replanted within the woodland creation proposal area rather than their current location, which have been visual barriers to the battlefield.

The applicant made further amendments to the proposal following discussion with Forestry Commission Scotland at the end of the public consultation. The final, revised design of the proposed scheme is set out in Appendix 1 (Kippendavie SoE Appendix 1 – final project design 27 Feb 2017) of this statement. The revised, proposed component parts of the woodland are set out in Table 1 below. This includes the areas of compensatory planting:

Component	Area (ha)	% of designed woodland area
Sitka spruce	24.7	39%
Other conifer species	11.4	18%
Broadleaves suitable for timber production	3.2	5%
Native broadleaved trees and shrubs	17.5	28%
Designed open ground	6.3	10%
Total designed woodland area	63.1	100%
Wayleaves and other open ground	14.9	
Total project area	78	

There are no new roads or borrow pits proposed as part of this project. Background information on the proposal is set out in Chapter 3 (Site description) and Chapter 4 (Description of the proposals) of the Environmental Statement.

Parts of the proposal sit adjacent to areas of existing, largely productive conifer woodland owned by the applicant. The Kippenrair Glen Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) sits 1km downstream of the site, on the banks of the Wharry burn. The site has been designated for:

- Upland mixed ash woodland
- Beetle assemblage
- Crane fly.

This large woodland SSSI consists mainly of base-rich, mixed valley woodland of ancient/long-established origin. Wet upland ash woodlands are uncommon in the Stirling Council area and this site is the largest woodland of its type in the area. The wood is relatively undisturbed and has an extremely high diversity of woodland plant species.

The Wharry burn, of historic importance in relation to the Battle of Sheriffmuir, runs through the site.

Basis of the Environmental Impact Assessment

The Environmental Impact Assessment (Forestry) Scotland) Regulations 1999 ("the EIA Regulations") prohibit the carrying out of any work or operations in relation to a "relevant project" unless consent has been obtained from Forestry Commission Scotland. This proposal constitutes an afforestation project under section 3 of the EIA regulations. The new Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017 do not apply to this project because assessment of the project commenced under the old regulations, above.

The EIA process provides the framework for assessing whether the project will have a significant impact on the environment. The decision on whether or not to grant consent takes account of the environmental impacts of a proposed project and takes into consideration the environmental information, representations received in relation to the application and any other material consideration. These include the assessment of direct and indirect impacts of the project on the environmental factors listed in Schedule 4 of the EIA (Forestry) Regulations 1999:

- i) Human beings, fauna and flora
- ii) Soil, water, air, climate and the landscape
- iii) Material assets and the cultural heritage
- iv) The interaction between the factors mentioned in (i) to (iii) above.

In assessing the proposal's impact on these factors, we considered the factors both individually and the interactions between them.

This Statement of Reasons will outline:

- The main reasons and considerations on which the decision is based
- A description, where necessary, of the main measures to avoid and reduce (including through any enhancements) the potential major adverse effects of the project
- The conditions which are attached to the approval.

Background to the project requiring consent

Forestry Commission Scotland first considered proposals for afforestation at Sheriffmuir on an area closer to the Sheriffmuir-Dunblane public road in September 2012 but this application was withdrawn. A revised proposal for EIA determination for 78ha on Sheriffmuir was received on 21 December 2012.

Various changes to the proposal have been made during the EIA process following consultation with stakeholders. The broad changes are set out in Technical Annex C (Iterative Design Process) of the Environmental Statement.

Forestry Commission Scotland advised the applicant on 4 March 2013 that the proposal would require FCS' consent under the EIA regulations and a scoping report was produced, dated 3 July 2015, addressing all the issues identified by stakeholders. Documentation relating to the scoping process, including the

scoping meeting report, are set out in Section 10 - Other Annexes 9.1 (Scoping meeting report, other meetings and correspondence) of the Environmental Statement.

Primary and secondary reasons identified in the scoping report

The reasons for the project requiring consent are set out below:

Primary reasons

Archaeology

The introduction of woodland via planting will have an immediate impact on the setting and understanding of the Sheriffmuir Battlefield, a nationally important site included in the Inventory of Historic Battlefields in Scotland. The proposed woodland has the potential to have a significant impact on buried archaeological deposits associated with the battle.

The proposed planting will have an impact on the setting of the Lairhill standing stone alignment, a scheduled monument 400m to the north east with a south-west/north east alignment; the planting has the potential to block alignments to the south-west.

Landscape

The introduction of woodland via planting will have an immediate impact on the landscape, particularly on the wider landscape setting of the monument and the battlefield.

Secondary reasons

Natural Heritage

The proposals could have significant effects on:

- the local population of red squirrels, identified as being present in the neighbouring Sheriffmuir Big Wood
- potential loss of priority open ground habitats.

Public Roads

There is potential for damage to the local public road infrastructure and disruption to users from the work associated with the establishment of the woodland and in particular with the eventual harvesting of the crop.

Visitor and Public Access

The impact of the proposals on the use of the area by members of the public needs to be assessed and proposals to improve the visitor management infrastructure, if appropriate, described.

Bird Interest

The effect on the proposals on the existing bird population must be taken into account together with an analysis of how the population may change if woodland is established.

Deer

The impact that the proposals may have on the current deer population needs to be carefully assessed; in particular the exclusion of deer and any proposed cull. The impact of any proposed deer fencing on the landscape and deer movement will need to be carefully considered.

National and regional policy context relating to Sheriffmuir

National and regional policy documents and associated guidance provide context for considering applications under the EIA regulations. They help to inform the decision by setting down the contemporary standards that should be applied when determining whether or not an environmental impact is likely to be significant, what mitigation should be carried out to minimise the impact and to assess the value of any compensatory benefits or enhancements.

Designations, policy and guidance relating to the project are set out in section 3.1 of the Environmental Statement. The most important policies and guidance are described below.

Land use

Getting the best from our land: A Land Use Strategy for Scotland 2016 - 2021¹

The Scottish Government published its second land use strategy in March 2016. The strategy's three objectives are relevant to this project:

- *"Land based businesses working with nature to contribute more to Scotland's prosperity"*
- *Responsible stewardship of Scotland's natural resources delivering more benefits to Scotland's people*
- *Urban and rural communities better connected to the land, with more people enjoying the land and positively influencing land use."*

The strategy also identifies a series of principles to be used by public bodies when making significant decisions affecting the use of land. These are also relevant:

- a) Opportunities for land use to deliver multiple benefits should be encouraged.*
- b) Regulation should continue to protect essential public interests whilst placing as light a burden on businesses as is consistent with achieving its purpose. Incentives should be efficient and cost-effective.*

¹ <http://www.gov.scot/Topics/Environment/Countryside/Landusestrategy/LUS2consultation>

c) Where land is highly suitable for a primary use (for example food production, flood management, water catchment management and carbon storage) this value should be recognised in decision-making.

d) Land use decisions should be informed by an understanding of the functioning of the ecosystems which they affect in order to maintain the benefits of the ecosystem services which they provide.

e) Landscape change should be managed positively and sympathetically, considering the implications of change at a scale appropriate to the landscape in question, given that all Scotland's landscapes are important to our sense of identity and to our individual and social wellbeing.

f) Land-use decisions should be informed by an understanding of the opportunities and threats brought about by the changing climate. Greenhouse gas emissions associated with land use should be reduced and land should continue to contribute to delivering climate change adaptation and mitigation objectives.

g) Where land has ceased to fulfil a useful function because it is derelict or vacant, this represents a significant loss of economic potential and amenity for the community concerned. It should be a priority to examine options for restoring all such land to economically, socially or environmentally productive uses.

h) Outdoor recreation opportunities and public access to land should be encouraged, along with the provision of accessible green space close to where people live, given their importance for health and well-being.

i) People should have opportunities to contribute to debates and decisions about land use and management decisions which affect their lives and their future.

j) Opportunities to broaden our understanding of the links between land use and daily living should be encouraged."

Forestry

The Scottish Forestry Strategy²

The Scottish Government's Scottish Forestry Strategy was published in 2006 and sets out government priorities for forestry in Scotland. The vision of the strategy is:

"By the second half of this century, people are benefiting widely from Scotland's trees, woodlands and forests, actively engaging with and looking after them for the use and enjoyment of generations to come. The forestry resource has become a central part of our culture, economy and environment."

Seven key themes to help achieve the vision are identified:

² <http://scotland.forestry.gov.uk/supporting/strategy-policy-guidance/forestry-strategy>

- *Using forestry, and adapting forestry practices, to help reduce the impact of climate change and help Scotland adapt to its changing climate.*
- *Getting the most from Scotland's increasing and sustainable timber resource.*
- *Strengthening forestry through business development to underpin sustainable forest management and support economic growth and employment across Scotland.*
- *Improving the quality of life and well-being of people by supporting community development across Scotland.*
- *Making access to, and enjoyment of, woodlands easier for everyone - to help improve physical and mental health in Scotland.*
- *Protecting the environmental quality of our natural resources (water, soil and air), contributing to and improving our scenery, and helping to make the most of our unique historic environment.*
- *Helping to restore, maintain and enhance Scotland's biodiversity, and increasing awareness and enjoyment of it.*

New woodland creation

The creation of new woodlands is a key Scottish Government policy and the Scottish Government's commitment to new woodland creation, and forestry more widely, is set out in the Scottish Government's draft climate change plan - The draft third report on policies and proposals 2017-2032³, published in January 2017, below.

"Our ambition – Forestry

13.3.5 By 2032, Scotland's woodland cover will increase from around 18% to 21% of the Scottish land area. These new woodlands will absorb greenhouse gas emissions and provide confidence for the forest products industry to continue to invest in Scotland and create new jobs. The woodlands will also help mitigate flood risk and improve water quality, as well as making an important contribution to improving biodiversity and people's health and wellbeing. These new woods will be created in accordance with the requirements of sustainable forest management and be integrated with other rural and urban land uses to support the delivery of the Land Use Strategy (2016-2021) objectives, which are:

- *Land-based businesses working with nature to contribute more to Scotland's prosperity.*
- *Responsible stewardship of Scotland's natural resources delivering more benefits to Scotland's people.*
- *Urban and rural communities better connected to the land, with more people enjoying the land and positively influencing land use.*

³ <http://www.gov.scot/Publications/2017/01/2768>

13.3.6 Furthermore, as this sustainable woodland resource increases and produces more wood fibre, a greater amount of wood products will be used in construction, consequently storing more sequestered carbon in buildings leading to more jobs and investment in the wood product industry.

13.3.7 The focus for delivering our ambition is to:

- *increase our long term annual woodland creation target from the current target of 10,000 hectares per year to:*
 - *12,000 hectares per year from 2020/21*
 - *14,000 hectares per year from 2022/23*
 - *15,000 hectares per year from 2024/25*
- *increase the use of Scottish wood products in construction from the current level of 2.2 million cubic metres to:*
 - *2.6 million cubic metres by 2021/22*
 - *2.8 million cubic metres by 2026/27*
 - *3.0 million cubic metres by 2031/32.*

13.3.8 Our longer-term ambition is:

- *By 2050 Scotland's woodland will be delivering a greater level of key ecosystem services, such as contributing to natural flood management and improving biodiversity. Scotland's forests will also be making a greater contribution towards the country's natural capital stocks, and this renewable natural resource will be sustainably managed to ensure that future generations can realise these benefits."*

Stirling and Clackmannanshire Forestry and Woodland Strategy

The Stirling and Clackmannanshire Forestry and Woodland Strategy⁴ was published in August 2014 and is supplementary guidance to the local authorities' local development plans. Section 4 of the strategy sets out the opportunities for woodland expansion.

"The overarching principle of the SCFWS is that woodland expansion should be looked upon favourably in Stirling and Clackmannanshire, but subject to appropriate scale, type, objective and overriding constraints. Furthermore it is an aspiration of the SCFWS that woodland expansion should be more integrated, more diverse, more inclusive, more productive, more resilient and more positive; thus contributing to the delivery of multiple economic, social and environmental benefits."

⁴ www.stirling.gov.uk/_documents/planning-and-the-environment/approved-ldp/supp-guidance-non-statutory/sg30-forestry-and-woodland-strategy_june-2014.pdf

As set out in the Environmental Statement, the project falls within an area identified as sensitive in the strategy. The strategy notes that native woodland and mixed woodland with a significant productive timber component are considered to be the two most appropriate types of woodland expansion for Stirling and Clackmannanshire. Battlefield sites are identified as a sensitivity in the strategy, which notes ongoing discussions between Historic (Environment) Scotland (HES) and Forestry Commission Scotland on this issue at the time of publication in 2014.

UK Forestry Standard

The UK Forestry Standard⁵ (3rd edition, 2011) (UK FS) sets out the Scottish Government's (and that for other governments in the UK) approach to sustainable forest management. The UK Forestry Standard is supported by Guidelines and other relevant policy and information documents. The 3rd edition of the Standard has very recently been updated by the 4th edition but the revisions made in the new edition do not impact on the assessment in this statement.

The UKFS provides the benchmark for judging the performance of the forestry sector in Scotland and defines the standards and requirements, providing a basis for regulation and monitoring. The UK FS together with the UK FS Guidelines and other supporting documents provide useful guidance for all the matters considered in this Environmental Statement.

There is a requirement that any woodland creation supported through the Scottish Government's Forestry Grant Scheme, complies with the UK Forestry Standard and associated Guidelines.

The UK Forestry Standard Guidelines on Forests and the Historic Environment provide more detailed guidance for forestry practitioners and Forestry Commission Scotland has produced a range of relevant guidance⁶.

Archaeology including battlefield sites

The Scottish Government's Planning Policy states at para 149:

"Planning authorities should seek to protect, conserve and, where appropriate, enhance the key landscape characteristics and special qualities of sites in the Inventory of Historic Battlefields."

Historic Environment Scotland's Policy Statement 2016 provides guidance to planning authorities in paragraphs 3.80-3.86, which is relevant.

⁵ <http://www.forestry.gov.uk/ukfs>

⁶ <http://scotland.forestry.gov.uk/supporting/strategy-policy-guidance/historic-environment>

The Sheriffmuir battlefield is part of Scotland's Inventory of Historic Battlefields, which is managed by Historic Environment Scotland and was first published in 2012. The purpose of the inventory is to identify sites of national importance and entry onto the Inventory ensures that this is a material consideration in the planning process. The Inventory entry for Sheriffmuir identifies its significance and provides a detailed summary of the battle and the site. The inventory area of the battlefield is around 2500 ha.

The entry notes that metal detector surveys have found battle related debris in the open fields to the south and west of the MacRae memorial and around the Linns.

Historic Environment Scotland has produced guidance on Managing Change in the Historic Environment – Historic Battlefields⁷, which was published in August 2016. This replaced HES' interim guidance dated March 2011, which was an important document until the final guidance was published.

The 2016 guidance notes:

"Including a battlefield in the Inventory is not intended to be simply a barrier to development. The intention is to identify an area of added protection where particular consideration must be given to impacts on the site. This should focus on the special qualities and landscape characteristics of the battlefield. Planning authorities have to consider proposals carefully, and determine whether development will significantly detract from the importance of the battle site."

The guidance identifies three key stages:

- Identify (assess the site)
- Assess (how the site will be affected by the proposal)
- Mitigate (identify ways to avoid, reduce or compensate for negative impacts).

When assessing the impact, two key aspects are the direct impact on special qualities and the contextual impact on key landscape characteristics.

The guidance advises that when considering mitigation, the most preferred option is to avoid impacts altogether. Where this isn't possible, impacts should be minimised and opportunities to enhance the battlefield should be identified.

Stirling Council published Supplementary Guidance SG24 – An Introduction to Battlefields and Planning in Stirling in October 2014⁸. This guidance identifies the important features and places from the Battle of Sheriffmuir.

⁷ www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=b7a05b45-f2a9-4c71-8450-a60b0094c62e

⁸ http://www.stirling.gov.uk/documents/infrastructure-delivery/sq24-battlefields_october-2014.pdf

As also highlighted in Historic Environment Scotland's inventory entry, the Stirling Council guidance identifies the core area of the battle to be mostly on the north side of the public road from Dunblane to the Sheriffmuir Inn on ground largely covered by forestry plantations together with the open ground to the south of the MacRae memorial. The guidance also identifies the area around the Linns down to the Wharry burn as a further core area of the battle.

The guidance notes that although significant areas of the battlefield have been impacted by modern forestry plantations and the Beauly-Denny power line, the nature and progress of the battle can still be understood.

Landscape

The Environmental Statement provides information on Stirling Council's Supplementary Guidance on Protecting Special Landscapes⁹ which relates to Sheriffmuir as part of the western Ochils Local Landscape Area (see pp53-54 of the Environmental Statement). The area only covers the part of the site south of the Wharry burn.

At page 44, the supplementary guidance identifies two potential actions to enhance the landscape, which are relevant to the battlefield:

- *"Utilize restructuring phase to secure improvements to the design and boundaries of poorly-shaped and scaled forestry plantations on the fringes of the hills and on Sheriff Muir*
- *Appropriate expansion/restoration of native woodland to deliver nature conservation, landscape and public access benefits, where this can be done without compromising important open habitats or landform features."*

Stirling Council has also published supplementary guidance on Landscape Character Assessment (SG 28)¹⁰, and the battlefield site is included in a wider Landscape Character Area – Sheriffmuir 19. At page 122, the guidance notes an anticipated force for future change, relevant to the project area:

"Areas of commercial woodland are reaching maturity, and some harvesting has already begun. Restocking offers opportunities to improve age and species diversity, biodiversity value and edges. The possibility of leaving some of the battlefield unplanted has been raised, although some form of woodland is likely to be restored over the majority of area currently under trees."

⁹ www.stirling.gov.uk/_documents/planning-and-the-environment/approved-ldp/sg27-components/sg27-lla3-western-ochils.pdf

¹⁰ http://www.stirling.gov.uk/_documents/temporary-uploads/economy,-planning- and -regulation/approved-ldp/sg-teith-house-jan-2015/sg28-landscape-character-assessments_feb2015-red-1.pdf

At page 124, under Guidelines for planting and biodiversity, the guidance notes:

"Ensure restructuring of areas of commercial forestry addresses issues of unsympathetic margins and lack of visual diversity and biodiversity.

The extent and character of restocking of felled areas that have an important role in understanding the Battle of Sheriffmuir need careful consideration."

This LCA Guidance builds on and supplements Scottish Natural Heritage's Landscape Character Assessment review No.123 for Central Region¹¹ published in 1999, which covers the Sheriffmuir in broad terms.

Secondary reasons

There are a wide range of policy and guidance documents which cover the secondary reasons including Stirling Council's Supplementary Guidance SG26 Biodiversity Conservation¹².

The UK Forestry Standard and associated Guidelines provide good information for the forestry practitioner.

Public consultation and summary of consultation responses

A public consultation on the Environmental Statement prepared by the applicant began on 16 November 2016 after considerable engagement with stakeholders, particularly Historic Environment Scotland and Stirling Council.

The Environmental Statement was made publicly available at Dunblane public library and at Tilhill Forestry's offices in Dunblane. A CD containing all parts of the Environmental Statement was also made available.

The Environmental Statement was sent to the following consultees:

- Historic Environment Scotland
- Stirling Council
- Scottish Natural Heritage
- Scottish Environment Protection Agency
- RSPB
- Scottish Wildlife Trust
- 2 members of the public.

We received 46 responses to the public consultation. This included responses from Historic Environment Scotland, Stirling Council, a number of conservation

¹¹ <http://www.snh.org.uk/publications/on-line/LCA/centralregion.pdf>

¹² [www.stirling.gov.uk/ documents/infrastructure-delivery/sg26-biodiversity_june-2014.pdf](http://www.stirling.gov.uk/documents/infrastructure-delivery/sg26-biodiversity_june-2014.pdf)

organisations, 3 MSPs on behalf of constituents, 1 councillor, 4 from clan or Jacobite organisations and 30 responses from individuals.

Forestry Commission Scotland met with both Historic Environment Scotland and the archaeologist for Stirling Council during the public consultation period to discuss the statement.

The responses of Historic Environment Scotland and Stirling Council are summarised below along with the main points raised in other responses received.

Historic Environment Scotland

Historic Environment Scotland welcomed the level of consultation and engagement which had taken place in relation to this project. HES remained concerned about the level of planting proposed within the Inventory battlefield site.

HES assessed that the proposed scheme would have an impact on the battlefield primarily due to the masking effect of forestry and for potential disturbance of archaeological evidence by ground preparation and planting.

HES noted that although the area had changed since the time of the battle, key characteristics of the terrain could be identified, enabling the battle to be understood in a landscape context. Historic Environment Scotland highlighted that there were a number of areas within the battlefield boundary which are considered to have key landscape characteristics or special qualities and the response focussed concerns on proposed planting on the area of land to the south and west of the Linns, including the Wharry burn. The response identified the specific areas of proposed planting which caused the concern. These were compartments K3, K16, K17, K49, K50 and K51 as identified in Map 7.6 (Concept Design 2 and Potential Compartments, dated March 2015) of the Environmental Statement.

HES advised that these areas of proposed planting were likely to have a significant impact on the key landscape characteristics and special qualities and that there would be a permanent, adverse impact on the archaeology.

Stirling Council

In its consultation response, Stirling Council identified its guidance on forestry, landscape and archaeology, which are relevant to this project. This guidance has been highlighted earlier in this statement. Stirling Council noted that the Environmental Statement was a competent and thorough document and that it reflected the outcome of discussions of all parties over the last three years, including the Stirling Council archaeologist. The council was in broad agreement with the Environmental Statement's findings, if not its conclusions.

Stirling Council noted that the final design proposal protected the archaeological features identified in the archaeological survey, that the planting design had been altered to minimise the impact on the setting of the battlefield and that the

design respected and kept open all the core areas of the fighting, which had not already been afforested.

The council welcomed the intention not replant the recently felled shelterbelts and also welcomed the proposal to plant low densities of broadleaved trees along the Wharry burn to allow its line to be traced and help with interpretation of the battlefield. Notwithstanding this, the response stated that there would still be a considerable impact on the remains of the battlefield and its wider setting. Stirling Council in particular, referenced the area around the Linns.

The council response highlighted the importance of ensuring the following took place if consent was granted:

- That the metal detection programme is professionally organised and reported on and the detailed specification approved by Stirling Council
- That all disturbed ground is checked for human remains and appropriate contact made with Police Scotland and the council archaeologist
- That any human bones found are recorded, reburied and a buffer zone from planting of 10m diameter is established
- That the costs related to the discovery of human remains will be borne by the applicant
- That the applicant provides public access and interpretation enhancements to the battlefield to mitigate the impacts of the project, specifically:
 - a path along the lade
 - provision of improved interpretation and car parking
 - long term maintenance of the above
 - no restocking of the shelterbelts identified earlier in this statement.

The council noted that the proposed woodland was appropriately designed and would integrate well within the wider landscape.

In relation to natural heritage, Stirling Council flagged up the value of encouraging natural regeneration along the Wharry burn and the importance of protecting the sand martin colony on the Wharry burn.

Stirling Council was content that account had been taken of any flood risk in the commitments made in the Environmental Statement. Stirling Council noted that if the conditions set out above were applied, the council would not object to the application.

Other issues raised

The issues identified by the other consultation responses are summarised below:

- Project based on commercial gain, no consideration of site's historic or cultural importance
- Damage to the archaeology in the ground

- Will prevent the use of future archaeological methods of survey
- Ability to interpret the battlefield will be lost
- Excessive levels of forestry already on the battlefield
- Site is essentially a war memorial and it is wrong to disturb the ground exposing human remains
- Project will deter visitors
- Project will impinge on setting of the Wharry burn
- Project will destroy the natural environment and wildlife
- Loss of open habitat
- Protect the high value open habitat on the Wharry burn
- No operational work should be carried out during the bird breeding season
- Project will have no significant impact on Kippenrait glen SSSI and SAC.

We consider all the issues raised by the public consultation in our assessment below.

Assessment of the main issues and determination

In this part of the Statement of Reasons, we assess the primary and secondary reasons with regard to the information provided in the Environmental Statement and its annexes together with other information provided by stakeholders.

Primary reasons

Archaeology

The archaeological survey and assessment is set out in Technical Annex A (Archaeology) of the Environmental Statement. The survey and assessment provides a comprehensive analysis of the main issues.

There are no scheduled monuments within the boundaries of the project. The Lairhill standing stone alignment, (it is thought to mark an astronomical alignment) a short distance to the north east of the site, is scheduled. This alignment was identified as part of the archaeology primary reason in the scoping report. However, subsequent design iterations which have pulled back the proposed forest edge means that this is not now regarded as an issue by Historic Environment Scotland or Stirling Council. We are satisfied that the project has no impact on the standing stones and will not consider the issue further in this statement.

The archaeological assessment together with Historic Environment Scotland's and Stirling Council's notes on the battle, identify the most important focal points for the battlefield within and outwith the project boundary. These are:

- Core areas and special qualities of the battlefield
- The Gathering Stone

- MacRae Memorial
- The Linns
- Wharry burn
- Sheriffmuir Inn.

The Category B listed MacRae memorial lies just to the north of the project boundary and, along with the Gathering Stone which sits some distance from the project boundary, are popular sites for local people and tourists to visit in connection with the battle of Sheriffmuir. Also to the north of the site and of local importance is the Sheriffmuir Inn, a category C listed building. The inn is thought to be close to the area where the left wing of the Jacobite army was turned by the right wing of the Government forces.

There is also a small, more modern cairn adjacent to the MacRae memorial, erected by the 1745 Association in 2002.

The Kippendavie Lade that runs through the project area post-dates the battle in its current form but is also of geographical relevance to the site.

The battle was a turning point in the 1715 rising and was also notable for the large size of the Jacobite army. Historic Environment Scotland conservatively estimates 300-400 people were killed on each side during the battle. Because of the wide ranging nature of the battle, physical remains (artefacts) from the battle are likely to be widespread.

The assessment confirms that given the running nature of the battle, physical archaeological remains are likely to be found throughout the site. The Linns are identified as being particularly important as a known area of fighting and as an area of retreat. This is confirmed by Glasgow University's metal detecting survey in this area in 2006.

The assessment also accepts that the ground along the banks of the Wharry burn may contain human burials. There is a verbal report of human remains being found during latrine digging on the site in WWII.

The survey identified 6 archaeological sites within the project area and recommends that operational works avoid these areas, in line with the UK Forestry Standard. The exception is Site 4 (identified as Site C in the desk based assessment), a small area of rig and furrow, which the assessment recommends should be surveyed in more detail prior to planting.

The archaeological assessment notes that, with the exception of the battle of Sheriffmuir, there are unlikely to be previously undiscovered archaeological features in the ground.

Table 7 (page 47) of the archaeological survey and assessment provided a summary of the impacts on the site. With the exception of the battlefield, all the archaeological features can be mitigated by good forestry practice as set out in the UK Forestry Standard and associated guidance.

The assessment considered the battlefield to be of high significance with the project potentially causing a major adverse impact because of the likely disturbance and destruction of archaeological remains from ground preparation, planting and tree growth.

To mitigate this impact, the archaeological survey and assessment recommended the following mitigation should be carried out:

- Full metal detecting survey over the whole planting area except the areas recently felled
- Additional field walking over areas of upcast soil along the banks of the Wharry burn because of the increased chance of unearthing human remains.

The key issue identified by HES and Stirling Council in relation to archaeology was the potential damage to archaeology from ground preparation, tree planting and tree growth in the core area of the battle around the Linns. We agree with these concerns and as a result of discussions around archaeology and landscape (for the latter see the section below) during and after the public consultation period, the applicant agreed to remove the proposed planting around the Linns from the final design, as set out in Appendix 1 (Kippendavie SoE Appendix 1 – final project design - 27 Feb 2017) of this statement.

The final planting design removes or heavily modifies all of the compartments around the Linns identified by HES in their consultation response.

Overall, the potential impact of the proposed project on archaeology has been mitigated in the following ways:

- By the removal of proposed areas of planting around the Linns, ensuring that none of the remaining core areas or key features of the battlefield will be disturbed. This is also relevant to the issue of landscape discussed below
- The disturbance of the ground outwith the core areas by ground preparation, planting and tree growth is mitigated by the conditions around archaeological survey and reporting set out at the end of this statement
- By the enhancements identified and discussed in the sections on Visitor and Public Access and Summary and Conclusions below.

Given the design changes to the project, the mitigation set out above and the conditions applied at the end of this statement, our conclusion is that the residual environmental impact on archaeology will be minor and adverse, and therefore not significant.

Landscape

The archaeological assessment notes that in 1715 the battlefield was an upland moor but that interpretation of the battlefield now is made difficult because of

the presence of modern forestry plantations in the core battlefield area to the north and the east of the MacRae memorial. The assessment also notes that this makes the open view over the project site from the MacRae memorial to the Linns and the Wharry burn more important in understanding and interpreting the battle.

As highlighted earlier, the removal of three shelter belts within that view to create a more open landscape form part of the project proposals and will significantly improve the view and ability to read the battlefield landscape from the area around the MacRae memorial.

The Landscape and Visual Impact Assessment (LVIA) produced by Craignish Design is set out in Technical Annex B (Landscape and Visual Impact Assessment) and was undertaken in accordance with the Guidelines for Landscape and Visual Impact Assessment (GLVIA, 3rd edition).

In terms of the key aspects, the evaluation process and overall, we consider that the LVIA is a competent and comprehensive evaluation of the potential landscape and visual impacts of the forestry and associated infrastructure proposals, all undertaken in accordance with the GLVIA.

We set out our general observations on the LVIA below, followed by more detailed comments on the major issues identified through the LVIA and stakeholder comments.

The Landscape Baseline is a comprehensive baseline assessment, including of the historic landscape. Para 69 of the LVIA highlights that because the most important core areas of the battlefield are already beneath conifer plantation, the remaining open battlefield landscape has increased value.

Para 114 also notes that *"the cultural associations of the area with the battle remain strong and the battlefield, protected by designation, is the defining feature of the landscape setting. As a result, those landscape features that do echo the landscape of 1715 are increasingly sensitive to further change."*

In general, although the Mitigation section (Paras 172-173) well describe the mitigation measures that have been considered, much of this could also be described as good forestry practice to deliver the UK Forestry Standard - Forests and Landscape Guidelines.

The proposed planting around the area of the Linns, recognised as a core area of the battle, is identified as a key sensitivity in the LVIA and also by stakeholders as set out above. The LVIA notes at Para 288: *"There will be direct and high-adverse local impact on the Battlefield landscape, including the Core Areas south east of the Linns..."*

It is clear from Map 7.6 (Concept design 2 and potential compartments) of the Environmental Statement that the southern half of the battlefield core area at The Linns (Figure LA 06) was to be planted, which would effectively close the visual window of the Wharry Burn beyond either side of the Linns.

The key issue identified by HES and Stirling Council in relation to landscape was the reduced ability to read the battlefield landscape as a result of the proposed planting around the Linns. As above, we agree with these concerns and the final design deals with these concerns by removing or heavily modifying all of the compartments around the Linns. The final design also retains the open view around and beyond the Linns to the Wharry burn.

Historic Environment Scotland also highlighted the importance of being able to pinpoint the Wharry burn from the MacRae memorial as part of that battlefield interpretation and suggested leaving the area open. Stirling Council noted that the judicious planting of native broadleaves by the Wharry burn would allow the burn to be better identified as part of that interpretation.

From the MacRae memorial it is the midslope of the far bank of the burn that can be picked out. The final approved design proposes significant areas of open ground together with low densities of native broadleaved trees on the north side of the burn. In our assessment, these proposed plantings will not reduce the ability to read the battlefield landscape and may increase it by identifying the line of the burn. This will also deliver additional public benefit benefits in terms of amenity and biodiversity contributing to the new habitat network being created further up the Wharry burn and linking with the existing Kippenrait glen woodland SSSI/SAC.

In relation to views of the battlefield from the Sheriffmuir road, the landscape assessment notes that two localised but medium and long term, permanent, major-adverse, significant residual landscape effects would occur:

- Views will be restricted over the battlefield around the Cauldhame area on the Sheriffmuir road, for cyclists, walkers and motorists using this popular route
- At maturity, the design will restrict the views of two houses on the Sheriffmuir Road (Glentye and Park cottages), and change the character of those views.

The final design of the proposed planting on the Sheriffmuir road has not changed from the design proposed at consultation. To some extent the view at Viewpoint 4 has been recently improved by the removal of the shelterbelts in the mid distance, which would have partially obscured the view of the battlefield. The area on the Sheriffmuir road is not a core area of the battle.

The proposed broadleaved planting at the side of the Sheriffmuir road at Viewpoint 4 does screen the conifer planting immediately behind it but will also screen the views from Sheriffmuir Road. However, much of that view of the battlefield would be lost in any event as a result of proposed conifer planting on the north side of the Wharry burn.

We also recognise that the main focus for visitors is around the MacRae memorial and the Gathering stone. The current, limited opportunities for car parking around Cauldhame will have reduced the likelihood of motorists on that road stopping to use that view to interpret the battlefield.

In relation to Park cottage, the LVIA sets out the predicted visual impacts at paragraph 399. The conifer shelterbelt identified in para 399 a) has now been felled. In relation to Glentye cottage, the LVIA sets out the predicted visual impacts in paragraph 400.

The applicant has taken care to ensure that the foreground view and amenity of these cottages is not impacted and as set out in the LVIA, the restructuring of the existing and recently felled conifer blocks will be beneficial. Although these two households will be impacted by the proposed planting, we do not believe the project will have a significant environmental impact because care has been taken in the design to maintain or improve the view and amenity of those properties in the foreground to the Wharry burn, and by being sensitive to the type of trees planted.

In respect of the house at the Linns, the final, revised design has significantly reduced the planting around the Linns and we assess no significant environmental impact here.

During and after the public consultation period, we have given much thought to the potential for enhancements of Jubilee wood on the Dunblane-Sheriffmuir public road near to the MacRae memorial, to improve interpretation of the battlefield landscape. The applicant has agreed to fell this conifer plantation and to replant it with low densities of broadleaved trees to a design that maintains the diamond shape, commemorating a jubilee of Queen Victoria. This will enhance the feeling of more openness within this core area of the battlefield.

It is our assessment that as a result of the design changes and mitigation measures set out above together with the conditions set out at the end of this statement, the residual environmental impacts on the battlefield landscape will be minor and therefore not significant.

Secondary reasons

Natural Heritage

The natural heritage was identified as a secondary reason because the proposals could have significant effects on:

- the local population of red squirrels, identified as being present in the neighbouring Sheriffmuir Big Wood
- potential loss of priority open ground habitats.

There is nothing in the woodland creation proposals to suggest that it will negatively impact on the local population of red squirrels. If anything, over time the new woodland is likely to provide additional habitat for red squirrels together with future food sources in terms of conifer and broadleaved seed.

Surveys were carried out for both water voles and otters. Water voles were not found on site or the buffer area to the site but there were signs of otter activity in some of the burns. No temporary resting sites were recorded within 30m of proposed tree planting or access tracks and no potential breeding sites were

recorded within 250m of proposed tree planting or access tracks. FCS Guidance Note 35c: Forest operations and otters in Scotland¹³, provides the appropriate guidance.

Section 5.3 (Ecology – habitats) of the Environmental Statement together with Technical Annex D (Habitat survey) provides information in relation to priority open ground habitats. Table 5.3.1 sets out the range of habitats identified and their area. Section 5.3 assesses the likely impacts on the various open habitats. In general, the quality of the habitats has been compromised by improvement and/or grazing. The open habitats of highest value are the areas of unimproved acid/neutral/marshy grassland and associated calcareous flush on the steep banks of the north side of the Wharry burn. The flush and the most species rich areas of grassland will not be planted and part of the grassland will be planted with broadleaved species to retain the neutral grassland under the canopy. However, the absence of grazing will make these areas more rank than now.

The loss of the areas of semi-improved/over grazed acid grassland, marshy grassland and wet heath is mitigated by the creation of almost 18ha of new native woodland within the project area along with 6ha of designed open ground. Significant areas of agricultural, open ground remain outwith the final project area.

We consider that the environmental impact of the loss of the areas of semi-improved acid grassland, marshy grassland and wet heath are not significant.

Public roads (timber transport)

Timber transport is considered in Section 5.7 of the Environmental Statement. Map 7.12 of the Environmental Statement is the proposed timber haul route map. A length of forest-type road used in the construction of the Beauldy-Denny powerline has been retained by the applicant with the approval of the local authority. This runs from inside the proposed forest area to where it joins the Sheriffmuir public road to Dunblane. The sections of the Beauldy-Denny powerline road either side of the power line bridge over the Wharry burn have been removed. The bridge itself has been retained with the approval of the local authority.

See the Map (Kippendavie EIA SoE – new fences, access and fence removal – 22 June 2017) in Appendix 2 of this statement, which shows the road that has been retained.

Both the Sheriffmuir road on the north side of the project area and the Glen road are timber transport consultation routes. They are used for all timber haulage from the local Kippendavie and Glassingall estate forests and smaller woodlands to the north of the Sherrifmuir Inn. The road from the Sherrifmuir Inn to the south past Cauldhame is an excluded route. A consultation route requires

¹³ <http://scotland.forestry.gov.uk/images/corporate/pdf/EPSoTter.pdf>

discussions between the local authority and the forestry business to agree a workable management regime to suit the road conditions. An excluded route is one which is either formally restricted e.g. a weight limit, or close to being formally restricted.

The area around the top of the Glen road where it joins the Sheriffmuir road is becoming increasingly residential.

The applicant intends to use the retained section of the Beauldy-Denny powerline road to bring timber from the forest on the north side of the Wharry burn onto the Sheriffmuir road, leading to the Glen road and onto an agreed route through Dunblane. Timber from forest on the other side of the Wharry burn would currently have to use the excluded part of the Sheriffmuir road heading to Bridge of Allan. However, the retention of the Beauldy-Denny bridge over the burn gives the possibility of taking that timber north through the project area and onto the Sheriffmuir road to Dunblane. Any proposals for the creation of new forest roads have to be agreed with the local authority and FCS.

The greatest impact on public roads and road users will be the period over which the forest is harvested. The greatest impact will be on the minor public roads into Dunblane rather than the trunk roads accessed from Dunblane. The applicant has done some calculations on the frequency of timber lorries using these roads during the harvesting period for the forest, 35-50 years in the future. These figures suggest around 35 lorry movements per annum, each way, making 70 individual lorry movements. This works out at 1.5 lorry movements per week. Even if the harvesting is compressed into ten years, this would only increase lorry movements to 3 per week, although the felling in any one year is likely to be compressed into shorter time periods, which would mean more lorry journeys per day than any annual average, at those times.

Of greater significance to these minor public roads and their users will be the timber volume coming from the nearby Jerah plantation when it starts to mature in 35-40 years.

In line with normal good practice, we would expect sensible arrangements to be put in place with the local authority to manage the timber lorry movements arising from this project proposal and we do not find any significant environmental impact in relation to timber transport.

Visitor and Public Access

Section 5.8 of the Environmental Statement discusses the impact of the proposals on public access and proposals to improve this as part of the project. A key issue is maintaining or improving access to the Paradise pools on the Wharry burn, a popular, local wild swimming spot. Map 7.13 (New public access - undated) of the Environmental Statement sets out plans for public access.

Some of the information has changed since the production of the Environmental Statement. As discussed above in the Public roads (timber transport) section, only part of the Beauldy-Denny road remains in place. This still provides access into the site but does not now connect to the Wharry burn.

Separately, the applicant has been successful in applying for a grant from the Scottish Government's Agri-Environment Climate Scheme to fund the Lade path as marked out on Map 7.13. The applicant has also been successful in securing funding from the Scottish Government's Forestry Grant Scheme (Woods In and Around towns (WIAT) element) to support significant levels of path work to upgrade or construct the core path from Dunblane to the MacRae memorial and also to the Gathering stone. The path network improvements approved in the grant application are set out in Appendix 3 (Kippendavie EIA SoE – WIAT access improvements map – 13 March 2017) of this statement.

The path work will be carried out to a Scottish Government specified standard.

These enhancements will make a significant improvement to the opportunities for public access to the battlefield and, subject to Stirling Council approval, will also include a small car park close to the start of the Lade path. The new and upgraded paths will also mean that, subject to two small sections on the Sheriffmuir road, these paths will join up with the forest road in the adjacent Jerah plantation, providing a continuous path/track from Dunblane through to Menstrie. We have applied conditions requiring both these enhancements to be delivered by the applicant as well as the construction of two small sections of path to eliminate the remaining road sections.

The car park/start of the Lade path provides a very good view of the battlefield between the MacRae memorial and the Linns and the replanted Jubilee wood will provide some light screening of the car park from one side.

In relation to the Paradise pools which have traditionally been accessed from the Cauldhame area, these paths give the opportunity to access the pools from the MacRae memorial side although there is no path beyond the end of the remaining Beauldy-Denny section of road. The forest rides have been planned to ensure continued access to the pools from the Cauldhame side of Sheriffmuir road. The rides have also been planned to provide a circular walking route using the Lade path and the remaining section of the haul road.

To improve the visitor experience, the applicant proposed creating interpretation panels, mostly likely situated at the proposed car path to highlight the wider history of the Sheriffmuir and, in particular, the 1715 battle.

The applicant has identified the redundant fences to be removed. Gates to gain access through the deer fence are also identified and their final placings agreed with FCS and Stirling Council. The new fences, access and fences to be removed are all identified in Appendix 2 (Kippendavie EIA SoE – New fences, access and fence removal – 22 June 2017) of this statement.

We have set out a series of conditions at the end of this statement to ensure these enhancements take place.

It is our assessment that there will be positive benefits related to visitor and public access to the project area and no significant environmental impacts as a result of implementing this project.

Bird Interest

Technical Annex F (Breeding Bird Survey) of the Environmental Statement provides information of the bird species found on the project site. The survey was carried out in 2013 but there is no reason to expect a survey from this year to yield any materially different results.

The survey notes that woodland creation will reduce habitat for some red and amber list species of conservation concern but likewise the new habitat will provide greater opportunities for other red and amber listed species. The populations of the red and amber list species likely to decline are at very low levels. No Schedule 1 birds were recorded during the survey days.

A sand martin colony was identified on the site in 2013 and the survey makes a management recommendation to apply an exclusion zone around the colony to prevent damage. A condition will be applied to that effect.

We do not find that there will be any significant environmental impact related to bird interest as a result of the proposals.

Deer

The impact of the project proposal on the current deer population was identified as a secondary reason, particularly their exclusion from the project area, the compensatory deer cull as well as the impact of deer fencing on both landscape and deer movement.

The applicant has produced a deer management plan at Annex 9.5 (Deer Management Plan) of the Environmental Statement. The plan notes that there is a small (10-15) roe deer population in the project area with further populations within 5km of the site. Red deer are seen infrequently in adverse winter conditions but are transient.

The plan estimates that a cull of 25-40 roe deer annually will be necessary to allow woodland establishment. A condition will be applied requiring the applicant to agree a deer management statement and compensatory cull with Forestry Commission Scotland in consultation with Scottish Natural Heritage.

It is our assessment that there will be no significant environmental impacts related to deer as a result of implementing this project.

Summary and conclusions

In considering whether to grant consent for the proposed project, Forestry Commission Scotland's concern has been to establish whether the project would result in any significant environmental impact in relation to all of the reasons identified for the project requiring consent, but particularly the primary reasons for archaeology and landscape.

The information contained in the Environmental Statement has been examined in detail, consultees' responses have been investigated and further information and advice sought to determine whether the evidence presented by the applicant in the Environmental Statement was fit for purpose.

The conclusion of this process was that the evidence presented in the Environmental Statement was sound and of an adequate standard on which to base consideration of the impacts of the project.

In respect of the two primary reasons, Archaeology and Landscape, Historic Environment Scotland guidance highlights the importance of special qualities and landscape characteristics when considering any likely impacts. These special qualities and landscape characteristics have been identified through this EIA process. HES guidance notes the hierarchy of mitigation (avoid, reduce or compensate for negative impacts (offsetting/enhancements)).

The designated battlefield area covers a large area east and north of Dunblane. Both Historic Environment Scotland and Stirling Council have identified the core areas of the battlefield as well as highlighting special qualities. Clearly, these areas are more sensitive than other parts of the battlefield. The final project design set out in Appendix 1 envisages planting adjacent to but entirely outwith these core areas.

In this case, impacts have been avoided and the special qualities retained i.e. the continued ability to read the landscape by not planting in these key areas. The sensitive design and balanced species choice of the proposed planting is also helpful in delivering a well-designed scheme which will fit into the landscape and provide benefits in terms of biodiversity and public access.

However, the Environmental Statement (albeit the assessment at the time included planting in the area around the Linns) identified that ground preparation, planting and tree growth would potentially have a major adverse impact on the archaeology in the ground from the Battle of Sheriffmuir together with some impacts on the landscape.

As discussed above, the applicant has identified, or agreed to, a wide ranging set of enhancements to mitigate against the potential adverse impacts. These include:

- Undertaking archaeological assessment and community engagement
- Removal of three shelter belts between the Macrae memorial and the Linns
- Felling and replanting of Jubilee wood
- Construction of a small car park to improve vehicle access and safety
- An upgraded path from Dunblane to the MacRae memorial and Gathering stone
- A new Lade path, in conjunction with the remaining Beauldy-Denny road providing better access to the battlefield

- Two further small sections of path to replace the two on-road sections
- Thereby ensuring off-road walking and mountain biking access from Dunblane through to Menstrie
- Removal of redundant agricultural fencing making access through the site easier
- Improving access to, and the setting of, the Paradise pools
- Providing much improved interpretation for the site
- Amenity and biodiversity benefits from a large area of broadleaved woodland.

These are all in addition to the wider benefits to society of new woodland creation to mitigate climate change and support our forest industries. The benefits or enhancements identified in this project fit well with the objectives and principles of the land use strategy, the woodland creation targets in the draft climate change plan and many of the themes in the Scottish Forestry Strategy. The type of woodland proposed also fits well with the aspirations of the Stirling and Clackmannanshire Forestry and Woodland Strategy.

The Sheriffmuir battlefield site is currently relatively poor in terms of public access, interpretation and visitor experience and the enhancements will deliver a major improvement in all these aspects. The disturbance of the soil during ground preparation provides some opportunity to gain further knowledge about the battle but perhaps more importantly provides a focus for greater community engagement with the site.

Significant, positive changes have been made to the proposed planting design over the period of the EIA process and overall, after taking into account the mitigation and enhancements being delivered in relation to landscape, archaeology, biodiversity, public access and interpretation, we are satisfied that the project in its final form will not have a significant environmental impact in respect of any of the primary and secondary reasons identified at scoping.

Forestry Commission Scotland Determination

Having considered the Environmental Statement, national and regional policy contexts, the advice received from statutory and other bodies and the views of consultees, **Forestry Commission Scotland grants consent for the project subject to the conditions below.**

Conditions of consent

General

1. Work in relation to the project shall commence within five years of the date of this consent.
2. No work shall be carried out in relation to the project after the expiry of ten years from the date of this consent.

Reason: These are statutory timescales under the regulations.

Primary reasons

Archaeology

3. Prior to commencement of any works, the applicant will produce a method statement covering archaeology and public access conditions 4-11 and 25, to be approved by FCS in consultation with Stirling Council.
4. Planting will avoid all visible, above ground sites identified in Table 7 in the Archaeological Survey and Assessment report in Technical Annex A (Archaeology) of the Environmental Statement, with the exception of number 4 (rig and furrow adjacent to site C at page 31 of the report) in Table 7, which is dealt with below. All sites identified in the survey will be marked out on the ground by a qualified archaeologist prior to any site works starting and the appropriate buffers created around each site. All works to be carried out in accordance with the UK Forestry Standard, the Guidelines on Forests and the Historic Environment and associated guidance.
5. To better understand its age and significance, a further survey of the rig and furrow field patterns identified above must be carried out by a reputable archaeologist before ground preparation and planting is undertaken on that area.
6. The applicant will ensure that a full metal detector survey, under the supervision of a reputable archaeologist, of all areas of ground disturbed by the ground preparation works, is carried out before planting the site. The specification of the survey is to be agreed with FCS in consultation with Stirling Council.
7. A reputable archaeologist will carry out a walk-over survey of any areas of ground disturbed by operational works along the banks of the Wharry burn, specifically to check for the discovery of human remains.
8. Where any human remains are found Police Scotland and the Stirling Council archaeologist must be contacted. The human remains are to be recorded and re-buried with the immediate area roped off and avoided and appropriate planting buffers put in place.
9. Those carrying out operational works must be briefed on the approach to be followed for the discovery of archaeological artefacts or human remains.
10. As part of the method statement identified above and to encourage community participation in the archaeological works set out above, the applicant working with Stirling Council, will deliver a range of community participation events. All to be subject to the approval of Forestry Commission Scotland in consultation with Stirling Council.

11.The applicant will ensure that the archaeological work set out in the conditions above is written up and published as a report in an appropriate journal or by other method as approved by FCS in consultation with Stirling Council, by 31 December 2019.

12.The applicant will bear all reasonable costs in relation to conditions 3-11.

Reasons: To ensure that the applicant delivers appropriate archaeological mitigation and enhancement.

Landscape

13.The woodland creation scheme at Sheriffmuir will be planted in accordance with the final project design set out in Appendix 1 (Kippendavie SoE Appendix 1 – final project design - 27 Feb 2017) of this statement, or to some other, similar design approved by Forestry Commission Scotland.

Reason: To ensure that the planting follows the final design approved in this statement.

14.The recently felled shelterbelts between the Linns and the MacRae memorial under Forestry Commission Scotland felling licence CB60046 issued on 28 June 2012, will not be restocked.

15.Jubilee wood, a plantation based on an original diamond shaped commemoration of Queen Victoria's jubilee, will be felled and restocked with low density broadleaved trees by 31 December 2018. The applicant will prepare an amendment to Forestry Commission Scotland Forest Plan No. 4720522 approved on 14 May 2015, to provide authorisation for these works.

16.For a period of ten years, the applicant will manage the vegetation of the area of the project site not being planted between the Sheriffmuir-Dunblane public road running to the north of the site and the Linns, to maintain the current open aspect.

Reasons: To improve the visual amenity and visitor experience to allow better interpretation of the battlefield landscape.

Secondary reasons

Natural Heritage

17. To ensure water quality in the Wharry burn is maintained during operations, the applicant will produce a ground preparation and site drainage method statement together with a site specific diffuse pollution control plan, all to be approved in advance by Forestry Commission Scotland after consultation with the Scottish Environmental Protection Agency (SEPA).

Reason: To reduce risk of diffuse pollution.

18. The applicant will retain as open ground or as a component of native woodland habitat, the areas of unimproved acid/neutral marshy grassland and associated calcareous flush on the steep banks of the north side of the Wharry burn as described in section 5.3 (Ecology – Habitats) of the Environmental Statement.

Reason: To protect the open habitats of greatest value.

Public roads

None.

Visitor and Public Access

19. The applicant will carry out the path construction and improvements between Dunblane and the MacRae memorial as set out in the Scottish Government's Forestry Grant Scheme contract with the applicant (Ref: 17FGS15757, agreed 17 July 2017), similar to the paths identified at Appendix 3 (Kippendavie EIA SoE – WIAT access improvements map – 13 March 2017) of this statement. The applicant will maintain these paths for a period of ten years.

20. The applicant will construct a path following the Kippendavie Lade as set out in Map 7.13 (New public access - undated) of the Environmental Statement, to a specification approved by the Scottish Government. The applicant will maintain these paths for a period of ten years.

21. Subject to approval from Stirling Council, the applicant will construct two lengths of off-road path between:

- a. The MacRae memorial and the new car park identified below at the start of the Lade path; and
- b. From the end of the Lade path on the Sheriffmuir-Cauldhome road to the entry point to the Jerah plantation on the same road.

The path will be constructed to a specification approved by Forestry Commission Scotland in consultation with Stirling Council.

22. Subject to approval from Stirling Council, the applicant will construct and maintain for ten years, a car park for six cars at the current timber stacking area identified in this Environmental Statement, to a specification approved by Forestry Commission Scotland in consultation with Stirling Council.

23. All path works and construction of the car park identified above must be completed by 31 December 2019.

24. For the avoidance of doubt, conditions 19-23, relating to the construction of the paths and car park will apply, irrespective of whether the applicant chooses to take up any grant offer. This condition should not prevent the applicant from seeking grant aid in the future in respect of the two sections of path in condition 20.

25. At the car park, the applicant will provide interpretation panels covering all aspects of the Sheriffmuir but with a particular focus on the battle itself, the number, specification and content to be agreed by FCS in consultation with Stirling Council. The applicant will maintain these in good condition (including provision of any replacement panels) for a period of ten years.

26. The applicant will remove the redundant fences as set out in Appendix 2 (Kippendavie EIA SoE – New fences, access and fence removal – 22 June 2017) of this Statement, or other fences as approved by Forestry Commission Scotland.

27. The applicant will install and maintain for a period of ten years, gates to access the fenced forest area as set out in Appendix 2 (Kippendavie EIA SoE – New fences, access and fence removal – 22 June 2017) of this statement or other access as approved by Forestry Commission Scotland in consultation with Stirling Council.

28. The applicant will ensure that public access to the Paradise pools is maintained and not compromised by the project.

Reason: To deliver the public access and visitor enhancements required as mitigation in this project.

Bird interest

29. Prior to the commencement of any works, the applicant will apply an appropriate exclusion zone around the colony of sand martins identified in the breeding bird survey at Technical Annex F of the Environmental Statement.

Reason: To prevent damage to, or disturbance of, the sand martin colony.

Deer

30. In advance of commencement of any works the applicant will produce an up to date deer management statement to be approved by FCS in consultation with Scottish Natural Heritage, and will implement the works identified within it within the timescales approved in the statement.

Reason: The fencing for the woodland creation scheme will displace resident roe deer. A compensatory cull is required to ensure deer pressure is not displaced onto other land.