

Council of Scottish Clans & Associations

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January 21, 2014

Re: An open letter to Scotland concerning
preservation of the site of the battle of Culloden

Dear First Minister Salmond:

The Battle of Culloden took place on the 16th April 1746 between 4500 men under Charles Edward Stuart and a Hanoverian force of 9000 led by the Duke of Cumberland. The result was an overwhelming victory for the Hanoverians and generations of pain and anguish for the clans. Yet the battle at Culloden did not end on that field on April 16th. It continued savagely and intensified in unbroken lines of murder and atrocity radiating out from Drumossie Moor to engulf the entirety of northern Gaeldom and sounding across the generations as the British crown sought to subdue the clans forever.

For many who suffered, the pain of the aftermath of April 16, 1746 only began to recede when they, as outcasts, reached American soil and built new lives here. Today's American descendants of the Scots directly touched at Culloden and the atrocities that followed number in the tens of thousands, perhaps many more. The sanctity of that place is sincerely important and COSCA will tend to define this truly iconic singularly important 'place' as broadly as its significance requires.

Yet simply labeling a 'place' as significant is insufficient. It is so difficult to draw a bright line of stewardship around such a place as Culloden. Is it just 'the battlefield'? Just where the fighting was most intense? Is it anywhere that injured clansmen managed to crawl away to die or were pursued, tortured and killed? Is it everything that is necessary to retain the hallowed character of the spot?

The Council of Scottish Clans & Associations is presently studying a development proposal that would directly and negatively affect land that lies *within* Historic Scotland's Culloden battlefield inventory ("HS Inventory") boundary and is within 400 meters of the core of the Culloden battlefield site. COSCA is concerned about piecemeal erosion of Scottish ancestral sites from cumulative impact of housing and other development proposals such as the *Viewhill Balloch Redevelopment (Culloden housing proposal)*.

The referenced Culloden housing proposal would:

- Extend the residential encroachment pattern at the Culloden site significantly by expanding new urban/suburban disturbance into areas where there is no natural or other buffer between development and the battlefield site.

- Convert existing pastoral/agricultural land use to urban/suburban residential hardscape land use within the HS Inventory area and adjacent to the NTS Culloden site.
- Subdivide ownership of the currently intact parcel into 16 separate private residential sites.
- Require access road and other off site upgrades consistent with the conversion from agricultural to residential use.

Scotland's government wisely placed the wider Culloden battlefield area onto the HS Inventory of significant battle sites in 2010. The Culloden housing proposal lies well within the boundary of that listed/inventoried area. In the words of Historic Scotland, the purpose of the HS Inventory list is to:

... ensure that the impact of change within battlefields takes their historical and archaeological significance into account to minimise adverse impacts and avoid unnecessary damage.

Scottish Americans welcomed the words of The Cabinet Secretary for Culture and External Affairs Fiona Hyslop MSP in 2010 when the Culloden battlefield site was proposed for listing on the HS Inventory:

"[These sites] are a wonderful resource for education, helping us understand why significant events in our history unfolded as they did and provide a tangible link to some of the key figures of Scottish history".

"Not only do battlefields form an important part of our sense of identity, they also have enormous potential for attracting tourists, as well as for general recreation, allowing visitors to experience the site of a dramatic historical event for themselves."

"We want to make sure that these important battlefields are looked after now and for future generations. "

We agree completely. Indeed that is one reason that COSCA has recently expressed our appreciation for Scotland's attention to its historic environment in the government's new Historic Built Environment Strategy. Unfortunately, in this early and most important test of Scottish protection of inventoried battle sites we are concerned that the stated purposes of the HS Inventory have been set aside in the Scottish government's lightly researched decision to overturn the local council's rejection of the Culloden housing proposal.

We have been surprised to find no meaningful discussion of the "archaeological significance of the site" relative to the potential impact of the Culloden housing proposal or any mitigation of adverse impacts that would be calculated to "avoid unnecessary damage" to the site, including of course, education and interpretation and visitor experience at the Culloden site. That is to say, the Scottish government's consideration of the purpose and use of the HS Inventory listing seems so sparse as to be effectively absent from consideration.

We hope that we can add perspective to the Scottish government's consideration of the Culloden housing proposal by offering the following comments regarding the housing proposal Master Plan:

1. Overall, where we would expect robust discussion and analysis, the Masterplan is devoid of discussion or analysis of the impact of the proposed development on the visitor experience and future archaeological research at the Culloden Battlefield site. There may be site-specific studies that were completed and discussed prior to submittal but there is no reference to such activity in the Masterplan and no support for the conclusion that the development would be *unlikely* to “significantly increase the impact on the character and ambience of the battlefield”, because the new houses would be “barely visible if at all *from the center of the battlefield*”. It appears that this conclusion is a developer assumption based upon the fact that built disturbance associated with the project (i.e. 16 new houses) would occupy no more than the footprint of existing agricultural buildings, which will be demolished to make way for the new homes. This is disturbingly shallow analysis for a number of reasons.

The developer's conclusion does not account for the fact there are several negative impacts potentially flowing from the project and the actual footprint of the homes is only one of those.

For instance, the project as proposed is both a subdivision (fractionalization) of property ownership and the total conversion from pastoral agricultural use to an urban/suburban residential use within the Culloden Battlefield inventory area. These are both elements of the housing proposal that will significantly affect the Culloden visitor experience as well as future archaeological research and preservation. Yet these fundamental land use changes seem to have escaped consideration.

Additionally, there is no discussion or reference to valid study of any impact other than *visual* impact of the proposal. Clearly, preservation of the educational and interpretive value of the Culloden site should be at the center of consideration for any proposal to alter the inventoried area. The likely measurable change in the sound, feel, solitude, solemnity, privacy – i.e. ‘ambiance’ - of the Culloden site that would result from the conversion of this ground from bucolic pasture to a bustling residential neighborhood simply has not been considered. Avoiding or if necessary mitigating these types of impacts to the Culloden area are incredibly important to our ability to understand and respect the history and importance of what happened there.

2. The Masterplan makes no mention of the existing and reasonably foreseeable cumulative impacts of the proposed development, even though this development would attach to an existing residential development that is also beginning to encroach on the pastoral buffer surrounding the NTS battlefield site. The current proposal significantly adds to impact of the existing disturbance by encroaching into areas that are not effectively buffered from the NTS property.

We have discovered no clear obstacle to a continuation of this development pattern. If allowed to continue urban/suburban development would completely devour the existing pastureland surrounding the Culloden Battlefield site. There seems to be no clear and effective regulatory or other limit to such a development pattern occurring and no reason to expect more comprehensive consideration and analysis than what seems to have been undertaken precedent to this round of conversion.

3. The proposed development is located well inside of the ‘informal’ buffer that was established in the 19th century by the Inverness & Aviemore District Railway when their new track was routed well around not only the now formalized Culloden Battlefield site but also around Culloden woods and a logical, reasonable and respectful buffer area. The present developer does not explain why Scotland’s level of respect for this hallowed ground has diminished so significantly in the last century as to now allow uncontained development within that buffer area.

As stated above, COSCA’s interest, and that of our members and friends, is to ensure the best interpretation and preservation reasonably possible for Scottish historic and heritage sites. We agree with the National Trust for Scotland that long range legal protections and proposed land development review criteria need to be crafted and set in place to ensure that Scottish historic preservation is sufficient, consistent and objective. Without such long-range protections places like Culloden battlefield site will be devoured in small bites. We look forward to working with the Scottish government and local councils as well as the people of Scotland and the global Scots diaspora to achieve preservation as a common goal important to all of us.

If we have missed important parts of the Culloden housing proposal process or if our assessment of the proposal is otherwise off track please let us know where and how. If, however, we are correct that the reasonably foreseeable impacts of the Culloden housing proposal warrant additional inquiry and study please help ensure that such additional inquiry is made and successfully answered prior to allowing this project to go forward. Landscape conversion from pastoral agricultural land use to urban/suburban residential hardscape use is significant and irretrievable. The full impact of such action must be honestly and rigorously assessed and then measured against an equally honest recognition of the values of a place like Culloden.

Thank you in advance for your anticipated time and attention to this important matter.

Very truly yours,

The Council of Scottish Clans & Associations