

6 Cultural Heritage

6.1 Introduction

This section provides an assessment of the potential effects associated with the preferred route in respect to cultural heritage using guidance set out in DMRB Volume 11 (Environmental Assessment).

Cultural heritage refers to archaeological remains, Listed Buildings, Conservation Areas, Historic Gardens, Designed Landscapes and other heritage designations. Generally, four categories of archaeological remains are encountered comprising:

- Upstanding remains - built structures such as buildings, field boundaries, and features such as standing stones and stone circles.
- Earthworks - soil-covered remains that can be seen as surface undulations at ground level. These can include ruined buildings or their foundations, banks, mounds, ramparts, ditches, gullies and hollows.
- Buried features - soil-covered remains, which have no visible trace at ground level (possibly revealed by aerial photography).
- Artefact scatters - scatters of potsherds, flint, tools, metal objects, animal bones, worked stone, mortar or human remains.

Palaeoenvironmental evidence may also be found in association with archaeological remains and this can be used for dating purposes and to provide evidence of past land use or landform change.

The objective of a DMRB Stage 3 cultural heritage assessment is to undertake sufficient investigations to identify the significant archaeological impacts likely to arise from construction of the preferred route and to identify and characterise archaeological constraints and identify mitigation options associated with that route. Historic Scotland (HS) generally assess the information gathered during the Stage 1 and 2 desk studies (and any walkover studies) and establish whether further field survey is required.

6.2 Methods

6.2.1 Baseline Methods

Information regarding existing and potential cultural heritage features within the vicinity of the proposed options has been collated through a desk-based review of existing archaeological data and consultation with HS and the SBC Planning and Economic Development Department. Information from previous desk based studies has been incorporated into this section, including the findings reported within the Stage 1 Environmental Update (YA, 2004) and the Stage 2 Environmental Assessment (YA, 2005).

As part of this Stage 3 assessment, a desk study was undertaken for an area approximately 500m each side of the centre line of the proposed scheme, including the proposed bypass at Hillhouse, which was still under consideration at the time. Cultural heritage features were also identified within the wider area, especially where it could be considered that the setting of that feature may be affected by the proposed routes. The objective of the desk study was to identify the following cultural heritage features:

Scheduled Ancient Monuments (SAMs);

National Monuments Record of Scotland (NMR) sites;

- Listed Buildings;
- Designed Landscapes;
- Conservation Areas; and
- Archaeological Sites of Regional Importance.

6.2.2 Impact Assessment Methods

Impacts are considered in terms of both the site value (Table 6.1) and the magnitude of impact (Table 6.2). The significance of predicted impacts is then determined through a combination of value and magnitude as illustrated in Table 6.3.

Site Value

The site value, or status, of each site was determined by reference to any designations and by consultation with HS as detailed in Table 6.1 below. Adjustments to the above classification are occasionally made where appropriate, based on professional judgment.

Table 6.1. Definition of Site Value for Cultural Heritage.

Status	Designation
International	World Heritage Sites
National	Scheduled Monuments Listed buildings, Category A
Regional	Archaeological Sites of Regional Interest (ASRIs) Listed Building, Category B
Local	Archaeological Sites of Local Interest (ASLIs) Listed Building, Category C
Negligible	Sites that have been badly damaged or destroyed, or where their historic value is insufficient to justify their inclusion in a higher class.

Additionally, Conservation Areas and Designed Landscapes apply to areas of varying status, from local to national. However, no such sites are present within the survey area.

Impact Magnitude

The severity, or magnitude, of impact was assessed independently of the site value. Impacts were assessed both for individual sites and, where groups of buildings or features were affected, as a cumulative impact.

Impacts on sites may be direct (such as damage or severance), or indirect (such as a road in close proximity to an archaeological setting or the creation of noise or visual impacts on a site). Impacts on the setting of local sites were not considered significant and the setting of local sites was therefore not assessed.

The magnitude of impacts were assigned to one of the following categories listed within Table 6.2, based on professional judgment.

Table 6.2. Impact Magnitude Criteria for Cultural Heritage.

Criteria	Definition
Very severe, adverse	Complete or nearly complete demolition or loss (of more than approximately 80%) of a site as a result of the road.
Severe, adverse	Partial (between approximately 50% and 80%) demolition or loss of a site, or where there would be complete severance of important parts of a site such as to significantly affect the value of the site.
Moderate, adverse	Loss of part (between approximately 15% and 50%) of a site, major severance, major effects on setting, or substantial increases in noise or disturbance such that the value of a site would be diminished but to a minor degree.
Slight, adverse	Minimal effect on a site (up to 15%) or a medium effect on its setting, or where there would be minor severance, increases in noise, vibration, disturbance or amenity such that there would be no effect on its value.
Negligible, adverse	Very little appreciable effect on a site, a minimal effect on its setting, or for where there are impacts which are not considered relevant to the historic value of a site.
No impact	
Negligible, beneficial	Very little appreciable effect on a site, a minimal benefit to its setting, or for where there are impacts which are not considered relevant to the historic value of a site.
Slight, beneficial	Minimal enhancement of a site, a medium beneficial effect on its setting, or where there would be a minor reduction of severance, increases in noise, vibration, disturbance or amenity such that there would be no effect on its value.
Moderate, beneficial	Major reduction of severance, a major beneficial effect on setting, or substantial reductions in noise or disturbance such that the value of a site would be enhanced to a minor degree.

Impact Significance

The significance of impact (beneficial and adverse) was determined as a combination of the value of the site and the magnitude of impact as shown in Table 6.3.

Table 6.3. Assessment of Significance Criteria for Cultural Heritage.

Site Value	Magnitude of Impact				
	Very Severe	Severe	Moderate	Slight	Negligible
International	Major	Major	Major	Moderate	Slight
National	Major	Major	Moderate	Slight	Negligible
Regional	Moderate	Moderate	Slight	Negligible	None
Local	Slight	Slight	Negligible	Negligible	None
Negligible	Negligible	Negligible	None	None	None

6.3 Baseline Conditions

6.3.1 Planning Policy

National Planning Policy Guideline 5 (NPPG5): Archaeology and Planning (Scottish Office, 1994) sets out the role of the planning system in protecting ancient monuments and archaeological sites and landscapes. It states that most of Scotland's regions have a Sites and Monuments Record (SMR), which is intended to contain a description of all known archaeological sites. This enables an assessment of their significance to be made by the Regional Archaeologist. It provides guidance in relation to sites of national, regional local and other sites as follows:

- **Sites of National Importance:** SAMs are of national importance and it is important they are preserved in situ within an appropriate setting. Developments which would have an adverse impact on scheduled monuments or on their setting should not be permitted unless there are exceptional circumstances. Not all nationally importance sites meriting scheduling are scheduled and HS are currently preparing non-statutory registers of those monuments in SMRs likely to be of national importance.
- **Sites of Regional and Local Importance:** Many sites that do not merit scheduling may nevertheless be of importance in a regional or local context and priority should be given to their preservation within an appropriate setting. In circumstances where a development will damage or alter a site, provision must be made for recording any part of the site which is affected.
- **Other Sites:** Cases involving archaeological remains of lesser importance and sites where finds have been made in the past but no remains are known, will not always be clear cut. Planning authorities should therefore take particular advice from Regional Archaeologists.

Other Guidance within Scotland includes NPPG 18: Planning and the Historic Environment (Scottish Office, 1999), which outlines the compilation of a register of statutory designations such as Listed Buildings and Conservation Areas and non-statutory designations such as World Heritage Sites, Historic Gardens and Designed Landscapes. It also outlines the role of Historic Scotland and Local Authorities and others in the planning process. Further policy advice on archaeological issues is provided within Planning Advice Notes (PAN 42: Archaeology (Scottish Office, 1994) and PAN 71: Conservation Area Management (Scottish Executive, 2004)).

6.3.2 Consultations

Historic Scotland, SBC Planning and Economic Development Department and RCAHMS were consulted in order to obtain the following baseline information:

- Details of sites of archaeological or built heritage value (national, regional or local).
- Details of any Historic Gardens, Designed Landscapes, Listed Buildings or Conservation Areas.
- The potential for unidentified or unrecorded archaeological features or remains.
- Any other comments on the proposed scheme.

It appears that the study area has not been subjected to any modern programme of systemic archaeological field survey and therefore the existing archaeological database may be incomplete. However, information has been provided based on records detailed in the NMR and the Scottish Borders SMR. The NMR comprises the national collection of material relating to the archaeological and architectural heritage of Scotland, whereas the SMR contains regional information for all known archaeological sites and finds.

During Stage 3 consultations, HS stated that some preliminary investigations should be carried out in areas where no current information is available. These include any off-line sections of the proposed scheme e.g. access roads. After initial evaluation, there may be a requirement for additional follow-up excavations. This work would be undertaken using trial pits and requires completion prior to the start of any works. HS had no further information to provide, other than that supplied at the Stage 2 level assessment (detailed in Appendix 1).

A total of 21 recorded features have been identified within 500m of the scheme (Table 6.4). These features are illustrated on Figure 6.1.

Table 6.4. Cultural Heritage Sites.

Site	Name	Category	Value
1	Roman Fort and Annexes	SAM	National
2	Roman Marching Camp	SAM	National
3	Channelkirk crop marks	N/A	Local/Negligible
4	Mountmill linear crop marks	N/A	Local/Negligible
5	Mountmill linear crop mark	N/A	Local/Negligible
6	"Kings Road"	N/A	Local/Negligible
7	Carfraegate	N/A	Local/Negligible
8	Annfield Coaching Inn	N/A	Local/Negligible
9	Carfrae enclosure and linear crop mark	N/A	Local/Negligible
10	Carfrae Fort	N/A	Local/Negligible
11	Justicehall Steading	N/A	Local/Negligible
12	Justicehall House / Courtroom	B-Listed Building	Regional
13	Oxtou Main Street	N/A	Local/Negligible
14	Tower Hotel, Oxtou	N/A	Local/Negligible
15	Oxtou Village	N/A	Local/Negligible
16	Find site (flint/arrowheads), Oxtou	N/A	Local/Negligible
17	Oxtou Railway Station (demolished)	N/A	Local/Negligible
18	Carfraemill enclosure	N/A	Local/Negligible
19	Carfraemill enclosure / ring ditches	N/A	Local/Negligible
20	Carfraemill field system and pits	N/A	Local/Negligible
21	Carfraemill field system and pits	N/A	Local/Negligible

6.3.3 Scheduled Ancient Monuments (SAMs)

SAMs are nationally important sites and monuments that are legally protected under the Ancient Monuments and Archaeological Areas Act 1979. There are around 19,000 entries (covering 35,000 sites) on the 'schedule' ranging from prehistoric standing stones and burial mounds, through the many types of medieval site, to the more recent results of human activities such as collieries and wartime pillboxes.

Two SAMs have been identified within the survey area (Figure 6.1) and these are:

- Site 1- A Roman Fort and Annexes located to the north east of Mountmill situated between the road to Kirktonhill and approximately 200m from the northbound carriageway of the existing A68. The site was first recognised from the air in 1956 and can still be traced on the ground, although this has been reduced by ploughing. Antonine samian pottery fragments, found in the area of the fort when ploughing are now in the National Museum of Antiquities of Scotland. No trace of this fortlet could be seen when visited in 1965, and in 1975 the field was under a crop of wheat and nothing of significance was seen.

- Site 2 - Roman Marching Camp located to the north/north east of Kirktonhill, approximately 500m west of the northbound carriageway of the existing A68. This comprises two Roman camps, the larger one measuring 200m by 215m, and the smaller one measuring 130m by 155m. With the inclusion of the outer defences, the whole area measures 250m by 200m.

Using the criteria in Table 6.1, these features are of National Importance and are protected by SBC Structure Plan Policies N14 and N15 (Chapter 16 (Policies and Plans)).

6.3.4 Historic Designed Landscapes

Often, though not exclusively, large designed gardens and landscapes were formed as a setting for important buildings, or for recreation. Many of the buildings for which these landscapes were formed are afforded statutory protection, and the landscapes themselves are safeguarded through structure / local planning policies.

There are no designed landscapes within the study area.

6.3.5 Listed Buildings

Listed buildings are those buildings of special architectural or historic interest that help enrich cultural history. These lists of buildings in Scotland are aimed at safeguarding the built heritage and promoting its understanding and is compiled and maintained by HS on behalf of the Scottish Ministers, in accordance with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The listings are divided into three categories based on different levels of interest or importance. Category A listed buildings are those of national or international importance, in terms of either architecture or history, or particularly good (minimally altered) examples of a specific period, style or building type. Category B refers to buildings of regional or more local importance or major examples of a particular period, style or building type, which may have been altered. Category C (S) relates to buildings of local importance, lesser examples of any period, style or building type, as originally constructed or altered, and simple, traditional buildings that are part of a planned group such as an estate or industrial complex.

The only listed building in the survey area is Justicehall House/Courtroom in Oxton (Site 12, Figure 6.1), which is Category B listed and is therefore deemed to be of regional importance (Table 6.1). This building is situated in the village of Oxton, approximately 300m from the scheme.

6.3.6 Unscheduled / Unlisted Sites

Many sites of archaeological interest and value that are not specifically designated on the above listings have been recorded across Scotland. Many of these have been uncovered as the result of aerial surveys, geophysics and through ongoing

development planning.

A number of such unscheduled and unlisted heritage sites are recorded within the survey area and are shown on Figure 6.1 as follows:

- Site 3 – Channelkirk crop marks, located to the south west of the existing A68, close to the C83 and the roman camp.
- Sites 4 and 5 - Mountmill linear crop marks located 100m to the southwest of the A68 at NT 489544 and also further south east from here, towards the Mountmill property.
- Site 6 - The site of a possible medieval road, “Kings Road”, situated c.30m to the north of the A68, at NT491548, where the site is obscured by a modern farm track.
- Site 7 - Reference to Carfraegate, improvement era dwelling found in 18th century OS maps, though no reference of a building or ruin is found on current OS maps.
- Site 8 – Located adjacent to the A68, referenced on late 18th century maps, where it is referred to as ‘New Inn’ and subsequently Annfield. Thought to have been built to serve the modern A68 when it was constructed.
- Site 9 - The site of an enclosure and cropmark at Carfrae situated at NT 498547, c.500m to the northeast of the existing A68.
- Site 10 - The remains of a fort situated at Carfrae, NT 49795466, c.500m to the north east of the existing A68. The remains of this fort are practically ploughed out but a short stretch of the inner rampart (0.4m high) and a short stretch of the medial rampart (0.2m high) survive on its eastern side.
- Sites 11 and 13 – 17 - Situated around the village of Oxton, located to the west of the southern end of the scheme extents, between 500-800m from the A68. These are: Justicehall Steading (Site 11), Oxton Main Street (Site 13), Tower Hotel (Site 14), Oxton Village (Site 15), a find site for flints and arrowheads (Site 16) and the Oxton Railway Station, now demolished (Site 17).
- Sites 18 and 19 - Carfraemill enclosure and ring ditches located c.500m to the north of the A68, at NT50605370 and an enclosure located at Carfraemill, NT 505541, also c.500m to the northeast of the existing A68, at the southern end of the scheme.
- Site 20 and 21 - Field systems and pits located at Carfraemill, c.250m north east of the A68, but about 500m to the south of the road scheme.

These sites are not considered to be particularly significant and are assessed as being

of Local to Negligible Importance (Table 6.1).

6.3.7 Previously Unrecorded Sites/Features

SBC and HS advise that this area along with the A68 is potentially archaeologically sensitive, with the Leader Valley, which incorporates the existing A68 trunk road, having been a natural transport route through the borders for thousands of years. Evidence of the earlier passage of travellers and people may exist through undiscovered sites such as pits, burials and campsites, which may be situated close to the scheme. At Stage 2, SBC advised that archaeological monitoring was carried out for any works that may cause subsurface disturbance and suggested excavation and recording of any archaeological features discovered, and if necessary, a post-excavation study carried out in accordance with Structure Plan Policy N16 which may include preserving remains in situ and in an appropriate setting, surface or geophysical survey, archaeological excavation, and study of the excavated evidence and publication of the results. At Stage 3, along with HS, SBC also considered it necessary to have an archaeologist present on site.

6.4 Assessment of Impacts

6.4.1 Potential Impacts

Developments of the nature proposed have the potential to result in both beneficial and adverse impacts on cultural heritage. Potential beneficial impacts may occur as a result of removal of existing constraints on cultural heritage sites for example realignment of the road further away from areas of historic importance or the discovery of new features of interest through the use of sensitive construction techniques. Potential adverse impacts may result from direct or indirect impacts to a site and can include:

- Demolition / loss, damage or severance – physical loss or damage to identified archaeological sites / features may occur as a result of land take required to accommodate the footprint of the scheme and the temporary access routes/storage compounds;
- Effects on setting – as a result of visual intrusion;
- Increased noise, vibration or disturbance – potential indirect effects may occur as a result of plant and vehicular movements during the construction period and certain activities which could cause damage such as the vibration of construction equipment. This could result in compaction of ground features with potential disturbance / damage to those recorded sites situated close to the road improvements; and
- Loss of amenity.

Such effects apply equally to all road construction activity and ancillary works which cause ground disturbance. This includes construction of the new road carriageway

itself, all side roads, tracks and accesses, material storage areas, temporary site accesses, and any landscaping plans beyond the road margins, particularly those involving earthmoving and tree planting.

This chapter relates to permanent impacts upon cultural heritage. There will be other temporary effects on identified features during construction and these are discussed within Chapter 15 (Disruption due to Construction).

Permanent impacts are identified as:

- Potential impacts upon the two SAM's;
- Potential impacts upon the Justicehall House/Courtroom;
- Potential impacts upon the unscheduled / unlisted features; and
- Potential impacts upon unrecorded features.

6.4.2 Assessment of Impact Significance

Scheduled Ancient Monuments

The SAMs adjacent to the A68 (Sites 1 and 2, Figure 6.1) are situated 135m west and 225m west of the scheme respectively and no direct affects are anticipated. Site 1, the Roman Fort and annexes had been significantly affected by ploughing when previously visited in 1965 and in 1975 the archaeological site was under a crop of wheat and no trace was visible. Due to the distance of these sites from the road improvements, indirect effects on the setting of these sites are not expected, particularly as the scheme is similar in nature to the existing situation, i.e. there is already a trunk road in place. Therefore, no impact on these sites is anticipated.

Listed Buildings

The B-listed Justicehall House / Courtroom is located approximately 350m from the existing A68, on the western side of the Leader Water and is sheltered by the presence of the disused railway line. It is considered that there will be no impact upon this building either directly or indirectly as the building is situated away from the main roads through Oxton.

Unscheduled / Unlisted Features

With the exception of the medieval 'Kings Road' (Site 6), Carfraegate (Site 7), the Annfield Coaching Inn (Site 8) and the six features within the village of Oxton (Sites 11 and 13 -17), it is considered that there will be no impact upon recorded unscheduled / unlisted features due to the distance from the existing A68 (minimum of approximately 250m) and on the basis that the road improvements are all on-line / directly opposite the existing A68. No above ground structures will be affected and vibration damage is unlikely due to distance or due to features being below ground and covered.

The medieval 'Kings Road' (Site 6) will not be directly affected by the widening of the A68 as the feature is located on the eastern side of the Headshaw Burn, away from the widening works. However, there is the possibility due to the closeness of the feature to the A68 (approximately 60m) that noise and vibration could become an issue. However, traffic noise levels are not expected to increase and the feature is currently underground and obscured by an existing farm track. The magnitude of impact is therefore considered to be negligible, resulting in **no overall impact**.

Carfraegate (Site 7) is approximately 120m from the proposed widening of the A68 and will not be impacted upon directly. The D47/5 / A68 junction is to be closed to vehicles (but not pedestrians, equestrians or cyclists), which will result in less traffic passing the area close to the feature and presumably a slight decrease in traffic noise and vibration. There will be no change to the setting of this feature. The magnitude of impact is determined as negligible with **no overall impact**.

The Annfield Coaching Inn (Site 8) is located directly adjacent to the existing A68 and this site may potentially be directly disturbed / damaged as a result of road widening, particularly as it is considered that the remains of the inn may be located under the existing A68. This site is of negligible / local value only, although the magnitude of the impact could be moderate adverse due to the potential loss of damage to this site. Therefore, at worst, the significance of any potential impact is assessed as **negligible adverse**.

The six features within Oxton village (Sites 11 and 13 -17) are located approximately 225 - 500m from the scheme. The preferred option involves the closure of the existing Kirktonhill junction between the A68 and the C83, therefore access to the trunk road from the C83 minor road network to the west of the existing trunk road would be along the new side road connecting the C83 and C84. This will mean that the level of traffic through Oxton village will remain relatively unchanged (refer to Chapter 11 and Figure 11.3 for traffic data information) when compared to existing traffic volumes. The impact from noise and vibration and upon setting is unlikely to significantly change with the magnitude of impact considered to be slight and adverse, resulting in an overall significance level of **negligible adverse**.

Unrecorded Features

There is the potential for unrecorded features to be present within the vicinity of the existing A68 road. These may be disturbed / damaged by the on-line road widening, the creation of improved side roads, lay-bys and new farm access tracks. Features of this nature that are newly discovered could potentially be of National value and with a magnitude level of very severe, adverse the overall significance of a new find could potentially be **major adverse**.

6.5 Mitigation

Potential adverse impacts on known features of cultural heritage interest have primarily been avoided by careful scheme alignment so as not to directly impact on the location

of designated sites of cultural heritage, i.e. the roman camps and the roman fort SAMs. One significant impact has been identified and this is related to the potential to find undiscovered or unrecorded archaeological features during construction works. As this will potentially result in a permanent impact, this impact is included within this section rather than in Chapter 15 (Disruption due to Construction).

In order to avoid damage / disturbance, both SBC and HS have requested pre-construction archaeological evaluation work to be carried out. Mitigation will therefore comprise of a programme of archaeological evaluation of new land take including the footprint, the areas adjacent to the A68 which require widening works, the new side road and any other new access tracks, lay-bys and improved junctions. Preliminary archaeological investigations will be completed in accordance with DMRB Volume 11 requirements. Evaluation of the land take required for widening of the A68 will be included due to the presence of settlement remains along the corridor valley and its general archaeological sensitivity. The amount of work will be determined by HS on behalf of the Scottish Government and will involve archaeological sampling (digging of trial trenches) within selected areas. The work would be carried out in accordance with SE protocol, by a suitably qualified archaeological contractor appointed and managed by HS. Depending on the results of this evaluation, a more detailed archaeological excavation may be required. This work will be completed prior to the start of any construction work and will be fully scoped and agreed by HS with the Scottish Government.

Any mitigation requirements or further work will be incorporated into the Contract Documentation as requested by HS. In addition, standard Employers Requirements (such as Special Requirements of Historic Scotland) will be incorporated into Contract Documentation and applied to general construction works. These include specific sensitive construction methods such as removing topsoil with an untoothed bucket.

No other significant impacts (individual, combined or cumulative) have been identified with regard to the development of either of the proposed options at this stage and therefore specific mitigation measures are not discussed further.

6.6 Residual Impacts

By completing the programme of archaeological evaluation and any follow-up excavations it is envisaged that the risk of finding unrecorded or unlisted archaeological features will be reduced to a slight overall impact, although the risk of new finds cannot be fully ruled out. The programme of evaluation could lead to beneficial impacts through further uncovering of archaeological remains within the area which would otherwise potentially remain undiscovered.