Chapter 11: Cultural Heritage and Archaeology

Contents

11 Cultural Heritage and Archaeology

11.1 Executive Summary

11.1.1 This chapter considers the archaeological and cultural heritage value of the site and assesses the potential for significant effects on archaeological features and heritage assets resulting from the construction, operation and decommissioning of the Proposed Development.

11.1.2 The assessment has identified three Scheduled Monuments (Assets 1-3) and 33 non-designated heritage assets within the site (Figure 11.1). No direct impact on these known heritage assets is anticipated during the construction of the Proposed Development. Due to the proximity of some known heritage assets, mitigation in the form of invasive archaeological works and fencing to identify the assets to the construction team and prevent accidental damaged has been recommended.

11.1.3 A programme of enhancement in the form of a recreational heritage trail (Figure 3.13) has been proposed as part of the Proposed Development. The trail would enable easier access to the Scheduled Menzion Farmhouse, two enclosed cremation cemeteries (Asset 2) as well as highlighting the location of designated and non-designated heritage assets within the site (the area encompassed by the application boundary) and local area.

11.1.4 A review of designated and non-designated heritage assets as recorded by Historic Environment Scotland (HES), the National Records of the Historic Environment (NHRE) and the Scottish Borders Historic Environment Record (HER) as well as historic mapping, aerial photography and informed by a walkover survey has concluded that there is the potential for paleoenvironmental remains, a low potential for Roman to medieval archaeology, a high potential for prehistoric, post-medieval and modern remains and the potential for hitherto unknown archaeological remains to survive on the site. Any archaeological remains are likely to survive within the lower slopes of the site, the area in which activity from the prehistoric period has been previously identified and any remains within afforested areas are likely to have been adversely impacted by plantation and related activities. Mitigation has been proposed to investigate, identify and record any paleoenvironmental and buried archaeological remains which may survive and be impacted by the construction of the Proposed Development.

11.1.5 All designated heritage within 10 km of the Proposed Development were identified as part of this assessment to assess the potential for the Proposed Development to impact their settings. The Inventory Garden and Designed Landscape of Stobo Castle, beyond the 10 km study was also identified as an asset whose setting may be impacted by the Proposed Development. An assessment of the settings of designated heritage assets was informed by consultation with HES, a Zone of Theoretical Intervisibility (ZTV), site visits and visualisations. A total of 39 designated heritage assets were identified for a detailed assessment of their settings and an assessment of the impact of the Proposed Development on their settings.

11.1.6 The assessment identified a **moderate** adverse effect on the setting of Weird Law, platform settlement (Asset 3) within the site. This level of effect is considered to be significant in EIA terms. The Proposed Development would have some impact on factors of the monument's setting that contribute to its cultural significance however the impact would allow for adequate retention of the understanding, appreciation and experience of the asset and as such the integrity of its setting would not be significantly impacted. The location of the Weird Law, platform settlement (Asset 3) was considered during the design process and efforts were made to limit the impact of the Proposed Development on its setting as far as reasonably possible. Further mitigation by design is not considered practical within the confines and constraints of the site.

11.1.7 The assessment identified a minor effect, negligible effect, neutral effect and no effect on the settings of the other 38 designated heritage assets.

11.1.8 A number of cumulative developments have been identified and the impact of these cumulative developments on the settings of designated heritage where minor or above effect were identified has been undertaken as part of this assessment. For all 18 designated heritage assets where the Proposed Development was considered to have a minor or moderate adverse effect on their settings, the cumulative effect was at worst judged to be negligible.

11.2 Introduction

11.2.1 This chapter considers the archaeological and cultural heritage value of the site and assesses the potential for significant effects on archaeological features and heritage assets resulting from the construction, operation and decommissioning of the Proposed Development.

11.2.2 The specific objectives of the chapter are to:

- describe the cultural heritage and archaeology baseline;

- describe the assessment methodology and significance criteria used in completing the impact assessment;
- describe the potential effects, including direct, settings and cumulative effects;
- describe the mitigation measures that will be implemented to address likely significant effects; and
- assess the residual effects remaining following the implementation of mitigation.

11.2.3 This assessment has been carried out in accordance with the standards of professional conduct outlined in the Chartered Institute for Archaeologists (CIfA) Code of Conduct (2022) and Professional Conduct (2021), as well as the CIfA Standard and guidance for commissioning work on, or providing consultancy advice on, archaeology and the historic environment (2020); desk-based assessment (2020).

11.2.4 The assessment has been carried out by Lynne Roy and Lisa Bird of AOC Archaeology Group. Lynne Roy is Project Manager at AOC Archaeology Group with over 19 years of experience working on Environmental Impact Assessments (EIA's) across Britain. This experience includes the provision of expert witness services for planning appeals and public inquiries. Lisa Bird is a Project Officer with over eight years of experience working on a range of EIAs, desk-based assessments and large walkover survey projects.

11.2.5 The following assessment should be read in conjunction with:

- Technical Appendix 11.1: Gazetteer of Heritage Assets and Events
- Technical Appendix 11.2: Settings Assessment
- Technical Appendix 11.3: Cultural Heritage Plates
- Figure 11.1: Heritage Assets within the Site
- Figure 11.2: Heritage Assets within the 1km Study Area
- Figure 11.3: Designated Heritage Assets within 10km of the Site
- Figure 11.4 :Extract from Roy's Military Map of Scotland, 1752-55
- Figure 11.5: Extract from Ordnance Survey Map, 1859-60
- Figure 11.6: Extract from Ordnance Survey Map, 1962-66
- Figure 11.7: Viewpoint 1: Whiteside Rig, fort & enclosure
- Figure 11.8: Viewpoint 2: Nether Oliver Crags, fort
- Figure 11.9: Viewpoint 3: Oliver Castle, fort
- Figure 11.10: Viewpoint 4: Weird Law, platform settlement
- Figure 11.11: Viewpoint 5: Menzion Farmhouse, cemeteries
- Figure 11.12: Viewpoint 6: Menzion Farm, Settlement
- Figure 11.13: Viewpoint 7: Hawkshaw Castle
- Figure 11.14: Viewpoint 8: Glenkerie Burn, fort
- Figure 11.15: Viewpoint 9: Glenbreck, platform settlements
- Figure 11.16: Viewpoint 10: The Chester, enclosure
- Figure 11.17: Viewpoint 11: Glenwhappen Rig, Palisaded Enclosure
- Figure 11.18: Viewpoint 12: Menzion Farm, cairn

11.3 Legislation, Policy and Guidelines

Legislation

11.3.1 Relevant legislation and guidance documents have been reviewed and taken into account as part of this Cultural Heritage and Archaeology assessment. Of particular relevance are:

- Ancient Monuments and Archaeological Areas Act 1979 (as amended) (UK Government 1979);
- Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) (UK Government 1997);

- Town and Country Planning (Scotland) Act 1997 as amended by The Planning (Scotland) Act 2019 (UK Government 2019);
- Historic Environment (Amendment) (Scotland) Act 2011 (Scottish Government 2011a);
- Historic Environment (Scotland) Act 2014 (Scottish Government 2014b);
- Procurement Reform (Scotland) Act 2014; and
- The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations (2017);

Planning Policy

11.3.2 Planning policy relevant to this chapter includes:

- National Policy Framework 4 (Scottish Government 2023); and
- Historic Environment Policy for Scotland (HEPS) (Historic Environment Scotland (HES) 2019), including Designation Policy and Selection Guidance (HES 2019; Updated 2020).

Guidance

11.3.3 Recognition has been taken of the following best practice guidelines/guidance etc:

- Planning Advice Note 2/2011: Planning and archaeology (Scottish Government 2011b);
- Managing Change in the Historic Environment: Setting (HES 2020);
- NatureScot and HES's published guidance contained within 'Environmental Impact Assessment Handbook v5' (SNH & HES 2018);
- The Chartered Institute for Archaeologists (CIfA) Code of Conduct: professional ethics in archaeology (2014; Revised 2019; 2020; 2021 & 2022);
- CIfA Regulations for professional conduct (2019; Revised 2021);
- CIfA Standard and guidance for historic environment desk-based assessment (2014 – updated 2020);
- CIfA Standard and guidance for commissioning work or providing advice on archaeology and the historic environment (2014b – updated 2020), and
- Our Past, Our Future (HES, 2023).

11.4 Consultation

11.4.1 Table 11.1 provides a summary of consultation undertaken in relation to this assessment and where applicable and how the consultee comments have been addressed by the Proposed Development design and/or within this chapter.

Table 11.1 – Consultation

Consultee and Date	Consultation Response	Applicant Response
Archaeology Officer, Scottish Borders Council (SBC) Pre-Application Consultation 22 November 2022	A number of designated heritages assets are recorded within the site including three Scheduled Monuments and many non-designated heritage assets: Scheduled Monuments: – Weird Law, platform settlement 550m S of summit (SM 3529; Asset 3); – Menzion Farm, enclosed cremation cemetery 600m WSW of (SM 2702; Asset 1); – Menzion Farmhouse, two enclosed cremation cemeteries 400m NNW of (SM 2748; Asset 2) The Archaeology Officer suggested that there was also the potential for hitherto unknown archaeological remains to survive on the site. The Archaeology Officer also noted that the Proposed Development has	– The location of the Scheduled Monuments within the site have been avoided by design. – The design of the Proposed Development has taken into account the location of the Scheduled Monuments within the site to ensure turbines are not seen directly in the backdrop of the designated heritage assets in views between assets and across the Tweed Valley. – A programme of enhancement in relation to Menzion Farm enclosed cremation cemetery and Menzion Farmhouse two enclosed cemeteries has been incorporated into the embedded mitigation. – Settings impacts on designated heritage assets has been taken into consideration. Early discussions and site visits were undertaken by AOC

Consultee and Date	Consultation Response	Applicant Response
	the potential to have settings impacts on designated heritage assets within the Tweed Valley. The Archaeology Officer noted that visualisations would help in the assessment of any settings impacts. The Archaeology Officer requested that an assessment of the cumulative impact be undertaken.	Archaeology Group with HES to identify any potential significant impacts. – A list of visualisations was agreed in consultation with HES. Figures 11.7-11.18F are the visualisations created to support this assessment. – The cumulative impact is assessed in Section 11.12.
Historic Environment Scotland (HES) Scoping Response 25 January 2023	HES noted the location of three Scheduled Monuments within the site: – Weird Law, platform settlement 550 m S of summit (SM 3529; Asset 3); – Menzion Farm, enclosed cremation cemetery 600 m WSW of (SM 2702; Asset 1); – Menzion Farmhouse, two enclosed cremation cemeteries 400 m NNW of (SM 2748; Asset 2). HES noted that the proposed layout of turbines as submitted for scoping (10 turbines up to 250 m blade tip height) would not have any direct impact on the Scheduled Monuments, however since no infrastructure information was submitted for scoping, HES noted that there was the potential for the associated infrastructure to have direct impacts on the Scheduled Monuments. HES recommended that an appropriately detailed Zone of Theoretical Visibility (ZTV) be used. HES welcomed the inclusion of any assets where the Proposed Development would appear in key views towards those assets, even if the ZTV identified no intervisibility with the asset itself. HES noted the presence of Stobo Castle Inventory Garden and Designed Landscape (GDL) just beyond the 10 km study area. HES noted that the ZTV suggested that there may be some intervisibility with the Proposed Development. HES requested that a short explanation be provided as to why the GDL would be scoped out. HES noted a number of Scheduled Monuments within the 10 km study area where HES believed there would be the potential for a significant impact. It was recommended that visualisations be created from four Scheduled Monuments to better understand the potential setting impact. These included: – Oliver Castle, fort (SM 3144; Asset 67) – The Chester, enclosure 180 m NE of Glenrusko (SM2817; Asset 70)	– The design of the Proposed Development has taken into account the location of Scheduled Monuments within the site and has avoided them by design. No direct impacts are anticipated. – A programme of enhancement in relation to Menzion Farm enclosed cremation cemetery and Menzion Farmhouse two enclosed cemeteries has been incorporated into the embedded mitigation. – An appropriately detailed ZTV has been used and is included on Figure 11.3. – A review of assets beyond the 10 km study area was undertaken by AOC Archaeology Group. No designated heritage assets beyond 10 km were identified as having key views towards the site. – Stobo Castle has been subject to site visits and a settings assessment (Technical Appendix 11.2) and the reasoning for scoping out of detailed assessment has been included in Section 11.8. – Further consultation with HES has been undertaken and is detailed in this table (Table 11.1). – Detailed settings assessments were informed by site visits, ZTV analysis and visualisations (Section 11.9 Operation, and Technical Appendix 11.2). – A list of visualisations was prepared in further consultation with HES (Table 11.1). Figures 11.7-11.18 are the visualisations created to support this assessment.

Consultee and Date	Consultation Response	Applicant Response
	– Glenwhappen Rig, palisaded enclosure 1450 m NE of Glenbreck (SM 3865; Asset 90) – Menzion Farm, cairn 1280 m SW of (SM 2770; Asset 61). HES requested the opportunity to review visualisations throughout the design stage. HES requested that potential cumulative impacts be scoped into the assessment. In terms of mitigation, HES recommended that a suitable buffer be designed around the Scheduled Monument within the site to avoid direct impacts, although HES noted that any buffer may not be sufficient. In addition, HES stated that the Scheduled Monuments within the site should be fenced off during construction works. HES also noted the proximity of proposed turbine 8 within the Scoping layout (Figure 2.3) to the Scheduled Asset 3 and it was advised that this turbine be relocated.	– HES were consulted further on two separate occasions (see Table 11.1). – The cumulative impact is assessed in Section 11.12. – Scheduled Monuments within the site will be fenced off prior to construction works beginning. – HES' comments were taken into account of the ongoing design of the Proposed Development.
Archaeology Officer, SBC Cultural Heritage section within the SBC Scoping Response 03 February 2023	The Archaeology Officer noted the location of three Scheduled Monuments within the site: – Weird Law, platform settlement 550 m S of summit (SM 3529; Asset 3); – Menzion Farm, enclosed cremation cemetery 600 m WSW of (SM 2702; Asset 1); – Menzion Farmhouse, two enclosed cremation cemeteries 400 m NNW of (SM 2748; Asset 2). The Officer stated that it was unclear at the scoping stage if direct impacts could be entirely avoided as no infrastructure detail was provided. The Archaeology Officer noted that there was a mixed potential for archaeology to survive on the site due to the impact of afforestation works. The Officer requested that a full Desk Based Assessment (DBA) be undertaken to show the full workings out of what assets are significant or not. The Archaeology Officer concluded that they were broadly content with the scope of the Cultural Heritage and Archaeology assessment as detailed in the Scoping Report.	– The Scheduled Monuments within the site have been avoided by design. No direct impacts are anticipated. – A programme of enhancement in relation to Menzion Farm enclosed cremation cemetery and Menzion Farmhouse two enclosed cemeteries has been incorporated into the embedded mitigation. – The potential for archaeological remains to survive within the site has been assessed (Section 11.9). – Embedded mitigation includes the fencing off of known designated and non-designated heritage assets prior to construction. – A programme of archaeological works may be needed and will be agreed in with the Archaeology Officer through a Written Scheme of Investigation (WSI). – The DBA is included in the baseline section of this chapter – The scope of this assessment was set out in a WSI and approved by the Archaeology Officer. The scope is also detailed in Section 11.5.

Consultee and Date	Consultation Response	Applicant Response
	The Archaeology Officer agreed with the list of proposed cultural heritage visualisations to support the settings assessment.	
AOC Archaeology Group Ongoing consultation through the Design Stage as requested by HES 15 June 2023	AOC sent HES details of the revised Proposed Development layout, including proposed infrastructure. The design proposals as of June 2023 (8 turbines with a 200 m maximum tip height) illustrated that the three Scheduled Monuments within the site would not be directly impacted by the Proposed Development. AOC also included a list and drafts of proposed cultural heritage visualisations. AOC requested HES' advice on which type of visualisations would be best for each asset.	This consultation was used to better refine the visualisations required for the assessment. Figures 11.7-11.18 are the visualisations created to support this assessment.
HES Response to AOC Archaeology Group's further consultation 11 August 2023	HES noted the change in the Proposed Development design between the Scoping Report and the design as of June 2023. HES had undertaken site visits to Scheduled Monuments within the site and within the Tweed Valley between the 3rd and 4th August 2023 to inform their response. HES stated that, based on the information provided as of June 2023, it may be possible to accommodate a wind farm on the site without raising issues of national interest. HES requested that three of the proposed cultural heritage visualisations be provided as photomontages. These would be from: – Oliver Castle, fort (SM3144; Asset 67); – Nether Oliver Crags, fort (SM2947; Asset 71); and – Weird Law, platform settlement 550 m S of summit (SM3529; Asset 3).	– The requested visualisations have been created and used in a detailed assessment of the impact of the Proposed Development on the settings of the identified designated heritage assets. Figures 11.7-11.18 are the visualisations created to support this assessment.

11.5 Assessment Methodology and Significance Criteria

Study Area

11.5.1 In order to assess the potential for effects on cultural heritage assets resulting from the Proposed Development, the following study areas have been identified:

- A core study area (the site), which includes all land within the site, which has been subject to assessment for potential direct effects. This study area has been subject to a detailed walkover survey and cultural heritage assets which may be directly impacted by the Proposed Development have been identified.
- A 1 km study area for the identification of all known heritage assets and known previous archaeological interventions in order to help predict whether any similar hitherto unknown archaeological remains are likely to survive within the site and therefore be impacted by the Proposed Development.
- A 5 km study area for the assessment of potential effects on the settings of all designated heritage assets including Scheduled Monuments, all Listed Buildings, Inventoried Gardens and Designed Landscapes and Battlefields, and Conservation Areas.
- A 10 km study area for the assessment of potential effects on the setting of all nationally important heritage assets including Scheduled Monuments, Category A Listed Buildings, Inventoried Gardens and Designed Landscapes and Battlefields.

11.5.2 All heritage assets identified have been given a unique 'Asset No.' and all previous archaeological investigations have been given a unique 'Event No.' number. These are recorded in the Heritage Assets Gazetteer (Technical Appendix 11.1). Numbers within Technical Appendix 11.1 are not concurrent due to the iterative process of the assessment. These Asset/Event numbers are referred to in the text and accompanying photographs (referred to as "plates"- Technical Appendix 11.3) and Figures (Figures 11.1 to 11.3).

Desk Study

11.5.3 Data on known assets and events on the site and in the surrounding study areas have been collated from the following sources:

- The National Record for the Historic Environment (NRHE) as held by HES;
- The Historic Environment Record (HER) as supplied by the Archaeology Service at the Scottish Borders Council (SBC);
- National Library of Scotland for published historic and Ordnance Survey maps;
- National Collection of Aerial Photography (NCAP) as held by HES for vertical and oblique aerial photographs;
- Biggar Museum Trust Upper Tweed Archaeological Survey;
- Published archival sources;
- Scottish Palaeoecological Archive Database (SPAD) for information regarding the palaeoecological and paleoenvironmental potential of the Site and surrounding landscape;
- Historic Land-Use Assessment Data for Scotland (HLAMap);
- Available client supplied data about the site;
- LiDAR data and imagery as held by the Scottish Remote Sensing Portal;
- A walkover survey of the site; and
- Setting assessment visits to designated assets within the ZTV with the potential to be impacted by the Proposed Development.

Site Visit

11.5.4 A walkover survey of the site was undertaken between 25 and 31 January 2023. The site was walked in a systematic way, avoiding plantation forestry and waterbodies. Photographs of the general site terrain and land use were taken, and archaeological remains were also recorded using a GPS enabled tablet and the Field Maps app. These are detailed in the Heritage Assets Gazetteer (Technical Appendix 11.1).

11.5.5 Site visits to designated heritage assets within 10 km of the site were undertaken on 29 September 2022, 25 to 31 January 2023 and 12 to 13 February 2024.

Assessment of Potential Effect Significance

11.5.6 The assessment distinguishes between the term 'impact' and 'effect'. An impact is defined as a physical change to a heritage asset or its setting, whereas an effect refers to the significance of this impact. The first stage of the assessment involves establishing the importance of the heritage asset and assessing the sensitivity of the asset to change (impact). Using the proposed design for the Proposed Development, an assessment of the impact magnitude is made and a judgement regarding the level and significance of effect is arrived at.

Criteria for Assessing Sensitivity of Heritage Assets

11.5.7 The definition of cultural significance is readily accepted by heritage professionals both in the UK and internationally and was first fully outlined in the Burra Charter, which states in Article One that 'cultural significance' or 'cultural heritage value' means aesthetic, historic, scientific, social or spiritual value for past, present or future generations (ICOMOS 2013, Article 1.2). This definition has since been adopted by heritage organisations around the world, including HES. HEPS (HES 2019a) notes that to have cultural significance an asset must have a particular "*aesthetic, historic, scientific or social value for past, present and future generations*" (HES 2019a). Heritage assets also have value in the sense that they *"...create spaces for recreation, leisure, tourism, and education, or places for nature to thrive*" and "*can be a source of identity, a resource for learning, or a spark for creativity*" (HES 2023: page 10).

11.5.8 All heritage assets have significance; however, some heritage assets are judged to be more important than others. The level of that importance is, from a cultural resource management perspective, determined by establishing the asset's capacity to contribute to our understanding or appreciation of the past (HES 2020a). In the case of many heritage assets, their importance has already been established through the designation (i.e. Scheduling, Listing and Inventory) processes applied by HES.

11.5.9 The rating of importance of heritage assets is first and foremost made in reference to their designation. For non-designated assets, importance is assigned based on professional judgement and guided by the criteria presented in Table 11.2; which itself relates to the criteria for designations as set out in Designation Policy and Selection Guidance (HES 2020a) and Scotland's Listed Buildings (HES 2021).

Table 11.2 – Criteria for Establishing Importance of Heritage Assets

Importance	Receptors
Very High	World Heritage Sites (as protected by NPF4 (Scottish Government, 2023)); Other designated or non-designated heritage assets with demonstrable Outstanding Universal Value.
High	Scheduled Monuments (as protected by the Ancient Monuments and Archaeological Areas Act 1979 (the '1979 Act')); Category A Listed Buildings (as protected by the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997) (the '1997 Act'); Inventory Gardens and Designed Landscapes (as protected by the 1979 Act, as amended by the Historic Environment (Amendment) (Scotland) Act 2011 (the '2011 Act')); Inventory Battlefields (as protected by the 1979 Act, as amended by the 2011 Act); Outstanding examples of some period, style or type; and Non-designated assets and/or Locally Listed assets considered to meet the criteria for the designations as set out above (as protected by NPF4, 2023).
Medium	Category B and C Listed Buildings (as protected by the 1997 Act); Conservation Areas (as protected by the 1997 Act); Major or representative examples of some period, style or type; or Non-designated assets and/or Locally Listed assets considered to meet the criteria for the designations as set out above (as protected by NPF4, 2023).
Low	Locally Listed assets; Examples of any period, style or type which contribute to our understanding of the historic environment at the local level.
Negligible	Relatively numerous types of features; Findspots of artefacts that have no definite archaeological remains known in their context; The above non-designated features are protected by Policy 7(o) of NPF4 (Scottish Ministers, 2023).

11.5.10 Determining cultural heritage significance can be made with reference to the intrinsic, contextual and associative characteristics of an asset as set out in HEPS (HES 2019a) and its accompanying Designation Policy and Selection Guidance (HES 2020a). The Designation Policy and Selection Guidance (2020a) indicates that the relationship of an asset to its setting or the landscape makes up part of its contextual characteristics. HES's Managing Change Guidance (HES, 2020b), in defining what factors need to be considered in assessing the impact of a change on the setting of a historic asset or place, states that the magnitude of the proposed change should be considered "relative to the sensitivity of the setting of an asset" (HES 2020b, page 11), thereby making clear that assets vary in their sensitivity to changes in setting and therefore have a relative sensitivity. The EIA Handbook suggests that cultural significance aligns with sensitivity but also states that "*the relationship between value and sensitivity should be clearly articulated in the assessment*" (HES and SNH 2018, page 184). It is therefore recognised (ibid) that the importance of an asset is not the same as its sensitivity to changes to its setting. Elements of setting may make a beneficial, neutral or adverse contribution to the significance of an asset. Therefore, in determining the nature and level of effects upon assets and their settings by the development, the contribution that setting makes to an asset's significance and therefore its sensitivity to changes to setting, need to be considered.

11.5.11 This approach recognises the importance of avoiding significant adverse impacts on the integrity of the setting of an asset in the context of the contribution that setting makes to the experience, understanding and appreciation of a given asset. It recognises that setting is a key characteristic in understanding and appreciating some, but by no means all, assets. Indeed, assets of high or very high importance do not necessarily have high sensitivity to changes to their settings (e.g. do not necessarily have a high relative sensitivity). An asset's relative sensitivity to alterations to its setting refers to its capacity to retain its ability to contribute to an understanding and appreciation of the past in the face of changes to its setting. The ability of an asset's setting to contribute to an understanding, appreciation and experience of it and its significance also has a bearing on the sensitivity of that asset to changes to its setting. While heritage assets of high or very high importance are likely to be sensitive to direct impacts, not all will have a similar sensitivity to impacts on their setting; this would be true where setting does not appreciably contribute to their significance. HES's guidance on setting makes clear that the level of effect may relate to "*the ability of the setting* [of an asset] *to absorb new development without eroding its key characteristics*" (2020, page11). Assets with very high or high relative sensitivity to settings impacts may be vulnerable to any changes that affect their settings, and even slight changes may erode their key characteristics or the ability of their settings to contribute to the understanding, appreciation and experience of them. Assets whose relative sensitivity to changes to their setting is lower may be able to accommodate greater changes to their settings without having key characteristics eroded.

11.5.12 The criteria used for establishing an asset's relative sensitivity to changes to its setting is detailed in Table 11.3. This table has been developed based on AOC's professional judgement and experience in assessing setting effects. It has been developed with reference to the policy and guidance noted above including NPF4 (Scottish Government 2023), HEPS (HES 2019a) and its Designation Policy and Selection Guidance (HES 2020a), the Xi'an Declaration (ICOMOS 2005), the EIA Handbook (SNH & HES 2018) and HES's guidance on the setting of heritage assets (HES 2020b).

Table 11.3 – Criteria for Establishing Relative Sensitivity of a Heritage Asset to Changes to its Setting

Relative Sensitivity	Criteria
Very High	An asset, the setting of which is critical to an understanding, appreciation and experience of it, should be thought of as having very high sensitivity to changes to its setting. This is particularly relevant for assets whose settings, or elements thereof, make an essential direct contribution to their cultural significance.
High	An asset, the setting of which makes a major contribution to an understanding, appreciation and experience of it, should be thought of as having high sensitivity to changes to its setting. This is particularly relevant for assets whose settings, or elements thereof, contribute substantially to their cultural significance.
Medium	An asset, the setting of which makes a moderate contribution to an understanding, appreciation and experience of it, should be thought of as having medium sensitivity to changes to its setting. This could be an asset for which setting makes a contribution to significance but whereby its value is derived mainly from its other characteristics (see HES 2020a for discussion of intrinsic, contextual and associative characteristics which may contribute to overall cultural significance).
Low	An asset, the setting of which makes some contribution to an understanding, appreciation and experience of it, should generally be thought of as having low sensitivity to changes to its setting. This may be an asset whose value is predominantly derived from its other characteristics (see HES 2020a for discussion of intrinsic, contextual and associative characteristics which may contribute to overall cultural significance).
Negligible	An asset whose setting makes minimal contribution to an understanding, appreciation and experience of it should generally be thought of as having negligible sensitivity to changes to its setting.

11.5.13 The determination of a heritage asset's relative sensitivity to changes to its setting is first and foremost reliant upon the determination of its setting and the key characteristics of setting which contribute to its cultural significance and an understanding and appreciation of that cultural significance. This aligns with Stage 2 of the HES guidance on setting (2020b, page 9). The criteria set out in Table 11.3 are intended as a guide. Assessment of individual heritage assets is informed by knowledge of the asset itself; of the asset type if applicable and by site visits to establish the current setting of the assets. This allows for the use of professional judgement and each asset is assessed on an individual basis.

Criteria for Assessing Magnitude of Impact

11.5.14 Potential impacts, that is the physical change to known heritage assets, and unknown buried archaeological remains, or changes to their settings, relate to the possibility of disturbing, removing or destroying in situ remains and artefacts during the construction and decommissioning phases or the placement of new features within their setting during the operational phase.

11.5.15 On this basis, the magnitude of the impacts upon heritage assets caused by the Proposed Development is rated using the classifications and criteria outlined in Table 11.4. These criteria consider the extent of change which could be anticipated as a result of the Proposed Development in the context of the significance of the asset, including any contribution made by setting.

Table 11.4 – Criteria for Classifying Magnitude of Impact

Magnitude of Impact	Criteria
High	Substantial loss of information content resulting from total or large-scale removal of deposits from an asset to the extent that it would result in a substantial loss of cultural significance; Major alteration of an asset's baseline setting, which materially compromises the ability to understand, appreciate and experience the contribution that setting makes to the significance of the asset and erodes the key characteristics (HES 2020) of the setting to the extent that it would result in substantial loss of cultural significance.
Medium	Loss of information content resulting from material alteration of the baseline conditions by removal of part of an asset that would lead to some loss of cultural significance; Alteration of an asset's baseline setting that affects the ability to understand, appreciate and experience the contribution that setting makes to the significance of the asset to a degree but whereby the cultural significance of the monument in its current setting remains legible. The key characteristics of the setting (HES 2020) are not eroded; there would, however, be some loss of cultural significance.

Magnitude of Impact	Criteria
Low	Detectable impacts leading to minor alteration to baseline conditions by removal of a small proportion of the asset, that would lead to slight loss of cultural significance; Alterations to the asset's baseline setting, which do not affect the ability to understand, appreciate and experience the contribution that setting makes to the asset's overall significance and would only lead to slight loss of cultural significance.
Negligible	Loss of a small percentage of the area of an asset's peripheral deposits/fabric that would leave cultural significance unchanged; A reversible alteration to the fabric of the asset; A marginal alteration to the asset's baseline setting that would leave cultural significance of the asset unchanged.
None	No impact predicted.

11.5.16 In line with HES guidance on setting (2020b) factors which will be considered in coming to a judgement regarding magnitude of impact will include, but not be limited to:

- *"whether key views to or from the historic asset or place are interrupted;*
- *whether the proposed change would dominate or detract in a way that affects our ability to understand and appreciate the historic asset;*
- *the visual impact of the proposed change relative to the scale of the historic asset or place and its setting;*
- *the visual impact of the proposed change relative to the current place of the historic asset in the landscape;*
- *the presence, extent, character and scale of the existing built environment within the surroundings of the historic asset or place and how the proposed development compares to this;*
- *the magnitude of the proposed change relative to the sensitivity of the setting of an asset;*
- *sometimes relatively small changes, or a series of small changes, can have a major impact on our ability to appreciate and understand a historic asset or place. Points to consider include:*
  - *the ability of the setting to absorb new development without eroding its key characteristics;*
  - *the effect of the proposed change on qualities of the existing setting such as sense of remoteness, current noise levels, evocation of the historical past, sense of place, cultural identity, associated spiritual responses; and*
  - *cumulative impacts: individual developments may not cause significant impacts on their own, but may do so when they are combined"* (ibid; page 10-11).

Criteria for Assessing Significance

11.5.17 The level of effect is judged to be the interaction of the asset's importance or relative sensitivity (Tables 11.2 and 11.3) and the magnitude of the impact (Table 11.4). In order to provide a level of consistency, the assessment of importance and relative sensitivity, the prediction of magnitude of impact and the assessment of level of effect will be guided by pre-defined criteria.

11.5.18 The predicted level of effect on each heritage asset is then determined by considering the asset's importance and/or relative sensitivity in conjunction with the predicted magnitude of the impact. The method of deriving the significance of effect is provided in Table 11.5.

Table 11.5 – Significance of Effect based on Inter-Relationship between the Importance and/or Sensitivity of a Heritage Asset and/or its Setting and the Magnitude of Impact

Magnitude of Impact	Importance and/or Relative Sensitivity to Changes to Setting				
	Negligible	**Low**	**Medium**	**High**	**Very High**
High	minor	**moderate**	**moderate**	**major**	**major**
Medium	negligible	minor	**moderate**	**moderate**	**major**
Low	negligible/neutral	negligible/neutral	minor	minor	**moderate**
Negligible	negligible/neutral	negligible /neutral	negligible/neutral	minor	minor

11.5.19 Whilst the tables are used to ensure a consistent approach, it is noted that the EIA Handbook states that where matrices "*are used, care must be taken to ensure that they are not applied in a mechanistic fashion or in a way that obscures the reasoning behind the assessment*" (SNH & HES 2018, page 185). The EIA Handbook further states that "*Generally, a narrative approach will allow the assessor to set out* *their reasoning more clearly than a tabulated approach*" (ibid, page 184). As such a qualitative descriptive narrative is provided for each asset to summarise and explain each of the professional value judgements that have been made in establishing sensitivity and magnitude of impact for each individual asset.

11.5.20 Where a neutral level of effect is indicated in the table above this primarily relates to potential setting effects where the Proposed Development would be perceptible, and therefore result in a change to the baseline setting, but whereby the Proposed Development would not result in an adverse effect on the setting of the asset. This is in line with page 181 of the EIA Handbook (SNH & HES 2018), quoted above, which indicates that visual changes should not necessarily be considered to have an adverse impact upon setting.

11.5.21 Using professional judgment and with reference to the Guidelines for Environmental Impact Assessment (as updated) (IEMA 2017), and the EIA Handbook (SNH & HES 2018) the assessment considers moderate and greater effects to be significant (bold in Table 11.5), while minor and lesser effects are considered not significant.

Integrity of Setting

11.5.22 NPF4 indicates that development proposals affecting Scheduled Monuments will only be supported where 'significant adverse impacts on the integrity of setting of a scheduled monument are avoided' (Scottish Government 2023, Policy 7h(ii), page 46). Significant adverse impacts on integrity of setting are judged here to relate to whether a change would adversely affect the asset's key attributes or elements of setting which contribute to an asset's significance. It is considered that a significant impact upon the integrity of the setting of an asset will only occur where the degree of change that will be represented by the Proposed Development would adversely alter those factors of the monument's setting that contribute to cultural significance such that the understanding, appreciation and experience of an asset are not adequately retained. In terms of effects upon the setting of heritage assets, it is considered that only those effects identified as 'significant' in EIA terms would have the potential to significantly adversely impact upon integrity of setting. Where no EIA significant effect is found it is considered that there would be no significant impact upon the integrity of an asset's setting. This is because for many assets, setting may make a limited contribution to their significance and as such, changes would not significantly impact the integrity of their settings. Additionally, as set out in Table 11.3, lower ratings of magnitude of impact relate to changes that would not obscure or erode key characteristics of setting.

11.5.23 Where EIA significant effects are found, a detailed assessment of adverse impacts upon integrity of setting is made. Whilst non-significant effects are unlikely to significantly impact integrity of setting, the reverse is not always true. That is, the assessment of an effect as being 'significant' in EIA does not necessarily mean that the adverse effect to the asset's setting will significantly impact its integrity. The assessment of adverse impact upon the integrity of an asset's setting, where required, is a qualitative one, and largely depends upon whether the impact predicted would result in a major impediment to the ability to understand or appreciate the heritage asset.

Requirements for Mitigation

11.5.24 National and local planning policies and planning guidance outlined in Section 11.3 of this report require a mitigation response that is designed to take cognisance of the possible impacts upon heritage assets by a proposed development and avoid, minimise, or offset any such impacts as appropriate. The planning policies and guidance express a general presumption in favour of preserving heritage remains in situ [wherever possible]. Their 'preservation by record' (i.e. through excavation and recording, followed by analysis and publication by qualified archaeologists) is a less desirable alternative. NPF4 notes that the policy intent is for the protection and enhancement of historic environment assets (Scottish Government 2023, page 45). Policies related to designated assets (Policies 7a to 7j and 7l) prefer avoidance of impact and where this is not possible require that any impacts are minimised. Policy 7o, relating to non-designated assets, states that these assets and their settings *"should be protected and preserved in situ wherever feasible [. . .] Where impacts cannot be avoided they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required through the use of conditions or legal/planning obligations"* (ibid, page 46-47).

Assessment of Residual Effect Significance

11.5.25 The residual effect is what remains following the application of mitigation and management measures. The level of residual effect is defined using criteria outlined in Tables 11.2 to 11.5. No direct mitigation is possible for setting effects (beyond embedded mitigation by design) and therefore residual operational phase effects on the setting of heritage assets would be the same as potential (pre-mitigation) effects.

Cumulative Assessment

11.5.26 It is necessary to consider the effects arising from the addition of the Proposed Development to other cumulative developments. Consideration has been given to whether this would result in an additional cumulative change upon heritage assets, beyond the levels predicted for the Proposed Development alone.

11.5.27 The cumulative assessment has regard to the guidance on cumulative effects upon heritage assets as set out in Environmental Impact Assessment Handbook V5 (HES & SNH, 2018) and utilises the criteria used in determining effects from the Proposed Development as outlined in Tables 11.2 to 11.5 above. The assessment of cumulative effects considers whether there would be an increased impact, either additive or synergistic, upon the setting of heritage assets as a result of adding the Proposed Development to a baseline, which may include existing, consented and application developments. It is necessary to consider whether the effects of other schemes in conjunction with the Proposed Development will result in an additional cumulative change upon heritage assets, beyond the levels predicted for the Proposed Development alone.

11.5.28 In determining the degree to which a cumulative effect may occur as a result of the addition of the Proposed Development into the cumulative baseline, a number of factors are taken into consideration including:

- the distance between cumulative developments;
- the interrelationship between their ZTVs (i.e. theoretical visibility);
- the overall character of the asset and its sensitivity;
- the siting, scale and design of the cumulative developments themselves;
- the way in which the asset is experienced;
- the placing of the cumulative development(s) in relation to both the Proposed Development being assessed and the heritage asset under consideration; and
- the contribution of the cumulative baseline schemes to the significance of the effect, excluding the individual proposal being assessed, upon the setting of the heritage asset under consideration.

11.5.29 The cumulative assessment is based upon a list of existing, consented, applied for and in scoping developments. Cumulative developments are listed in Chapter 5. While all have been considered, only those which contribute to, or have the possibility to contribute to, cumulative effects on specific heritage assets are discussed in detail in the text. Additionally, given the emphasis the EIA Handbook places on significant effects, and the requirements of the EIA Regulations, cumulative effects have been considered in detail for those assets where the Proposed Development has been judged to have a minor or higher level of effect on their setting. Where negligible or no impacts have been predicted for the Proposed Development alone, it is judged unlikely that the Proposed Development would reach the threshold for significant cumulative effects and therefore no cumulative assessment has been undertaken.

Limitations to Assessment

11.5.30 This assessment is based upon data obtained from publicly accessible archives as described in the Data Sources (Section 11.5) as well as a walkover survey and site visits to assets subject to setting assessment. HER data was received in January 2023 and designated heritage asset and NRHE data was initially downloaded from HES in January 2023 and checked in March 2024.

11.5.31 The scope of the baseline data gathering, including study areas and sources, was agreed with consultees through pre-application consultation and the assessment adheres to relevant policy and guidance for undertaking assessment of archaeological and cultural effects. The identification of the historic environment baseline provides an appropriate level of interrogation of known heritage assets and allows for a robust assessment of potential impacts.

11.6 Baseline Conditions

Historic Landscape Assessment (HLA)

11.6.1 The HLA (2023) records two types of land within the site. The southern area is located in an area of *Plantation*. Commercial forestry, noted as being a feature of the Scottish landscape since the establishment of the Forestry Commission in 1919 is characterised by the presence of "*Densely planted, single age, coniferous species, within clearly defined straight boundaries, with regular, linear firebreaks*".

11.6.2 Areas of Rough Grazing land are recorded in the northern area of the site. These areas are described as "*lands [that] have evolved to their present extent as a result of woodland clearance, grazing and episodes of farming over some 6,000 years"* which *"bear witness to pre-19th century agriculture and settlement, and contain other remains that can date back to the prehistoric period".* These areas have historically been identified as areas of Traditional Peat Cutting.

11.6.3 The following sub-sections describing the baseline archaeological conditions on the site have been divided based on the chronological periods suggested in the draft chapters of the 'South East Scotland Archaeological Research Framework' (SESARF, 2023).

Prehistoric (12, 700BC- AD43)

11.6.4 Cremation was the preferred burial practice in Scotland from the Early Bronze Age and whilst the most commonly identified cremations are reported in association with cists, enclosed and unenclosed cemeteries containing in-urned and un-urned cremation remains are also recorded in the Bronze Age (ScARF, 2012). Two Scheduled Monuments (centred Assets 1 & 2) designate three enclosure cremation cemeteries north of the A701. The cemetery at Asset 1, known as Menzion Farm, enclosed cremation cemetery 600 m WSW of, is located on a low ridge above marshy ground to the south of Weird Law. Asset 1 was excavated in 1961 and 1962 and the remains were interpreted as a circular ritual enclosure c. 9.8 m in diameter formed of a low band of stones. An oblong pit identified in the central area of the enclosure is thought to have been the location of cremation activities and the fill of the pit included in a stone covered layer of burnt material. Five pits containing cremated human bone and two small unworked chert flakes were also reported. Of the human remains recovered, the remains of a possible, young adult female and a child of unknown sex were identified. A radiocarbon date of 3440 Before Present (BP) +- 90 was obtained from a sample of coal recovered from the excavations, dating the remains to 1390 Before Christ (BC) +- 90 in the Middle Bronze Age (McLaren, 1968).

11.6.5 Two probable enclosure cremation cemeteries (Asset 2) known as Menzion Farmhouse, two enclosed cremation cemeteries 400 m NNW are located to the north of A701, to the north-east of Asset 1. The first was recorded as a 14.7 m diameter low stoney bank measuring 1.5 m in width and surviving to a height of 0.1 m enclosing a 0.1 m high sub-ovular stoney mound. The second is described as a 9.5 m diameter bank surviving to a height of 0.3 m. The enclosure cemeteries at Asset 2 were likely Scheduled due to their morphological similarities to the excavated Asset 1, and there is no indication of any investigative works to confirm the origin or function of Asset 2.

11.6.6 Another probable enclosed cremation cemetery (Asset 5) has been recorded on the southern slopes of Weird Law north-east of Asset 1. The enclosure is reported to measure 1.7 m diameter defined by a 1.5 m wide and 0.3 m high stone bank. No invasive works have been recorded at Asset 5 and it is a non-designated asset.

11.6.7 To the south-west of the site, three further probable enclosed cremation cemeteries are designated as a Scheduled Monument (Asset 60). The remains at Asset 60 include a 17 m intermittent diameter stony bank, a 10.4 m diameter earthen bank, 1.5 m in width and 0.3 m high; and a denuded 9m diameter stone bank which straddles a narrow ridge and encloses a small mound composed of loose stone. The remains were designated based on the morphological similarity and geographical proximity to Asset 1, however no invasive works have been undertaken to confirm the origin or function of Asset 60.

11.6.8 A circular Scheduled area (Asset 62) south of the A701, to the south-east of Asset 60 has variously been interpreted as the remains of a cremation cemetery or a cairn. The remains consisted of a 12.2 m diameter enclosure containing three boulders, and a modern pit.

11.6.9 There are another three Scheduled ritual and funerary monuments within the 1 km study area; two cairns (Asset 59 & 61); and two barrows (Asset 108) located within the valley floor, on a floodplain terrace of the River Tweed.

11.6.10 Platform settlements in the Borders are generally thought to date to the Late Bronze Age and/or Early Iron Age (12^{th} – 8^{th} century BC) (ScARF, 2023b). Weird Law, platform settlement 550 m S of summit (centred Asset 3) is located within the western boundary of the site and occupies a southward facing slope and relatively flat plateau of land which has not been planted with plantation forestry. The roughly rectangular designation encompasses an unenclosed platform settlement comprising at least three roughly circular house stances, measuring between 6.5 m and 10 m in diameter, hypothesised to have been the location of substantial timber houses. The faint outline of two further platforms are noted by HES within the vicinity of the Scheduled Monument. The area to the south of Asset 2 occupies relatively flat ground and the Scheduling document theorises that this around of ground may represent a contemporary zone of cultivation or stock management. An additional house platform associated with the Scheduled Monument is thought to have been destroyed by quarrying (RCAHMS, 1967).

11.6.11 There are a further seven Scheduled domestic and defensive assets (Assets 62, 67, 70, 71, & 109-111) located within the Tweed Valley, largely below the 300 m contour and within or at the margins of the fertile floodplain. Glenwhappen Rig, palisaded enclosure 1450 m NE of Glenbreck (Asset 90) is located on a relatively flat plateau on the 350 m contour to the south-west of the site. As a defensive structure sited on an elevated plateau the enclosure would have likely been afforded extensive views into and along the valley prior to modern afforestation.

11.6.12 The Scottish Woodland Trust and the Biggar Archaeological Society undertook surveys within the site prior to modern afforestation. These surveys recorded numerous possible prehistoric remains including cairns, burnt mounds and house platforms (Assets 6, 8, 10, 12-19, 21 & 22) within the south-eastern portion of the site below the summit of Weird Law. Further details of each asset can be found in Technical Appendix 11.1.

11.6.13 There are numerous Scheduled prehistoric assets recorded within the 10 km study area. These include funerary and ritual sites, as well as domestic and defensive assets (see Technical Appendix 11.1 for more detail).

11.6.14 Previous surveys and historic documents have identified numerous prehistoric settlements and defensive and funerary remains throughout the study areas, individual details of which can be found in Technical Appendix 11.1. These remains indicate that the site was located in an active prehistoric landscape, with the focus of settlement located within the river valley, and the fertile land. As such there is judged to be a high potential for prehistoric remains to survive on the site. It is likely that any remains of this period will be concentrated on the lower slopes of the site along land either side of the A701. Any remains within forested areas are likely to have been adversely impacted by commercial forestry plantation and associated activities.

Roman (AD43-AD400)

11.6.15 The findspot of a Romano-British bangle (Asset 145) is reported to have been found within the 1 km study area although the mapped location is accurate only to a 1 km square area.

11.6.16 The Scheduled White Type-March Burn (centred Asset 79) and March Burn to Little Clyde (centred Asset 80), Roman road extends into the 10 km study area to the south-west of the site.

11.6.17 There is a paucity of Roman remains in close proximity to the site. It is possible that this reflects a reduction in activity during the Roman period or a change in activity towards the south of the site along Roman roads to the south. The apparent absence of Roman evidence may also reflect continued activity from the prehistoric period. Overall, there is considered to be a low potential for remains of this period to survive on the site.

Early Medieval (AD400-AD1100)

11.6.18 There are no Early Medieval remains recorded within the site or study area. This may be a true representation of settlement in the period or be a bias of the difficulty in dating remains to this period based on morphology alone. It is likely that settlement in the Tweed Valley did not undergo any great change from the prehistoric period. The presence of Early Medieval remains cannot be wholly discounted although there is considered to be a low potential for remains of this date to survive on the site.

Medieval (AD1100-AD1600)

11.6.19 There are no confirmed medieval remains recorded within the site. The use of the land within the site in the medieval period is unlikely to have been different from earlier periods or that in the early post-medieval period, with agricultural activity focused on the lower slopes of the Tweed Valley. Until 1643 the parish of Tweedsmuir in which the site is located was known as ‘Upper Drumelzier’ and the land within the site was part of the Barony of Oliver Castle which in the 12th century belonged to the Fraser family who had been granted the land by David I (Railton 2001, page 52-54, 57).

11.6.20 To the east of the site is the Scheduled medieval Oliver Castle (Asset 67) which is recorded as overlying an Iron Age fort (Burns, 1845). It is believed that Oliver Fraser, who built the castle, granted the land to the Knights Templar who held it until the suppression of their order in 1312 (Railton 2001, page 54). The site was likely located within land associated with the Castle and the Fraser family.

11.6.21 Menzion (centred Asset 191) to the south of the site, is noted as a settlement “N Minno” on Pont’s map dated 1596. A collection of medieval pottery (Asset 144) was reportedly found within the 1 km study area.

11.6.22 There are two medieval Scheduled Monuments located between 1 km and 5 km from the site. Hawkshaw Castle (Asset 64) is located c. 2.58 km south of the site and occupies the highest point in a large relatively modern enclosure, with downward sloping land on all sides. The Porteous family are documented as being in residence in 1439 and owned the property until the second quarter of the 18th century. Two medieval farmsteads (Asset 97) at Stanhope, c. 4.71 km north-east of the site are noted as being of medieval or potentially later date.

11.6.23 Between 5 km and 10 km there are two Scheduled churches which are thought to have been constructed in the 13th century (Assets 27 & 48); two castles (Assets 30 & 112), one of which occupies the location of an earlier Iron Age fort (Asset 30), whilst the other is a 16th century tower house (Asset 112). The buildings at Hopecarton (Asset 102) north-east of the site are described as “pre-improvement” which indicates that they pre-date the agricultural improvements of the 17th century and therefore may date to the medieval period.

11.6.24 The presence of medieval remains cannot be wholly discounted although there is considered to be a low potential for remains of this date to survive on the site.

Post-Medieval (AD1600-AD1900)

11.6.25 Within the site, previous surveys have recorded a number of likely post-medieval assets. These include the remains of two buildings (Asset 20 & 25) in the south-west of the site, north of the A701; as well as common post-medieval agricultural remains such as enclosures (Assets 197, & 204) and quarries (Assets 11 & 198) recorded on late 19th century OS mapping. These remains are located in the relatively lower lying ground, parallel to the A701 and likely identify the area of the site which was in more intensive use in the post-medieval period. Sheep were kept on the hills of Tweedsmuir (including the site) throughout the post-medieval period, but intensive stocking only began in the 17th century. By the 18th century when the tenure of land had become more stabilised and enclosures had begun to be made, the draining of marshy hill land was a practical method of improving grazing to support higher numbers of sheep (Railton, 2001).

11.6.26 Pre-Ordnance Survey maps tend to be schematic and lack detail, although they give some idea of the nature of settlement. Gordon's map (not illustrated) dated 1580-1661 annotates a structure at Oliver, to the south of the south-eastern corner of the site which likely locates an antecedent to the house built in 1734 (Asset 136). This map suggests that the area around the site was sparsely populated.

11.6.27 Edgar's 1741 map (not illustrated) includes a pictogram of a castle-like structure annotated as Oliver, likely a reference to Oliver Castle (Asset 67) which may or may not have been standing in 1741. Another pictogram on the north side of a roughly aligned north-east, south-west road (the precursor to the A701) locates a building at Bield (Asset 117), which is thought to have been constructed in 1726 to the south of the south-eastern corner of the site. An annotation on this map of "Giant's grave" may note the cognisance of the remains of a cairn at Asset 4 to the south of the site, which is historically documented as being a long cist which was removed in 1818. Edgar's depiction of the landscape also locates the site in a valley landscape.

11.6.28 Roy's Military Map of Scotland- Lowlands (1752-55- Figure 11.4) depicts the site within upward sloping land, divided by burn valleys. The house at Oliver (Asset 136) built in 1734 and the Bield (Asset 117) are annotated to the south of the site on the edge of the floodplain. Depictions of plots around the house at Oliver (Asset 136) may relate to associated fields or may be early evidence of gardens being developed around the house. The precursor to the Category B Listed Tweedsmuir Parish Church (Asset 115), which is documented as being constructed in the 17th century (Muschett, 1793) is annotated to the south of the site.

11.6.29 The old house at Oliver (Asset 136) is documented as being owned by "Tweedie Esquire" on a map by Skinner and Taylor dated 1775. Bield (Asset 117) is annotated as an Inn and is depicted as a collection of three structures in 1775.

11.6.30 Armstrong's map also dated 1775 (not illustrated) depicts the site to the north-west of a north-east, south-west aligned road (a precursor to the A701) in land which is subtly illustrated to suggest upward sloping land. Oliver (Asset 136) is depicted as a house surrounded by tree pictograms likely illustrative of gardens or planted woodland around the house. The Giant's Grave (Asset 4) is also annotated to the south of the site.

11.6.31 The site is located within the parish of Tweedsmuir (Muschet, 1793). The route to Edinburgh, now the A701 is noted as being the focus for settlement. The Old Statistical Account of Scotland (OSA) records antiquaries along the road and notes the location of several cairns to the north of Bield (Asset 117), potentially a reference to Assets 8, 121, 122 and 168.

11.6.32 Maps dated 1821 (by Ainslie and Thomson) (not illustrated) locate the site in upwards sloping land on the western side of the Tweed valley. No further detail about the site is recorded on these maps.

11.6.33 The New Statistical Account of Scotland (NSA- Burns, 1845) documents the removal of the Giant's Grave (Asset 4) some years prior to the NSA and records the cognisance of several cairns to the west of the A701. Railton (2001, page 59) notes that the Giant's Stones were recorded on earlier maps as a 'Druid's Circle' but notes that 'only three stones stand there now and that is likely that some of the others were used when the road was made through the middle of the circle'. The husbandry of sheep is detailed in the NSA, which indicates its prominence in the parish. The OS maps note the location of sheepfolds within the site reflecting this prominence.

11.6.34 The Ordnance Survey (OS) maps published in 1859 and 1860 (Figure 11.5) depict the site on the north-western slopes of the River Tweed annotated "Weird Law" and "Ewelaw Rig", the latter name likely references historical land uses associated with both pasture and arable activities. The OS maps also annotate Nether Rigs (Asset 25) and Upper Rigs in the south-western corner of the site. A sheep shelter (Asset 204) and enclosure (Asset 197) are depicted on Weird Law. On the lower slopes of Ewelaw Rig, improved fields, an old whinstone quarry (in the vicinity of Asset 13) and "Giants Grave" a "supposed tumulus" (Asset 4) are illustrated. A footpath from Tweedsmuir, aligned roughly north-west, south-east on the norther-eastern side of Ewelaw Rig is depicted on the OS map 1859-60. A house annotated as "Oliver" is depicted south-east of the site consistent with the current location of the house and appears to have been surrounded by planned gardens and woodland in the mid-19th century.

11.6.35 Newbigging (Asset 23) is recorded north of the A701 on aerial photography taken in 2002. The HER records the extent of the settlement extending into the site boundary. The OS map published in 1898 (not illustrated) annotates Newbigging around a T-junction south of the A701. Buildings north of the A701 include a sheepfold and one roofed structure, although none of the structures are depicted as extending into the site. One of the buildings is annotated as a Post Office on the OS map published in 1962 (Figure 11.6). Photographs taken in 2002 (SC 1730105; SC 1730106; SC 1730107) show at least three roofed structures associated with enclosures, which appear to be agricultural pens on the northern side of the A701, at least one of which extends into the site.

11.6.36 Menzion Farmhouse (Asset 176) is recorded by the NRHE along the A701 and within the site, however, a review of historic maps does not record a farmstead in that location. To the south of the site, Nether Menzion (Asset 177) is recorded as a steading associated with the Farmhouse (Asset 176). As such it is considered likely that both the farmhouse and steading (Assets 176 & 177) relate to Nether Menzion, reported in the OS Name Book as "*a commodius farm house two storeys high, and slated, with corresponding office houses and a garden attached, occupied by William Aitchison and the property of Sir G.G. Montgomery Bart [Baronet] of Stanhope*". It is possible that the NRHE location of the farmhouse (Asset 176) locates a building which is not recorded on historic maps, within the late medieval settlement of Menzion (centred Asset 191) which went out of use and was demolished, leaving only the associated "Nether" Menzion, however it is also possible that the grid reference provided by the NRHE is incorrect.

11.6.37 Non-designated heritage assets within the 1 km study area are described individually in detail in Technical Appendix 11.1 and shown on Figure 11.2 In general, these assets can be characterised as residential and domestic buildings, agricultural buildings and enclosures, and local infrastructure structures such as road bridges.

11.6.38 There are three Category B Listed Buildings within 1 km of the site; Tweedsmuir Parish Church (Asset 115) erected in 1874 replacing an earlier structure built in 1643; Carlows Brig (Asset 116) a late 18th century bridge over the Tweed; and the Bield (Asset 117), an early 18th century former coaching house.

11.6.39 Between 1 km and 5 km from the site there are two Category B Listed Buildings; Stanhope Farm House (Asset 114) an 18th century farmhouse; and Victoria Lodge (Asset 119), a 1900 lodge house. There are also two post-medieval Category C Listed Buildings; Polmood bridge (Asset 118); and Cook Inn (Asset 120).

11.6.40 A non-designated building, known as Kingledoors (Asset 210) is located c. 2.6 km north of the site. The building is depicted on Roy's 1752-55 map in a courtyard like arrangement, open to the north and annotated as "Kingledoor". The OS Name Book (1856-58) describes the building as "A *good two story slated dwelling house, with corresponding offices and a considerable farm*" (OS, 1858).

11.6.41 The Inventory Garden and Designed Landscape (GDL) at Dawyck (centred Asset 113) which extends within the 10 km study area to the north-east of the site, originated in the 17th to 19th centuries as a designed landscape associated with the estate of Dawyck. The Royal Botanic Gardens Edinburgh (RBGE) have been involved with Dawyck since the 1970's.

11.6.42 The GDL of Stobo Castle (centred Asset 206) extends c. 11.83 km north, north-east of the site. The gardens originated as a mature parkland landscape, which developed around a mansion. An 18th century plan of the estate survives and records the early development of the landscape. In the early 20th century, a large Japanese Water Garden created by Hylton Philipson in collaboration with Edward White was developed within the parkland and is described as a "*high quality piece of artistic landscape design"* (HES, 2024). Large areas of modern forestry plantation have been grown within the GDL in the recent past.

11.6.43 There is judged to be a high potential for post-medieval remains to survive on the site. It is likely that any remains of this period will be concentrated on the lower slopes of the site along land either side of the A701, however the presence of post-medieval agricultural remains on the upper slopes cannot be wholly discounted. Archaeological remains within the site would likely be considered to be of low to negligible importance being common to the agricultural landscape and being mapped and documented on historic mapping. Any remains within forested areas are likely to have been adversely impacted by commercial forestry plantation and associated activities.

Modern

11.6.44 The OS maps published in 1900 (not illustrated) and 1908-9 (not illustrated) do not record any major changes to the site during the late 19th or early 20th century.

11.6.45 A homestead annotated on the OS map published in 1962-66 (Figure 11.6) may be a mistaken annotation of the location of Asset 1, which when excavated, was found to be a Bronze Age cremation cemetery. A routeway, to the north and parallel to the route of the A701 is recorded to the south-west of Weird Law.

11.6.46 To the east of the site, along the A701 a Royal Observer Corps (ROC) underground monitoring post (Asset 7) has been recorded.

11.6.47 The site appears to have been used in the early modern period as it had in earlier periods, and as such there is judged to be a high potential for modern remains to survive on the lower slopes and either side of the A701. Any remains of this period are likely to be considered to be of negligible importance being common features of an agricultural landscape. The adverse impact on any archaeological remains which *may* have survived prior to the erection of the plantation of commercial forestry on the site must be considered.

Aerial Photography

11.6.48 Aerial photographs from 1946-1984 were viewed as pdf research copies ordered from NCAP (Section 11.14).

11.6.49 Photography taken in 1946 (106G/Scot/UK/0086 Frames 4384, 4386 & 4388 and 3159) shows the map similarly to the OS maps of 1908-09 (not illustrated) and 1962-66 (Figure 11.6). Land within the southern area of the site, on the lower and gentler slopes is visible as improved, divided land. An enclosure (Asset 197) is readily identifiable within this improved area. The majority of the site is visible within an upland environment occupied by moorland and unimproved land.

11.6.50 Imagery taken in 1950 (541A/RAF/0530 Frames 4025, 4027 & 4029), 1975 (OS/75/0282 Frames 009 & 010) and 1984 (OS/84/0160 Frames 002 & 003) shows no substantial changes to the land within the site from the late 1940's. The forestry plantation on the site post-dates 1984.

Walkover Survey

11.6.51 A walkover survey of the site was undertaken on 26 and 31 January 2023, in clear weather which allowed for good visibility and views to the surrounding area. The ground cover on the site largely consisted of plantation forestry and hummocky grasses which limited ground surface visibility. The following text should be read in conjunction with Technical Appendix 11.3: Cultural Heritage Plates and Figure 11.1.

11.6.52 The portion of the site, to the south of the A701 is located within the floodplain of the River Tweed (Plates 1, 2 & 3). The majority of the land is low lying and has been improved and partially drained in the past and appears to be in use, at least in part, as sheep pasture.

11.6.53 The topography within the site immediately north of the A701 was found to be undulating and was occupied by hummocked grasslands crossed by small burns (Plate 4). Banks were identified along a burn and parallel to the A701 which may be in part natural, associated with the burn and River Tweed floodplain, but appear to have been artificially enhanced.

11.6.54 The site was accessed from the western entrance (Plate 5) using the existing trackway. The existing trackway largely follows the route of the Proposed Development access. The existing trackway is composed of hard standing and was found to have been cut into the ground surface by over 1 m, with the eastern edge defined by a bank over 1 m in height (Plate 6).

11.6.55 The land to the west, in the vicinity of the proposed substation, Battery Energy Storage System (BESS) and temporary construction compound is occupied by a mix of tufty grassland and plantation woodland (Plate 7).

11.6.56 The south facing slope of Weird Law was found to be steep and largely occupied by forestry plantations and access into this area was obtained via the existing track (Plate 4).

11.6.57 The location of the proposed temporary borrow pit search area to the west of the access track in the south-western area of the site was found to be located in densely planted plantation woodland. Similarly, the location of the proposed temporary borrow pit search area south of proposed Turbine 1 (Plate 8), and indeed the location and infrastructure of Turbine 1 were found to be located on a south facing slope occupied by dense plantation woodland (Plate 9).

11.6.58 The proposed location for Turbine 2 is on the eastern side of a downward, south facing land of Weird Law on the north side of Glenmuch Burn, which runs through a steep sided, V-shaped valley (Plate 10). The location of the proposed Turbine 2 was found to be within densely planted woodland to the north of a clearing (Plate 11). The infrastructure for Turbine 2 would be located south and parallel to the existing track (Plate 12).

11.6.59 Two heritage assets (Assets 21 & 203) have been recorded within the clearing to the south of the proposed infrastructure. A burnt mound (Asset 21) as described by Ward (2000)was not identified during the walkover survey, however a wide, plateau area of ground occupied by dead ferns was identified bound to the south-west by woodland planted on downward steeply sloping land (Plate 13) and may have been the location of a mound that is no longer visible above ground. However, a roughly ovular feature (Asset 203), interpreted as a house platform and surviving to a height of 0.3 m was identified to the north-east of the previously recorded location of Asset 21 (Plate 14). It is possible that Asset 203 may be the same as the mound recorded at Asset 21; however, Asset 203 does not correspond to the description of Asset 21 and as such the assets have been identified separately for the purposes of this assessment.

11.6.60 Ewelaw Rig was found to occupy south-eastwards sloping land (Plates 4), and access into this area was enabled by an existing track, which in in part has been cut into the slope to create a level trackway (Plate 15). Turbine 7 is proposed to be constructed along the existing track on Ewelaw Rig (Plate 15).

11.6.61 The land between Weird Law, Glenmuck Height and Bank Head was found to be occupied by relatively flatter, undulating upland divided by small burns (Plate 16). Access into the area was enabled by an existing track. An upland lake and discrete areas of plantation forestry were identified in this area. Good views over this landscape were obtained.

11.6.62 Turbine 5 is proposed to be constructed to the south-west of the summit of Bank Head (Plate 17). The ground cover in the vicinity of proposed Turbine 5 included hummocks of grass and heather and young tree plantations. No archaeological remains were identified in the vicinity of proposed Turbine 5.

11.6.63 The proposed location of Turbine 6, to the east of Bank Head, was found to be located within plantation forestry (Plate 15). Access to the access route for proposed Turbine 6 was limited by ongoing forestry activities and upstanding, dense planation woodland.

11.6.64 The proposed location of Turbine 4 and its associated infrastructure (Plate 16) was found to be located in undulating and wet moorland on relatively flat land to the north-west of Weird Law. The proposed location of Turbine 3 and its associated infrastructure were found to be located on a plateau of land south of Glenmuck Height which is, in part, occupied by plantation woodland (Plate 17). No archaeological remains were identified in the vicinity of proposed locations of Turbines 3 and 4.

11.6.65 The Scheduled Monument of Weird Law, platform settlement 550 m S of summit (Asset 3) is located on a southward facing slope of Weird Law. Within the designated area, three sub-circular platforms were visible in a roughly east-west alignment (Plate 21 & 22), with the western most occupying a relatively level terrace, and visible as a bank surviving to a height of c. 0.3 m. The central and eastern most platforms were visible as being cut into the natural slope (Plate 22). A fourth, sub-circular banked platform defined by a bank was visible to the north and was also found to occupy relatively flatter land (Plate 23). On the relatively lower lying ground to the south, and also within the Scheduled area a fifth banked, sub-circular potential platform was identified (Plate 21). The area around the designation has not been planted with modern forestry, although occasional isolated trees are present and there is a documentary reference to modern quarrying activities in the vicinity of Asset 1. The Scheduling for Asset 3 suggests that the area around the platforms is likely to include contemporary features such as agricultural remains. Whilst these were not visible during the walkover survey it is likely that the land around Asset 3 was associated with the prehistoric settlement and the near land has not been impacted by modern forestry operations and as such there is a relatively higher potential for contemporary prehistoric remains to survive within this non afforested area of the site.

11.6.66 Two ring enclosures (Asset 6) were recorded in the south-western area of the site in the 1960’s by the Royal Commission of Ancient and Historical Monuments (RCAHMS), however a visit to Asset 6 in the 1970’s failed to identify the assets. A raised, roughly circular area of ground was identified in the vicinity of Asset 6 during the walkover survey and may locate one of the ring enclosures (Plate 24).

11.6.67 A quarry (Asset 198; Plate 25) was identified within the southern boundary of the site. The quarry likely supplied the local area with materials such as stone to build boundary walls, buildings and may be associated with the construction and use of the A701.

11.6.68 Three scooped enclosures and a cairn (Asset 13) were recorded within a sub-circular area to the north of the eastern entrance to the site. No infrastructure is proposed in the vicinity of the eastern entrance and existing access tracks. A purpose-built recreational heritage trail (Figure 3.13) is proposed to originate from this area and associated car parking is proposed in the vicinity of the eastern entrance to the site. Four potential scooped enclosures (Assets 199-202) were identified within extent of Asset 13 during the walkover survey (Plates 26-30). The scoops (Asset 199-202) were found to be aligned on the northern side of a small burn. No evidence of a cairn was visible during the walkover survey.

11.6.69 A 6 m diameter cairn (Asset 12) recorded in the HER to the south of the existing track was identified to the north of the existing track during the walkover survey (Plate 31). The difference between the recorded locations is likely related to the 10 m^2 grid reference recorded in the HER.

11.6.70 Burnt mounds on Weird Law (Asset 22), to the north-west of proposed Turbine 1 and the east of proposed Turbine 2 were not identified during the walkover survey. However, the recorded location of these burnt mounds are within dense forestry plantation within which the ground has been disturbed and visibility is very limited (Plate 32). Similarly, the location of three cairns (Asset 15) to the east of the proposed substation, BESS and temporary construction compound was found to be occupied by steeply sloping ground, and plantation woodland (Plate 33). As such it was not deemed safe to enter the dense, plantation woodland and as such the walkover survey did not identify Assets 15 or 22.

11.6.71 The remains of a rectangular structure aligned roughly north-south on the eastern side of Rig Burn, to the south-west of the proposed substation, BESS and temporary construction compound location, was identified at Asset 20 (Plate 34). At least four cells were identified within the structure, however the southern portion was very overgrown. Individual lazy beds, as recorded in the HER were not visible however the area around Asset 20 appears to have been at least semi-improved.

11.6.72 The overgrown remains of a building (Asset 25) as described in the HER on the northern side of the A701 (Plate 35) was identified during the walkover survey.

11.6.73 The recorded extent of Asset 18 which extends c. 10 m west of the proposed substation, BESS and temporary construction compound location, is reported to include at least 20 cairns. Two cairns (Plates 36 & 37), surviving to a height between 0.3 m and 0.5 m were identified within the western and northern extents of Asset 18, however no other cairns were readily visible. The area was occupied by hummocky grass, which limited visibility and may have obscured any smaller cairn. It should also be noted that the modern forestry plantation extends into the eastern extent of Asset 18 and activities associated with plantation works may have had an adverse impact on the cairns.

11.6.74 Dead fern growth was identified along the eastern side of Rig Burn (Plate 38). A burnt mound (Asset 19) had previously been recorded on the exposed banks of the Rig Burn but no remains were identified in the exposed sections.

11.6.75 A dry-stone wall was identified along the northern and western boundary of the site. The wall survives to a variable height, generally surviving best along the western boundary, where it appears to be in active use as a boundary, dividing the site from further forestry plantation. The wall along the western boundary survives c. 2 m in height and appears to have been supported by additional metal wire and wooden attachments. The wall along the northern boundary is more variable in height and does not appear to have been repaired. A change in land boundary treatment was observed along the northern site boundary, where a wooden pole and metal wire fence appears to demarcate land ownership rather than the wall itself. The wall therefore does not appear to be in active use as a boundary along this part of the site which may explain why it only survives between 0.2 m and 1 m in height along the northern boundary.

11.6.76 Several stone quarries (Assets 207 & 208; Plates 39 & 40) and worked outcrops (Asset 209; Plate 41) of stone were identified in close proximity to the northern boundary and are likely the origin for the stone used in the wall.

11.6.77 Visits to the Scheduled Menzion Farm, enclosed cremation cemetery 600 m WSW of (Asset 1) and Menzion Farmhouse, two enclosed cremation cemeteries 400 m NNW of (Asset 2) within the southern boundary of the site were undertaken in September 2022 and January 2023.

11.6.78 Scheduled Menzion Farm, enclosed cremation cemetery 600 m WSW of (Asset 1) was found to occupy a former river terrace to the north of the A701. The area was found to be dominated by hummocky grassland. A sub-circular bank, surviving to c. 0.3 m height was identified and is thought to represent the upstanding remains of Asset 1 (Plate 42).

11.6.79 The location of the Scheduled two enclosed cremation cemeteries (centred Asset 2) were found to occupy two low, localised summits on a river terrace to the north of the A701 bound to the north and south by downward sloping land (Plate 43). A roughly east-west aligned stream occupies the land to the north. Hummocky grassland and heather was found to occupy the location of the assets and the surrounding land.

11.7 Standard Mitigation

11.7.1 National and local planning policies and planning guidance outlined in Section 11.3 of this chapter require a mitigation response that is designed to take cognisance of the possible impacts upon heritage assets by a proposed development and avoid, minimise, or offset any such impacts as appropriate. The planning policies and guidance express a general presumption in favour of preserving heritage remains in situ [wherever possible]. While their 'preservation by record' (i.e. through excavation and recording, followed by analysis and publication by qualified archaeologists) is a less desirable alternative, NPF4 notes that the policy intent is for the protection and enhancement of historic environment assets (Scottish Government 2023, page 45). Policies related to designated assets (Policies 7a to 7j and 7l) prefer avoidance of impact and where this is not possible require that any impacts are minimised. Policy 7o, relating to non-designated assets, states that these assets and their settings *"should be protected and preserved in situ wherever feasible [. . .] Where impacts cannot be avoided they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required through the use of conditions or legal/planning obligations"* (ibid, page 46-47).

11.7.2 It is acknowledged that, despite the walkover survey undertaken to inform this assessment, there may be further previously unrecorded subtle archaeological features within the site or hitherto unknown buried remains.

Development Design

11.7.3 Three Scheduled Monuments (Assets 1- 3) are located within the site and a number of Scheduled Monuments have been recorded within 1 km of the site. The location and settings of designated heritage assets were considered during the design process. Preliminary wireframes, as well as bare earth screening ZTV's were used to consider potential direct and settings impacts and design iteration sought to minimise effects as far as possible. HES were consulted on the Proposed Development and its potential settings impacts at an early stage (see Table 11.1).

Protection of Archaeological Sites

11.7.4 There are three Scheduled Monuments (Assets 1-3) recorded within the site. The Proposed Development has been designed to avoid any direct impact upon these remains. To mitigate against the potential for accidental incursions into the Scheduled Monument areas by plant movement during construction, a buffer of 50 m will be placed around the extent of each of the Scheduled Monuments and the monuments and their buffers will be fenced off under archaeological supervision prior to construction. This fencing will be maintained throughout the construction (and also the decommissioning period to ensure the preservation of these assets.

11.7.5 Similarly, there are four non-designated heritage assets (Assets 10, 18, 21, 203) which extend within 50 m of Proposed Development infrastructure. These assets will be fenced off under archaeological supervision in advance of construction works to prevent accidental damage by plant movement and forestry activities during construction. Assets 16 and 17 are also located close to an area proposed for woodland restocking planting (Figure 15.5) and as such will also be fenced off to ensure their protection.

11.7.6 Fencing around archaeological monuments will be maintained throughout the construction, restocking and decommissioning periods to prevent accidental damage by plant. The fences will be removed during operation as it is assumed that all vehicle traffic will be restricted to access tracks and thus the risk of damage to archaeological monuments will be very low.

Archaeological Works

11.7.7 Details of mitigation will be agreed with the Archaeology Officer at SBC through a Written Scheme of Investigation (WSI). This will be secured via an appropriately worded planning condition.

11.7.8 It is anticipated, due to the proximity of the temporary construction compound, BESS and substation to Asset 19, that any ground-breaking works for these will require archaeological investigation. This will take the form of a watching brief during the ground works required for construction. In the case that significant archaeological remains were identified, further archaeological mitigation such as excavation and post-excavation analysis may be required.

11.7.9 The proposed Turbines 3, 4 and 5 are also located in previously undisturbed locations beyond the extent of forestry plantations and infrastructure. These proposed turbine locations are all above 400 m AOD and therefore there is a relatively lower potential for archaeological remains to be present. An archaeological watching brief will be undertaken during construction works in these previously undisturbed areas remains. In the case that significant archaeological remains were identified further archaeological mitigation such as excavation and post-excavation analysis may be required.

11.7.10 The potential for archaeological remains within previously afforested areas not close to known assets is considered low but a toolbox talk will be provided to the construction team prior to the commencement of construction to ensure that any unexpected archaeological remains encountered, are reported and recorded correctly.

11.7.11 Any archaeological fieldwork commissioned in order to mitigate direct effects will result in the production and dissemination of a professional archive, which will add to our understanding of the cultural heritage of the site.

Enhancement

11.7.12 The Procurement Reform (Scotland) Act 2014 requires contractors, and their supply chains, to consider not only cost when commissioning or procuring services but also how they can make a positive economic, social and / or environmental impact and suppliers are required to set out their proposals for delivering social value that results in positive benefits to communities through a development. The implication of this is stated in NPF4 (Scottish Government 2023) Policy 7o where impacts to heritage assets cannot be avoided it is stated that "*Where impacts cannot be avoided they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required"*.

11.7.13 HES's Our Past, Our Future (2023) states that "*the historic environment creates real benefits for people"*, and two of the three priorities of the publication relate to public engagement and public benefit.

11.7.14 CIfA (2021a&b) and ALGAO (Mann, 2023) have recently also noted the need for public or community engagement in archaeology.

11.7.15 Public benefit or a programme of enhancement will be incorporated into the Proposed Development. A recreational heritage trail (Figure 3.13) incorporating an accessible pathway is proposed within the south-eastern area of the site. The trail would enable access to the two separate elements of the Scheduled Menzion Farmhouse enclosed cremation cemeteries (Asset 2) utilising, where possible, existing tracks. The trail will avoid any direct impact on the extent of known heritage assets and placement of interpretative material will avoid adverse settings effects on the designated assets. The recreational heritage trail is proposed in recognition of the fact that physical and intellectual access to the cremation cemeteries are currently limited to a select few. To ensure that people benefit from heritage, an understanding and appreciation of its cultural significance must reach beyond specialist understanding to the wider public. The overriding aim of the recreational heritage trail will be to reveal the cultural significance of the cremation cemeteries to non-experts and enable a better understanding of their placement within a valley rich in evidence for prehistoric activity. It is proposed that interpretation boards are placed at the start of the trail within a small car park and also in the vicinity of the two Scheduled Monuments and other non-designated heritage assets in the vicinity of the trail to provide further information about the assets to any visitors and also signpost to where further digital information about the assets can be found. Signposts or information regarding other prehistoric monuments in the Tweed Valley will also be included, an example of which is provided on Figure 3.13. The recreational heritage trail will also provide links and information about other initiatives designed to improve access to heritage in the wider Tweed Valley such as that presented at the nearby Logan Iron Age Fort and hosted by the Tweedsmuir Community Company and the heritage aspects that will be developed as part of the Destination Tweed project currently being developed by the Tweed Forum. The exact details of this enhancement will be developed in association with the Ecology team as well as the Archaeology Officer at the SBC and HES.

11.8 Receptors Brought Forward for Assessment

11.8.1 A total of 35 known heritage assets have been identified within the site. Consideration of the nature, date and extent of these known remains in conjunction with identification of all known remains within 1 km of the site and a walkover survey have been used to evaluate whether known or hitherto unknown remains have the potential to be subject to direct impacts and effects as a result of the construction of the Proposed Development.

11.8.2 This assessment has identified all designated heritage assets within 5 km of the site and all nationally important designated heritage assets within 10 km from the site.

11.8.3 ZTV analysis (Figure 11.3) indicates that the Proposed Development would not be visible from 68 designated heritage assets within the 10 km study area. An assessment of these assets was undertaken to identify any locations within the ZTV from which the Proposed Development would be visible within key views towards these assets. This assessment exercise did not identify any such key views for the 68 designated assets outwith the ZTV and accordingly detailed assessment of these designated assets has been scoped out of further setting assessment.

11.8.4 The GDL of Stobo Castle (centred Asset 206) is located beyond the 10 km study area but was identified for further assessment by HES at scoping stage (see Table 11.1). The GDL extends c. 11.83 km north, north-east of the site. HES requested that a short explanation be given as to why Stobo Castle GDL (centred Asset 206), was to be scoped out of further assessment in the EIA. A site visit and settings assessment was undertaken of Stobo Castle GDL (Technical Appendix 11.2) and found that only one area of the GDL, an area documented as being planted with trees since at least the later 18th century, and now occupied by commercial forestry, would have theoretical intervisibility with the Proposed Development. No intervisibility from the key elements of the GDL, namely the Japanese Water Gardens, central landscape around the mansion house and southern principal driveway were identified and therefore it was considered appropriate to scope this asset out of further assessment.

11.8.5 The non-designated post-medieval Kingledoors (Asset 203) was identified to the north-east of the site during the walkover survey. The building was found during a site visit to be located in a landscaped area, retaining elements of garden design depicted on post-medieval historic mapping surrounded by post-medieval and modern farm buildings. The ZTV prepared for this assessment indicates that there would be no intervisibility between the non-designated heritage asset and the Proposed Development and the setting of the building relates to its immediate garden and landscaped setting. A detailed settings assessment of the non-designated assets, including Kingledoors (Asset 203) has been scoped out of further setting assessment.

11.9 Potential Effects

Construction

11.9.1 Construction impacts associated with the Proposed Development include construction works for the turbines, laydown areas, site tracks and other infrastructure. Other construction activities, such as vehicle movements, soil and overburden storage and landscaping also have the potential to cause direct permanent and irreversible impacts to cultural heritage assets. As such the construction of the Proposed Development has the potential to disturb, damage or destroy features or buried remains of cultural heritage interest.

11.9.2 The Proposed Development has been designed, where possible, to avoid all direct impacts on known archaeological remains (Table 11.1).

11.9.3 Construction effects on cultural heritage receptors, as discussed here, have been limited to direct impacts on heritage features and deposits. Whilst there is some limited potential for impacts upon the setting of designated heritage assets to occur during the construction phase, any such effects would be temporary, and it is considered that setting effects resulting from construction would not exceed the predicted operational effects upon the setting of heritage assets. As such, with the aim of achieving proportionality, the potential for setting effects is considered under operational effects.

11.9.4 This assessment has identified 35 heritage assets (Assets 1-3, 5, 6, 8-25, 136, 197-204, & 207-209) within the site (Figure 11.1). The importance of these heritage assets is detailed in Table 11.6. Table 11.6 also notes the predicted magnitude of impact and level of effect.

Table 11.6 – Heritage Assets within the site, their importance, the predicted magnitude of impact and resulting level of effect as a result of construction.

Asset Number	Asset Name	Importance	Magnitude of Impact	Level of Effect
1	Menzion Farm,enclosed cremation cemetery 600 m WSW of (SM 2702; Asset 1)	High	None	**None**
2	Menzion Farmhouse, two enclosed cremation cemeteries 400 m NNW of (SM 2748; Asset 2).	High	None	**None**
3	Weird Law, platform settlement 550 m S of summit	High	None	**None**
5	Weird Law- Enclosed Cremation Cemetery	Medium	None	**None**
6	Weird Law- Ring Enclosure	Low	None	**None**
8	Bield Burn- Cairn	Low	None	**None**
9	Bield Burn- Clearance Cairn	Negligible	None	**None**
10	Gala Burn- Burnt Mound(s)	Low	None	**None**
11	Gala Burn- Quarry	Negligible	None	**None**
12	Ewelaw Rig- Cairn(s)	Low	None	**None**
13	Ewelaw Rig- Cairn	Low	None	**None**
14	Hallow Burn- House Platform	Low	None	**None**
15	Weird Law- Cairn(s)	Low	None	**None**
16	Weird Law- Cairn	Low	None	**None**
17	Weird Law- Cairn(s)	Low	None	**None**
18	Rigs Burn- Cairn(s)	Low	None	**None**
19	Rigs Burn- Burnt Mound	Low	None	**None**
20	Rigs Burn- Building	Low	None	**None**
21	Weird Law- Burnt Mound	Low	None	**None**
22	Weird Law- Burnt Mound(s)	Low	None	**None**
23	Newbigging- Settlement	Negligible	None	**None**
24	Nether Rigs- Natural Feature	Negligible	None	**None**
25	Nether Riggs- Farmstead	Negligible	None	**None**
136	Oliver House (extent)	Low	None	**None**
197	Enclosure	Negligible	None	**None**
198	Quarry	Negligible	None	**None**
199	Possible Scoop	Negligible	None	**None**
200	Possible Scoop/Quarry	Negligible	None	**None**

Asset Number	Asset Name	Importance	Magnitude of Impact	Level of Effect
201	Possible Scoop	Negligible	None	**None**
202	Possible Scoop	Negligible	None	**None**
203	House Platform	Low	None	**None**
204	Sheep Shelter	Negligible	None	**None**
207	Quarry	Negligible	None	**None**
208	Quarry	Negligible	None	**None**
209	Quarry/Borrow Pit	Negligible	None	**None**

11.9.5 There are three Scheduled Monuments (Assets 1-3) within the site. As Scheduled Monuments, these assets are considered to be of high importance in line with Table 11.2. The location of these Scheduled Monuments were identified at an early stage of the Proposed Development design and were avoided by design (see Table 11.1).

11.9.6 The non-designated Weird Law enclosed cremation cemetery (Asset 5), as another probable example of a prehistoric cremation cemetery in close proximity to the Scheduled examples, is considered to be of medium importance.

11.9.7 A number of non-designated heritage assets are considered to be of low importance. These assets are considered to reflect different periods of anthropogenic activity within the site and reflect the development of the local landscape. There are a number of cairns recorded within the site, which have not been subject to archaeological excavation. It is not known whether these cairns are burial cairns or clearance cairns but on balance and based on their morphology these are considered to be of low importance.

11.9.8 Historically documented and common, rural and agricultural, post-medieval and modern assets including quarries/scoops, clearance cairns, sheepfolds, damaged former farmsteads and settlements which are still in use are considered to be of negligible importance.

11.9.9 The Proposed Development has been designed to avoid all known heritage assets and as such there is anticipated to be no direct impact on known heritage assets within the site. The resulting level of effect is **none.** This level of effect is not considered significant in EIA terms.

11.9.10 There is judged to be the potential for paleoenvironmental remains and hitherto unknown archaeological remains to survive on the site. Any paleoenvironmental remains are likely to be of a low importance but would add further information about the local environment and its development through time. The importance of hitherto unknown archaeological remains on the site cannot be predicted although any prehistoric remains would likely be of relatively higher importance compared to post-medieval agricultural remains.

11.9.11 The Proposed Development would largely reuse and enhance existing forestry tracks which may have had an adverse impact on any buried archaeological remains when constructed. It must also be considered that the planting of commercial forestry on the site is likely to have had an adverse impact on any hitherto unknown paleoenvironmental and archaeological remains. Whilst archaeological remains have been known to survive buried beneath commercial forestry (Forestry Research, 2023), in general forestry activities, such as access track construction, ground levelling activities and groundbreaking, have an adverse impact the ground on which they are planted. As such, there is considered to be a relatively low potential for any hitherto unknown buried remains to survive in currently or previously commercial forestry areas such as around the proposed locations of Turbines 1, 2, 6 and 7.

Operation

11.9.12 Operational effects include potential effects upon the settings or character of designated assets such as Listed Buildings, Scheduled Monuments, and GDLs (note there are no Conservation Areas, Inventory Battlefields or World Heritage Sites located within the study areas). No direct effects upon designated or non-designated assets are anticipated during the operational phase.

11.9.13 A bare earth ZTV has been produced for the Proposed Development. The ZTV is based on a turbine tip height of up to 200 m, a viewing height of 2 m above ground level and Ordnance Survey Terrain 50 height model (see Chapter 7: Landscape and Visual).

11.9.14 In addition to assessment of heritage assets within the ZTV, all the designated heritage assets within the 10 km study area were subject to an assessment of their key characteristics and key views. As noted in the Scoping Report, no designated heritage assets located outwith the ZTV were identified as having key views or relationships across the landscape from locations within the ZTV and from which the Proposed Development would potentially be seen in the same view.

11.9.15 The following assessment takes cognisance of the felling (Figure 15.4) and restocking plan (Figure 15.5).

11.9.16 There are three Scheduled Monuments (Assets 1-3) within the site. A detailed assessment of the impact of the Proposed Development on their setting can be found below. In addition, following consultation, and site visits, two Scheduled Monuments beyond the site boundary; Oliver Castle, fort (Asset 67) and Nether Oliver Crags, fort (Asset 71) have been identified for a detailed assessment.

Menzion Farm, enclosed cremation cemetery 600 m WSW of (Asset 1)

11.9.17 The Scheduled extent of the Menzion Farm, enclosed cremation cemetery (Asset 1- Plate 44) encircles the remains of a cremation cemetery on a low ridge excavated in 1961. The land immediately to the north and south of Asset 1 slopes downwards. To the north of Asset 1, the land slopes either side of Long Stack stream and a modern body of water, likely associated with land drainage. This area is also occupied by hummocky grassland, stands of conifer plantations and individual trees, likely self-seeded from commercial plantations. A non-designated probable cremation cemetery (Asset 5), which may be contemporary with Asset 1, is recorded in this area as an undated house platform (Asset 14) and cairn (Asset 15), which may be prehistoric in date. Beyond these assets, the land slopes steeply upwards along Hallow Burn, up Weird Law and Ewelaw Rig an area occupied by densely planted commercial forestry. To the south of Asset 1, the land slopes down to the A701, beyond which lies a terrace of fertile grassland, in use as pasture bound by the River Tweed. The ridge of land on which Asset 3 is located extends roughly north-east and south-west, parallel to the A701. On this ridge, to the north-east lie two further Scheduled cremation cemeteries (Asset 2), and at least three scoop enclosures (Assets 199-201) which may be of prehistoric date. To the south-west two non-designated ring enclosures (centred Asset 6), potentially of prehistoric date, have been recorded. As such, the immediate setting of Asset 1 appears to relate to a relatively flat area of an upper terrace of the River Tweed, associated with small streams and archaeological remains reflective of prehistoric and potentially contemporary activity (see Figures 11.1-11.3 and Technical Appendix 11.3 - Plates 42, 44 & 88).

11.9.18 The wider landscape is dominated by a V-shaped section of the Tweed Valley, with post-medieval and modern settlement and its associated agricultural landscape, including field patterning occupying the fertile plain, as well as surviving elements of post-medieval and early 20th century mixed woodland plantations dominating the lower slopes. A number of Scheduled prehistoric settlements (Assets 62, 89, 109 &110) and funerary/ritual remains (Assets 61) including another two cremation cemeteries (centred Asset 2) and a further three enclosed cemeteries (Asset 60) have been identified within the lower slopes of the Tweed Valley (Technical Appendix 11.3 - Plates 45 & 47). The steep upper slopes of the valley are largely dominated by commercial forestry (Plate 44), parcels of mixed woodland and grassland slopes. The commercial forestry in most cases along the valley sides often demarcates the upper river terraces where archaeological activity has been recorded and the upper slopes which were likely less intensively used in the past. A number of Scheduled prehistoric forts (Assets 67, 71, 81) are identified either side of the valley, indicating the presence of some form of prehistoric land management or defence of the valley, river and fertile plain. As such the wider setting of the Asset 1 appears to relate to lower slopes of the Tweed Valley, to known and potential contemporary as well as probable earlier and indeed later activity which appears to have been under some form of formalised management since the prehistoric period. It must be noted that whilst these relationships are readily appreciable cartographically, these relationships are not so readily appreciable in the modern landscape due to intervening mature forestry and vegetation. It must also be considered that intervisibility between archaeological monuments without detailed historic landscape reconstruction is a largely untested assumption (RARFA, n.d.). The presence of the conifer plantations in some locations within the Tweed Valley however could be considered to be beneficial to understanding of the dynamics of land use as the lowest elevations of the plantations appear to delimitate between the area of anthropogenic activity and the uplands, where less intensive activities were likely undertaken similar to those in the later periods, such as sheep grazing. Distant wind turbines were identified to the north-west, visible along the ridge of the Tweed Valley from Asset 1 (see Figures 11.10a and 11.11a) and modern overhead lines are also located within the landscape. Whilst the immediate and valley setting contribute to our understanding of the asset, including its associations to other prehistoric activity, much of the cultural significance of the cremation cemeteries are derived from their upstanding physical form and associated buried remains. Overall, the setting can only be equated to moderately contribute to the understanding, appreciation and experience of the asset, resulting in a medium relative sensitivity to change.

11.9.19 The Proposed Development would be largely located to the north and north-west of Asset 1, with the closest element, the proposed access track c. 390 m west already in existence as a forestry access track, and the other near element, the proposed substation, BESS and temporary construction compound extending c. 425 m west of Asset 1. These elements would be constructed in the lower slopes of the Tweed Valley, in an area where historic farmsteads have previously been standing and in areas of existing relatively high modern features, i.e. conifer plantations, but in the area where the setting makes the most contribution to the overall cultural significance of the asset. The substation, BESS and temporary construction compound may be visible to the west in the short term, although the substation, BESS and temporary construction compound are likely to be screened in views in the long-term following replanting. The closest proposed turbine, Turbine 1, would be located c. 625 m north of Asset 1. The remaining turbines would be located to the north beyond the ridge of land which defines the northern extent of the Tweed Valley, as exemplified in Figure 11.11b and c, although Turbine 1 would appear large and close to the asset. Whilst Figure 11.11b is from Asset 2, it shows the location of the proposed Turbine 1 in relation to the landform, however this does not take into account the screening effect of the extant and replanted forestry which would screen the proposed turbine as well as obscure the topography of the landform. In views from across the valley (Technical Appendix 1.3 - Plate 47) the turbines would be visibly located above Asset 1, in the case of proposed Turbine 1 and 2 on the slopes of Weird Law, on the upward sloping land and beyond the ridgelines and above the zone of activity within the slope of the valley. Distant turbines on the upper sections of the Tweed Valley have already been incorporated into the setting of Asset 1 and do not diminish the ability to understand, appreciate and experience the asset. The magnitude of impact is considered to constitute an alteration to the baselines setting which would not affect the ability to understand, appreciate and experience the asset or its inter-relationships and is consequently judged to be low. The resulting level of effect is considered to be **minor** and not significant in EIA terms.

11.9.20 The integrity of the setting of Menzion Farm, enclosed cremation cemetery 600 m WSW of (Asset 1) would not be significantly adversely impacted by the Proposed Development.

<u>Menzion Farmhouse, two enclosed cremation cemeteries 400 m NNW of (Asset 2)</u>

11.9.21 The Scheduling for Menzion Farmhouse, two enclosed cremation cemeteries identifies two separate cemetery extents to the north of the A701 (Technical Appendix 11.3 – Plates 45 & 46). The immediate setting of Menzion Farmhouse (Asset 2) is not dissimilar to Asset 1, reported above and therefore will not be repeated here. To the east, parallel to the A701 and north of Asset 2, lie areas of conifer plantation which are relatively closer than those around Asset 1. As noted previously, the cremation cemeteries (Asset 2) are likely associated with other prehistoric funerary and ritual as well as prehistoric defensive and settlement designated, and non-designated heritage assets recorded within the Tweed Valley (Technical Appendix 11.3 – Plate 47). These relationships are arguably readily appreciable cartographically but less legible in the modern landscape with mature vegetation limiting full appreciation of these connections in the Tweed Valley without detailed prior knowledge. However, from the south-west (Technical Appendix 11.3 – Plate 47) with prior knowledge the importance of the valley setting can be appreciated and experienced. The relative sensitivity of Asset 2 is judged to be medium as described for Asset 1.

11.9.22 The Proposed Development would be located to the west and north of Asset 2. The closest element of the Proposed Development would be the access tracks, which are already largely in existence, and the proposed substation, BESS and temporary construction compound located c. 1.3 km west in an area of extant commercial forestry. Whilst the proposed substation and BESS would be visible as new, modern built features in the short term, the area around the structure is proposed to be replanted and therefore there would be no appreciable change from the extant landscape. The majority of the Proposed Development would be located to the north, and north-west on the slopes of Upper Oliver Dod, Ewelaw Rig and Weird Law. The closest proposed turbine, Turbine 7 would be located c. 690 m north of Asset 2. The proposed Turbine 1 based on the wireline (Figure 11.11b) would be visible as a full height turbine on the south-east slope of Weird Law, within the Tweed Valley. However, this does not take into account the existing commercial forestry plantations which whilst cut back from the immediate area around the turbines would largely screen the lower section of the proposed Turbine 1 and which masks the natural topography of Weird Law. As such, proposed Turbine 1 would likely not be perceptibly different from the other proposed turbines, being set in land beyond the fertile and settled Tweed Valley. Based on Figures 11.11b-c, the other proposed turbines would be visible as turbine hubs and blades beyond the ridge of Ewelaw Rig (Figure 11.11b-c), beyond the setting which provides context and cultural significance and based on site visits, any visibility would at present be limited by mature forestry.

11.9.23 Overall, the Proposed Development is judged to constitute an alteration to the baseline setting which does not diminish the ability to appreciate, understand or experience Asset 2 or its inter-relationships within the valley. The resulting level of effect is **minor** and not significant in EIA terms and the integrity of its setting would not be significantly adversely impacted.

<u>Weird Law, platform settlement 550 m S of summit (Asset 3)</u>

11.9.24 Weird Law, platform settlement 550 m S of summit (Asset 3) consists of the Scheduled remains of a prehistoric settlement, located on land c. 320 m AOD, on a south facing slope overlooking the River Tweed. In the immediate area surrounding the Scheduled Monument, there are faint traces of further possible degraded platforms and settlement remains associated with Asset 3 (see paragraph 11.6.65; Plates 21-23) and there may be surviving remains of contemporary land use and agricultural remains in the vicinity of the settlement. Within the vicinity of Asset 3, other prehistoric remains such as a Scheduled cairn (Asset 61), settlements (Assets 62, 109 & 110) and an enclosed cremation cemetery

(Asset 60) as well as non-designated cairns (Assets 16-18) and burnt mounds (Assets 19 & 21) have been recorded (Figure 11.1 and Technical Appendix 11.3 - Plates 47 & 88). These remains illustrate that Asset 3 is located in a multi-phase prehistoric landscape on the lower slopes of the River Tweed valley. The fertile land, immediately either side of the River Tweed, to the south, was likely avoided for settlement due to agricultural needs as well as the potential for flooding events.

11.9.25 The land to the north, east and south of the Asset 3 has been planted with commercial forestry in the modern period and modern quarrying activities have also been reported in the near vicinity. Weird Law, platform settlement (Asset 3) is therefore located on a platform, on the south facing slope of a valley within a clearing of commercial forestry plantations (Plate 47). Due to the surrounding commercial forestry, there is limited intervisibility from Asset 3 to the River Tweed (Plate 48), its adjacent fertile land and other prehistoric assets (Assets 1-19, 21 & 60-62) in the surrounding area, although from the adjacent banks of the valley, in the vicinity of Asset 109, the location of Asset 3 was readily identifiable (Plate 47). It should also be recognised that intervisibility between archaeological monuments without detailed historic landscape analysis is a largely untested assumption (RARFA, N.d). The Clyde Wind Farm was visible to the west of Asset 3, in land beyond the Tweed valley (Figure 11.10a – Plate 47). The cartographic setting of Asset 3 and its relationship to other contemporary and multi-period prehistoric assets is easily understood and appreciable, however the physical setting of the monument has been impacted by commercial forestry plantations. In the case that no forestry was located in the vicinity inter-relationships may be better understood, however this assumes that no contemporary woodland or high vegetation was located within the Tweed Valley and this has yet to be confidently proven. The setting of Weird Law, platform settlement is considered to make a moderate contribution to the understanding, appreciation and experience of the asset, although as an asset associated with prehistoric settlement practices, other elements such as the physical remains, and any associated surviving field system remains are also considered to contribute to the significance of Weird Law, platform settlement. The relative sensitivity to change is considered to be medium.

11.9.26 The Proposed Development would be located to the north and east of Weird Law, platform settlement (Asset 3 - Figure 11-10 b-d). The closest turbine infrastructure is proposed to extend c. 285 m north, north-east (Turbine 1 - Figure 11.10d) and north, north-west (Turbine 2- Figure 11.10c), and the closest element of the Proposed Development is proposed to be the substation, BESS and temporary construction compound expected to extend c. 180 m south-east of Asset 3. The ZTV and wireline (Figure 11.10b-d) produced for this assessment indicates that due to the landform only five or six of the proposed seven turbines would be theoretically intervisible with Weird Law, platform settlement . The wirelines show turbines 1-3 as visible from base to blade tip, however this does not take into account the commercial forestry plantations which, whilst felled around the immediate areas around the proposed turbines would be retained and would likely screen the base of these turbines. The Proposed Development access tracks would extend at their closest c. 210 m from the settlement, however the access track would follow existing forestry tracks and therefore would not be visually appreciable new additions to the setting of Weird Law, platform settlement.

11.9.27 The substation, BESS and temporary construction compound are proposed to be located south-east of Weird Law, platform settlement, between Asset 3 and Asset 1 and would therefore be a new built element in the landscape in the short term. However, the restocking plan (Figure 15.5) suggests that the area south-east of Weird Law, platform settlement and areas north and west of the substation and BESS will be replanted and therefore in the long term the substation and BESS compound will be largely screened, and the extant landscape returned comparable to the existing landscape. As such, in the long term there is likely to be limited appreciable change.

11.9.28 The Proposed Development would largely be constructed on the upper slopes of Weird Law, Ewelaw Rig, Bank Head and Glenmuck Height and would be visible as a modern addition to the upper slopes of the Tweed Valley from and towards Weird Law, platform settlement from the north facing slopes of the Tweed Valley. Proposed Turbines 2 and 3 would be visible on the rising slopes of Weird Hill (Figure 11.10 c-d) when Weird Law, platform settlement is viewed from the south- east from other Scheduled prehistoric settlements (Assets 109 & 110 - Technical Appendix 11.3 - Plate 47 & 89), however these turbines would not directly backdrop views towards Weird Law, platform settlement from these locations (Figure 11.12d). Whilst the two proposed turbines have the potential to draw the eye up the rising ground from the lower slopes, their location would also serve to highlight the contrast between land use and topography on the upper and lower valley landscape. The historic setting of the Weird Law, platform settlement (Asset 3) relates to prehistoric settlement and activity within the Tweed Valley, in land adjacent to the fertile land and river, rather than to activity in the upper slopes.

11.9.29 Overall, the Proposed Development is considered to be an alteration to the baseline setting which may affect the ability to understand, appreciate and experience the contribution that setting makes to the asset’s cultural significance to a degree, but where the key characteristics would be unchanged. The magnitude of impact is judged to be medium and the resulting significance of effect to be **moderate**. This level of effect is considered to be significant in EIA terms.

11.9.30 The key characteristics of Weird Law, platform settlement’s (Asset 3) setting, include; the location of the asset within the lower slopes of the Tweed Valley; the proximity of landscape features, such as rivers and fertile land thought to be important elements taken into consideration when originally identifying functional sites for settlement; and the proximity to other prehistoric designated and non-designated remains within the same topographical region within the near and far landscape of the Tweed Valley. These characteristics would not be changed by the construction and operation of the Proposed Development and would still be appreciable in the landscape as well as cartographically. As such, the integrity of setting would not be significantly adversely impacted.

Oliver Castle, fort (Asset 67)

11.9.31 The remains of Oliver Castle, fort (Asset 67) are fragmentary and consist of an enclosed area surrounded by two grass banks on the summit of a plateau of land between 290 m and 300 m AOD, on the lower, south facing slope of the Tweed Valley (Technical Appendix 11.3 - Plates 49 & 50). When constructed, the fort likely had views along and across the River Tweed valley to other defensive assets such as the Scheduled Nether Oliver Crags, fort (Asset 71) and Whiteside Rig, fort & enclosure (Asset 81), which may or not have been contemporary (Technical Appendix 11.3 – Plate 51). The fort was therefore likely located here to control surrounding fertile land and/or to manage and observe movements along the valley. The location of the fort is considered by some to have been the position of the medieval Oliver Castle, which was associated with Clan Fraser. Whilst the fort's location appears to have been known in the 19th century, the location is attributed to the medieval "Oliver Castle" and the area also appears to have been planted with trees by the time of the publication of the OS map in 1859. The trees were found to still be in existence within the Scheduled fort (Asset 67) in September 2022 (Technical Appendix 11.3 – Plate 49). Due to the shape and form of the Tweed Valley when viewed from the fort, the eye is drawn to the north and north-east, rather than to the south although this may, in part, be a construct of the positioning of tree plantation to the west (Technical Appendix 11.3 – Plate 51). The fort (Asset 67) can be understood as a part of a prehistoric defensive complex along the Tweed Valley which was likely reused in later periods and oversaw the fertile land around the River Tweed. As such, the lower slopes of the valley and views towards nearby defensive assets make a material contribution to the cultural significance of the asset with wider views across the upper slopes of the valley contributing less. The relative sensitivity to change is considered to be medium.

11.9.32 The Proposed Development would be located to the south-west of Oliver Castle fort and would be seen, beyond commercial forestry. A wireline created for this assessment (Figure 11.9b) illustrates that theoretically, with no intervening vegetation, six turbines would be seen to hub height and one seen to tip height beyond the ridge of Upper Oliver Dod. A photomontage (Figure 11.9c), which takes into account the woodland within the fort and the commercial forestry to the north-west indicates that on approach to the fort from the south and south-east, the hub of Turbine 6 and blades of Turbine 7 would be visible. These elements of the Proposed Development would be visible beyond the plantation and the ridge of Upper Oliver Dod and would be set on the upper slopes of the valley. The Proposed Development would also be seen in views of the fort from the north and north-east and may be seen to the east (Figure 11.7a) of commercial forestry when the fort is seen from Whiteside Rig, fort & enclosure (Asset 81). Turbines of the Glenkerie and Clyde Wind Farms are visible in distant views on approach to the fort (Figure 11.8a) from the north. As such, whilst the Proposed Development would be seen as a modern addition to the landscape in one direction, it would be visible beyond the valley floor and lower valley slopes which are legible as the area of influence of the fort. As such, the Proposed Development would not affect the ability to understand, appreciate and experience the fort, its setting and inter-relationships with nearby assets. The magnitude of impact is considered to be low and the resulting significance of effect to be **minor**. This level of effect is not considered to be significant in EIA terms. The integrity of the asset's setting would not be significantly adversely impacted.

Nether Oliver Crags, fort (Asset 71)

11.9.33 Nether Oliver Crags, fort (Asset 71) occupies a low rocky knoll on the south facing slopes of the Tweed Valley (Technical Appendix 11.3 - Plate 52). The original setting of the fort (Asset 71) is likely to have been similar to that of the aforementioned Oliver Castle, fort (Asset 67), albeit at a lower elevation at 280 m AOD. Both forts (Asset 71 & 67) appear to have been constructed within the lower slopes of the Tweed Valley as part of a complex of relatively higher and lower forts, likely meant to control and defend the valley, the inhabitants and settlements therein and the fertile land either side of the river (Technical Appendix 11.3 - Plates 51 & 53). Nether Oliver Crags, fort (Asset 71) was found to be overgrown with ferns during a site visit in September 2022. The modern setting of the fort (Asset 71) is unlikely to be dissimilar to when it was constructed, although the field patterns in the valley reflect post-medieval and modern land management. The elements of setting which contribute to the cultural significance of the asset relate to the Tweed Valley and the inter-relationships with other defensive assets, which may or may not be contemporary. The relative sensitivity to change in the setting of the fort is considered to be medium.

11.9.34 The Proposed Development would be located to the south-west of the fort and, beyond commercial forestry. Figure 11.8 a and b illustrate that if no vegetation were present, five turbine hubs and two turbine blades would be visible from the fort beyond a ridge of land. A photomontage (Figure 11.8c) however shows that in reality one turbine hub (Turbine 6) and two turbine blades (Turbines 4 and 5) would be visible beyond mature conifer plantations to the north-east. This photomontage (Figure 11.8c) also demonstrates that the turbines would be seen offset from Oliver Castle, fort (Asset 67) and that turbines would not be seen to directly backdrop intervisible views between Nether Oliver Crags, fort and Oliver Castle, fort. The turbines would appear, as peripheral additions to the upland landscape. As the Proposed Development would not impede the ability to understand, appreciate and experience the asset in its current setting, or understand its inter-relationship with other defensive assets within the Tweed Valley, the magnitude of impact is considered to be low. The resulting significance of effect would be **minor**. This level of effect is not considered to be significant in EIA terms. The integrity of the asset's setting would not be significantly adversely impacted.

11.9.35 A detailed setting assessment of the other 33 designated heritage assets within the 10 km study area and within the ZTV has been undertaken for the Proposed Development. These assessments are presented in Technical Appendix 11.2. The results of these assessments have identified levels of effect ranging from **minor** to **none** which are not considered to be significant in EIA terms. No significant adverse impacts upon the integrity of any Scheduled Monuments' settings are anticipated.

11.10 Additional Mitigation and Enhancement

11.10.1 Section 11.7 sets out the standard mitigation that will be implemented to address the potential for direct effects. No additional mitigation for direct effects is deemed necessary.

11.10.2 This assessment has judged there to be, during the operational phase, a significant effect on the setting of Weird Law, platform settlement 550 m S of summit (Asset 3) within the site (although no significant adverse impact to the integrity of its setting). The location of Asset 3 was considered during the design phase and the Proposed Development design was adjusted to create a buffer of 0.48 km between the monument and the nearest turbine and to ensure that turbines would not be seen directly backdropping the Scheduled Monument when viewed from other settlements across the Tweed Valley. Further mitigation by design is not considered practical within the confines and constraints of the site.

11.10.3 An additional programme of enhancement which could be developed in association with the recreational heritage trail and as a consequence of archaeological works within the site may include a programme of community survey designed to better understand and map the upstanding remains at Weird Law and along the trail as well as professional, and/or amateur digital or/and physical visualisations of the modern or historic landscape.

11.10.4 No further significant setting effects are expected and therefore no additional mitigation/enhancement is deemed necessary.

11.11 Residual Effects

Construction

11.11.1 The implementation of the above outlined mitigation measures will prevent inadvertent damage to known heritage assets, allow for recording of any paleoenvironmental and/or archaeological deposits associated with known remains, and investigate the potential for previously unknown assets as well as plan for the potential for hitherto unknown remains to be identified by the construction team. Potential effects on unknown and previously unrecorded buried remains cannot be predicted at this stage, although any such impacts are also addressed by the committed mitigation measures, and it is judged to be unlikely that they will exceed the EIA significance threshold.

Operation

11.11.2 The predicted residual effects on the settings and character of designated heritage assets will be the same as assessed for the operational effects.

11.12 Cumulative Assessment

11.12.1 Archaeological remains are by their very nature an irreplaceable resource and are subject to threats both within and outwith the planning system. The range of non-development threats is broad and includes deterioration of upstanding structural remains and damage to remains buried beneath modern forestry plantations. Any archaeological remains which may be present on the site need to be understood within this context of loss which can occur in modern conifer forestry plantations on a regional and national scale. Archaeological investigations allow any loss to be controlled through programmes of recording, sampling and analysis. The consequence of this is that, where direct impacts occur through either development or academic research, then our understanding of these assets is enhanced, and the results of these investigations inform our knowledge of the Scottish Borders past. Indeed, our understanding of the Scottish Border's and indeed the Tweed Valley's archaeological heritage is itself the cumulative product of the results of numerous investigations undertaken over many generations. Any direct impacts which may result from the Proposed Development would be addressed through the programme of mitigation that has been set out in Section 11.7 which will include comprehensive investigations should this be required, the results of which will contribute to our overall understanding of the Scottish Borders and the Tweed Valley's past and therefore create a beneficial cumulative legacy. The significance of the cumulative effect on archaeology during construction, combined with other developments or causes of loss, will therefore be negligible and not significant. As such this assessment will focus on the likely significant cumulative effects upon the setting of heritage assets which have the potential to occur during the operational phase.

11.12.2 This assessment considers the potential for cumulative effects arising from the addition of the Proposed Development to other cumulative developments upon the setting of heritage assets which have the potential to occur during the operational phase. The cumulative effect assessment takes regard of the guidance on cumulative effects upon heritage assets as set out in Environmental Impact Assessment Handbook V5 (SNH, 2018) and utilises the criteria for assessing setting effects as set out above.

11.12.3 With regard to the likely significant cumulative effects on cultural heritage assets, the assessment considers operational, consented, application and scoping wind farm developments at distances up to 25 km from the Proposed Development. The location of cumulative developments is shown on Figure 7.9. A full list of the cumulative developments is included in Chapter 5. The cumulative sites include:

- Existing wind farms:
  - Andershaw;
  - Clyde;
  - Clyde Extension;
  - Glenkerie; and
  - Middle Muir.
- Consented wind farms:
  - Glenkerie Extension;
  - Priestgill; and
  - Whitelaw Brae.
- Application wind farms:
  - Bodinglee;
  - Daer;
  - Grayside;
  - Little Gala;
  - Rivox; and
  - Scoop Hill Community.

11.12.4 As indicated in the methodology section paragraph 11.5.30, only heritage assets where a **minor** impact on their setting has been predicted for the Proposed Development alone are considered in the detailed assessment. Plates referred to in the following paragraphs can be found in Technical Appendix 11.3.

Weird Law, platform settlement 550 m S of summit (Asset 3)

11.12.5 The relative sensitivity of the Scheduled Weird Law (Asset 3) is judged to be medium. The magnitude of impact of the Proposed Development was considered to be medium and therefore the resulting level of effect is **moderate** and significant in EIA terms.

11.12.6 Based on wirelines prepared for this assessment (Figure 11.10) and site visits, the cumulative developments visible from Weird Law (Asset 3) include the existing Clyde and Clyde Extension (mentioned in the baseline - paragraph 11.9.25) and the consented Whitelaw Brae to the south-west. Due to the distance, Whitelaw Brae would be seen only when weather conditions permit distant visibility and in the wider context of the Clyde turbines to the south, although Whitelaw Brae would be appreciable as a separate wind farm (Figure 11.10a). These cumulative developments are all located beyond the setting which enables us to understand, appreciate and experience the setting of the Scheduled Weird Law (Asset 3) and therefore the cumulative impact at worst would be **negligible** and is not significant in EIA terms.

Menzion Farm, enclosed cremation cemetery 600 m WSW of (Asset 1)

11.12.7 The relative sensitivity of Menzion Farm, enclosed cremation cemetery (Asset 1) is judged to be medium. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is **minor** and not significant in EIA terms.

11.12.8 Based on wirelines prepared for this assessment (Figure 11.11) and site visits, the cumulative developments visible from Menzion Farm, enclosed cremation cemetery would include the existing Clyde and Clyde Extension (mentioned in the baseline- paragraph 11.9.18) and the consented Whitelaw Brae to the south-west. Whitelaw Brae would be visible as a separate wind farm (Figure 11.11a) visibly distanced from the Tweed Valley when visible. These cumulative developments are all located beyond the setting which enables us to understand, appreciate and experience the setting of Menzion Farm, enclosed cremation cemetery (Asset 1) and therefore the cumulative impact at worst would be **negligible** and not significant in EIA terms.

Menzion Farmhouse, two enclosed cremation cemeteries 400 m NNW of (Asset 2)

11.12.9 The relative sensitivity of Menzion Farmhouse, two enclosed cremation cemeteries (Asset 2) is judged to be medium. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is **minor** and not significant in EIA terms.

11.12.10 Similarly to Menzion Farm, enclosed cremation cemetery (Asset 1) the existing turbines of the Clyde and Clyde Extension and the consented Whitelaw Brae would be visible to the south and south-west. Due to the distance to these cumulative developments and their location within uplands beyond the setting which enables an appreciation, understanding and experience of the Menzion Farmhouse, two enclosed cremation cemeteries (Asset 2) the cumulative impact at worst would be **negligible** and not significant in EIA terms.

Oliver Castle, fort (Asset 67)

11.12.11 The relative sensitivity of Oliver Castle, fort (Asset 67) is judged to be medium. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is **minor** and not significant in EIA terms.

11.12.12 A wireline produced for this assessment (Figure 11.9a) indicates that cumulative development visible from Oliver Castle fort would include the existing Clyde and Clyde Extension and the consented Whitelaw Brae to the south-west. A photograph taken from Oliver Castle fort (Figure 11.9a) looking south indicates that due to the mature tree cover of the fort the existing Clyde and Clyde Extension would largely be screened from view from the area immediate adjacent to the fort, however the existing wind turbines may be seen on approach from the north (Figure 11.8a) in good weather and light conditions. The cumulative development of consented Whitelaw Brae would be visible to the south-west in uplands on the western side of the Tweed Valley. These cumulative developments are not located within the Tweed Valley, the area which enables an understanding, appreciation and experience of the setting of Oliver Castle fort nor are they located in key views or relationship views between Oliver Castle fort and other monuments. The cumulative impact at worst would be **negligible** and is not significant in EIA terms.

Nether Oliver Crags, fort (Asset 71)

11.12.13 The relative sensitivity of Neither Oliver Crags, fort (Asset 71) is judged to be medium. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is **minor** and not significant in EIA terms.

11.12.14 A wireline produced for this assessment indicates that the cumulative development visible include the existing Clyde and Clyde Extension to the south and the consented Whitelaw Brae to the south-west. During a site visit in 2022 turbines visibility of the existing Clyde and Clyde Extension was limited by distance as well as cloud cover, and as such these turbines would only be appreciably visible in certain weather and light conditions in the far distance. The consented Whitelaw Brae, being relatively closer may be more readily appreciable as a cumulative development. The consented Whitelaw Brae may also be visible to the west of the intervening view from Nether Oliver Crags, fort (Asset 71) to Oliver Castle fort (Asset 67) (Figure 11.8a) although it would not diminish the ability to understand, appreciate and experience this intervening view nor would the turbines draw the eye away from this visible relationship. The location of the consented Whitelaw Brae on the uplands to the west of the Tweed Valley would be appreciable and understandable beyond the Tweed Valley, the setting which provides significance to Nether Oliver Crags, fort (Asset 71). The cumulative impact at worst would be considered to be **negligible** and is not significant in EIA terms.

Menzion Farm, three enclosed cremation cemeteries 1550 m WSW of (Asset 60)

11.12.15 The relative sensitivity of Menzion Farm, three enclosed cremation cemeteries (Asset 60) is judged to be medium. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is **minor** and not significant in EIA terms.

11.12.16 Any cumulative development visible from Menzion Farm, three enclosed cremation cemeteries (Asset 60) would be located within the upland environment, either side of the Tweed Valley. The lower slopes of the Tweed Valley provide contextual information enabling the ability to understand, appreciate and experience the enclosed cremation cemeteries. As such, the cumulative impact at worst would be considered to be **negligible** and is not significant in EIA terms.

Menzion Farm, cairn 1280 m SW of (Asset 61) and Menzion Farm, palisaded settlement 1550 m SW of (Asset 62)

11.12.17 Menzion Farm, cairn (Asset 61) and Menzion Farm, palisaded settlement (Asset 62) have been assessed together due to their geographical proximity and location of the roughly level plateau of ground on the southern side of the River Tweed (Plate 61). The relative sensitivity of Assets 61 and 62 is judged to be medium. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is **minor** and not significant in EIA terms.

11.12.18 A wireline produced for this assessment (Figure 11.18a) indicates that the existing Clyde and Clyde Extension and turbines blades of the consented Whitelaw Brae Wind Farm may be visible from Assets 61 and 62. During a site visit in 2024, existing turbines associated with the existing Clyde and Clyde Extension were seen in the distance beyond mature conifer plantations to the south-east. These cumulative developments are located beyond the legible extent of the Tweed Valley. The setting of Assets 61 and 62 can be defined by the lower slopes of the Tweed Valley, an area which can be considered to contribute to our understanding, appreciation and experience of the monuments and therefore to their cultural significance. As such the cumulative developments are located beyond the setting which provides significance to Assets 61 and 62. The cumulative impact at worst would be **negligible** and is not significant in EIA terms.

The Chester, enclosure 180 m NE of Glenrusko (Asset 70)

11.12.19 The relative sensitivity of The Chester (Asset 70) is judged to be medium. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is **minor** and not significant in EIA terms.

11.12.20 A wireline (Figure 11.16a) and photomontage (Figure 11.16c) illustrates that the cumulative developments visible from The Chester are the existing Clyde and Clyde Extension. The turbines appear along the distance ridgeline of the distant Tweed Valley beyond the setting which enable us to understand, appreciate the experience the setting of The Chester and its inter-relationships within the valley. The cumulative impact at worst would be **negligible** and is not significant in EIA terms.

Glenkerie Burn, fort (Asset 65)

11.12.21 The relative sensitivity of Glenkerie Burn, fort (Asset 65) is judged to be medium. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is minor and not significant in EIA terms.

11.12.22 A wireline (Figure 11.14a) indicates that the cumulative developments visible from the fort (Asset 65) would be the existing Glenkerie Wind Farm and the consented Glenkerie Extension to the north-west. The topographical location of the fort indicates that its setting relates to the valley to the north-east and south-west, and the eye is drawn downslope to the Tweed Valley and as such the elements which enable us to appreciate, understand and experience the fort would not be impacted. The cumulative impact at worst would be **negligible** and not significant in EIA terms.

Whiteside Rig, fort & enclosure (Asset 81)

11.12.23 The relative sensitivity of Whiteside Rig, fort & enclosure (Asset 81) is judged to be medium. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is **minor** and not significant in EIA terms.

11.12.24 A wireline created for this assessment (Figure 11.7a) indicates that seven cumulative developments would be visible from Whiteside Rig (Asset 81). These include the existing Glenkerie and consented Glenkerie Extensions to the north; the existing Clyde and Clyde Extension to the south-west; and the consented Whitelaw Brae and in application Dear and Rivox Wind Farms to the south. Due to the presence of mature conifer plantation and mixed woodland any views west, south-west and southward would be limited from the Scheduled extent of Whiteside Rig (Plate 76) although it is likely that cumulative developments to the south may be identified from the south facing slope of Whiteside Rig (Plate 77). However, these wind farms would be visibly appreciable beyond the Tweed Valley, which Whiteside Rig overlooks.

11.12.25 As noted in the baseline (Technical Appendix 11.2) the existing turbines of Glenkerie Wind Farm are visible from Whiteside Rig (Asset 81) though these do not detract from views from the Whiteside Rig along the valley. As such, whilst cumulative developments may be visible, they would not be located in areas which enable understanding, appreciation and experience of the setting the Whiteside Rig (Asset 81). The cumulative impact at worst would be **negligible** and not significant in EIA terms.

Grange Hill, platform settlement 1000 m ENE of Glenbreck (Asset 89)

11.12.26 The relative sensitivity of Grange Hill, platform settlement (Asset 89) is judged to be medium. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is **minor** and not significant in EIA terms.

11.12.27 As noted in the baseline (Technical Appendix 11.2) the cumulative existing Clyde and Clyde Extensions Wind Farms are at least partially visible from the settlement, beyond the Tweed Valley, the area which enables us to understand, appreciate and experience the setting and associated prehistoric landscape associated with the settlement. Any other cumulative developments which may be visible would also be located beyond the Tweed Valley, in the upland landscape. As such, the cumulative impact at worst would be **negligible** and not significant in EIA terms.

Glenwhappen Rig, palisaded enclosure 1450 m NE of Glenbreck (Asset 90)

11.12.28 The relative sensitivity of Glenwhappen Rig, palisaded enclosure (Asset 90) is judged to be medium. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is **minor** and not significant in EIA terms.

11.12.29 Theoretically, cumulative developments including the consented Whiteside Brae and existing Clyde Extension (Figures 11.17a and b) are likely to be visible from the enclosure (Asset 90), however at present due to the location of the enclosure within mature conifer plantations cumulative developments are unlikely to be visually appreciable. The original setting of the enclosure is considered to relate to the Tweed Valley and its lower slopes where prehistoric and later activity appears to be focused. As such, in the case that cumulative development were appreciably visible due to their locations beyond and in the uplands of the Tweed Valley, the developments would not further alter how the enclosure and its setting is understood, appreciated or experienced. The cumulative impact at worst would be **negligible** and not significant in EIA terms.

Worm Hill, cairn (Asset 105)

11.12.30 The relative sensitivity of Worm Hill, cairn (Asset 105) is judged to be high. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is **minor** and not significant in EIA terms.

11.12.31 Due to the topographical position of the cairn cumulative developments in all compass direction are likely to be visible from the cairn. The cumulative developments identified for this assessment are located within the upland landscape to the south and at distances over 15 km to the west and south-west. The existing Glenkerie Wind Farm was visible to the south-west during a site visit in 2024 (Plate 86), indicating that the consented Glenkerie Extension would also be visible. The undulating uplands to the south-west were also appreciable and therefore it is likely that the consented Whitelaw Brae and the in application Dear and Rivox Wind Farms would also be visible. Due to the conditions during the site visit, turbines were visible in very distant views to the west, beyond the scope of cumulative developments identified for this assessment. However, the exact developments visible at any one time from the cairn would be determined by weather conditions and cloud cover.

11.12.32 Whilst cumulative developments may be visible, the Proposed Development in combination with the cumulative developments would not impact the topographical prominence of the cairn, nor would they impact the available views along the Tweed Valley or the visual relationships between the cairn and other prehistoric assets within the valley which enable us to understand, appreciate and experience the setting of the cairn. The cumulative impact at worst would be **negligible** and not significant in EIA terms.

Glenbreck, two barrows 1280 m NE of (Asset 108)

11.12.33 The relative sensitivity of the Glenbreck, two barrows (Asset 108) is judged to be medium. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is **minor** and not significant in EIA terms.

11.12.34 The setting of the barrows relates to the lower slopes of the Tweed Valley and the prehistoric activity evidenced therein. The cumulative development identified for this assessment are not located within the Tweed Valley and therefore would be visible beyond the setting which enable understanding, appreciation and experience of the barrows and their setting. The cumulative impact at worst would be **negligible** and not significant in EIA terms.

Hawkshaw Farm, unenclosed platform settlement 1240 m E of (Asset 109) and Menzion Farm, settlement 735 m SSW of (Asset 110)

11.12.35 Hawkshaw Farm, unenclosed platform settlement 1240 m E of (Asset 109) and Menzion Farm, settlement 735 m SSW of (Asset 110) have been assessed together as part of this assessment due to their geographical proximity. The relative sensitivity of Assets 109 and 110 is judged to be medium. The magnitude of impact of the Proposed Development was considered to be low and therefore the resulting level of effect is **minor** and not significant in EIA terms.

11.12.36 Wirelines and photographs produced for this assessment (Figures 11.12a and b) indicate that several cumulative developments would be visible from Menzion Farm, settlement (Asset 110) including the existing Clyde Extension to the west (as described in the baseline- Technical Appendix 11.2) and Glenkerie Wind Farm to the north, and the consented Whitelaw Brae to the south and consented Glenkerie Extension to the north. As indicated by the photomontage from Menzion Farm, settlement

(Asset 110) some of the cumulative developments will be screened by existing tree cover to the west of the settlement, however there is relatively less vegetation around Hawkshaw Farm, unenclosed platform settlement (Asset 109) and therefore the developments would not be comparably screened.

11.12.37 The cumulative developments would be located beyond the setting of Menzion Farm, settlement (Asset 110) and Hawkshaw Farm, unenclosed platform settlement (Asset 109) in the uplands beyond the extent of the Tweed Valley. The valley, its lower slopes and the prehistoric activity evidenced therein enable the ability to appreciate, understand and experience the setting of these settlements. Therefore, whilst the cumulative developments may be visually appreciable, they would not diminish their setting. The cumulative impact at worst would be **negligible** and not significant in EIA terms.

<u>Stanhope Cottage, burial cairn 240 m NNE of (Asset 101)</u>

11.12.38 The relative sensitivity of the Stanhope Cottage, burial cairn (Asset 101) is judged to be high. The magnitude of impact of the Proposed Development was considered to be **negligible** and therefore the resulting level of effect is minor and not significant in EIA terms.

11.12.39 The baseline description of the burial cairn (Technical Appendix 11.2) notes the existing intervisibility with the cumulative development of Glenkerie Wind Farm and therefore it is anticipated that the consented Glenkerie Extension would also be visible from the burial cairn. It is also possible that distance views along the valley may include the turbines of the existing Clyde and Clyde Extension Wind Farms although this was not appreciable during a site visit in 2024. Whilst cumulative developments may be seen, they would be located beyond the elements which enable an appreciation, understanding and experience of the burial cairn. Therefore, at worst, the cumulative impact would be **negligible** and not significant in EIA terms.

11.13 Summary

11.13.1 This chapter considers the archaeological and cultural heritage value of the site and assesses the likely significant effects on archaeological features and heritage assets resulting from the construction, operation and decommissioning of the Proposed Development.

11.13.2 The assessment has identified three Scheduled Monuments (Assets 1-3) and 35 non-designated heritage assets within the site (Figure 11.1). No direct impact on these known heritage assets is anticipated during the construction of the Proposed Development. Due to the proximity of some known heritage assets, mitigation in the form of invasive archaeological works and fencing to identify the assets to the construction team and prevent accidental damaged has been recommended.

11.13.3 A programme of enhancement in the form of a recreational heritage trail (Figure 3.13) has been proposed as part of the Proposed Development. The trail would enable easier access to the Scheduled Menzion Farmhouse, two enclosed cremation cemeteries (Asset 2) as well as highlight the location of designated and non-designated heritage assets within the site and local area.

11.13.4 A review of designated and non-designated heritage assets as recoded by HES, the NHRE and the Scottish Borders HER as well as historic mapping, aerial photography and informed by a walkover survey has concluded that there is the potential for paleoenvironmental remains, a low potential for Roman to medieval archaeology, a high potential for prehistoric, post-medieval and modern remains and the potential for hitherto unknown archaeological remains to survive on the site. Any archaeological remains are likely to survive within the lower slopes of the site, the area in which activity from the prehistoric period has been previously identified and any remains within afforested areas are likely to have been adversely impacted by forestry plantation and related activities. Mitigation has been proposed to investigate, identify and record any paleoenvironmental and buried archaeological remains which may survive and be impacted by the construction of the Proposed Development.

11.13.5 All designated heritage within 10 km of the Proposed Development were identified as part of this assessment to assess the potential for the Proposed Development to impact their settings. The GDL of Stobo Castle, beyond the 10 km study was also identified as an asset whose setting may be impacted by the Proposed Development. An assessment of the settings of designated heritage assets was informed by consultation with HES, a ZTV, site visits and visualisations. A total of 39 designated heritage assets were identified for a detailed assessment of their settings and an assessment of the impact of the Proposed Development on their settings has been undertaken.

11.13.6 The assessment identified a **moderate** effect on the setting of Weird Law, platform settlement (Asset 3) within the site. This level of effect is considered to be significant in EIA terms. The location of the Weird Law, platform settlement (Asset 3) was considered during the design process and efforts were made to limit the impact of the Proposed Development on its settings as far as reasonably possible. Further mitigation by design is not considered practical within the confines and constraints of the site. The integrity of the asset's setting would not be significantly adversely impacted and therefore, there would be no conflict with NPF4 Policy 7h(ii) (Scottish Government 2023, page 46).

11.13.7 The assessment identified a **minor** impact, **negligible** impact, **neutral** impact and **no** impact on the settings of a further 38 designated heritage assets.

11.13.8 A number of cumulative developments have been identified and the impact of these cumulative developments on the settings of designated heritage where minor or above impacts were identified has been undertaken as part of this assessment. For all 18 designated heritage assets where the Proposed Development was considered to have a minor or moderate impact on their settings, the cumulative development was at worst judged to be **negligible**.

11.14 References

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List of consulted aerial photography

Finding Aid	Sortie	Frame	Date
SCOT B_0092	106G/Scot/UK/0086	4384, 4386 & 4388 and 3159	10 May 1946
SCOT B_0204	CPE/Scot/UK/0270	4340 & 4342	19 Aug 1947
SCOT B_0299	541A/RAF/0530	4025, 4027 & 4029	14 May 1950
SCOT FD_L_NT_02_12-09	OS/95/0609	016, 025 & 026	28 Jun 1995
SCOT FD_L_NT_02_12-10	OS/75/0282	009 & 010	25 Jun 1975
SCOT FD_L_NT_02_12-11	OS/06/0011	086	10 May 2006
SCOT FD_S_NT_02_12-00	OS/84/0160	002 & 003	9 Jun 1984