Scheduled Monument Consent
Report on Handling

Case information

Reference/Case ID	201508233

Scheduled Monument	Saddle Yoke, township 1100m and 1050m NE of		
Index no	M12706	**Grid Ref**	NT155105 315500.0000 610600.0000

Date of Application	04 April 2016	**Application Received**	04 April 2016
Summary of proposed works	Replacement of 2 electricity poles and 1 pole stay on an existing overhead power line.		

1. Summary recommendation

This report recommends approval without conditions.

2. Background

Site description
The monument comprises the remains of a pre-Improvement township, located on both sides of the A708, with these works being proposed to the west of the road. The monument is made up of at least 21 structures and associated enclosures, visible as a series of linear turf-covered stone and earthen banks and depressions. To the west of the road are traces of six buildings and the fragmentary remains of a field system, defined by a system of turf banks. The buildings in this area range in size from 9.5m by 6.6m to 11.5m by 5.3m overall. Three electricity poles lie within this part of the scheduled area, running NE-SW and parallel with the A708.

Pre-application discussions
Pre-application discussion with the applicant's environmental advisor and archaeologist established that two electricity poles and the stay of the third are in a failing condition and need to be replaced. The applicant was asked if the poles could be relocated outwith the scheduled area, but the size of the scheduled monument (c107m by c.225m) precludes this, as it would involve a very substantial westward deviation of a line that is otherwise straight. Therefore, our pre-application advice was that upstanding features should be avoided and the work should be undertaken under an archaeological watching brief.

Planning history
There have been no casework issues with this site since it was scheduled in 2010.

3. Proposals

Consented works: Replacement of 2 electricity poles and 1 pole stay on an existing overhead power line.

Before works commence, an archaeological pre-construction walkover will establish where above-ground remains may be encountered.

The works include:

- Marking out access routes to the line using cane markers, and carrying out toolbox talks for the contractor on the presence of sensitive remains
- Marked-off working zones of 5m around each pole would also be set out, with no vehicles moving beyond those zones
- Vehicle access to the site, including a low ground pressure mechanical excavator, which will use the cane marked routes
- Two failing poles will be lifted vertically by mechanical excavator, with the post sockets archaeologically recorded according to a Written Scheme of Investigation (WSI). It is anticipated that the sockets will be approximately 2.1m by 2.1m in width, and up to 2.1m in depth
- Two new poles will be erected into the original holes and backfilled
- A failed pole stay will be replaced with a new stay, requiring archaeologically monitored and recorded mechanical excavation of approximately 2.1m by 2.1m around the existing, and to a depth of up to 1.8m
- All archaeological works are governed by a WSI. This was provided at pre-application stage, and has been incorporated with this application

A timetable including a completion date has not yet been set for the proposed works, but the applicant has undertaken to notify HES of the timetable (and any subsequent alterations) before works commence.

4. Representations received

No representations were received.

5. Report

a) Policy considerations

The application should be viewed with the following legislative and policy considerations in mind:

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AMAAA 1979

- Part 1 Section 2 - Control of works affecting an ancient monument. This is what you will have used to decide if SMC is required for the works described.
- Part 1 Section 2 (3) – authorises works where Scottish Ministers or Historic Environment Scotland have granted consent (scheduled monument consent) for the execution of the works where the works are executed in accordance with the terms of the consent and of any conditions attached to the consent.
- Part 1 Section 4 (1&2) – established a five year time limit for works to commence.

The Scottish Historic Environment Policy
3.4. Scheduled monument consent is required for any works that would demolish, destroy, damage, remove, repair, alter or add to the monument or to carry out any flooding or tipping on the monument. It is a criminal offence to carry out any of these works without consent.

3.14. Scottish Ministers include a monument in the Schedule to secure the long-term legal protection of the monument in the national interest, in situ and as far as possible in the state it has come down to us. Scheduled monuments have an intrinsic value as monuments, not related to any concept of active use. It is the value of the monument to the nation's heritage, in terms set out in the section on Scheduling in Chapter 2 of SHEP,that is the primary consideration in determining applications for scheduled monument consent.

3.16. Works on scheduled monuments should therefore normally be the minimum level of intervention that is consistent with conserving what is culturally significant in a monument.

3.20. Where change is proposed, it should be carefully considered, based on good authority, sensitively designed, properly planned and executed, and where appropriate in the context of an individual monument, reversible.

b) Assessment

Proposed mitigation – the Written Scheme of Investigation (WSI)
The applicant's archaeologist has provided a WSI which provides an appropriate methodology for monitoring of all ground works, adequate recording of the exposed section faces of the trench, and carrying out of the pre-construction survey and marking out of accessible areas. The WSI also provides for reporting within 4 weeks of the timetabled completion date, and for submission of a Post-Excavation Research Design within the same timescale (if significant archaeological remains are encountered). The archaeologist is also a full member of CIfA and the works will be carried out in a manner consistent with expected professional standards.

The WSI represents an appropriate set of measures for dealing with the potential for disturbance of archaeological remains.

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The physical impacts of the works
Reviewing our scheduling file (no field visit has been made since 2010), the three poles are not located on or in the immediate vicinity of above-ground remains of buildings or the field system. There is also a clear access route from the roadside gate up to the electricity line. The proposed pre-construction walkover survey and cane-marking of the access route is intended to identify and avoid any other above-ground remains. The use of a low ground pressure 7.5 ton mechanical excavator would also minimise the risk of rutting, given that the ground pressure of this kind of vehicle is similar to that of a modern agricultural tractor. These steps would provide for adequate mitigation for the risk of vehicles traversing above ground remains, or causing rutting.

Therefore, the main physical impact of the proposal relates to the mechanical excavation and removal and replacement of the two poles and one stay. The removal would involve excavation of three substantial trenches (2 at 2.1m by 2.1m by 2.1m, and 1 at 2.1m by 2.1m by 1.8m) in the scheduled area.

The erection of the existing poles will have required a substantial degree of ground disturbance, and probably to a width and depth of a similar or greater nature than the proposed excavation work. Nevertheless, the proposed excavation has the potential to impact on remains that were not affected by previous works, particularly on the interface between the disturbed backfill and undisturbed ground beyond. While it appears unlikely that structural features would be disturbed, there is a potential loss of stratified and unstratified artefacts or palaeoecological information.

No other physical impacts are predicted.

Effects on the cultural significance of the monument
The statement of cultural significance for the monument does not specifically mention the potential for stratified remains, artefacts or ecofacts outwith the upstanding remains. However, there is substantial potential for such information to contribute to the national importance of the site. Therefore, it is reasonable to assert that potential loss of this information without mitigation would have an adverse impact on the cultural significance of the monument.

There is no evidence that the original pole erection was archaeologically recorded, and it is those excavations that have caused most or all of the likely disturbance at those locations. The proposed works do present an opportunity to have sectional information appropriately recorded, as well as any associated artefacts or ecofacts. Any additional loss of remains from this work would constitute a very small percentage of the historic damage, and would allow reporting of any significant remains should they be encountered. As such, the potential impact of additional damage on the cultural significance of the monument is likely to be of slight rather than a significant nature.

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The recording and reporting would offset the damage caused by the original pole erection, and mitigate any potential impact of the proposed works on the cultural significance of the monument.

c) Other material considerations, including impact of the works on Protected Species and Places

None predicted. The work site lies within a SSSI, and SNH have informed us that the works have received consent in terms of section 13(6) of the Nature Conservation (Scotland) Act 2004.

d) Conclusion

The proposed works have some potential for a slight adverse impact on the cultural significance of the monument, although archaeological monitoring and recording would mitigate this residual effect. As such, the proposed works should be seen to be consistent with SHEP paragraph 3.16, as set out above. In addition, the works have been carefully considered, sensitively designed, and properly planned, and are therefore consistent with SHEP paragraph 3.20, also as set out above.

On that basis, it is recommended that consent is granted.

The applicant has stated that once the works timetable is known, this will be submitted to Historic Environment Scotland, as will any subsequent alterations to it. Therefore, no notification condition would be necessary and no other conditions are required.

6. Recommended decision

The works proposed are consider acceptable in meeting the terms of national policy for scheduled monuments, and also accounting for other material considerations.

I recommend consent is **granted without conditions.**

7. Conditions

N/A

8. Approval

Officer	**John Malcolm**	**Date**	**27/05/2016**
Approved by	**George Findlater**	**Date**	**27/05/2016**

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Annex A – list of supporting documents

- Location map
- Owner's consent letter
- Archaeological Written Scheme of Investigation
- Method of Working

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