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Development near Hallrule Farm, Bonchester Bridge, Scottish Borders

Archaeological Desk-Based Assessment
Report No. 3636

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**Development Nr Hallrule Farm,
Bonchester Bridge, Scottish Borders**

Desk-based Assessment

Report No. 3636

1. INTRODUCTION

This report considers the likely effects on cultural heritage (archaeology and built heritage) interests from the Proposed Development near Hallrule Farm, Bonchester Bridge, Scottish Borders (centred at NGR: NT 5878 1401).

The specific objectives of the cultural heritage study were to:

- Identify the cultural heritage baseline within the proposed development site
- Assess the proposed development site in terms of its archaeological and historic environment potential
- Consider the potential impacts of the construction of the proposed development on the cultural heritage resource
- Propose measures, where appropriate, to mitigate any predicted adverse impacts.

2. PLANNING AND LEGISLATIVE BACKGROUND

The primary legislation and planning guidance at the national level comprises:

- National Planning Framework for Scotland 3 (NPF3) (The Scottish Government 2014)
- Historic Environment Scotland Policy Statement (HESPS) (Historic Environment Scotland 2016)
- Scottish Planning Policy (SPP) (The Scottish Government 2014)
- Planning Advice Note 2/2011 (PAN 2) (2011)

Planning policy at the regional and local level comprises:

- Scottish Borders Local Development Plan 2016

2.1 National Legislation, Planning Policy and Guidance

National Planning Framework for Scotland 3 (NPF3) (The Scottish Government 2014)

NPF3 is government policy on how nationally important land use planning matters should be addressed across the country (Para 1). The Framework provides the strategic spatial policy context for decisions and actions by the Government and its agencies, and brings together the Scottish Government's plans and strategies in economic development, regeneration, energy, environment, climate change, transport and digital infrastructure to provide a coherent vision of how Scotland should evolve over the next 20 to 30 years.

One of the main elements of the spatial strategy set out in NPF3 is the intention to respect, enhance and make responsible use of Scotland's cultural assets (Section 4: A natural resilient place) and the framework recognises the contribution made by our cultural heritage to our economy, cultural identity and quality of life. Planning authorities are required to consider the Framework when preparing development plans, and it is a material consideration in the determination of planning applications.

Historic Environment Policy Statement (HESPS) (Historic Environment Scotland 2016)

This sets out the principles under which Historic Environment Scotland (HES) operates and provides a framework that informs the day to day work of a range of organisations that have a role and interest in managing the historic environment. The policy statement complements and is to be read alongside the Scottish Planning Policy and other relevant documents, including ‘Our Place in Time: the Historic Environment Strategy for Scotland’ (2014).

Scottish Planning Policy (SPP) (The Scottish Government 2014)

In SPP (Para 136) the historic environment is recognised as a key cultural and economic asset and a source of inspiration that should be seen as integral to creating successful places. Culture-led regeneration can have a profound impact on the well-being of a community in terms of the physical look and feel of a place and can also attract visitors, which in turn can bolster the local economy and sense of pride or ownership.

Key policy principles set out in SPP are to:

- Promote the care and protection of the designated and non-designated historic environment (including individual assets, related settings and the wider cultural landscape) and its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning; and
- Enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced.

Those relevant in the context of the proposed development include the following:

Scheduled Monuments: Under the Ancient Monuments and Archaeological Areas Act 1979 (1979 Act), the Scottish Ministers are required to compile and maintain a schedule of monuments considered to be of national importance. The consent of the Scottish Ministers is required before any works are carried out which would have the effect of demolishing, destroying, damaging, removing, repairing, altering, adding to, flooding or covering up a Scheduled Monument. In addition, impacts of proposed development works upon the setting of a Scheduled Monument form an important consideration in the granting or refusal of planning consent to conduct development works. Further information on development control procedures relating to Scheduled Monuments is provided in the HESPS, SPP and PAN 2/2011.

Listed Buildings: Under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (‘1997 Act’) (Scottish Government 1997), the Scottish Ministers are required to compile a list of buildings of special architectural or historic interest. Such buildings are classified into Categories A, B and C, in decreasing order of importance. Planning authorities and the Scottish Ministers are required to have special

regard for the desirability of preserving Listed Buildings and their settings and any features of special architectural or historic importance they possess.

Conservation Areas: Under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, areas of special architectural or historic interest can be designated by local authorities as Conservation Areas, the character or appearance of which it is desirable to preserve or enhance. Planning authorities are required to consider planning applications affecting the appearance, character or setting of Conservation Areas.

Inventory Gardens and Designed Landscapes: The impact of a development on a designated Garden or Designed Landscape in 'An Inventory of Gardens and Designed Landscapes in Scotland or its Supplements' (Inventory published by Historic Scotland) is a material consideration in the determination of a planning application. Under the provisions of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, planning authorities must consult Historic Scotland on any development that may affect a site contained in the Inventory. HESPS recommends that local development plans and, where appropriate, statutory and non-statutory supplementary guidance, should set out policies and criteria that apply to the protection, conservation and management of designed landscapes (Scottish Planning Policy, paragraph 148). Where relevant, such policies should inform planning authorities' consideration of individual planning applications within development management.

Other Historic Environment Interests: Other Historic Environment Interests: There are a range of other non-designated archaeological sites, monuments and areas of historic interest, including other (non-inventory) battlefields, historic landscapes, other (non-inventory) gardens and designed landscapes, woodlands and routes such as drove roads that do not have statutory protection. Sites without statutory protection are curated by the local planning authority, and SPP and PAN 2/2011 provide national planning policy guidance and advice on the treatment of such resources.

Planning Advice Note 2/2011; Planning and Archaeology

Planning Advice Note 2/2011 (PAN 2) advises that, in determining planning applications, planning authorities should take into account the relative importance of archaeological sites (para 5). It also notes that in determining planning applications that may impact on archaeological features or their setting, planning authorities may on occasion have to balance the benefits of development against the importance of archaeological features (para 6). The desirability of preserving a monument (whether scheduled or not) is a material consideration and the objective should be to assure the protection and enhancement of monuments by preservation in situ, in an appropriate setting. When preservation in situ is not possible, recording and/or excavation followed by analysis and publication of the results may be an acceptable alternative (para 14).

2.2 Regional and Local Policy

Scottish Borders Local Development Plan 2016

One of the local development plan key outcomes is the protection and enhancement of the area's built heritage for the benefit of residents, visitors, tourists and business. One of the aims of the local development plan is to protect and enhance the built environment.

The Local Development Plan contains the following policies of relevance to the assessment:

Local development plan policy EP8 Archaeology states that:

- (A) National Archaeological Sites – Development proposals which would destroy or adversely affect the appearance, fabric or setting of Scheduled Monuments or other nationally important sites will not be permitted unless:
 - a) The development offers substantial benefits, including those of a social or economic nature, that clearly outweigh the national value of the site, and
 - b) There are no reasonable alternative means of meeting the development need.

- (B) Battlefields – The Council may support development proposals within a battlefield on the Inventory of Historic Battlefields Register, or a regionally significant site, that seek to protect, conserve, and/or enhance the landscape characteristics or important features of the battlefield. Proposals will be assessed according to their sensitivity to the battlefield.

- (C) Regional Or Local Archaeological Sites – Development proposals which will adversely affect an archaeological asset of regional or local significance will only be permitted if it can be demonstrated that the benefits of the proposal will clearly outweigh the heritage value of the asset.

In all of the above cases, where development proposals impact on Scheduled Monument, other nationally important sites, or any other archaeological or historic asset, developers may be required to carry out detailed investigations.

Any proposal that will adversely affect a historic environment asset or its setting must include a mitigation strategy acceptable to the council.

3. ASSESSMENT METHODOLOGY

The assessment was conducted in accordance with the Chartered Institute for Archaeologists' Code of Conduct (CIfA 2014), and Standard and Guidance for Archaeological Desk-based Assessment (CIfA 2017).

3.1 Data Collection

Up-to-date information was obtained from appropriate sources on the locations and extents of cultural heritage sites with statutory protection and non-statutory designations in the vicinity of the proposed development site.

- Details of the locations and extents of Scheduled Monuments, Listed Buildings, Gardens and Designed Landscapes, Conservation Areas and Historic Battlefields were downloaded as GIS data from Historic Environment Scotland's Spatial Warehouse Database (HES 2018a).
- Additional information was obtained from Canmore, the HES database, via the online PASTMAP resource (HES 2018b).
- Historic Ordnance Survey maps and other historic maps held by the Map Library of the National Library of Scotland were examined, to provide information on sites of potential archaeological significance and on historic land use development.
- Bibliographic references were consulted where relevant to provide background and historical information.
- The online Historic Land-Use Assessment Map (HLA Map) for Scotland (HES 2018c), maintained by HES was consulted for information on the historic land use character of the proposed development area, but provided no additional information from that determined from historic cartographic sources.
- The Scottish Palaeoecological Archive Database (SPAD) (Coles et al 1998) which records the distribution of known palaeoenvironmental sites across Scotland was consulted for information on data within or adjacent to the wind farm area. This source provided no relevant information specific to the proposed development area.

A list of all sources consulted during the assessment is provided at the end of this report.

4. ARCHAEOLOGICAL BASELINE

4.1 The Proposed Development Area

There are no Listed Buildings or Scheduled Monuments within the proposed development area and no part of the proposed development area lies within a Conservation Area, Inventory Garden and Designed Landscape or Inventory Historic Battlefield.

Two records on the HES database fall within the proposed development area. These both relate to features whose precise location is unknown.

A burial cairn (55306) is known to have been removed from somewhere within Hallrule Farm during the 19th century. The cairn contained an ‘urn’ almost 1 foot high and decorated within a herringbone pattern. The former existence of the cairn indicates a prehistoric presence within the area.

A medieval towerhouse was formerly located at Hallrule (55324), but its precise former location is unknown. The towerhouse is recorded as having been burnt and dismantled by the English in 1545 (Tancred 1907). A ‘town’ settlement associated within the towerhouse is also recorded in historic records, as having been burned in both 1523 and 1544.

There are no records of archaeological excavations or other investigations within or in the vicinity of the development area.

There are no additional features of archaeological interest visible within the proposed development area on modern aerial photography (Google Earth 2018).

Within the wider 500m study area, Canmore records the former settlement of Rule (55308) which was the main town in the area during the medieval period, and is believed to have been home to the parish church. The precise location of the former settlement is unknown, although the farmstead named ‘Town-o’Rule’ suggests that the former settlement was somewhere in this vicinity.

The location of a possible enclosure (55308) visible on aerial photography is also recorded by Canmore. The date of the possible enclosure is unknown.

4.2 Cartographic Sources

Roy’s Military Survey map (1747-55) (Figure 2a) is the first source to show the area in detail. The course of the Hallrule Burn is clearly marked. ‘Rule’ and ‘haw rule mill’ are marked on the southern side of the burn, and ‘haw rule’ is marked on its northern side at approximately the same location as the modern Hallrule Farm. A narrow strip of land around the settlements is marked as being under cultivation.

Crawford and Brooke’s map (1843) (Figure 2b) shows that considerable agricultural improvement had occurred in the area by the mid 19th century. The fields of the area have been enclosed forming regular rectangular fields, leaving the proposed development area as an unenclosed riverside area of rough ground. To the east of the

proposed development area, Hallrule has been considerably developed. The house sits to the south of a walled garden and other farm buildings and within a garden and designed landscape.

The Ordnance Survey First Edition map (1863) (Figure 2c) shows the proposed development area to comprise an area of unimproved ground with some trees lying on either side of the Hallrule Burn. No built features are present within the proposed development area.

The Ordnance Survey Second Edition map (1899) (Figure 2d) shows few changes to the area; the main change is the presence of an unnamed multi-compartment structure close to the centre of the proposed development area, on the northern side of the Hallrule Burn. The structure is presumed to be a sheepfold, and given its proximity to the burn, may have been used for gathering and washing sheep.

The sheepfold is not shown on later editions of the Ordnance Survey map, and may just have been a temporary wooden structure. The proposed development area has remained as an unimproved wooded area adjacent to the Hallrule Burn.

5. ASSESSMENT OF ARCHAEOLOGICAL POTENTIAL

A prehistoric burial cairn is known to have been excavated somewhere in the vicinity of the proposed development area, at an unknown location within the lands of Hallrule Farm. The cairn indicates that the area was occupied during the prehistoric period, and suggests that there is some limited potential for the discovery of prehistoric remains within the proposed development area.

No Roman remains are known within the vicinity of the proposed development area.

During the medieval period there were two settlements in the area, the settlement of 'Rule' which was the principal settlement of the area and included the parish church; and the settlement of Hallrule, which comprised a towerhouse and associated settlement. The precise locations of these former settlements is unknown, although the surviving place names of 'Town-o'Rule', 'Hallrule' and 'Hallrule Mill' provide an approximate location for the two former settlements.

The proposed development area lies within an area of unimproved ground immediately adjacent to the Hallrule Burn. Settlement immediately adjacent to the burn is unlikely, with settlement more likely to have been situated slightly further upslope, where there was less risk of flooding occurring.

Based on the results of the preliminary desk-based assessment, the overall archaeological potential of the proposed development area is considered to be moderate, with particular potential for remains of medieval date.

6. CONCLUSIONS

Taking into account the known archaeological sites and features within and in the vicinity of the Proposed Development Area, there is considered to be a moderate potential for the discovery of previously unknown buried archaeological remains during ground breaking works.

The Scottish Borders Council Archaeologist will need to be consulted to agree upon a scheme of mitigation works. If significant discoveries were made during archaeological investigations, and preservation in situ of any sites or features was not possible, provision would need to be made for the excavation, where necessary, of any archaeological remains. This provision would need to include the consequent production of written reports on the findings, with post-excavation analyses and publication of the results of the work, where appropriate.

7. REFERENCES

Cartographic Sources

Ainslie, J. (1821) *Ainslie's Map of the Southern Part of Scotland*.

Crawford W. & Brooke, W. (1843) *Map embracing extensive portions of the Counties of Roxburgh, Berwick, Selkirk & Midlothian and Part of Northumberland*.

Ordnance Survey (1863) *First Edition. Roxburghshire. Sheet XXVI*. 6" to 1 mile.

Ordnance Survey (1899) *Second Edition. Roxburghshire. Sheet XXVI.NE*. 6" to 1 mile.

Ordnance Survey (1923) *Roxburghshire. Sheet nXXIV*. 6" to 1 mile.

Ordnance Survey (1924) *Roxburghshire. Sheet nXXV*. 6" to 1 mile.

Ordnance Survey (1923) *Roxburghshire. Sheet nXXIV*. 6" to 1 mile.

Roy, W. (1747-55) *Military Survey of Scotland*

Stobie, M. (1770) *A map of Roxburghshire or Tiviotdale*.

Tennant, N. (1840) *Map of the County of Roxburgh*.

Thomson, J. (1822) *Roxburghshire*.

Internet Resources

HES (2018a) *Historic Environment Scotland Data Warehouse*, available at: <http://portal.historic-scotland.gov.uk/spatialdownloads>, accessed February 2018.

HES (2018b) *Historic Environment Scotland Database (Canmore)*, available at: www.pastmap.org.uk, accessed February 2018.

HES (2018c) *Historic Land-Use Assessment Map* (HLAMap), available at: www.hlamap.org.uk, accessed February 2018.

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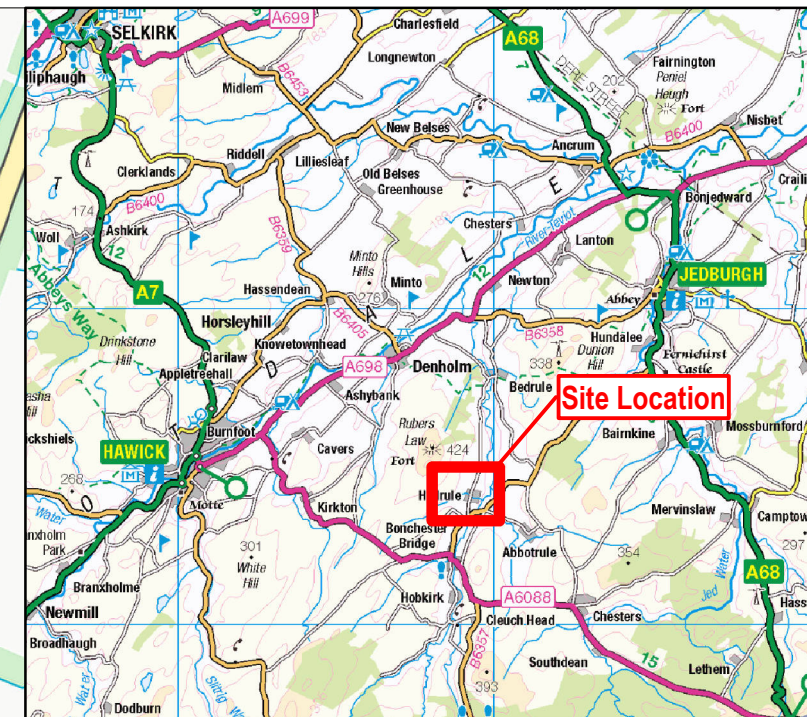
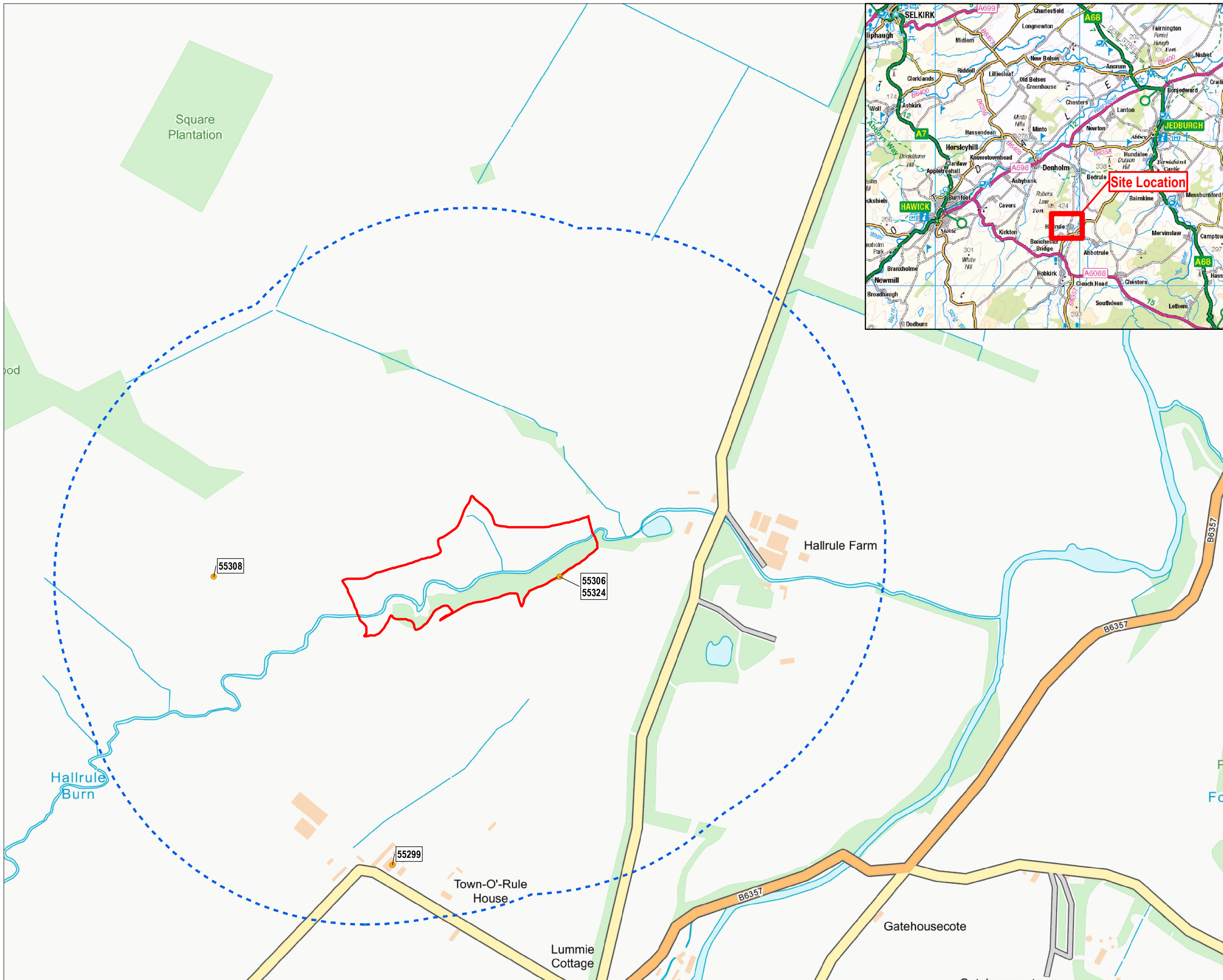
Bibliographic Sources

Pitcairn, R (ed.). (1833) *Trials and other proceedings in matters criminal before the High Court of Justice in Scotland, 3v Bannatyne Club no. 42*. Edinburgh. Vol.1, 35

Tancred, G. (1907) *Rulewater and its people: an account of the valley of the Rule and its inhabitants*. Edinburgh. Page(s): 236, 346

APPENDIX 1: Gazetteer of cultural heritage assets within 500m of the Proposed Development Area

Canmore No.	Site Name and Type	Easting	Northing	Description
55306	Hallrule; Cairn, Cinerary Urn (former location of)	359	614	A large cairn was removed from Hallrule Farm when agricultural improvements were being carried out during the tenancy of Daniel Mather (from 1825). In it was found an 'urn', nearly 1 ft high and ornamented with a herringbone pattern. This urn is now lost. (Hallrule Farm: buildings at NT 593 140). The precise location of this former cairn is unknown.
55324	Hallrule; Tower house (Medieval), Village (Medieval)	359	614	Pitcairn (1833) states that in 1502 Hallrule or Hawroull was held by George Turnbull. Its 'town' was one of those burned by the Marquis of Dorset in 1523, and by the Armstrongs of Liddesdale in 1544. The 'town' is again mentioned in 1632. Hallrule Tower was burnt and dismantled by the English in 1545 (Tancred 1907) The precise location of the former Hallrule Tower and Hallrule village is unknown.
55308	Kaywood; Enclosure (possible)	3584	6140	Canmore records that a possible enclosure, of unknown date, is visible at this location on aerial photography.
55299	Town O'Rule; Village (Medieval)	35870	61350	The town or village of Rule, in early times the principal town of the locality and still known by that name (Town o' Rule farm buildings at NT 587 135) gave surname to a family who appear in record for several centuries (13th - 16th). According to Tancred (1907), it 'was situated along the left side of a syke or hollow, but of what extent the town was, is unknown'. It was probably burned in 1543/. Town o'Rule was the principal town of the locality, and was the home of the parish church of Hobkirk. The precise location of the former village of Town o'Rule including its church, is unknown.



Key:

- Site Boundary
- 500m Buffer
- Cultural Heritage Site



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Title:
Location Plan showing Cultural Heritage Assets

Project:
Development Nr Hallrule Farm, Bonchester Bridge, Scottish Borders

Client:
Boydell Architecture

Scale at A3:
1:6,000

Drawn by: SW	Checked by: MJ	Date: 06/03/2018
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Report No: 3636	Fig. No: 1
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Fig. 2a - Military Survey of Scotland (Roy 1747-55) (Not to Scale)

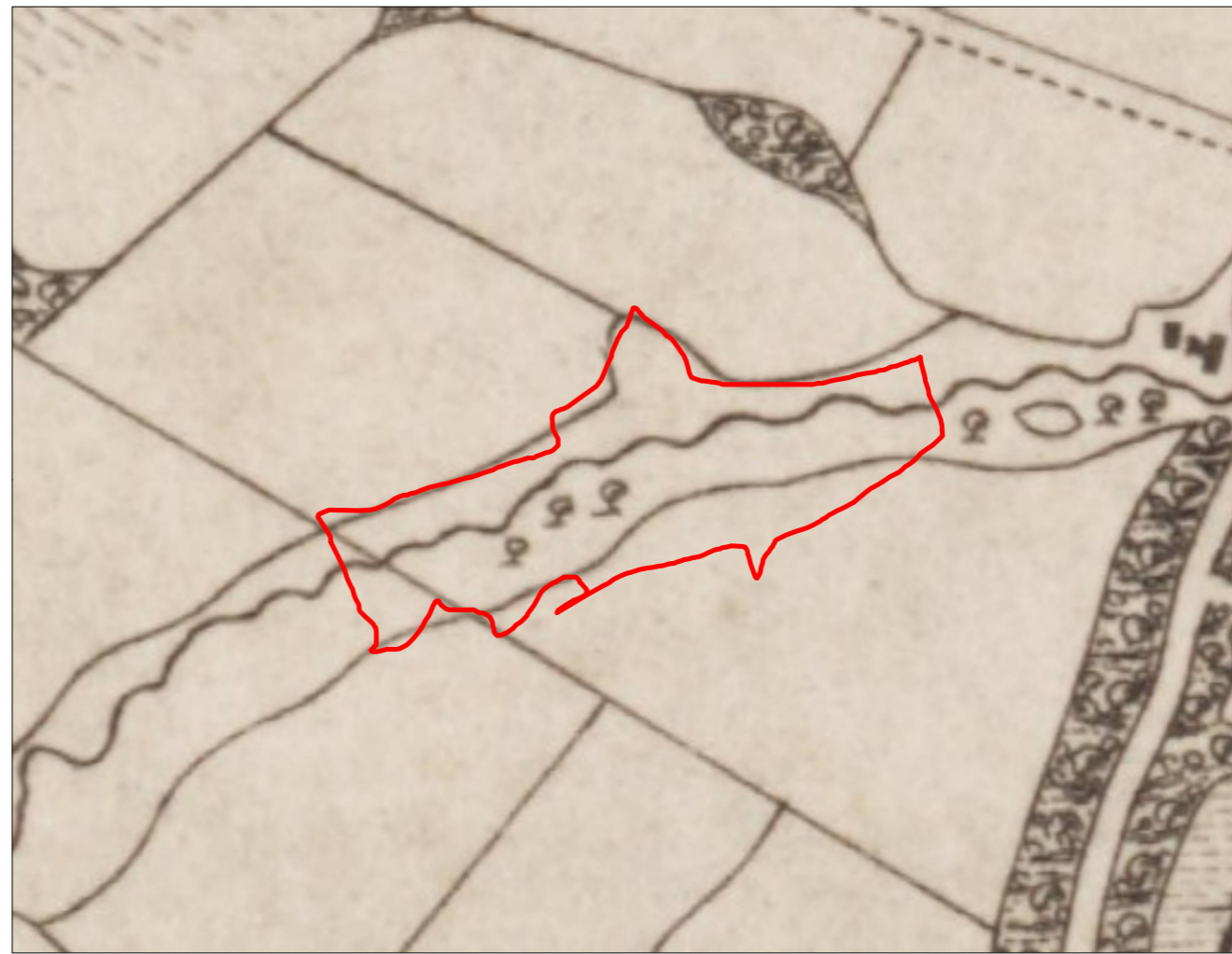


Fig. 2b - Map embracing extensive portions of the Counties of Roxburgh, Berwick, Selkirk & Midlothian and Part of Northumberland. (Crawford & Brooke 1843)

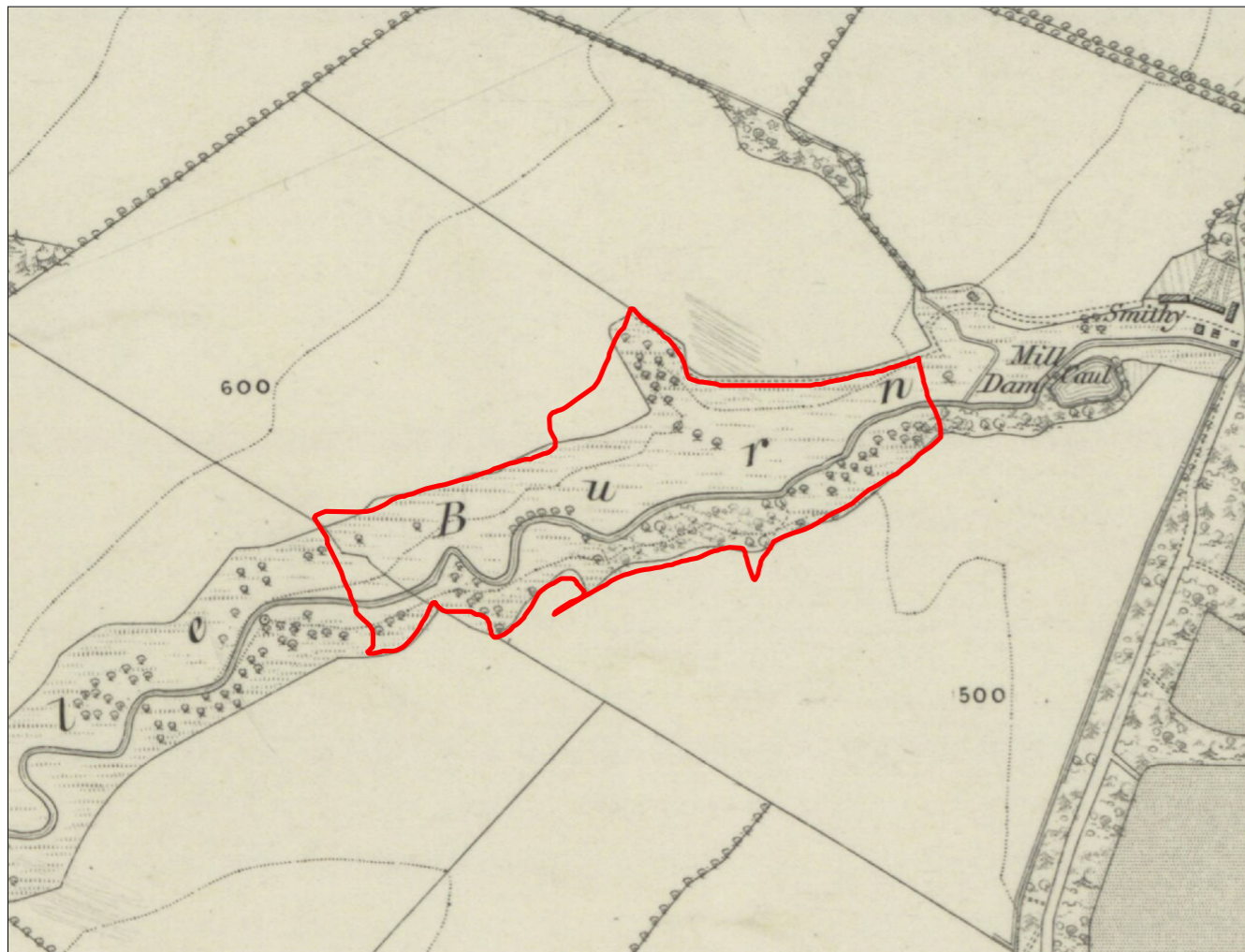


Fig. 2c - First Edition. Roxburghshire. Sheet XXVI. 6" to 1 mile. (Ordnance Survey 1863)

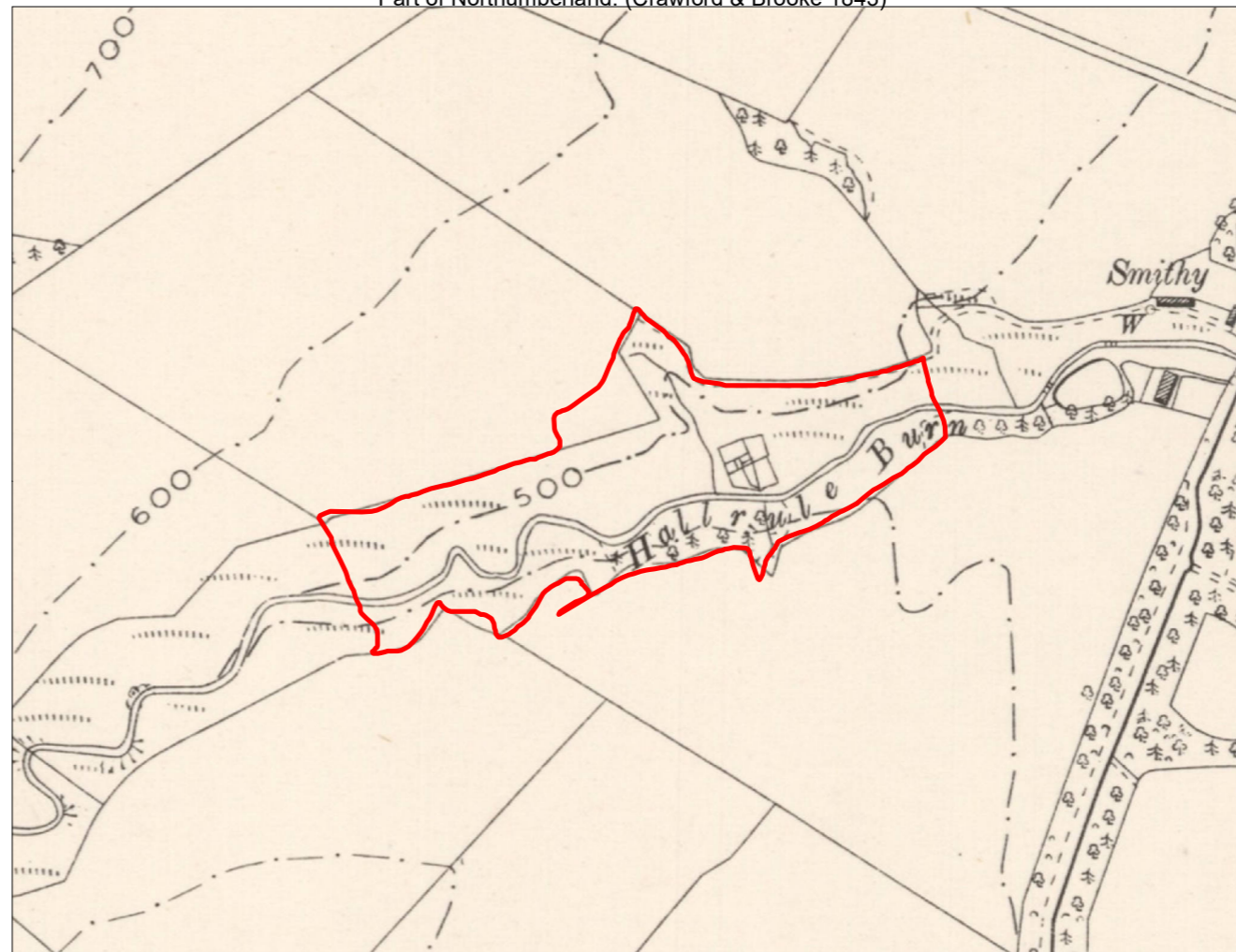


Fig. 2d - Second Edition. Roxburghshire. Sheet XXVI.NE. 6" to 1 mile. (Ordnance Survey 1899)

Key:

Site Boundary



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Title:
 Historic Cartographic Sources

Project:
 Development Nr Hallrule Farm,
 Bonchester Bridge,
 Scottish Borders

Client:
 Boydell Architecture

Scale at A3:
 1:5,000

Drawn by: SW	Checked: MJ	Date: 07/03/2018
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Report No: 3636	Fig. No: 2a - 2d
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