

23/09/2020

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**Sent:** 22 September 2020 17:21  
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**Cc:** John Purcell  
**Subject:** Cloughton Woods - Archaeological Heritage Desk Top Assessment

Good afternoon Hillary.

Please find attached the Desktop Heritage study in relation to the above application. It's important to note that the Client is keen to maintain a high level of care when excavating and working on the site as they are extremely positive about the potential heritage elements.

Best Regards

**Joel Smith** RIBA  
Director



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Land at Cloughton Woods  
Cloughton  
North Yorkshire

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Archaeology and Heritage Desk Based Assessment  
MAP 5.22.20  
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Land at Cloughton Woods  
Cloughton  
North Yorkshire

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Archaeology and Heritage Desk Based Assessment

Report Prepared By Charlotte Puntorno	Report Authorised By Max Stubbings
Date: 18.09.2020	Date: 18.09.2020

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Cloughton  
North Yorkshire

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Archaeology and Heritage Desk Based Assessment

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Archaeology and Heritage Desk Based Assessment

### Non-Technical Summary

*This report has been undertaken by MAP Archaeological Practice Ltd., under instruction from Cloughton Wood Lodges Limited, to evaluate the archaeological and historical background, and to assess the impact of the erection of 21 no. holiday lodges at Cloughton Woods, Cloughton, North Yorkshire (North York Moors National Park planning reference NYM/2020/0327/FL).*

*The Proposed Development Area lies within an area of dense woodland, which has until recently, been utilised as commercial woodland. Timber buildings and trackways relating to this recent use are present on the site, some of which will be retained and utilised under the proposals.*

*The site is located within an archaeologically rich landscape containing a range of Heritage Assets dating from the prehistoric periods through to the 20<sup>th</sup> century. The site of the Hulleys is located immediately to the east, and partly overlaps the northern region of the Proposed Development Area. The Hulleys is known to contain a complex archaeological landscape containing Prehistoric and Medieval features, examples of which may be present within the Proposed Development Area. A prehistoric Scheduled Monument is also located some 50m north of the site.*

*The Proposed Development would have a neutral impact on the setting and significance of nearby Designated Heritage Assets and the Cloughton Conservation Area. A pathway in the northern part of the Proposed Development Area which runs close to the afore mentioned prehistoric Scheduled Monument, is already existent and does not encourage guests to interact with the asset, owing in part to the steep gradient and overgrown nature of the eastern limit of the site.*

*The proposed development has been designed in such a way as to limit the necessary amount of groundwork, instead utilising existing trackways wherever possible and locating lodges in areas requiring the least disturbance within the woodland. Where excavation is necessary, proposed depths have been kept to a minimum and would likely cease at insufficient depths to disturb below ground archaeology, given the amount of leaf mold on the site.*

*It is acknowledged that the former commercial activity within the woodland may have compromised archaeological features or deposits although the archaeological potential of the site is considered to be moderate and of local to regional significance. It is recommended that archaeological observation, in the form of a Watching Brief, is carried out across the site in order to monitor all groundworks and ground clearance. Where practical the routes of cleared pathways should be altered if archaeological features are identified along their length.*



## 1. Introduction

- 1.1 This Archaeology and Heritage Desk Based Assessment has been undertaken by MAP Archaeological Practice Ltd., under instruction from Cloughton Wood Lodges Limited, to evaluate the archaeological and historical background, and to assess the impact of the erection of 21 no. holiday lodges with external decking, alterations to access, internal access road and linkage paths, on land at Cloughton Woods, Cloughton, North Yorkshire. (Planning reference NYM/2020/0327/FL, Figs. 1 & 2).
  
- 1.2 Archaeological, Historical and Architectural remains are protected by means of Statutory Instruments; including the Ancient Monuments and Archaeological Areas Act 1979 and Planning (Listed Buildings and Conservation Areas) Act 1990); and by the National Planning Policy Framework, Chapter 16 (2019).
  
- 1.3 The work was funded by Cloughton Wood Lodges Limited.
  
- 1.4 All Maps within this report have been reproduced from the Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office, Crown Copyright, License No. AL50453A and data derived from Open Street Map (<https://www.openstreetmap.org/copyright>). The Historic England GIS Data contained in this material was obtained on 28<sup>th</sup> July 2020. The most publicly available up to date Historic England GIS Data can be obtained from [HistoricEngland.org.uk](https://www.historicengland.org.uk).

## 2. Site Description and Planning History

- 2.1 The site is located to the north-west of the village of Cloughton, immediately to the east of White Way (A171) approximately 2.5km north of Burniston and 7km north of Scarborough. The site falls within the North York Moors National Park.
  
- 2.2 The site is currently commercial woodland with a derelict timber yard and single storey saw-mill present. The wider woodland measures some 33.6ha with the Proposed Development Area measuring 4.9ha, of which 0.9ha will be used as a nature zone.
  
- 2.3 A previous application for the change of use of land to form a camping/ glamping site (NYM2019/0880/FL) was approved in 2016.
  
- 2.4 The current proposal is for the creation of 21 single storey holiday lodges with outside decking areas and shared recreational space. An existing building (a former sawmill) would be converted into an amenity building and a reception area would be constructed.
  
- 2.5 For the purpose of this report the site will be referred to as the 'Proposed Development Area' which encompasses all land within the red-line boundary submitted to the Local Planning Authority in respect of the planning application. The Proposed Development Area is depicted on figures 1-9.

### 3. Aims and Objectives

3.1 The Desk Based Assessment has been prepared in accordance with best practice guidelines issued by the Chartered Institute for Archaeologists *Standard and Guidance for historic environment desk-based assessment* (CIfA 2017).

3.2 An assessment is required that will consider the likely survival of buried archaeological deposits on the site, the likely significance of such deposits and the impact on them of the proposal. The report will also assess the Setting and significance of nearby Designated and Non-designated Heritage assets, and their contribution to the area's historic character and will consider the impact of the development proposal on them.

3.3 The aim of the Desk Based Assessment is to:

- Identify recorded features of historical and archaeological significance within the study area
- Establish the potential for hitherto unrecorded and unknown sites
- Assess the relative importance of the sites
- Assess the likely impact of the proposed development on the sites
- Make recommendations to mitigate any impact of the development on the sites

#### 4. Policy Context

4.1.1 Archaeological, historical and architectural remains are protected by means of Statutory Instruments (including the Ancient Monuments and Archaeological Areas Act 1979 and Listed Buildings and Conservation Areas Act 1990) and the National Planning Policy Framework adopted in 2019.

4.1.2 A full summary of relevant national legislation is outlined in Appendix 2.

#### 4.2 Local Policy- North York Moors National Park Authority (Adopted July 2020)

4.2.1 Strategic Policy I of the North York Moors Local Plan (The Historic Environment) states that.

*All developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park through the conservation and, where appropriate, enhancement of the historic environment. Development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area, including:*

1. *Features that contribute to the wider historic landscape character of the North York Moors National Park such as the legacy of features associated with the area's industrial, farming, fishing and monastic past;*
2. *Archaeological sites and monuments, comprising both upstanding and below-ground assets, including Scheduled Monuments and regionally or locally important non-designated monuments such as the Neolithic barrows and Bronze Age cairns, tumuli and stone circles;*

3. *The vernacular building styles, materials and the form and layout of the historic built environment including Conservation Areas, Listed Buildings and regionally or locally important non-designated structures and buildings.*

*Applicants will be required to provide a Heritage Statement of sufficient detail to allow an informed assessment of the impact of the proposed development on the significance of the heritage asset(s).*

*Harm to an element which contributes to the significance of a designated heritage asset (or to non-designated archaeology of national importance) will require clear and convincing justification and will only be permitted where this is outweighed by the public benefits of the proposal. Substantial harm will only be permitted where it can be demonstrated that the proposal would bring substantial public benefits that outweigh the harm or there are other exceptional circumstances.*

*Where non-designated heritage assets are affected, a balanced judgement will be taken having regard to the scale of any harm or loss and the significance of the asset and other material considerations.*

- 4.2.2 Policy ENV10 (Archaeological Heritage) states.

*Development that would result in harm to the significance of a Scheduled Monument or other nationally important archaeological site will not be permitted unless it can be demonstrated that there are wholly exceptional circumstances and that there are substantial public benefits that outweigh the harm.*

*The preservation of other archaeological sites will be an important consideration having regard to their significance. When development affecting such sites is acceptable in principle, the Authority will seek the preservation of remains in situ, as a preferred solution. When in situ preservation is not justified, the applicant will be required to make adequate provision for excavation and recording in advance of development, secured through an approved Written Scheme of Archaeological Investigation.*

*The Authority will require applicants to provide sufficient information to allow an informed assessment of the significance of the archaeological heritage asset and its setting, and the impact of the proposed development on that significance.*

## **5. Methodology and Significance Criteria**

5.1 The assessment comprised the evaluation of historical information derived from cartographic and pictorial documents, the Ordnance Survey and the Historic Environment Records, Regional, National and International Designations; and secondly by consideration of previous Archaeological Excavations, Evaluations and Watching Briefs. It covered an area of 1Km from the centre of the proposed development area.

5.2 The following data sources were utilised for assessment:

- I. National Heritage List for England
- II. North York Moors Historic Environment Record
- III. National Archives
- IV. National Monuments Record
- V. Conservation Area Appraisals
- VI. Aerial Photographs

- VII. Historic England Register of Historic Parks and Gardens and Register of Battlefields
- VIII. Plans and maps of the site and its environs, including historical pictorial and surveyed maps and including pre- and post-war Ordnance Surveys up to the present day
- IX. Place and street name evidence
- X. Trade and Business Directories
- XI. Historical documents and photographs
- XII. Appropriate archaeological and historical journals and books.

### 5.3 *Assessment of Heritage Assets*

5.3.1 A Heritage Asset is described in the National Planning Policy Framework Annex 2 Glossary as '*A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)*'. Heritage Assets include buildings, structures, landscapes, parks, battlefields, towns, villages, factories and earthworks, on the UNESCO World Heritage List, National Heritage List for England and cropmarks, monuments and events on Historic Environment Records/Sites and Monument Record. Built Heritage is known from documentary evidence, cartographic sources, historical associations or events, places and structures of architectural interest. Buried Heritage is known from documentary evidence, cartographic sources, past archaeological investigations, aerial photographic cropmarks, areas of earthworks and geophysical or LIDAR anomalies interpreted as archaeological features.

## 5.4 Heritage Assets: Types and Significance

5.4.1 Heritage Assets are assessed in terms of significance and of designation. Designated Heritage Assets are listed as internationally, nationally and regionally important including World Heritage Sites, Scheduled Monuments, Listed Buildings, Registered Park and Gardens, Registered Battlefields and Conservation Areas. Some Buried or Built Heritage described as Non-designated Heritage Assets may be of National Significance but has not been designated due to its current use or have not been fully assessed in the past.

*Table 1: Designated Heritage Assets*

Significance	Type	Sensitivity/Importance
International	Built & Buried Heritage: World Heritage Site Status	Very High
National	Built Heritage: Scheduled Monument, Listed Building, Registered Park and Gardens Buried Heritage: Scheduled Monument, Registered Park and Garden, Registered Battlefield	High
Regional	Conservation Areas	High

*Table 2: Non-designated Heritage Assets*

Significance	Type	Sensitivity/Importance
National	Built or Buried Heritage assessed as same significance/sensitivity or importance as Scheduled Monuments and/or Listed Buildings	High
Regional	Buried or Built Heritage with archaeological, architectural or historical merit that are well preserved or good examples of regional types or that have an increased value due to their group associations, regional rarity or historical associations.	Moderate



Local	Built or Buried Heritage of archaeological, architectural or historical interest, which are truncated or isolated from their original context and are of limited use in furthering archaeological, architectural or historical knowledge.	Slight/Low
Negligible	Built Heritage: Modern Buildings of no architectural interest or importance. Areas of Modern Disturbance/Quarrying	None

## 5.5 *Criteria for Assessing Impacts*

5.5.1 The Proposed Development may either adversely impact or beneficially enhance historic assets within the development area, in the vicinity. Heritage Assets are assessed in accordance with the procedures set out in Historic England Advice Notes. A critical resource for this report is *The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning: 3* (Historic England 2017). Within this document a staged approach is proposed:

**Step 1:** Identify which heritage assets and their settings are affected

**Step 2:** Assess the degree to which these settings contribute to the significance of the heritage asset(s) or allow significance to be appreciated

**Step 3:** Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it

**Step 4:** Explore ways to maximise enhancement and avoid or minimise harm

**Step 5:** Make and document the decision and monitor outcomes.

## 6. Results

### 6.1 Archaeological Background

6.1.1 The Proposed Development Area lies in an archaeologically rich, albeit significantly altered, landscape containing abundant remains including barrows, linear earthworks and settlement dating to the prehistoric periods.

6.1.2 Land immediately to the east of the Proposed Development Area, known as 'The Hulley's' is known to contain archaeological features dating to the prehistoric periods which have been subject to investigation since at least the 19<sup>th</sup> century. During the 19<sup>th</sup> century the area was studied by Robert Knox who produced a map based on his findings. Knox recorded features including several round barrows which have been assigned to the Bronze Age, many of the barrows were robbed of stone during the 18<sup>th</sup> century although Knox recovered fragments of urn and bone from the based of a number of examples during the early 19<sup>th</sup> century. Hollow ways, banks, stone hut circles and enclosed fields were also widely recorded. Features depicted on the 1<sup>st</sup> edition Ordnance Survey map (see 6.2.4 Fig. 7) closely resemble those depicted recorded by Knox.

6.1.3 Fieldwalking has been undertaken across the Hulley's during the late 1990's and in 2008 (by Wastling and the Staintondale & Ravenscar Local History Group, respectively). A substantial number of flint artefacts were recovered including arrow heads, flakes and scrapers 4 pieces were of Mesolithic or Neolithic date, but the assemblage predominantly dated to the Bronze Age or Iron Age.

6.1.4 Subsequent work has however questioned the prehistoric origins of features at the Hulley's and it has been suggested that some may relate to Medieval agricultural practices. Walker (2009) suggests that the hut circles

described and recorded by Knox do not conform to typical roundhouses and their internal diameter allows insufficient domestic space. Furthermore Walker points out that the field systems recorded by Knox are similar to Medieval examples recorded elsewhere, with one enclosure containing an 'avenue' which heads towards two adjacent hollow ways in the adjacent woodland which would have acted as a funnel for the control of livestock (Dennison. 2012).

- 6.1.5 An Earthwork and Geophysical were carried out at The Hulleys in 2012 by Ed Dennison Archaeological Services Ltd. In total 2 areas of earthworks were recorded and 4.25ha of geophysics undertaken. Dennison concluded that the features recorded formed a small part of a complex multi-period archaeological and historical landscape.
- 6.1.6 The focus of the Earthwork Survey was on an area defined by a sub-rectangular enclosure on a plateau of high ground which was linked to a trackway. Dennison states that without further research it is not possible to assign a definite date or function to the features but suggests they have an association with a Medieval farmstead which lies on top of a prehistoric complex.
- 6.1.7 The Geophysical survey recorded little of archaeological significance, with features representing stone banks recorded by the Earthwork Survey and modern agricultural land drains. Features depicted by Knox and the 1<sup>st</sup> Edition Ordnance Survey map were not identified suggesting they have been ploughed out (Archaeological Services WYAS. 2012).
- 6.1.8 The remains of a prehistoric stone hut and iron working site is located approximately 50m north of the northern most boundary of the Proposed

Development Area. During the 19<sup>th</sup> century the remains were referred to as a 'druid circle' and were depicted as such on Knox's map of 1820 and the 1<sup>st</sup> edition and 1914 Ordnance Survey maps (Figs. 7 & 8). The remains, which are designated as a Scheduled Monument (List Entry Number 1019773, HER reference 6690), consist of an oval shaped ring of boulders which have been set into the ground and laid horizontally which would have formed the foundations and lower courses of the huts walls. The hut is likely to have been used for industrial rather than domestic purposes as, during limited excavation during the 1920's, evidence for metalworking was identified, including a possible bowl furnace in the south-eastern corner of the site.

6.1.9 A prehistoric cross dyke located in the northern region of Cloughton plantations, approximately 700m north of the Proposed Development Area, and runs on a north-east to south-west alignment before being partly bisected by the A171 and continuing towards Gawland Farm. The dyke, which is designated as a Scheduled Monument (List Entry Number 1019772, HER 1706), consists of a deep sided ditch between 2 parallel banks. Sections of the dyke have been damaged by forestry works and in places its line is followed by a forestry drain (Historic England. 2020). The Scheduled Monument is not under the ownership of the applicant.

## 6.2 Historical Background

6.2.1 Cloughton is recorded in the Domesday Survey as '*Cloctune*', suggesting pre-conquest development in the area. At the time of the Domesday survey Cloughton was under the control of the King and consisted of 20 villagers, 7 freeman and 14 smallholders (opendomesday.2020).

6.2.2 The name Cloughton is likely to refer to the Old English terms '*Cloh*' and '*tun*' which refer to a farmstead in a deep valley (Mills 1991).

- 6.2.3 By the 14<sup>th</sup> century Cloughton had become part of the manor of Scalby and was held by the Crown as part of the Honour of Pickering. As part of the Forest of Pickering, the village was subject to Forest Law which protected game animals and their habitat from destruction (VCH. 1923).
- 6.2.4 The 1<sup>st</sup> edition Ordnance Survey map (Fig. 7) shows the Proposed Development Area as part of Lind Rigg, an expansive wooded area. White way is shown running through the plantation and the sites of a supposed 'Druidical Circle' and 'supposed remains of a British settlement' are depicted to the east of the Proposed Development Area. A spring is also shown in the eastern part of the site. Land to the west and south of the site were detached from Scalby and Burniston, both to the south of Cloughton.
- 6.2.5 Little changed in the immediate vicinity of the Proposed Development site during the 19<sup>th</sup> and early 20<sup>th</sup> centuries, with the land being utilised for small-scale quarrying. By the 1914 edition several disused quarries are depicted in the area, which is now labelled as 'Cloughton Plantations and is larger than the 1<sup>st</sup> edition map'. The sites of several tumuli are shown in the area, including close to Hulleys, to the north-east of the site.
- 6.2.6 By the late 20<sup>th</sup> century, the site was utilised as a commercial woodland and contained a sawmill which, it is proposed, would be converted as part of the development. Plantation Cottages are immediately to the south of the site and The Hulleys to the north-east. The supposed Prehistoric remains to the east are no longer labelled.
- 6.2.7 The Cloughton Conservation Area (Fig. 3) was designated in 1977 and covers an area of approximately 18.2ha and is predominantly located outside of the North York Moors National Park. The Conservation Area

covers what is largely the historic core of the village. The Conservation Area Appraisal (Scarborough Borough Council. 2011) was adopted in 2011.

### 6.3 Site Walkover

6.3.1 The site was visited in September 2020 on an overcast day. The site consists of mixed mature deciduous and coniferous woodland with dense ferns and fallen trees providing ground cover across much of the site.

6.3.2 The site commands an elevated position above the village of Cloughton although there are no views of the village from the site because of the dense woodland and surrounding farmland, access is from the A171.

6.3.3 The site is, for the most part, fairly flat but slopes steeply towards Holm Slack, just outside the eastern boundary of the site. The Proposed Development Area contains dilapidated wooden buildings associated with the former timber yard and sawmill which is to be restored as part of the proposal. A hardcore trackway and will also be retained as part of the development, allowing vehicular access through the site.

6.3.4 A thorough walkover of the Proposed Development Area was carried out, as much as ground conditions allowed. With the exception of a short length of possible hollow way, running downslope in the northern region of the Proposed Development Area no obvious archaeological features were observed. A number of large boulders were noted throughout the site, although no clear pattern could be ascertained as a result of ground conditions and at this stage it is impossible to say whether they are associated with archaeological remains.

#### **6.4 Historic Environment Record Data**

6.4.1 A 1km radius search was undertaken for the site on the North York Moors Historic Environment Record in September 2020.

6.4.2 All data is displayed in Figures 3-5 and in tables 3-7.

#### **6.5 Prehistoric/Undated Heritage Assets**

6.5.1 One undated heritage asset is recorded within 1km of the Proposed Development Area. Possible cropmarks have been identified through aerial photography, to the east of the site.

6.5.2 One Non-designated Heritage Asset listed by the North York Moors National Park Historic Environment Record (HER) falls partly within the Proposed Development Area. HER entry 6692 records settlement prehistoric at the Hulleys (see 6.1.2). The north-eastern corner of the site overlaps with the heritage asset although no definite archaeological features were observed in this area during the walkover. No development is proposed in this part of the site.

6.5.3 A further 30 Non-designated Heritage assets, which have been assigned to the prehistoric periods, are present within 1km of the Proposed Development Area, including barrows, hut circles and earthworks. The majority of these assets have been assigned to the Bronze Age and fall within the area defined as 'The Hulleys' and are discussed in the Archaeological Background.

6.5.4 Three prehistoric Designated Heritage Assets (a barrow, cross dyke and hut circle) fall within the wider search area. All are designated as Scheduled Monuments and are located to the north of the Proposed Development

Area. Scheduled Monument 1019773 is located approximately 50m north of the Proposed Development Area, outside of the applicants ownership, and is discussed in detail in section 7.5 of this report.

## **6.6 Roman Heritage Assets**

6.6.1 There are no heritage assets dating to the Roman period, listed on the HER within the wider search area, although Dennison (2012) states that Roman pottery and glass was identified at The Hulleys during fieldwalking exercises.

## **6.7 Anglo-Saxon/ Early Medieval**

6.7.1 The Historic Environment Record lists data within the search area which has been assigned to the Anglo-Saxon or Early Medieval period although mention of the village of Cloughton in the Domesday survey, and the 'ton' element of the placename is suggestive of pre-conquest settlement in the area.

## **6.8 Medieval**

6.8.1 Two Medieval Non-designated Heritage Assets are located within the search area. Cropmarks of a field boundary believed to be of Medieval date have been identified to the south-west of the Proposed Development Area, close to Plantation Cottages. An area of broad ridge and furrow is also visible on aerial photographs and have been assigned to the Medieval period.

## **6.9 Post-Medieval to Modern**

6.9.1 Cloughton War Memorial is Grade II listed and is located close to the southern limit of the search area. The memorial is located to the north of the core of the village of Cloughton, within the Conservation Area. The



Proposed Development will have a neutral impact on the setting and significance of the asset.

6.9.2 The northern most portion of the Cloughton Conservation Area falls within the search area and is within both the North York Moors National Park and Scarborough Borough. The proposed Development will not impact on the Conservation Area.

6.9.3 Eighteen Post-medieval to modern Non-designated heritage assets are listed by the HER, within the search area. The majority record former sandstone quarries which are depicted on the 1<sup>st</sup> edition Ordnance Survey Map. Two WWII observation posts are located to the north of the village (slightly outside of the search radius) and will not be impacted on by the proposed development.

6.9.4 Three archaeological events are recorded by the HER to have taken place within 1km of the site. Two focus on the Hulleys, where survey in the form of an Earthwork and Geophysical Survey has taken place, and fieldwalking was undertaken as part of The Hulleys research Project. A Watching Brief also took place to the east of The Hulleys, at Hood Lane. Two findspots are also recorded by the HER. Both record fragments of Iron Age Beehive quern stones which had been built into drystone walls during the 18<sup>th</sup> or 19<sup>th</sup> century.

## **6.10 Potential for Unrecorded Sites**

6.10.1 The potential for unrecorded archaeological remains to be present within the main Proposed Development Area is considered to be moderate and of local to regional significance.

6.10.2 Features relating to prehistoric activity to the east of the site, at The Hulleys, may continue into the Proposed Development Area, particularly along its eastern boundary, although such features are unlikely to be present on the incline to the west of the Holm Slack.

6.10.3 It is possible that the previous use of the site as a commercial woodland may have destroyed or severely compromised any archaeological deposits or features.

## 7. Setting of the Heritage Assets

7.1 Historic England Guidance on the Setting of Historical Assets (Historic Environment Good Practice Advice in Planning Note 3 (second edition) December 2017) states that *"Setting is not itself a heritage asset, nor a heritage designation... its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance."* Assessing the setting takes into consideration the heritage asset's physical surroundings and the experience of the asset, the form and appearance of the development, wider effects of the development and the permanence of the development.

7.2 The National Planning Policy Framework describes the setting of a heritage asset as; *'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the assets and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'* (NPPF 2019, Annex 2 Glossary).

- 7.3 There is one Grade II listed War Memorial within 1km of the proposed development. The memorial is located close to the northern limit of the village of Cloughton, within the Conservation Area. The memorial is located immediately south of the A171, residential dwellings and a carparking area are present immediately to the south. Views to the north are screened by tall mature hedgerow and trees. The proposed development will have a neutral impact on the setting and significance of this modern Heritage Asset.
- 7.4 The Proposed Development is located within an area of mature woodland, uphill from the Cloughton Conservation Area. There are no views towards or from the asset which would be in any way detrimental. The semi-rural setting of the northern portion of the Conservation area will not be altered. Proposed footpaths within the development, which lead towards the village, would link with existing paths so access points into the Conservation Area will not be changed.
- 7.5 The nearby Scheduled Monument (1019773) is located approximately 50m north of the northern boundary of the Proposed Development Area is sited close to the edge of previously managed woodland, close to Holm Slack, at the bottom of a steep-sided valley (Historic England 2020). The immediate setting of the Designated Heritage Asset has changed significantly since the creation of the prehistoric monument and its likely association with nearby known archaeological remains to the east has, to a certain degree, been lost as a result of the creation of the woodland which isolates the monument. The proposed development will not alter the current setting of the Designated Heritage Asset which in the recent past would have been

affected by noise and possible vibration from nearby commercial woodland management. It is highly unlikely that that nearby footpaths would encourage guests to access the asset, due to the steep slope close to the eastern boundary of the site and dense undergrowth. It should however be noted that any further felling of timber in the vicinity of the asset has the potential to affect its setting,

## 8. Impact of Development

8.1 The results of the Heritage Assessment have shown there are no known, nationally important archaeological remains located on the site to prevent development although the site lies in an archaeological rich landscape.

8.2 The archaeological potential of the Proposed Development Area is considered to be moderate and of local to regional significance, based on an assessment of the known heritage assets in the vicinity, especially those at the Hulleys, to the north-east and east of the site. It is however likely that such deposits present on the site would have been compromised by the former commercial nature of the managed woodland. It should be considered, given the proximity of Scheduled Monuments, that in line with footnote 63 of NPPF (2019) *'Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets'*

8.3 The proposal for the erection of 21 holiday lodges on the site has the potential to compromise any archaeological deposits or features which may be present on the site although the development plan has been produced

in such a way which keeps the amount of ground disturbance to a minimum. An existing trackway, which consists of 100mm of hardcore will be utilised for vehicular access to the lodges and will not require any further excavation, short lengths of road will be offset from this trackway to allow access to individual lodges and will be constructed in the same manner.

8.4 Proposed footpaths would be identical to many currently in existence on the site, consisting of dirt tracks which would require some undergrowth clearance and routes could be altered if necessary, in order to avoid impacting on any archaeological remains which may be present.

8.5 The construction of the 21 lodge pads will be created in areas of former commercial woodland and will require the removal of undergrown/ leaf debris to allow for 150mm deep hardcore surfaces to be created of which, based on previous work on the site during the construction on existing trackways, at least half would consist of leaf mold. Although it is unlikely that such depths would encounter negative archaeological features, above ground features or archaeological material may be present at a shallow depth- as is the case at the Hulleys. The creation of the pads therefore has the potential to disturb archaeological features or deposits. Drainage associated with the lodges will be laid along the access roads as much as possible in order to reduce ground disturbance as much as possible, with 5 septic tanks proposed to service the lodges and associated amenity and reception buildings.

8.6 The proposed development would have a neutral impact on the immediate setting of Scheduled Monument 1019773 (Stone hut circle and iron working site). The northern most boundary of the Proposed Development Area is

located approximately 50m south of the heritage asset. Furthermore, the most recent Proposed Site Layout (Fig. 2) shows no development in the northern most part of the site and as such the immediate setting of the asset would remain unchanged. An existing forest trail leaves the northern most part of the Proposed Development Area although there are no new paths proposed in the area. The existing path (which is not a public right of way) would not be disturbed, other than pruning taking place if necessary and there are no plans to encourage footfall in this area. As mentioned in 6.3.3 the topography of the land to the west of Holm Slack, close to the Designated Heritage Asset, is very steep and overgrown, and dissuades exploration close to the asset.

- 8.7 The north-eastern corner of the site overlaps slightly with HER 6692, a Bronze Age Settlement containing hut circles, boundaries and barrows, although no individual features fall within the Proposed Development Area. The applicant has considered this non-designated heritage asset in the development plan and has proposed no development in the area. Forest trails discussed in 8.5 do not enter the area covered by the HER record and the rough and steep terrain makes it unlikely that guests to the development would enter this area.
- 8.8 A feature identified during the site walkover (between approximately TA 00319 95802 and TA 00330 95820, see 6.3.4) is located in the north-eastern portion of the site, on the steep and overgrown slope towards Holm Slack and would not be impacted upon by the proposed development. It is possible that the feature may relate to a depression seen in Lidar data although at this stage it is not possible to say whether this represents a natural or archaeological feature.

8.9 The proposed nature zone in the south-eastern corner of the site has been designed to include new dirt track pathways, wildflower meadow and reed beds. The nature zone area has previously been cleared of trees and excavation will not be necessary to create pathways although a level of ground clearance will be needed which has the potential to reveal unrecorded archaeological features.

## 9. Conclusions & Recommendations

9.1 The results of the Heritage Assessment have shown there are no, known, nationally important archaeological remains located on the site to prevent development.

9.2 With the exception of a possible feature located in the north-eastern portion of the Proposed Development Area, no archaeological finds, features or deposits were noted during the walkover, although this may be in part due to dense undergrowth which covers much of the site.

9.3 The Proposed Development has been designed in such a way that respects known archaeological features to the north and east of the site and ensures that they will not be impacted on by the proposed development. The setting of the nearby Scheduled Monument would not be altered by the development and no development is proposed within the north-eastern part of the site, which falls within an area recorded by the North York Moors Historic Environment Record as containing features relating to Bronze Age activity.

- 9.4 Due to the site's location, the dense woodland environment and the topography of the land, the Proposed Development would have a neutral impact on all nearby Listed Buildings and the Cloughton Conservation Area.
- 9.5 It is recommended that all groundworks associated with the Proposed Development, including the any clearance of undergrowth and the excavation associated with the lodge pads, access roads and drainage runs, should be monitored by an archaeologist in the form of a Watching Brief to allow a record to be made of any archaeological remains in the area.
- 9.6 If archaeological remains are identified during undergrowth clearance they can be recorded and, if development allows, preserved in situ. It would be within the remit of the development to adjust the locations of cabins of archaeological features were identified, in order to allow for preservation in situ. Given that proposed footpaths would be subject to undergrowth clearance and not excavation, the route of such paths should be altered to protect archaeological remains where feasible.



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## 11. List of Contributors

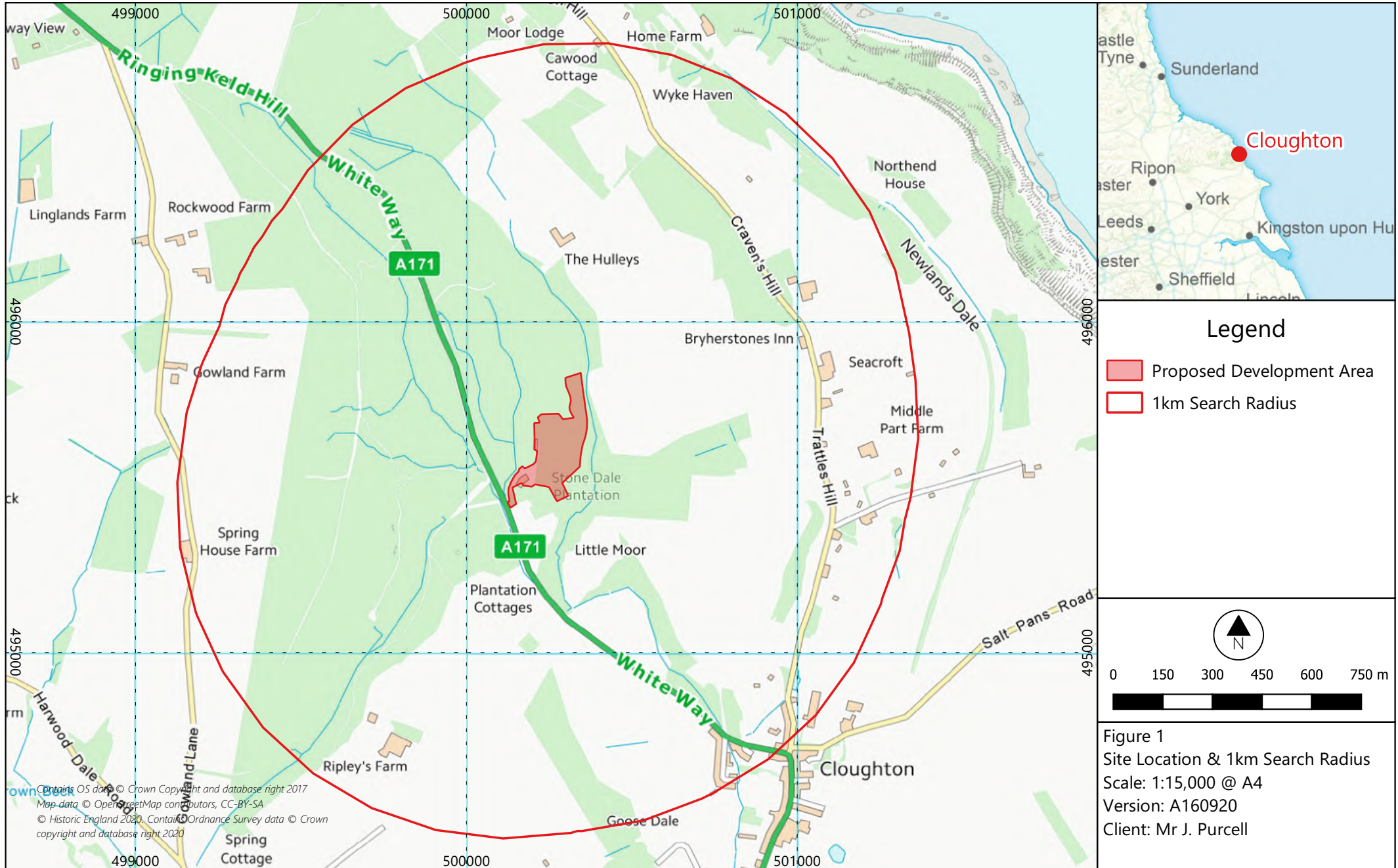
Desk Based Assessment by Charlotte Stodart

Drawings and Plates by Max Stubbings & Charlotte Stodart

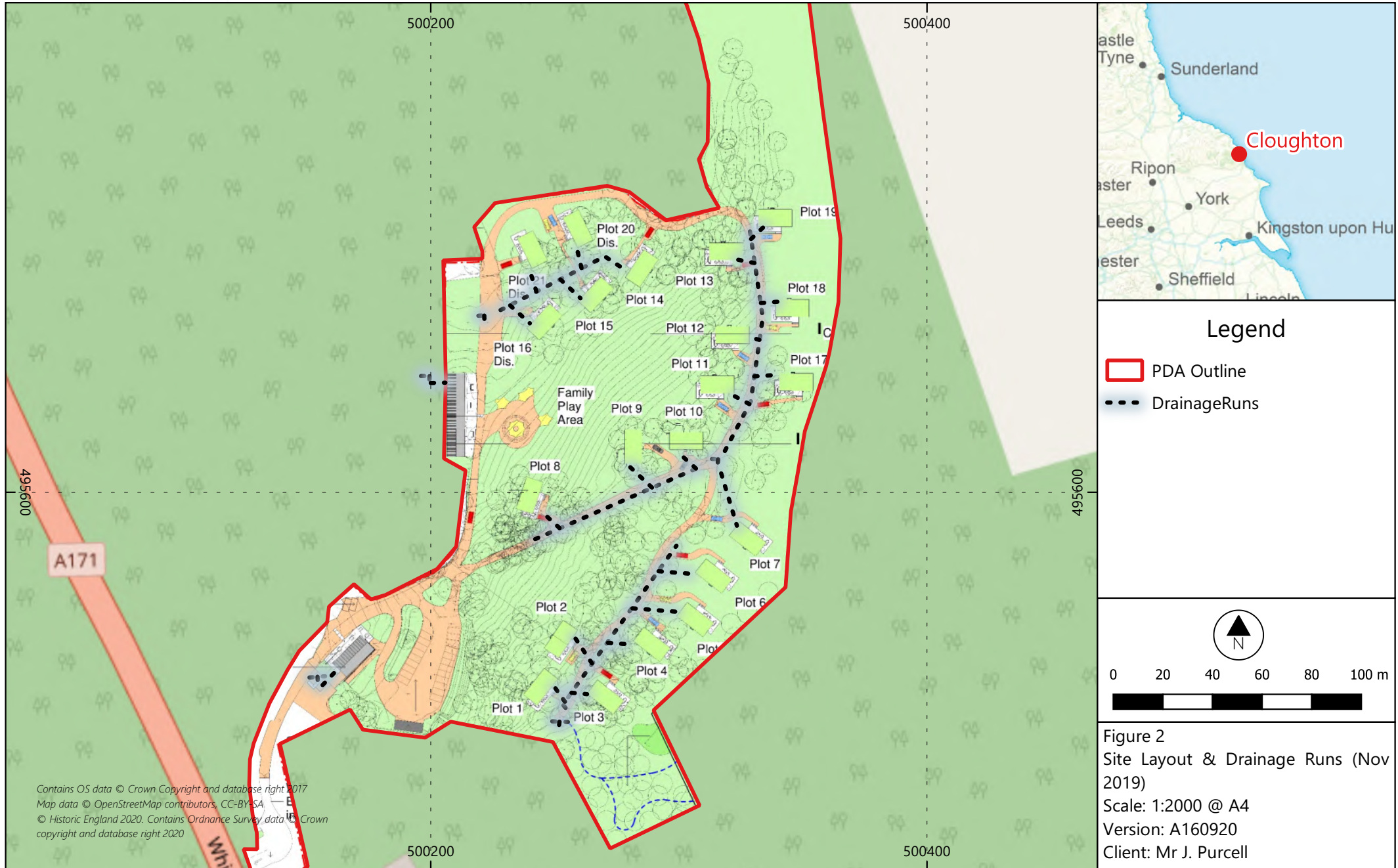
Site Walkover by Charlotte Stodart

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Figure 2  
Site Layout & Drainage Runs (Nov 2019)  
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Version: A160920  
Client: Mr J. Purcell

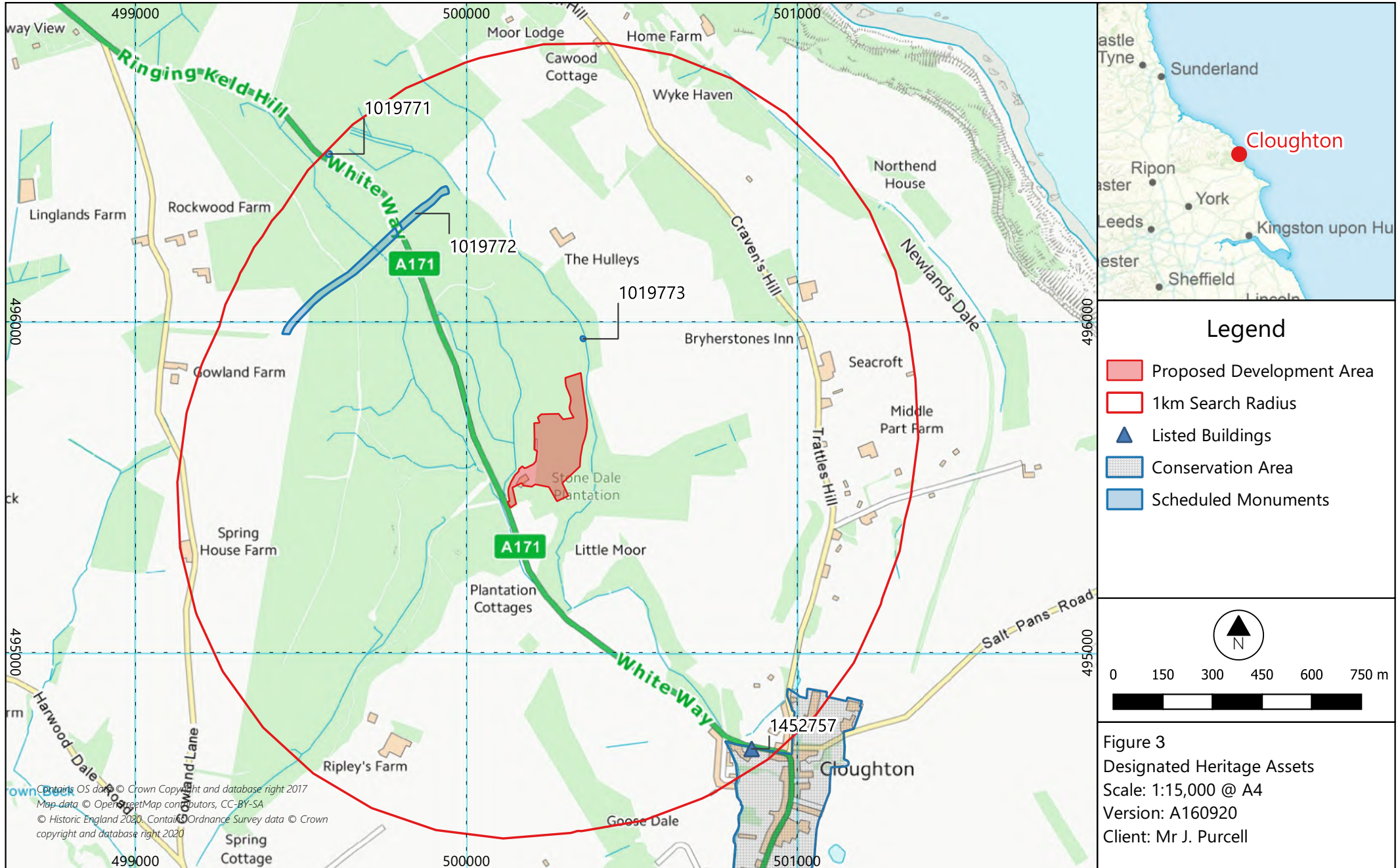
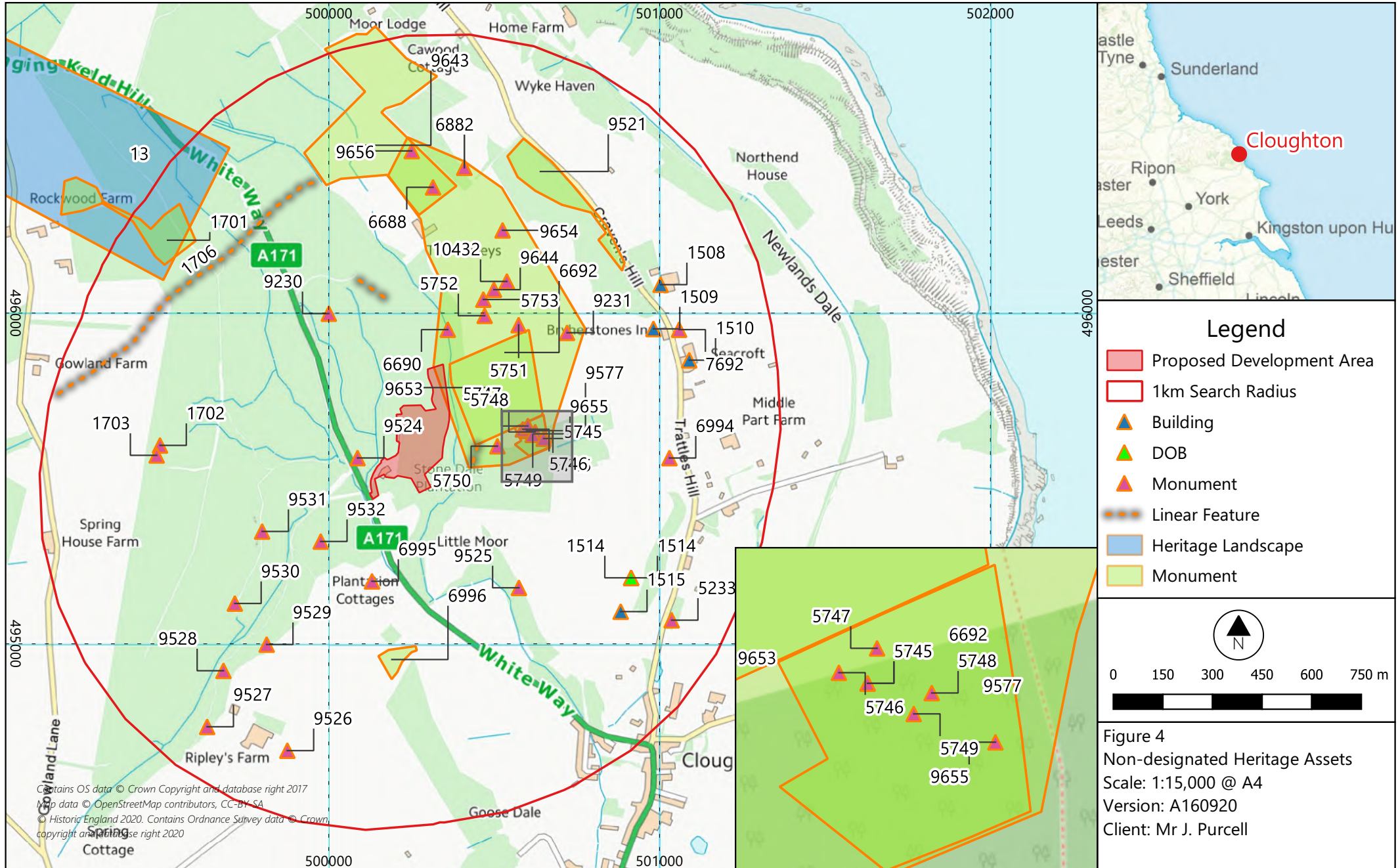



Figure 3  
Designated Heritage Assets  
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Version: A160920  
Client: Mr J. Purcell

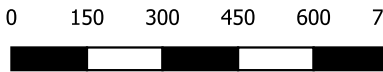


### Legend

- Proposed Development Area
- 1km Search Radius
- Building
- DOB
- Monument
- Linear Feature
- Heritage Landscape
- Monument



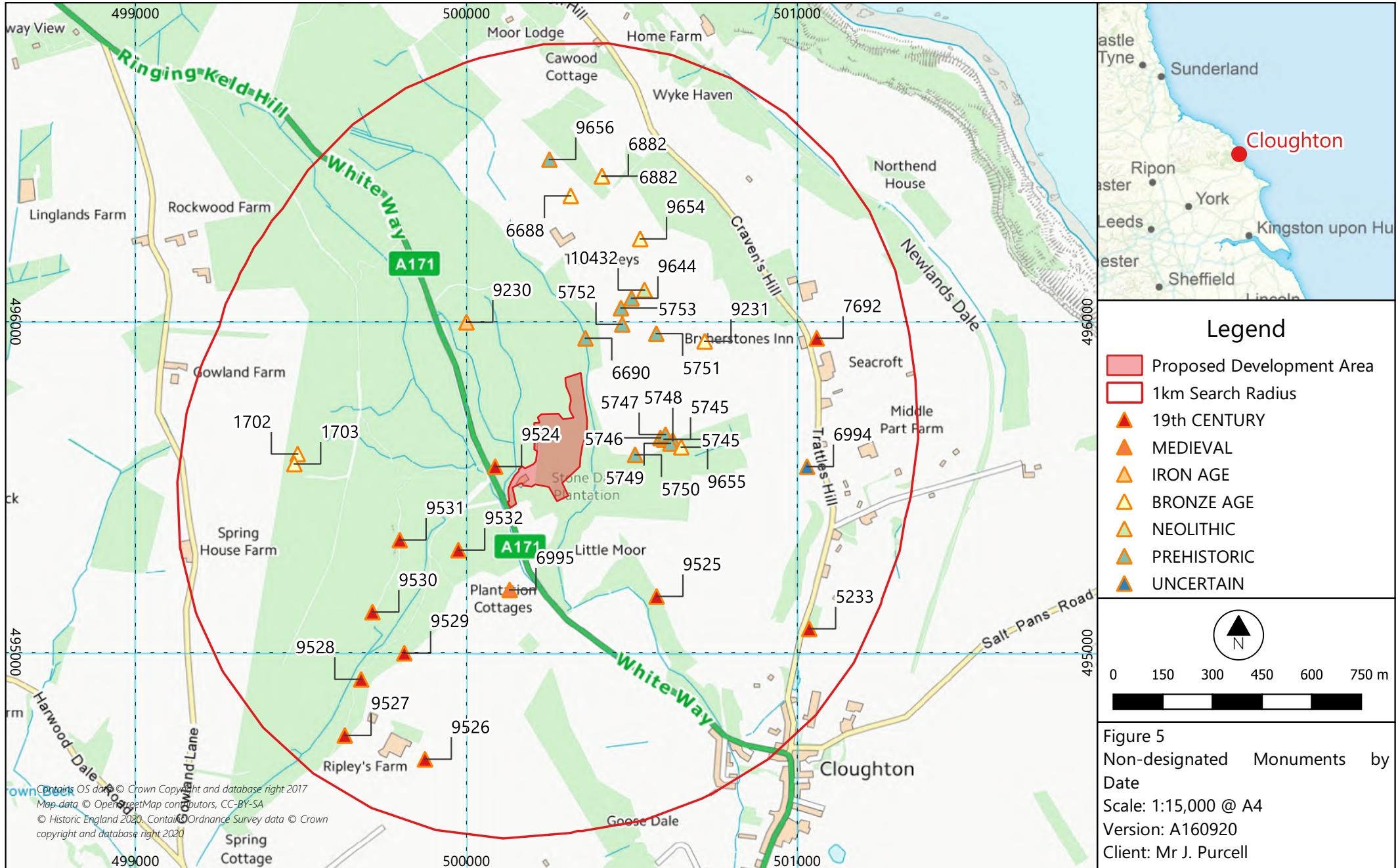
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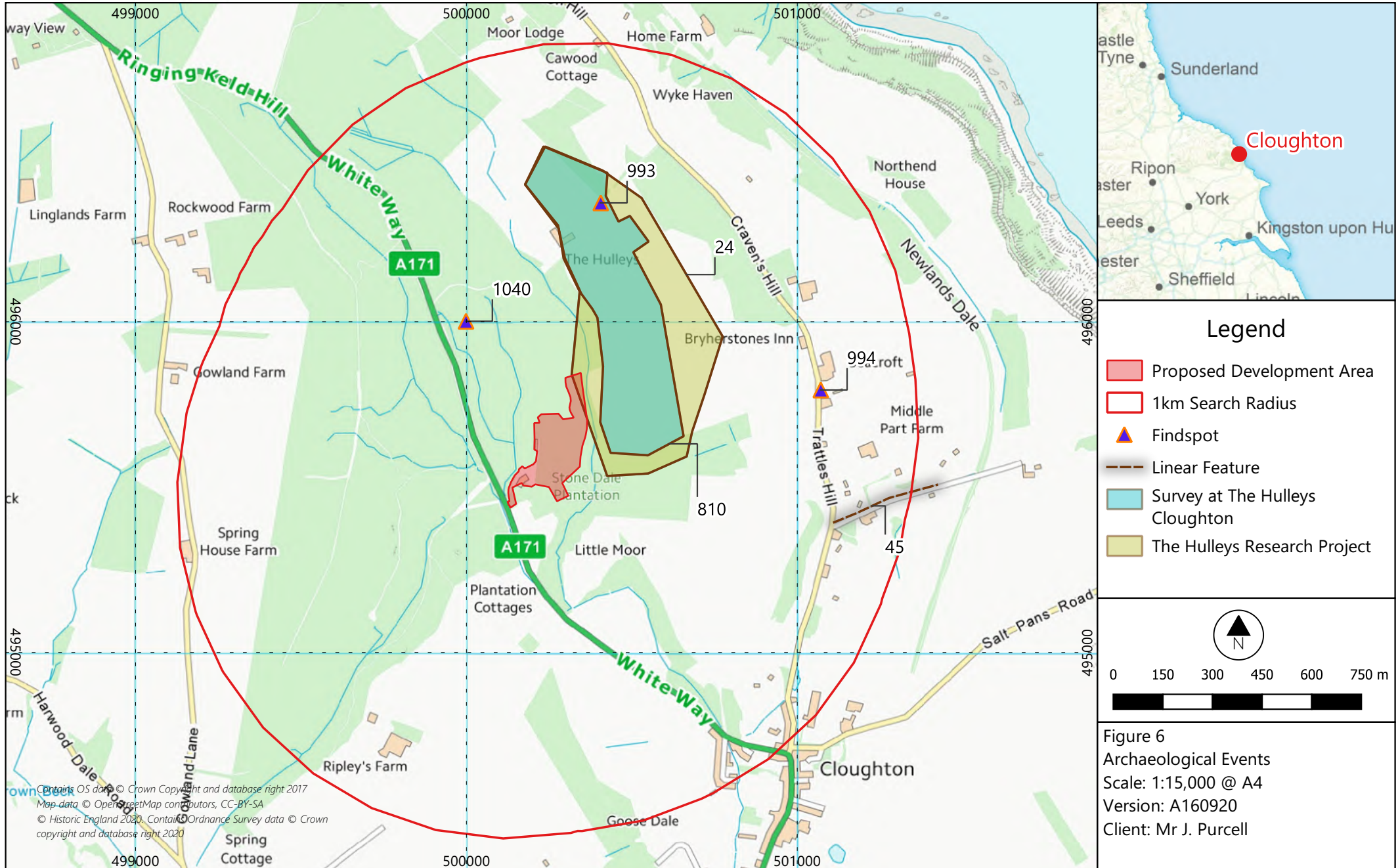
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Figure 4  
Non-designated Heritage Assets  
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Version: A160920  
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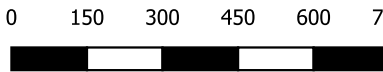


### Legend

- Proposed Development Area
- 1km Search Radius
- Findspot
- Linear Feature
- Survey at The Hulley's Cloughton
- The Hulley's Research Project



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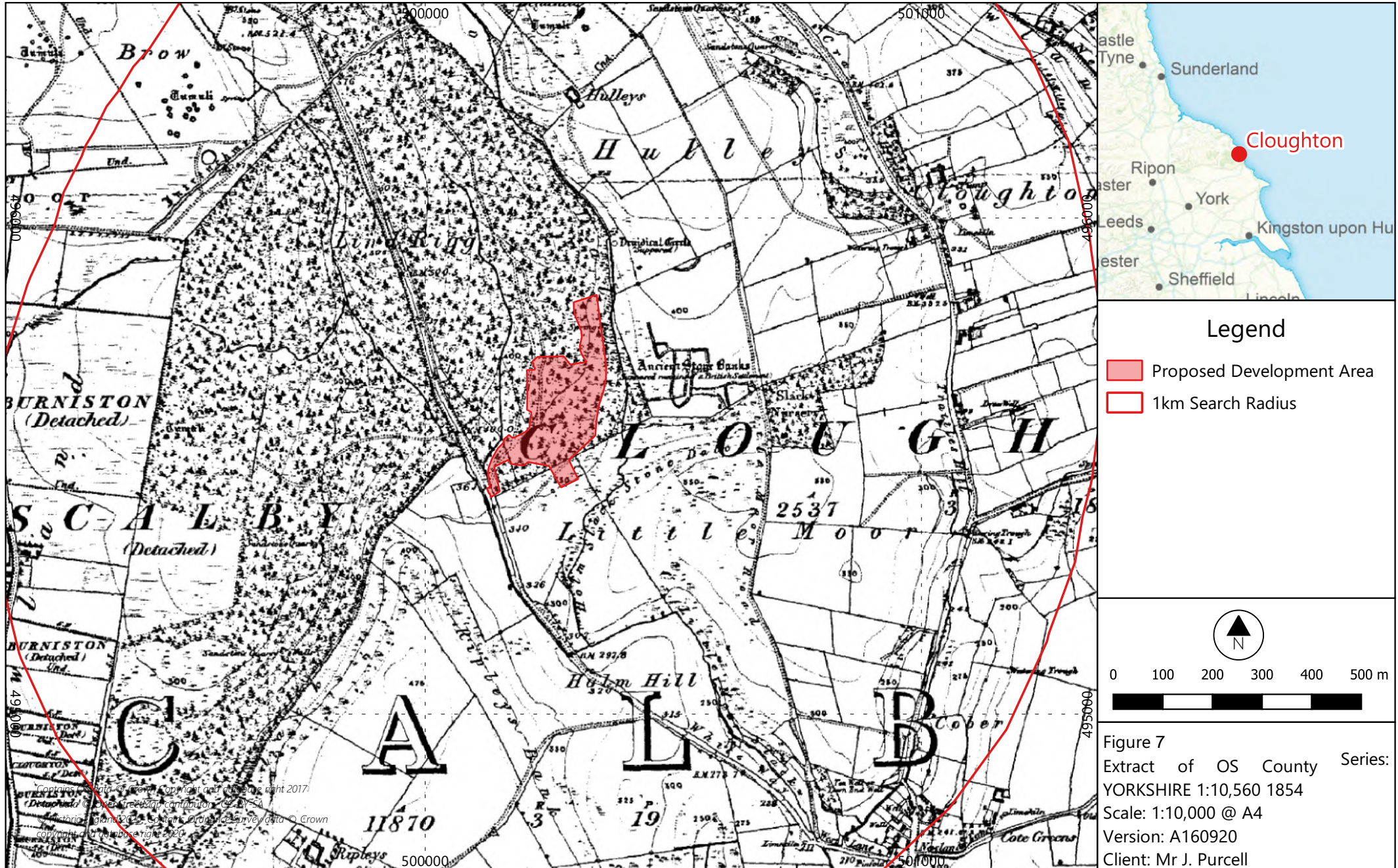


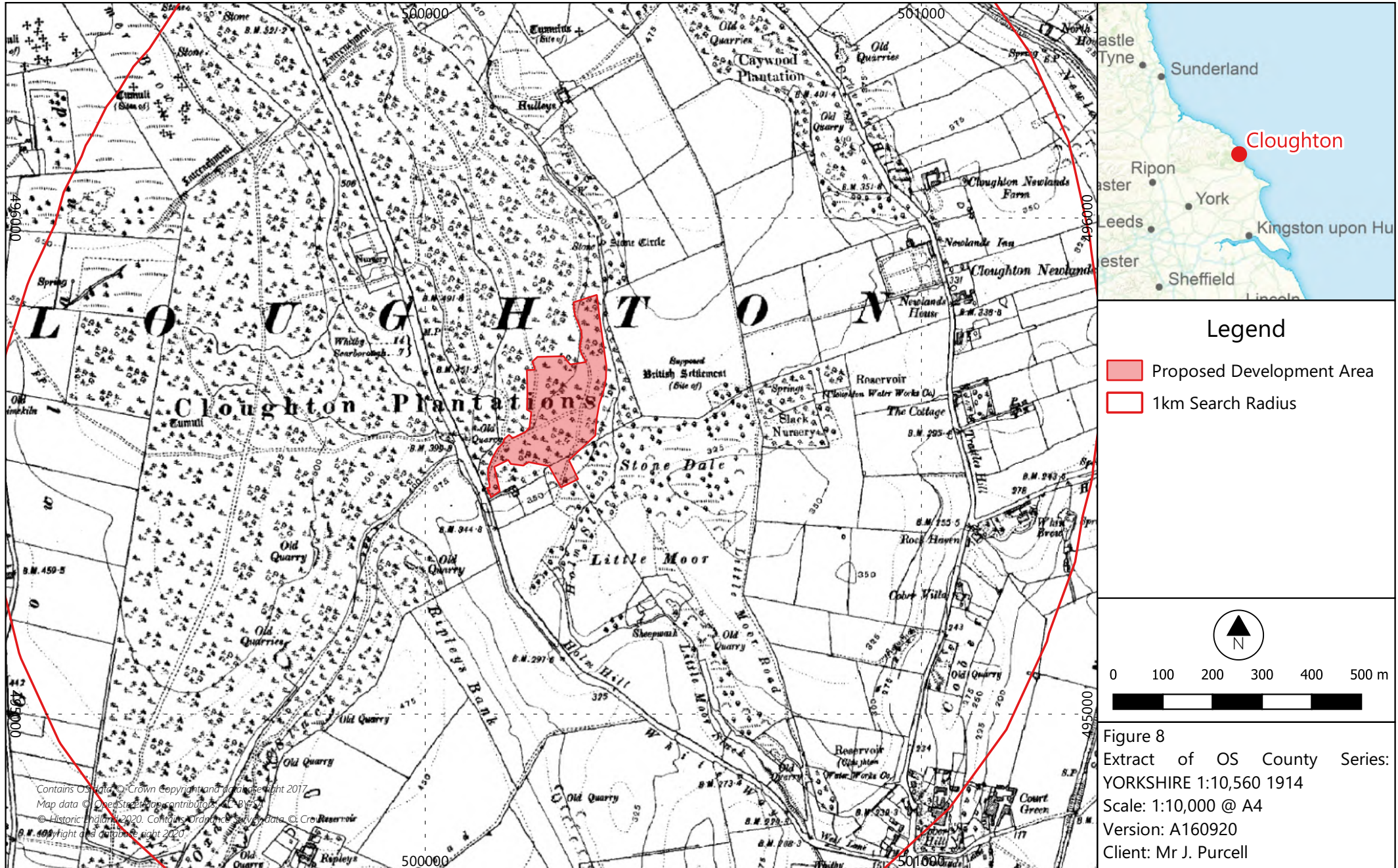
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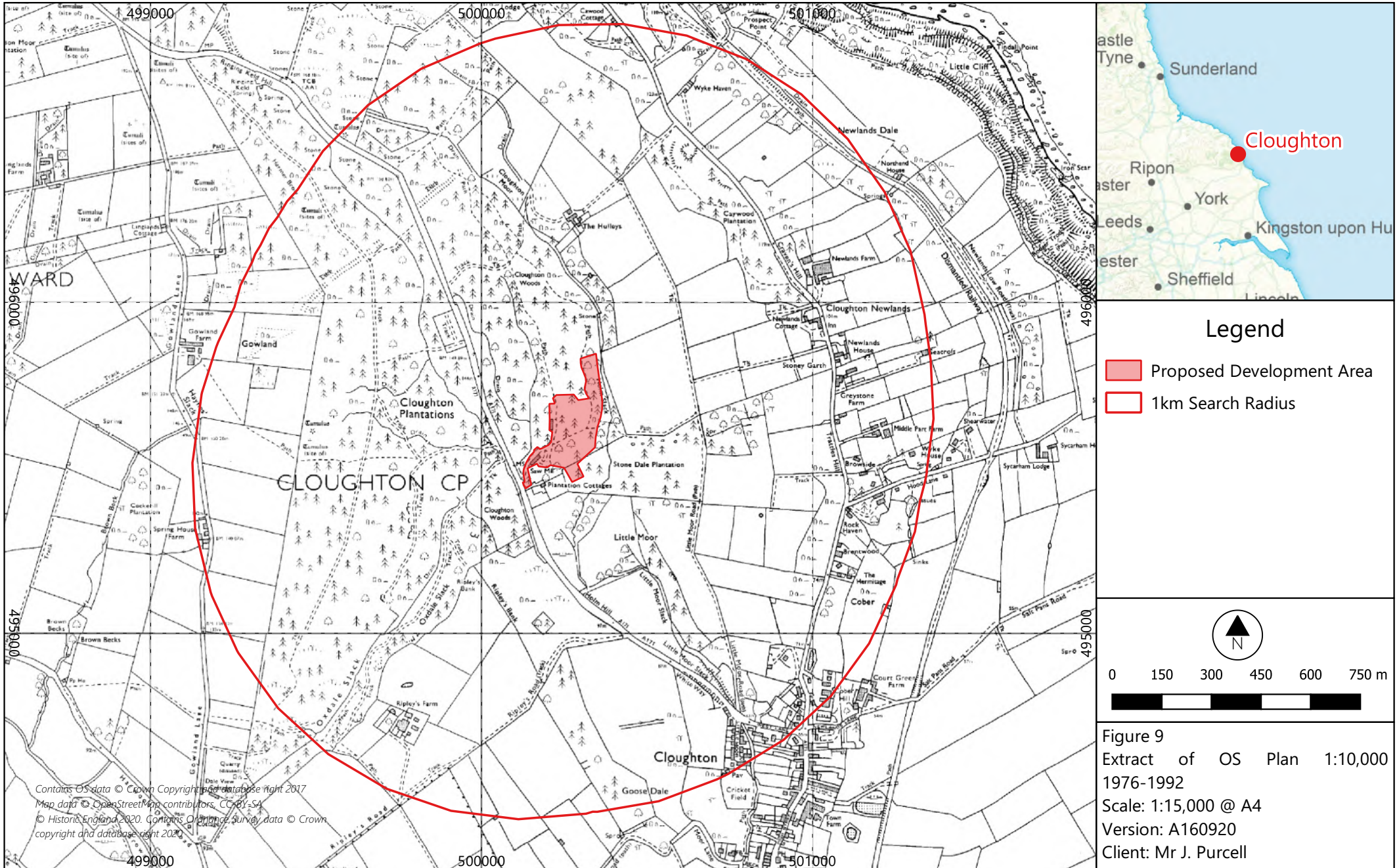
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Archaeological Events  
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Plate 1. Access to Proposed Development Area. Facing A171.



Plate 2. Derelict Building in SW corner of the Proposed Development Area.



Plate 3. Proposed Development Area Facing North-East.



Plate 4. Proposed Development Area. Facing North-West.



Plate 5. Former Sawmill.



Plate 6. Proposed Development Area.



Plate 7. Trackway Within Proposed Development Area.



Plate 8. Holm Slack Facing South with Steep Slope to the West.



Plate 9. Possible Hollow Way.



Plate 10. Possible Hollow Way.





Plate 11. Proposed Development Area.



Plate 12. Proposed Nature Zone.

## Appendix 1. Designated and Non-Designated Heritage Assets within 1km of the site. (Tables 3 -7).

Table 3: Designated Heritage Assets (Scheduled Monuments) within 1Km of the Proposed Development Area

NHLE/ HER Ref.	Grid Ref.	Description	Period	Grade
1019772	SE 99619 96123,  SE 99873 96347	<p><b>Cross dyke in Cloughton Plantations, 550m and 890m north east of Gowland Farm.</b></p> <p>The monument includes a cross dyke which runs across a ridge of sandstone and Moor Grit at the eastern edge of the North York Moors. The A171 runs NNW to SSE across the monument and has destroyed this section of the dyke; the monument therefore is split into two separate areas of protection. The cross dyke starts at a stream head at the western end and runs in a north easterly direction across Harmer Brow into a shallow stream valley, then continues across a second spur of high ground and down into Morfar Dale at the eastern end. It has a steep-sided ditch which runs between two parallel earthen banks. To the west of the central stream valley, the ditch is up to 3m wide and 1.2m deep below the tops of the banks. At the south western end, the banks are up to 3m wide and stand 0.5m high. Further to the east, within the plantation, the banks are up to 3.5m wide but only 0.3m high; the north west bank has been largely levelled by forestry operations so that it is now no more than 0.2m high. For the last 50m down the steeper slope into the central stream valley the earthworks have also been levelled and are no longer visible, although their line is followed by a modern forestry drain. To the east of the central stream valley most of the earthworks have been almost levelled by forestry operations; only slight traces are visible on the level ground on the top of the ridge and on the lower part of the western slope into the stream valley. However, on the upper part of the western slope and on the eastern slope into Morfar Dale the ditch is visible up to 4m wide and 1m deep below the tops of the banks, which have a maximum width of 3.5m. The north western bank is poorly defined and shallow on the western slope, but the south eastern bank stands up to 0.5m high. In addition to the sections which have been levelled by forestry operations, there are a</p>	Scheduled	Prehistoric

		number of modern breaks in the cross dyke: a bridleway runs across at the top of the slope into Morfar Dale; a second bridleway which follows a forestry track snakes up the slope on the west side of the central stream valley, crossing the monument three times; a forestry track runs along the east side of the central stream, and there are two further breaks towards the western end, one 20m wide and one 7m wide. The cross dyke lies in an area where there are many other prehistoric monuments, including ritual and funerary monuments as well as a settlement, field systems and clearance cairns. Field boundary walls cross the monument alongside the A171 road and at the edge of the plantation towards the western end. These field boundary walls and the surfaced forestry tracks which cross the monument are excluded from the scheduling, although the ground beneath them is included.		
1019773  HER 6690	TA 00353 95949	<b>Stone hut circle and iron working site on Holm Slack, 300m south of The Hulleys.</b> The monument includes a stone hut circle and iron working site which are situated beside a small stream, at the bottom of a steep-sided valley running through the Moor Grit at the eastern edge of the North York Moors. The hut circle is visible as an oval-shaped ring of boulders set into the ground and laid horizontally. It is orientated north west to south east with maximum dimensions of 10m by 8m externally, and it stands up to 0.4m high. The boulders would have formed the foundations and lower courses of the hut walls. There is an opening 3m wide alongside the stream at the north west end which would have been an entrance to the hut. At the south east end of the oval, the boulders define a sub-circular shallow depression measuring 5.5m in diameter, which would have been the internal floor area of the hut; the boulders project to the north west beyond the floor area as far as the hut entrance. In the centre of the floor area there are two further boulders. The hut would have been used for industrial activities rather than domestic occupation; limited excavation in the 1920s uncovered evidence for iron working, including a feature in the south east corner which was interpreted as a bowl furnace. The hut circle originally lay just west of a contemporary settlement in an area which also	Scheduled	Prehistoric

		had prehistoric field systems and burial monuments. No upstanding remains of the associated settlement now survive.		
1019771	SE 99585 96507	<b>Round barrow in Cloughton Plantations, 740m north west of The Hulleys.</b> The monument includes a round barrow which is situated on the Moor Grit at the eastern edge of the North York Moors, at the top of a gentle east-facing slope overlooking a stream valley. The barrow has an earth and stone mound which stands up to 0.9m high. Formerly, the mound had a diameter of 9m, but it has been truncated by forestry ploughing so that now it measures only 7m in diameter. The full extent of the original mound is included as remains will survive below ground. The barrow lies in an area where there are many other prehistoric monuments, including ritual and funerary monuments as well as field systems and clearance cairns.		

Table 4: Designated Heritage Assets (Grade II Listed Buildings) within 1km of the Development Area

HER/NHLE Refs.	Grid Ref.	Description	Impact
1452757	TA 00862 94708	<b>Cloughton War Memorial.</b> First World War memorial in the form of an obelisk with an added inscription for the Second World War.	Neutral

Table 5: Designated Heritage Assets (Conservation Area) within 1km of the Proposed Quarry Extension Area

HER/NHLE Refs.	Grid Ref.	Description	Impact
	TA 00890 94714	<b>Cloughton Conservation Area.</b>	Neutral

Table 46 Non-designated Heritage Assets within the Development Area

HER/NHLE Refs.	Grid Ref.	Description	Period
6692	500477 496032	<b>Settlement South of the Hulley's.</b> 1st mapped by Knox in 1820's. A complex of fields, banks of earth and stone. Standing stones, huts, small cairns and several tumuli.	Bronze Age

Table 7: Non-designated Heritage Assets - Monuments on the North Yorkshire HER within 1km the Proposed Quarry Extension Area

HER Ref.	Grid Ref.	Description	Period
13	498826 496616	<b>Bronze Age Barrow Cemetery landscape at Cloughton.</b> Numerous Tumuli, many are said to have been destroyed by afforestation. Many are likely to have been clearance cairns.	Bronze Age
1040	499999 496001	<b>Flint Implements Found in Cloughton Wood.</b> 1 leaf shaped arrowhead, 2 barbed and tanges arrowheads, flint flakes, scrapers. Found at Cloughton Hulley's.	Neolithic
1701	499394 496278	<b>Cairnfield at Harmer Brow.</b> Ordnance Survey 1958 edition marks 2 groups of tumuli, both containing 12 densely packed tumuli.	Bronze Age
1702	499490 495600	<b>Round Barrow in Cloughton Woods.</b> A small inconspicuous mound.	Bronze Age
1703	499480 495570	<b>Round Barrow in Cloughton Woods.</b> Annotated on the 1 <sup>st</sup> edition OS map.	Bronze Age
1706	499577 496078	<b>Cross Dyke in Cloughton Plantations.</b> Part of the dyke appears to have been levelled. Some relief may survive below the road.	Bronze Age
9526	499875 494677	<b>Lime Kiln East of Ripley's Farm.</b> Lime kiln annotated on the 1854 edition, shown as old kiln by 1893.	19 <sup>th</sup> Century
9527	499633 494749	<b>Sandstone Quarry West of Ripley's Farm.</b> A quarry with crane annotated as old quarry on 1893 edition. Not visible in wooded area on AP's but marked on digital mapping.	19 <sup>th</sup> Century

9528	499682 494919	<b>Sandstone Quarry North- West of Ripley's Farm.</b> Annotated as old quarry on the 1 <sup>st</sup> edition map, not shown on earlier maps.	19 <sup>th</sup> Medieval
9529	499812 494998	<b>Sandstone Quarry North of Ripley's Farm.</b> Annotated as old quarry on the 1 <sup>st</sup> edition map, not shown on earlier maps.	19 <sup>th</sup> Century
9530	499716 495122	<b>Sandstone Quarry in Cloughton Woods</b> Annotated as old quarry on the 1 <sup>st</sup> edition map, not shown on earlier maps.	19 <sup>th</sup> Century
9531	499799 495340	<b>Sandstone Quarry in Cloughton Woods</b> Annotated as old quarry on the 1 <sup>st</sup> edition map, not shown on earlier maps.	19 <sup>th</sup> Century
9532	499976 495309	<b>Sandstone Quarry in Cloughton Woods</b> Annotated as old quarry on the 1 <sup>st</sup> edition map, not shown on earlier maps.	19 <sup>th</sup> Century
9643	500156 496582	<b>Ridge and Furrow North of Hulley's Farm</b> Slight ridge and furrow on both sides of the valley.	Post-Medieval
993	500406 496359	<b>Beehive Quern Stone Found East of the Hulley's.</b> Lower stone of a bun-shaped rotary quern. Discovered in a dry stone wall, reshaped in 18 <sup>th</sup> or 19 <sup>th</sup> century,	Iron Age
994	501072 495793	<b>Beehive Quern Stone Found on East Side of Cloughton to Ravenscar Road.</b> Top stone of a beehive quern found in a drystone wall.	Iron Age
1508	501003 496086	<b>Newlands Farm at Cloughton Newlands.</b> Farmhouse built 1777-8	18 <sup>th</sup> Century
1509	500982 495952	<b>Newlands Cottage at Cloughton Newlands.</b> House built between 1780-1840	17 <sup>th</sup> Century
1510	501090 495858	<b>Newlands House at Cloughton Newlands</b> Farmhouse built early-mid 19 <sup>th</sup> century	19 <sup>th</sup> Century
1514	500914 495200	<b>Observation Post North of Cober Hill.</b> WWII Royal Observer Corps Monitoring post	20 <sup>th</sup> Century
1515	500883 495097	<b>Observation Post North of Cober Hill.</b> WWII Royal Observer Corps Monitoring post	WWII
5233	501037 495072	<b>Sandstone Quarry at Cober.</b> Quarry marked on 1 <sup>st</sup> edition OS mapping.	19 <sup>th</sup> Century
5745	500598 495644	<b>Round Barrow at the Hulley's.</b> Small barrow. Excavated by Knox.	Bronze Age
5746	500587 495649	<b>Hut Circle South of the Hulley's.</b> 1 of 4 hut circles recorded by Knox. Visible on the ground and on AP's	Prehistoric

5747	500602 495659	<b>Hut Circle South of the Hulleys.</b> 1 of 4 hut circles recorded by Knox. Visible on the ground and on AP's	Prehistoric
5748	500624 495641	<b>Hut Circle South of the Hulleys.</b> 1 of 4 hut circles recorded by Knox. Visible on the ground but not on AP's	Prehistoric
5749	500617 495632	<b>Hut Circle South of the Hulleys.</b> 1 of 4 hut circles recorded by Knox. Visible on the ground but not on AP's	Prehistoric
5750	500510 495598	<b>Round Barrow at the Hulleys.</b> One of several barrows recorded by Knox. No visible remains at ground level	Prehistoric
5751	500574 495964	<b>Round Barrow at the Hulleys.</b> One of several barrows recorded by Knox. No visible remains at ground level	Prehistoric
5752	500471 495992	<b>Round Barrow at the Hulleys.</b> One of several barrows recorded by Knox. No visible remains at ground level	Prehistoric
5753	500467 496041	<b>Round Barrow at the Hulleys.</b> One of several barrows recorded by Knox. No visible remains at ground level	Prehistoric
6688	500316 496380	<b>Round Barrow North of the Hulleys.</b> One of several barrows recorded by Knox. No visible remains at ground level	Bronze Age
6689	500443 495573	<b>Linear Earthwork South of the Hulleys</b> Marked on 1928 map. Appears to consist of a pair of banks by separated by a ditch which runs for approx. 50m	Prehistoric
6691	500134 496071	<b>Ditch in Cloughton Woods.</b> Marked on the 1928 OS map as an entrenchment and portrayed as a linear ditch. Archaeological significance unclear	Prehistoric
6882	500410 496440	<b>Ring Cairn North East of the Hulleys.</b> Very clear stoney tree covered platform. Comprises of a raised outer circle containing many stones both large and small.	Bronze Age
6994	501030 495562	<b>Cropmarks West of Trattles Hill.</b> Possible cropmarks noted on Meridian AP's in field west of rattles Hill	Undated
6995	500131 495189	<b>Field Boundary West of Holm Hill.</b> Possible cropmarks seen on Meridian AP's to the west of Holme Hill.	Medieval
6996	500208 494943	<b>Ridge &amp; Furrow at Ripley's Bank.</b> Broad ridge and furrow is evident on AP's	Medieval

7692	501059 495950	<b>Lime Kiln at Newlands Farm.</b> Depicted on 1 <sup>st</sup> edition OS map. Old Limekiln bt 1893	19 <sup>th</sup> Century
9230	500000 495999	<b>Settlement in Cloughton Woods.</b> Remains of a settlement were found at Cloughton Hulley in 1923-5. Including a bowl furnace	Iron Age
9231	500721 495941	<b>Round Barrow West of Cloughton Newlands.</b> Tumulus marked on Knox's plan was demolished before 1818, though some kerbstones and convex ground were visible. Knox found a funeral urn here	Bronze Age
9521	500717 496328	<b>Sandstone Quarry South of Wyke Haven.</b> An area of sandstone quarrying annotated on the 1 <sup>st</sup> end map. Extended and marked as old quarries on the 1893 edition.	19 <sup>th</sup> Century
9524	500087 495562	<b>Sandstone Quarry North West of Plantation Cottages.</b> A small quarry annotated as 'old quarry' on th1 1893 map. Not visible on AP's	19 <sup>th</sup> Century
9525	500575 495169	<b>Sandstone Quarry North of Little Moor Slack.</b> A small quarry annotated as 'old quarry' on th1 1893 map. Not visible on AP's	19 <sup>th</sup> Century
9577	500613 495631	<b>Enclosure South of the Hulleys.</b> Knox records a rectangular enclosure with internal barrow and 4 circular features with south leading avenue at the southern end of the complex.	Prehistoric
9644	500500 496071	<b>Hut Circle Settlement at the Hulleys.</b> A cluster of possible hut sites lie to the north of field system HER9653. Knox recorded a large cluster of bee-hive like stone huts with drystone walls.	Prehistoric
9653	500506 495775	<b>Field System at the Hulleys</b> A field system describe by Knox as 15 low earthen mounds forming small rectangular enclosures	Bronze Age
9654	500526 496250	<b>Round Barrow at the Hulleys.</b> Knox records a large round tumuli 20 yards across which he had seen as a mound in his youth but by 1818 only the base stones remained. Knox reported finding a crushed urn here.	Bronze Age



9655	500650 495621	<b>Round Barrow at the Hulleys.</b> Large tumuli mapped by Knox and described in 1828 as standing 14-16' high with a diameter of 70' before the stone was removed for road building	Bronze Age
9656	500251 496490	<b>Hut Circle South of the Hulleys.</b> Area of stone paving thought to represent the stone floor of a hut similar to those describe by Knox on the area immediately south.	Prehistoric
10432	500539 496096	<b>Prehistoric Flint Implements and Roman Finds Collected from the Hulleys.</b> A programme of field walking was carried out in fields around the Hulleys. Many flint cores, tools, arrow heads and debitage were recovered.	Neolithic

Table 8: Non-designated Heritage Assets – Events on the North Yorkshire HER within 1km the Proposed Quarry Extension Area (HER Search Ref. CNY18034)

HER Ref.	Grid Ref.	Description
24	TA 00476 96032	The Hulleys Research Project.
45	TA 1267 54450	Watching Brief Hood Lane North of Cloughton village.
810	TA 00417 96063	Survey at The Hulleys Cloughton.

Periods	Prehistoric	Historic	
	Palaeolithic		500,000BC-10,000BC
	Mesolithic		10,000BC-4,000BC
	Neolithic		4000BC-2600BC
	Bronze Age		2600BC-700BC
	Iron Age		700BC-70AD
	Roman		70AD-410AD
	Anglo-Saxon/Anglo Scandinavian		410AD-1066AD
	Medieval		1066AD-1540AD
	Post-medieval		1540AD-1900AD
	Modern		1900AD-2020

## Appendix 2

### **Ancient Monuments and Archaeological Areas Act 1979**

Section 46 in the Department of Culture Media and Sport 2010: Scheduled Monuments. Identifying, protecting, conserving and investigating nationally important archaeological sites under the Ancient Monuments and Archaeological Areas Act 1979) states *'In terms of impact of development on the setting of a scheduled monument, securing the preservation of the monument 'within an appropriate setting' as required by national policy is solely a matter for the planning system. Whether any particular development within the setting of a scheduled monument will have an adverse impact on its significance is a matter of professional judgement. It will depend upon such variables as the nature, extent and design of the development proposed, the characteristics of the monument in question, its relationship to other monuments in the vicinity, its current landscape setting and its contribution to our understanding and appreciation of the monument'*.

### **Planning (Listed Buildings and Conservation Areas) Act 1990**

Section 66 (1) in the Planning (Listed Buildings and Conservation Areas) Act 1990 states *'In considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.

## National Planning Policy Framework: 16. Conserving and Enhancing the Historic Environment

NPPF-16 sets out the Government's objectives for the historic environment and rationale for its conservation. It recognises the unique place the historic environment holds in England's cultural heritage and the multiple ways it supports and contributes to the economy, society and daily life. The NPPF also identifies the historic environment as a non-renewable resource. Its fragile and finite nature is a particularly important consideration in planning. Conserving this resource for future generations accords with the principles of sustainable development. Government places a priority on its conservation and has set out tests to ensure that any damage or loss is permitted only where it is properly justified.

- 189 *In determining application, local planning authorities should require an applicant to describe the significance of any heritage assets affected including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.*
- 193 *When considering the impact of the proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*
- 194 *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of;*
- A) *grade II listed buildings, or grade II registered parks or gardens, should be exceptional.;*

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B) *assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

195 *Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- A) *the nature of the heritage asset prevents all reasonable uses of the site; and*
- B) *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- C) *Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- D) *the harm or loss is outweighed by the benefit of bringing the site back into use,*

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– The Setting of Heritage Assets.

The Contribution of setting to the significance of a heritage asset is often expressed by reference to views, a purely visual impression of an asset or a place which can be static or dynamic, including a variety of views of, across, or including that asset, and views of the surroundings from and through the asset, and may intersect with, and incorporate the settings of numerous heritage assets.