



## **DISCLAIMER**

This document or some parts of it may not be accessible when using adaptive technology.

If you require assistance with accessing the content of the document, please contact the Planning team and quote the document name and the web page you found it on:

- email: [planning.admin@ashfield.gov.uk](mailto:planning.admin@ashfield.gov.uk)
- telephone: 01623 457 388

**LAND AT NEWARK ROAD, SUTTON-IN-ASHFIELD,  
NOTTINGHAMSHIRE**  
**Archaeology and Built Heritage Statement**

Hallam Land Management  
EMS.2254 | August 2022

Heritage

| Document Management |            |                                                                                                     |                                              |                     |
|---------------------|------------|-----------------------------------------------------------------------------------------------------|----------------------------------------------|---------------------|
| Version             | Date       | Author                                                                                              | Checked/approved by:                         | Reason for revision |
| 3                   | 12.08.2022 | Donal Lucey<br>Senior Heritage Consultant<br>and<br>Donald Sutherland<br>Senior Heritage Consultant | Gail Stoten<br>Executive Director (Heritage) | -                   |

## Pegasus Group

Pegasus House | Querns Business Centre | Whitworth Road | Cirencester | GL7 1RT  
**T** 01285 641717 | **E** Cirencester@pegasusgroup.co.uk | **W** [www.pegasusgroup.co.uk](http://www.pegasusgroup.co.uk)

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Edinburgh | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough | Solent

**DESIGN** | **ENVIRONMENT** | **PLANNING** | **ECONOMICS** | **HERITAGE**

# ARCHAEOLOGY AND BUILT HERITAGE STATEMENT

**LAND AT NEWARK ROAD, SUTTON-IN-ASHFIELD, ASHFIELD**

**ON BEHALF OF: HALLAM LAND MANAGEMENT**

## **Pegasus Group**

Pegasus House | Querns Business Centre | Whitworth Road | Cirencester | GL7 1RT  
**T** 01285 641717 | **E** Cirencester@pegasusgroup.co.uk | **W** [www.pegasusgroup.co.uk](http://www.pegasusgroup.co.uk)

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Edinburgh | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough | Solent

**DESIGN** | **ENVIRONMENT** | **PLANNING** | **ECONOMICS** | **HERITAGE**

## **CONTENTS:**

|           |                                  |           |
|-----------|----------------------------------|-----------|
| <b>1.</b> | <b>INTRODUCTION</b>              | <b>1</b>  |
| <b>2.</b> | <b>METHODOLOGY</b>               | <b>2</b>  |
| <b>3.</b> | <b>PLANNING POLICY FRAMEWORK</b> | <b>9</b>  |
| <b>4.</b> | <b>THE HISTORIC ENVIRONMENT</b>  | <b>17</b> |
| <b>5.</b> | <b>SETTING ASSESSMENT</b>        | <b>28</b> |
| <b>8.</b> | <b>CONCLUSIONS</b>               | <b>32</b> |
| <b>9.</b> | <b>SOURCES</b>                   | <b>34</b> |

## **APPENDICES:**

**APPENDIX 1: GAZETTEER OF HISTORIC ENVIRONMENT RECORD DATA**

**APPENDIX 2: FIGURES**

## **FIGURES:**

**FIGURE 1: DESIGNATED HERITAGE ASSETS**

**FIGURE 2: HER EVENTS**

**FIGURE 3: HER MONUMENTS AND LOCALLY LISTED ASSETS**

## PLATES:

|                                                                                                      |    |
|------------------------------------------------------------------------------------------------------|----|
| PLATE 1: SITE LOCATION PLAN (NOT TO SCALE).....                                                      | 1  |
| PLATE 2: CHAPMAN'S 1774 MAP OF NOTTINGHAMSHIRE.....                                                  | 20 |
| PLATE 3: 1801 SUTTON-IN-ASHFIELD ENCLOSURE MAP .....                                                 | 20 |
| PLATE 4: SANDERSON'S 1835 MAP OF TWENTY MILES AROUND MANSFIELD.....                                  | 21 |
| PLATE 5: 1877-8 ORDNANCE SURVEY MAP.....                                                             | 22 |
| PLATE 6: DETAIL OF BUILDINGS IN NORTHERN PART OF SITE ON 1877-8 MAP.....                             | 23 |
| PLATE 7: VIEW OF LOCATION OF FORMER WATERCOURSE AND SOUTHERN SITE BOUNDARY, LOOKING SOUTH-WEST ..... | 23 |
| PLATE 8: 1900 ORDNANCE SURVEY MAP.....                                                               | 24 |
| PLATE 9: 1916 ORDNANCE SURVEY MAP.....                                                               | 25 |
| PLATE 10: 1939 ORDNANCE SURVEY MAP .....                                                             | 26 |
| PLATE 11: 1953 AERIAL PHOTOGRAPH SHOWING NORTHERN PART OF SITE .....                                 | 26 |
| PLATE 12: DISUSED SAND EXTRACTION PIT IN SOUTH-EASTERN PART OF SITE, LOOKING SOUTH-EAST .....        | 27 |
| PLATE 13: VIEW OF HAMILTON HILL, LOOKING NORTH FROM HAMILTON HILL FARM .....                         | 30 |
| PLATE 14: MODERN AERIAL IMAGE OF ROUNDHILL FARM (FARMHOUSE OUTLINED IN BLUE) .....                   | 31 |

# 1. Introduction

- 1.1 Pegasus Planning Group have been commissioned by Hallam Land Management to carry out an Archaeology and Built Heritage Statement of land at Newark Road, Sutton-in-Ashfield, Nottinghamshire as shown on the Site Location Plan provided at Plate 1.

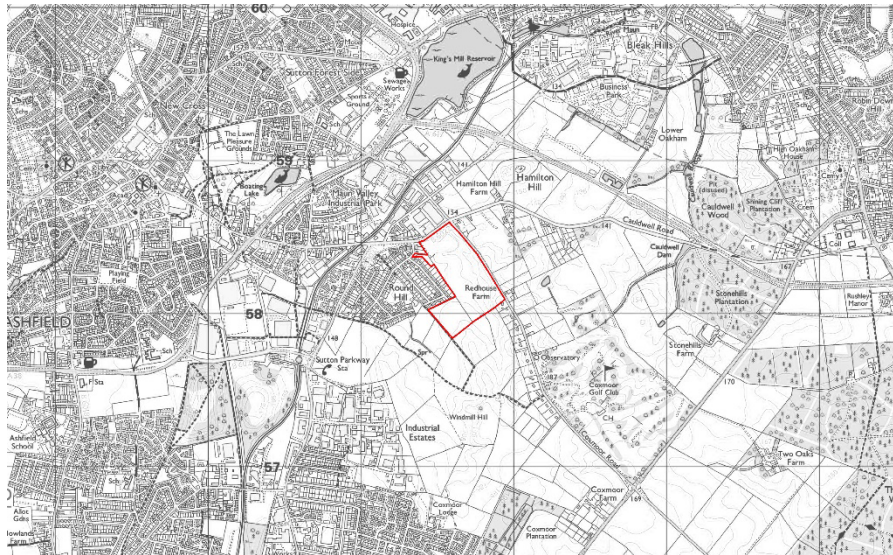


Plate 1: Site Location Plan (not to scale)

- 1.2 The Site comprises two fields of arable land and a small area of waste ground covering c.20ha. The proposals are for residential

development of the Site.

- 1.3 This Heritage Statement provides information with regards to the significance of the known and potential archaeological resource and historic environment to fulfil the requirement given in paragraph 194 of the Government's National Planning Policy Framework (the NPPF<sup>1</sup>) which requires:

*"an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting."*<sup>2</sup>

- 1.4 In order to inform an assessment of the acceptability of the scheme in relation to impacts to the historic environment and archaeological resource, following paragraphs 199 to 203 of the NPPF, any harm to the historic environment resulting from the proposed development is also described, including impacts to significance through changes to setting.

- 1.5 As required by paragraph 194 of the NPPF, the detail and assessment in this Report is considered to be "*proportionate to the asset's importance*"<sup>3</sup>.

<sup>1</sup> Department for Levelling Up, Housing and Communities (DLUHC), *National Planning Policy Framework (NPPF)* (London, July 2021).

<sup>2</sup> DLUHC, *NPPF*, paragraph 194.

<sup>3</sup> DLUHC, *NPPF*, paragraph 194.

## 2. Methodology

2.1 The aims of this Heritage Statement are to assess the significance of the heritage resource within the site, to assess any contribution that the site makes to the heritage significance of the surrounding heritage assets, and to identify any harm or benefit to them which may result from the implementation of the development proposals, along with the level of any harm caused, if relevant. This assessment considers the archaeological resource and built heritage.

### Sources

2.2 The following key sources have been consulted as part of this assessment:

- **The National Heritage List for England for information on designated heritage assets;**
- **The Nottinghamshire County Historic Environment Record (HER) for information on the recorded heritage resource and previous archaeological works;**
- **Nottinghamshire Archives for historic cartographic and documentary sources; and,**
- **Online resources including geological data available from the British Geological Survey; historic maps; and, Google Earth satellite imagery.**

2.3 For digital datasets, information was sourced for a 1km study

area measured from the boundaries of the site. Information gathered is discussed within the text where it is of relevance to the potential heritage resource of the site. A gazetteer of recorded sites and findspots is included as Appendix 1 and maps illustrating the resource and study area are included as Appendix 2.

2.4 Historic cartographic sources and aerial photographs were reviewed for the site, and beyond this where professional judgement deemed necessary.

2.5 Heritage assets in the wider area were assessed as deemed appropriate (see Section 5).

### Site Visit

2.6 A site visit was undertaken by a Senior Heritage Consultant from Pegasus Group, during which the site and its surrounds were assessed. Selected heritage assets were assessed from publicly accessible areas.

2.7 The visibility on this day was clear. Surrounding vegetation was partially in leaf at the time of the site visit, and thus the potential screening that this affords was also considered when assessing potential intervisibility between the site and surrounding areas.

### Assessment of significance

2.8 In the NPPF, heritage significance is defined as:

"The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance."<sup>4</sup>

2.9 Historic England's *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2*<sup>5</sup> (hereafter GPA 2) gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.

2.10 In order to do this, GPA 2 also advocates considering the four types of heritage value an asset may hold, as identified in English Heritage's *Conservation Principles*.<sup>6</sup> These essentially cover the heritage 'interests' given in the glossary of the NPPF<sup>7</sup> and the online Planning Practice Guidance on the Historic Environment<sup>8</sup> (hereafter 'PPG') which are **archaeological**, **architectural and artistic** and **historic**.

2.11 The PPG provides further information on the interests it

identifies:

- **Archaeological interest:** "As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point."
- **Architectural and artistic interest:** "These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture."
- **Historic interest:** "An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider

---

<sup>4</sup> DLUHC, *NPPF*, pp. 71-72.

<sup>5</sup> Historic England, *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2* (2<sup>nd</sup> edition, Swindon, July 2015).

<sup>6</sup> English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These

heritage values are identified as being 'aesthetic', 'communal', 'historical' and 'evidential', see *idem* pp. 28-32.

<sup>7</sup> DLUHC, *NPPF*, p. 71.

<sup>8</sup> Ministry of Housing Communities and Local Government (DLUHC), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23<sup>rd</sup> July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

**values such as faith and cultural identity.”<sup>9</sup>**

2.12 Significance results from a combination of any, some or all of the interests described above.

2.13 The most-recently issued guidance on assessing heritage significance, Historic England’s *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12*,<sup>10</sup> advises using the terminology of the NPPF and PPG, and thus it is that terminology which is used in this Report.

2.14 Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

#### Setting and significance

2.15 As defined in the NPPF:

*“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”<sup>11</sup>*

2.16 Setting is defined as:

*“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset 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.”<sup>12</sup>*

2.17 Therefore, setting can contribute to, affect an appreciation of significance, or be neutral with regards to heritage values.

#### Assessing change through alteration to setting

2.18 How setting might contribute to these values has been assessed within this Report with reference to *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3*<sup>13</sup> (henceforth referred to as ‘GPA 3’), particularly the checklist given on page 11. This advocates the clear articulation of “what matters and why”.<sup>14</sup>

2.19 In GPA 3, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated. The guidance includes a (non-exhaustive) checklist of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional

<sup>9</sup> DLUHC, PPG, paragraph 006, reference ID: 18a-006-20190723.

<sup>10</sup> Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (Swindon, October 2019).

<sup>11</sup> DLUHC, NPPF, p. 72.

<sup>12</sup> DLUHC, NPPF, p. 71.

<sup>13</sup> Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2<sup>nd</sup> edition, Swindon, December 2017).

<sup>14</sup> Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2<sup>nd</sup> edition, Swindon, December 2017), p. 8.

relationships and degree of change over time. It also lists aspects associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

- 2.20 Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to maximise enhancement and minimise harm. Step 5 is to make and document the decision and monitor outcomes.
- 2.21 A Court of Appeal judgement has confirmed that whilst issues of visibility are important when assessing setting, visibility does not necessarily confer a contribution to significance and also that factors other than visibility should also be considered, with Lindblom LJ stating at paragraphs 25 and 26 of the judgement (referring to an earlier Court of Appeal judgement)<sup>15</sup>:

*Paragraph 25 – "But – again in the particular context of visual effects – I said that if "a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one's experience of the listed building in its surrounding landscape or townscape" (paragraph 56)".*

*Paragraph 26 – "This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building's setting. Generally, of course, the decision-maker will be concentrating on*

*visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognizes the potential relevance of other considerations – economic, social and historical. These other considerations may include, for example, "the historic relationship between places". Historic England's advice in GPA3 was broadly to the same effect."*

#### Levels of significance

- 2.22 Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.
- 2.23 In accordance with the levels of significance articulated in the NPPF and the PPG, three levels of significance are identified:
- **Designated heritage assets of the highest significance, as identified in paragraph 200 of the NPPF, comprising Grade I and II\* Listed buildings, Grade I and II\* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and**

---

<sup>15</sup> *Catesby Estates Ltd. V. Steer* [2018] EWCA Civ 1697, para. 25 and 26.

**Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 68 of the NPPF;**

- **Designated heritage assets of less than the highest significance, as identified in paragraph 200 of the NPPF, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas); and**
- **Non-designated heritage assets. Non-designated heritage assets are defined within the PPG as “buildings, monuments, sites, places, areas or landscapes identified by planning bodies as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets”.<sup>16</sup>**

2.24 Additionally, it is of course possible that sites, buildings or areas have ***no heritage significance***.

#### Assessment of harm

2.25 Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and

articulating the scale of any harm in order to inform a balanced judgement/weighing exercise as required by the NPPF.

2.26 In order to relate to key policy, the following levels of harm may potentially be identified for designated heritage assets:

- **Substantial harm or total loss. It has been clarified in a High Court Judgement of 2013 that this would be harm that would “have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced”;<sup>17</sup> and**
- **Less than substantial harm. Harm of a lesser level than that defined above.**

2.27 With regards to these two categories, the PPG states:

*“Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.”<sup>18</sup>*

2.28 Hence, for example, harm that is less than substantial would be further described with reference to where it lies on that spectrum or scale of harm, for example low end, middle of the spectrum and upper end of the less than substantial harm scale.

2.29 With regards to non-designated heritage assets, there is no basis in policy for describing harm to them as substantial or less than substantial, rather the NPPF requires that the scale of any

---

<sup>16</sup> DLUHC, *PPG*, paragraph 039, reference ID: 18a-039-20190723.

<sup>17</sup> *Bedford Borough Council v Secretary of State for Communities and Local Government* [2013] EWHC 2847 (Admin), para. 25.

<sup>18</sup> DLUHC, *PPG*, paragraph 018, reference ID: 18a-018-20190723.

harm or loss is articulated. As such, harm to such assets is articulated as a level of harm to their overall significance, with levels such as negligible, minor, moderate and major harm identified.

- 2.30 It is also possible that development proposals will cause **no harm or preserve** the significance of heritage assets. A High Court Judgement of 2014 is relevant to this. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, 'preserving' means doing 'no harm'.<sup>19</sup>
- 2.31 Preservation does not mean no change; it specifically means no harm. GPA 2 states that "*Change to heritage assets is inevitable but it is only harmful when significance is damaged*".<sup>20</sup> Thus, change is accepted in Historic England's guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.
- 2.32 As part of this, setting may be a key consideration. For an evaluation of any harm to significance through changes to setting, this assessment follows the methodology given in GPA 3, described above. Again, fundamental to the methodology set out in this document is stating "what matters and why". Of

particular relevance is the checklist given on page 13 of GPA 3.

- 2.33 It should be noted that this key document also states that:

*"Setting is not itself a heritage asset, nor a heritage designation..."<sup>21</sup>*

- 2.34 Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage values that contribute to this significance, through changes to setting.

- 2.35 With regards to changes in setting, GPA 3 states that:

*"Conserving or enhancing heritage assets by taking their settings into account need not prevent change".<sup>22</sup>*

- 2.36 Additionally, it is also important to note that, as clarified in the Court of Appeal, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require Planning Permission to be refused.<sup>23</sup>

#### Benefits

- 2.37 Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage values and hence the significance of the assets

---

<sup>19</sup> *R (Forge Field Society) v Sevenoaks District Council* [2014] EWHC 1895 (Admin).

<sup>20</sup> Historic England, GPA 2, p. 9.

<sup>21</sup> Historic England, GPA 3, p. 4.

<sup>22</sup> Historic England, GPA 3., p. 8.

<sup>23</sup> *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061.

concerned.

2.38 As detailed further in Section 6, the NPPF (at Paragraphs 201 and 202) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.

2.39 Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 201 and 202.

2.40 The PPG provides further clarity on what is meant by the term 'public benefit', including how these may be derived from enhancement to the historic environment ('heritage benefits'), as follows:

*"Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.*

*Examples of heritage benefits may include:*

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation.*"<sup>24</sup>

2.41 Any 'heritage benefits' arising from the proposed development, in line with the narrative above, will be clearly articulated in order for them to be taken into account by the Decision Maker.

---

<sup>24</sup> DLUHC, PPG, paragraph 020, reference ID: 18a-020-20190723.

# 3. Planning Policy Framework

3.1 This section of the Report sets out the legislation and planning policy considerations and guidance contained within both national and local planning guidance which specifically relate to the site, with a focus on those policies relating to the protection of the historic environment.

## Legislation

3.2 Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*,<sup>25</sup> which provides statutory protection for Listed Buildings and Conservation Areas.

3.3 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

*"In considering whether to grant planning permission [or permission in principle] 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."*<sup>26</sup>

3.4 In the 2014 Court of Appeal judgement in relation to the

Barnwell Manor case, Sullivan LJ held that:

*"Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carries out the balancing exercise."*<sup>27</sup>

3.5 A judgement in the Court of Appeal ('Mordue') has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134 of the 2012 draft of the NPPF, the requirements of which are now given in paragraph 202 of the current, revised NPPF, see below), this is in keeping with the requirements of the 1990 Act.<sup>28</sup>

3.6 With regards to development within Conservation Areas, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

*"In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability*

<sup>25</sup> UK Public General Acts, *Planning (Listed Buildings and Conservation Areas) Act 1990*.

<sup>26</sup> *Planning (Listed Buildings and Conservation Areas) Act 1990*, Section 66(1).

<sup>27</sup> *Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others* [2014] EWCA Civ 137. para. 24.

<sup>28</sup> *Jones v Mordue* [2015] EWCA Civ 1243.

*of preserving or enhancing the character or appearance of that area.”*

- 3.7 Unlike Section 66(1), Section 72(1) of the Act does not make reference to the setting of a Conservation Area. This makes it plain that it is the character and appearance of the designated Conservation Area that is the focus of special attention.
- 3.8 In addition to the statutory obligations set out within the Planning (Listed Buildings and Conservations Area) Act 1990, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.<sup>29</sup>

### **National Planning Policy Guidance**

#### The National Planning Policy Framework (July 2021)

- 3.9 National policy and guidance is set out in the Government’s National Planning Policy Framework (NPPF) published in July 2021. This replaced and updated the previous NPPF 2019. The NPPF needs to be read as a whole and is intended to promote the concept of delivering sustainable development.
- 3.10 The NPPF sets out the Government’s economic, environmental and social planning policies for England. Taken together, these policies articulate the Government’s vision of sustainable

development, which should be interpreted and applied locally to meet local aspirations. The NPPF continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.

- 3.11 The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the ‘presumption’) sets out the tone of the Government’s overall stance and operates with and through the other policies of the NPPF. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.
- 3.12 The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF sets out three ‘objectives’ to facilitate sustainable development: an economic objective, a social objective, and an environmental objective. The presumption is key to delivering these objectives,

---

<sup>29</sup> UK Public General Acts, *Planning and Compulsory Purchase Act 2004*, Section 38(6).

by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the NPPF. The presumption is set out in full at paragraph 11 of the NPPF and reads as follows:

*"Plans and decisions should apply a presumption in favour of sustainable development.*

*For plan-making this means that:*

- a. all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*
- b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when*

*assessed against the policies in this Framework taken as a whole.*

*For decision-taking this means:*

- a. approving development proposals that accord with an up-to-date development plan without delay; or*
- b. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
  - i. the application policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*<sup>30</sup>

3.13 However, it is important to note that footnote 7 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

*"The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 180) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or*

---

<sup>30</sup> DLUHC, NPPF, para. 11.

*defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.”<sup>31</sup> (our emphasis)*

3.14 The NPPF continues to recognise that the planning system is plan-led and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

3.15 Heritage Assets are defined in the NPPF 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. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”<sup>32</sup>*

3.16 The NPPF goes on to define a Designated Heritage Asset as a:

*“World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation.”<sup>33</sup>*

3.17 As set out above, significance is also defined as:

*“The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a*

*heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”<sup>34</sup>*

3.18 Section 16 of the NPPF relates to ‘Conserving and enhancing the historic environment’ and states at paragraph 195 that:

*“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”<sup>35</sup>*

3.19 Paragraph 197 goes on to state that:

*“In determining planning applications, local planning authorities should take account of:*

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b. the positive contribution that conservation of heritage assets can make to sustainable*

---

<sup>31</sup> DLUHC, *NPPF*, para. 11, fn.7.

<sup>32</sup> DLUHC, *NPPF*, p. 67.

<sup>33</sup> DLUHC, *NPPF*, p. 66.

<sup>34</sup> DLUHC, *NPPF*, pp. 71-72.

<sup>35</sup> DLUHC, *NPPF*, para. 195.

*communities including their economic vitality; and*

- c. the desirability of new development making a positive contribution to local character and distinctiveness.”<sup>36</sup>*

3.20 With regard to the impact of proposals on the significance of a heritage asset, paragraphs 199 and 200 are relevant and read as follows:

*“When considering the impact of a 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.”<sup>37</sup>*

*“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;*
- 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.”<sup>38</sup>*

3.21 Section b) of paragraph 200, which describes assets of the highest significance, also includes footnote 68 of the NPPF, which states that 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.

3.22 In the context of the above, it should be noted that paragraph 201 reads as follows:

*“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*

---

<sup>36</sup> DLUHC, NPPF, para. 197.

<sup>37</sup> DLUHC, NPPF, para. 199.

<sup>38</sup> DLUHC, NPPF, para. 200.

*d. the harm or loss is outweighed by the benefit of bringing the site back into use.”<sup>39</sup>*

3.23 Paragraph 202 goes on to state:

*“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”<sup>40</sup>*

3.24 The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 206 that:

*“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”<sup>41</sup>*

3.25 Paragraph 207 goes on to recognise that *“not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance”<sup>42</sup>* and with regard to the potential harm from a proposed development states:

*“Loss of a building (or other element) which makes a positive contribution to the significance of the*

*Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 200 or less than substantial harm under paragraph 201, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.”<sup>43</sup> (our emphasis)*

3.26 With regards to non-designated heritage assets, paragraph 203 of NPPF states that:

*“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”<sup>44</sup>*

3.27 Footnote 68 of the NPPF clarifies that non-designated assets of archaeological interest which are demonstrably of equivalent significance to a Scheduled Monument will be subject to the policies for designated heritage assets.

3.28 Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should approach development management decisions positively, looking for solutions rather

---

<sup>39</sup> DLUHC, *NPPF*, para. 201.

<sup>40</sup> DLUHC, *NPPF*, para. 202.

<sup>41</sup> DLUHC, *NPPF*, para. 206.

<sup>42</sup> DLUHC, *NPPF*, para. 207.

<sup>43</sup> *Ibid.*

<sup>44</sup> DLUHC, *NPPF*, para. 203.

than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

#### National Planning Practice Guidance

- 3.29 The then Department for Communities and Local Government (now the Ministry for Housing, Communities and Local Government (MHCLG)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.
- 3.30 This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.
- 3.31 The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of 'significance' in decision taking is important and states:

*"Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals."*<sup>45</sup>

---

<sup>45</sup> DLUHC, PPG, paragraph 007, reference ID: 18a-007-20190723.

- 3.32 In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

*"In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.*

*While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm."*<sup>46</sup> (our emphasis)

#### **Local Planning Policy**

- 3.33 Planning applications within Ashfield are currently considered against the policy and guidance set out within the adopted Plan

<sup>46</sup> DLUHC, PPG, paragraph 018, reference ID: 18a-018-20190723.

Review 2002, and a number of policies were 'saved' in September 2007. Relevant policies include Policy EV11, Ancient Monuments and Archaeological Sites, which states:

*Development affecting Ancient Monuments or other sites of archaeological interest will only be permitted where:*

*In the case of an Ancient Monument:*

- a. It would preserve a Scheduled Ancient Monument or other nationally important monument and/or its setting;*

*In the case of other sites of archaeological interest:*

- a. In-situ preservation is merited, it would not involve significant alteration or cause damage or would have a major adverse impact on its setting, or*
- b. In-situ preservation is not possible and the need for the development outweighs the importance of the remains and arrangements are in place for the site to be surveyed, excavated and recorded prior to development.*

#### Local Plan Policies with regards to the NPPF and the 1990 Act

- 3.34 With regard to Local Plan policies, paragraph 219 of NPPF states that:

*"...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due*

*weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."47*

- 3.35 In this context, where local plan policy was adopted well before the NPPF, and does not allow for the weighing of harm against public benefit for designated heritage assets (as set out within paragraph 202 of the NPPF) or a balanced judgement with regards to harm to non-designated heritage assets (see NPPF paragraph 203) then local planning policies would be considered to be overly restrictive compared to the NPPF, thus limiting the weight they may be given in the decision-making process.

- 3.36 Policy EV11 does allow the decision maker to make a balanced judgement and is therefore considered to be consistent with the wording of the NPPF.

#### Emerging Policy

- 3.37 The Ashfield District Council Draft Local Plan 2020-2038 is currently undergoing consultation. A draft of the document, dating to October 2021 was available for review when this report was written. Policy EV9 of the document relates to the historic environment. This policy does allow for the decision maker to make a balanced judgement therefore is considered to be in accordance with the NPPF.

---

<sup>47</sup> DLUHC, NPPF, p. 219.

## 4. The Historic Environment

4.1 This section provides a review of the recorded heritage resource within the site and its vicinity in order to identify any extant heritage assets within the site and to assess the potential for below-ground archaeological remains.

4.2 Designated heritage assets are referenced using their seven-digit NHLE number, HER 'events' and HER 'monuments' will be recorded using their HER numbers.

4.3 A gazetteer of relevant heritage data is included as Appendix 1. Designated heritage assets and HER records are illustrated on Figures 1,2 and 3 in Appendix 2.

### **Designated Heritage Assets**

4.4 No designated heritage assets are located within or adjacent to the site. Three designated heritage assets are located within the study area, comprising: Scheduled Monument Mound on Hamilton Hill (NHLE ref. 1002921); Grade II Listed Unwin's Mill (NHLE ref. 1222226); and Grade II Listed Unwin's Mill House and adjoining outbuildings (NHLE ref. 1234881).

### **Non-Designated Heritage Assets**

4.5 No non-designated heritage assets are recorded within the site.

### **Previous Archaeological Works**

4.6 A geophysical survey of the site was undertaken by

Archaeological Services WYAS in December 2017, with the report provided in January 2018 (ref. ENT4630; Appendix 3; ASWYAS 2018). The survey detected large areas of magnetic disturbance towards the north of the site with some geological anomalies and service pipes detected across the site, and evidence of former ploughing. A single curvilinear anomaly was recorded in the south-west of the site, which was tentatively interpreted as being of possible archaeological origin, however a non-archaeological interpretation was also considered possible. Overall, the survey concluded that the archaeological potential of the site was very low.

4.7 No other previous archaeological works have taken place within or adjacent to the site.

### **Topography and Geology**

4.8 The solid geology of the site is mapped by the British Geological Survey as primarily comprising Lenton Sandstone Formation, with small areas of superficial deposits recorded in the southern part of the Site. These comprise Head deposits of Diamicton and Mid Pleistocene Glaciofluvial Deposits of Sand and Gravel. Sand extraction has previously taken place in the northern and south-eastern parts of the site.

4.9 The topography of the site is extremely varied. The majority of the site is located on a south-west-facing slope, with a steep-

sided high point in the south-eastern corner of the site which comprises the terminus of a ridgeline followed by the B6139. The western field is located on a gentler north-west-facing slope.<sup>48</sup>

### **Archaeological Baseline**

#### Prehistoric (pre c. 700 BC) to Romano-British (AD 43 – 410)

- 4.10 The findspot of a Neolithic stone axehead is recorded c. 360m west of the site (ref. MNT2562). The Scheduled Monument Mound on Hamilton Hill (NHLE ref. 1002921) is located c. 600m north-east of the site. The exact function of the monument is unclear, having been variously interpreted as a prehistoric burial mound, motte, moot site, or a gallows or gibbet. This hill-top feature comprises a triangular depression, 2m in depth, within which is a circular mound, the top of which is roughly level with the hill-top. Smaller pit-like depressions are also present on the hill-top and some of the hillsides. The base of the hill is encircled by a bank, with an internal ditch on the north side.
- 4.11 Fieldwalking associated with the Mansfield Bypass has produced evidence of prehistoric and Roman-period activity in a field immediately south-west of Hamilton Hill, across an area c. 180 to 450m, north-east of the site. A single piece of worked flint (ref. MNT12068), a substantial quantity of heat-affected stone (ref. MNT12071) and 33 sherds of Roman pottery (ref.

MNT12070) were recorded in the field. The density of the pottery, along with heat-affected stone (which may be associated with domestic activity) suggests that this may represent the site of a Roman rural settlement (ref. MNT26074). The fields between this area and the site did not form part of the fieldwalking study area. A single piece of worked flint and a smaller quantity of heat-affected stone and one sherd of Roman pottery were recovered from a field east of Hamilton Hill, c. 750m north-east of the site (refs. MNT12067, MNT12072, MNT12069), which may indicate further but smaller-scale Roman-period activity.

- 4.12 Cropmarks of a distinct multi-angular enclosure, with circular features within it, are recorded c. 480m north-east of the site (ref. MNT2728). This feature is likely to represent the site of prehistoric or Roman-period settlement activity.
- 4.13 An indistinct cropmark which may represent three sides of a possible rectangular enclosure, with associated external linear features, is recorded c. 450m north of the site (ref. MNT2729). This feature may represent the site of prehistoric or Roman-period activity, or perhaps merely later agricultural activity and land divisions.

#### Early medieval (410 AD – 1066) and Medieval (1066 – 1539)

- 4.14 The site is not located within the vicinity of any known early

---

<sup>48</sup> British Geological Survey, 2022, <https://mapapps.bgs.ac.uk/geologyofbritain/home.html>

medieval or medieval settlement. The historic extent of the settlement of Sutton-in-Ashfield is located c. 1.8km west of the site. Sutton-in-Ashfield is recorded in the Domesday Book of 1086 as a settlement with a mill and a fishery.

- 4.15 Sutton-in-Ashfield and the site were located within the western part of Sherwood Forest. A 1610 map of the Manor of Sutton includes the land a short distance to the west of the site, although it does not depict the site itself which appears to have been located just outside the manorial landholding. The map records the fields to the west of the site as 'assarts' (land taken into cultivation by the clearing of forest). This implies that the site, located further from the settlement, could have comprised assarted former woodland and/or woodland/marginal land immediately beyond the assarts in the medieval period. The sandy nature of the soil within the site suggests that it may not have comprised a viable site for agriculture during the medieval period.

- 4.16 The B6139 immediately north-east of the site may be located on the alignment of a branch of the 'Great Way', a route from Nottingham to Bolsover recorded in a 13<sup>th</sup>-century documentary source. Part of the B6021 and a local road c. 200m north-west of the site may be situated on the alignment of another ancient route known as Forest Way/Forest Street.

#### Post-medieval (1540 – 1800) and Modern (1801 – present)

- 4.17 Roundhill Farm, a post-medieval farmstead, is recorded c. 80m north-west of the site (ref. MNT24986). Of the original

farmstead only the farmhouse survives, comprising the locally designated Roundhill Farmhouse situated c. 115m north-west of the site (ref. 407). Blackmires Farm, a former post-medieval farmstead, is recorded c. 230m north of the site (ref. MNT24987).

- 4.18 The site of an 18<sup>th</sup>/19<sup>th</sup>-century windmill is recorded c. 370m west of the site (ref. MNT14108). Another possible windmill site is recorded on Windmill Hill c. 560m south of the site (ref. MNT15678).
- 4.19 Three sites of possible bell pits indicative of early post-medieval mining activity are recorded in an arc extending from c. 520m south-west of the site to c. 700m to the south, possibly following a surface outcrop of minerals or coal (refs. MNT6933, MNT6942, MNT6932). There is no evidence of historic mining remains within the site or its vicinity.

#### Undated

- 4.20 An iron spearhead of unknown origin was found in a garden c. 120m north-west of the Site (ref. MNT5252).

#### **Site Development**

- 4.21 Chapman's 1774 large-scale map of Nottinghamshire (Plate 2) records the area of the site within a wider area of heathland, with the settlements of Kirkby-in-Ashfield and Sutton-in-Ashfield recorded some distance away to the south-west and west. The larger town of Mansfield is also depicted far off to the north-east. The road immediately north-east of site is recorded

as an open trackway, and the road immediately north-west of the site had not yet been established. No buildings or features of archaeological interest are recorded in the vicinity of the site.



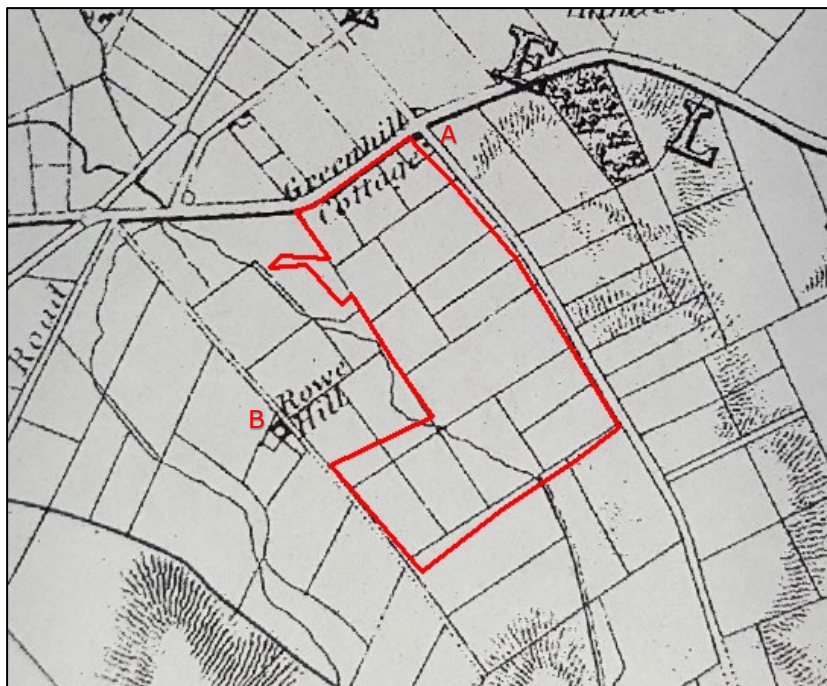
*Plate 2: Chapman's 1774 map of Nottinghamshire*

- 4.22 The site is first recorded in detail on the 1801 Sutton-in-Ashfield Enclosure Map (Plate 3). The eastern parcel is depicted comprising five strip fields belonging to different individuals, with a number of smaller allotments in the northern and eastern parts of the parcel, adjoining the roads. The western parcel comprised part of a much larger field belonging to the Duke of Devonshire. The road system had been improved since 1774,

with the Newark Turnpike Road established partly on the alignment of the old Forest Way and partly along the Great Way, with a branch now passing immediately north-west of the site.



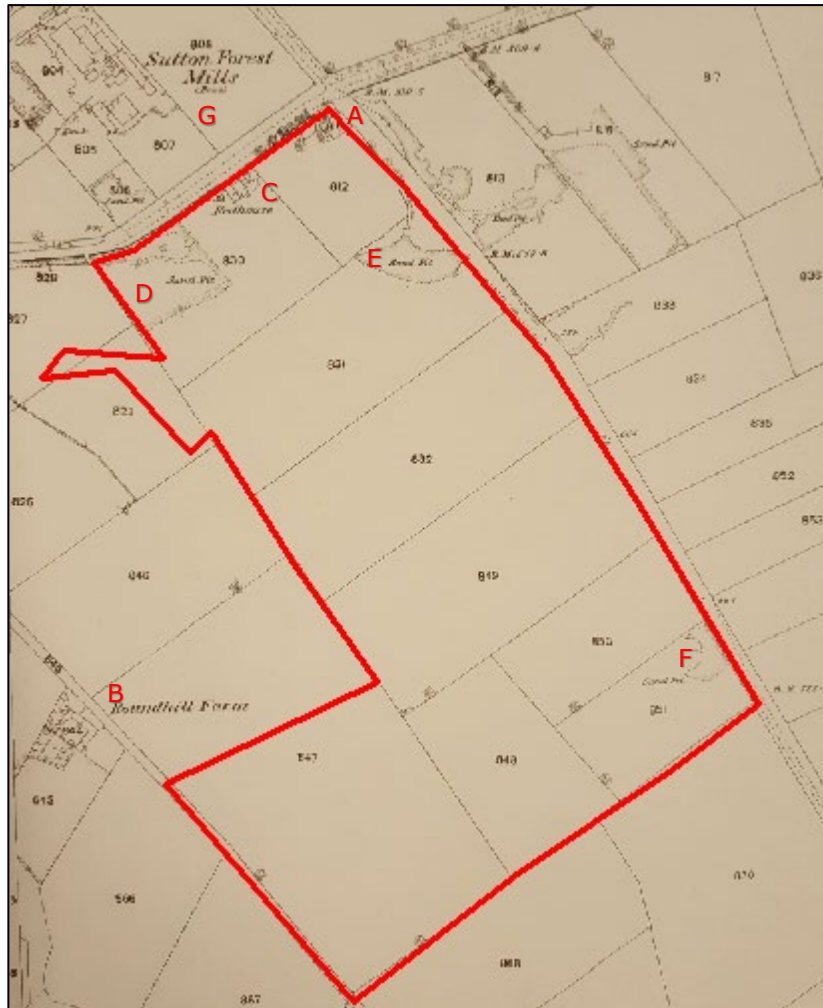
*Plate 3: 1801 Sutton-in-Ashfield Enclosure Map*



*Plate 4: Sanderson's 1835 map of Twenty Miles Around Mansfield*

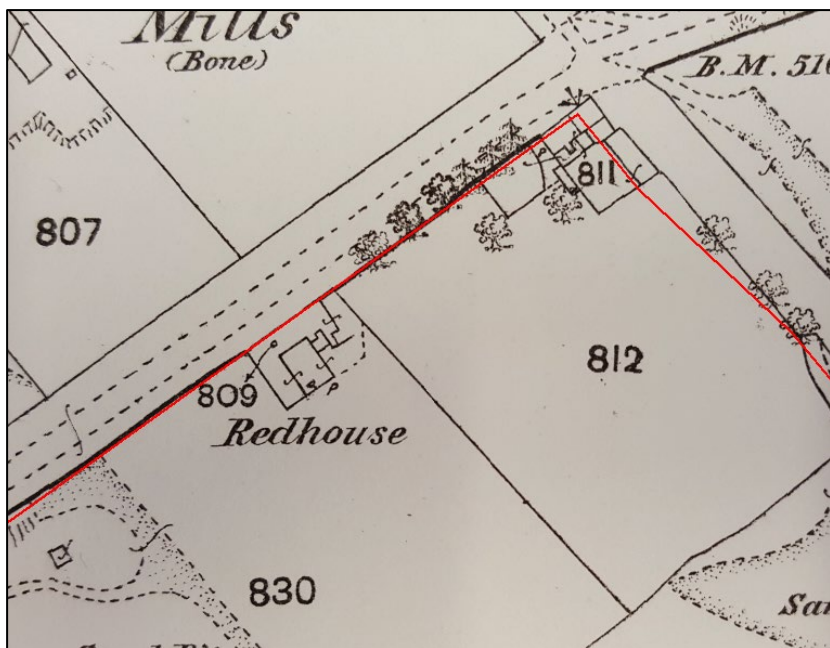
- 4.23 Sanderson's 1835 map of Twenty Miles Around Mansfield (Plate 4) records a building named 'Greenhill Cottage' in the small enclosure in the vicinity of the north-eastern corner of the site (**A**), which was depicted on the 1801 map. A second smaller structure, probably an ancillary building, is also recorded. The fields within the site had by this time been subdivided into smaller land parcels. What appears to be a small stream is depicted crossing the southern part of the site, entering from a drainage ditch coming from the uplands of Coxmoor in the to

the south-east. The stream exited the western site boundary and continuing north-west in the direction of the River Maun. This map also features the first depiction of Roundhills Farm to the west of the site, named here as 'Rowe Hill' (**B**).



*Plate 5: 1877-8 Ordnance Survey map*

4.24 The 1877-8 Ordnance Survey map (Plate 5) records a number of changes within the site. Greenhills Cottage is still depicted in the north-eastern corner of the site (**A**), and another building called 'Redhouse' had been built within the site by the north-western road frontage (**C**, Plate 6). Two small associated enclosures are depicted adjacent to Redhouse, likely gardens and/or allotments. Three large sand extraction pits are depicted within the north-western, north-eastern and south-eastern areas of the site (**D**, **E**, **F**). The stream in the southern part of the site is no longer depicted; it is unclear whether it was diverted somewhere beyond the site, or culverted, although the former seems more likely. The nature of the topography within the site makes it impossible for the watercourse to have been canalised into the existing field boundaries within the site (Plate 7). The 1877-8 map records Roundhills Farm to the west of the site (**B**) and the extensive complex of Sutton Forest Mills is depicted across the road to the north-west of the site (**G**).



*Plate 6: Detail of buildings in northern part of Site on 1877-8 map*



*Plate 7: View of location of former watercourse and southern Site boundary, looking south-west*

- 4.25 By 1900 (Plate 8) the two sand extraction pits in the northern part of the site had been greatly expanded (**D, E**), whereas the pit in the south-eastern part of the site had fallen into disuse (**F**). Greenhills Cottage had been expanded into a range of buildings, likely houses fronting onto the crossroads (**A**). Redhouse has been replaced by a farmyard called 'Greenhill Farm' (**C**). An extensive series of sand extraction pits are also depicted in the fields to the north-east of the site.

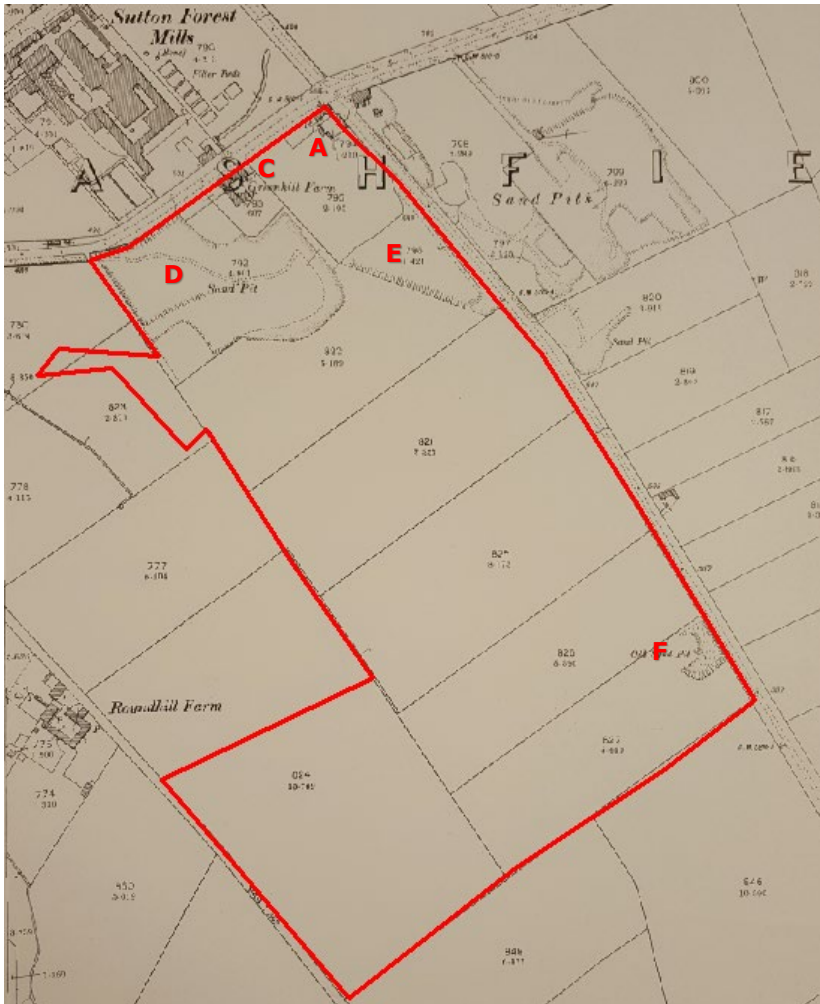
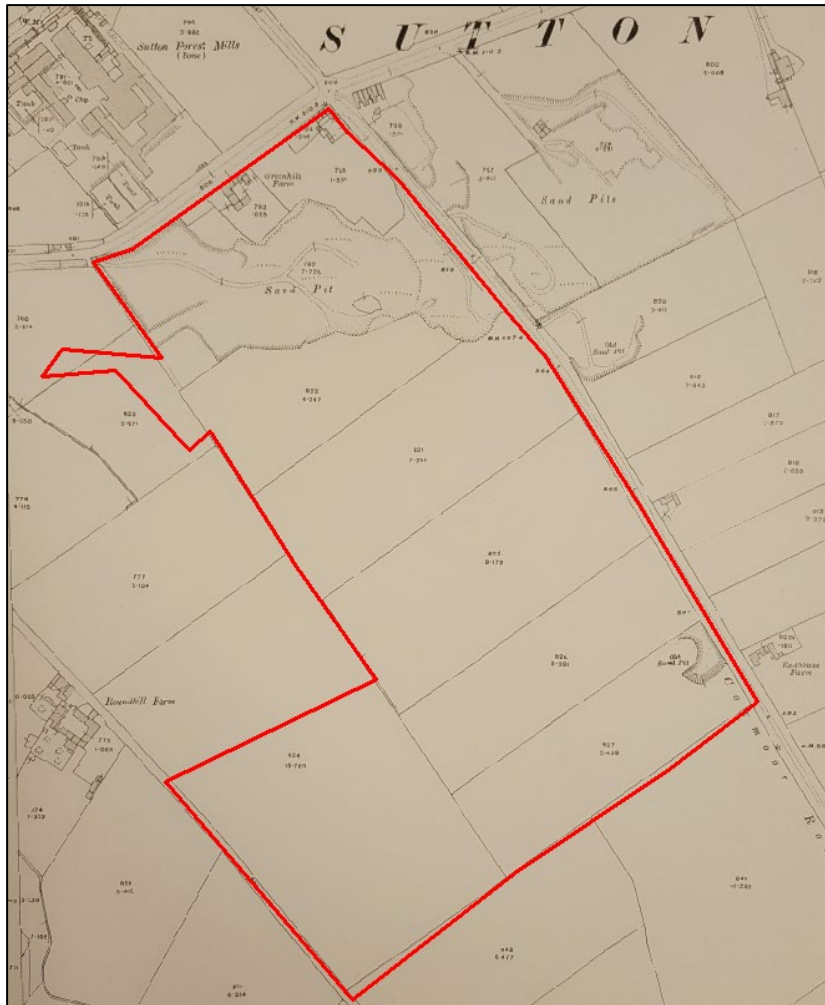
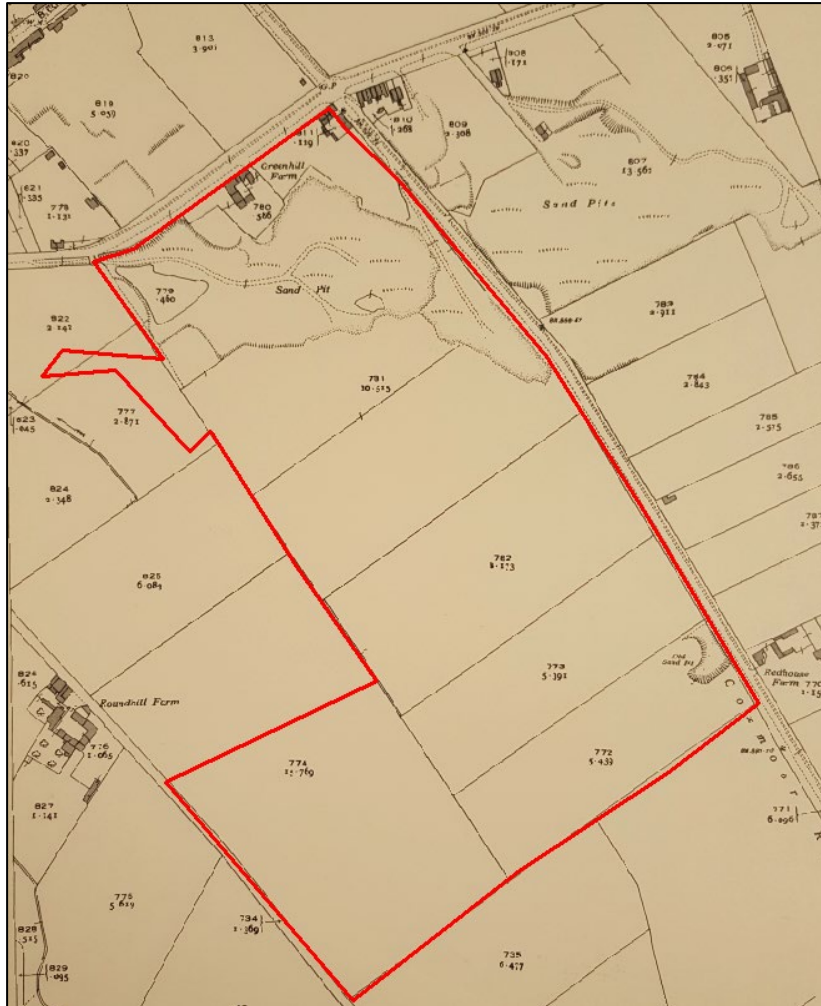


Plate 8: 1900 Ordnance Survey map



*Plate 9: 1916 Ordnance Survey map*

- 4.26 The 1916 Ordnance Survey map (Plate 9) records that the sand extractions pits in the northern part of the site had been expanded into a single large quarry, leaving Greenhill Farm and the buildings to the north-east on an 'island' of untouched land along the northern site boundary.



*Plate 10: 1939 Ordnance Survey map*

- 4.27 The quarry within the site remained in use in 1939 (Plate 10) and had expanded slightly, with a second entrance established

in the north-eastern part of the site. A pair of ponds are depicted within the quarry, possibly disused pits.

- 4.28 The buildings within the site were still present in 1953 (Plate 11), although the quarry pit may have fallen into disuse by this time.



*Plate 11: 1953 aerial photograph showing northern part of Site*

- 4.29 The 1958 Ordnance Survey map (not illustrated) records the quarry within the site as no longer in active use, and that a playing field and pavilion had been established within it. Greenhill Farm was still present at this time, although the complex of buildings in the north-eastern corner of the site (formerly Greenhills Cottage) had been removed. Greenhills Farm was later demolished between 1967 and 1976. The quarry

was backfilled c. 1993 and the land was returned to agricultural use. The field boundaries in the eastern parcel of the site were removed around this time, consolidating the eastern parcel into the existing large field.

- 4.30 The disused sand extraction pit in the south-eastern part of the site is still extant (Plate 12), although it is not considered to comprise a non-designated heritage asset.



*Plate 12: Disused sand extraction pit in south-eastern part of Site, looking south-east*

# 5. Setting Assessment

- 5.1 Step 1 of the methodology recommended by the Historic England guidance GPA 3 (see Methodology above) is to identify which heritage assets might be affected by a proposed development.
- 5.2 Development proposals may adversely impact heritage assets where they remove a feature that contributes to the significance of a heritage asset or where they interfere with an element of a heritage asset's setting that contributes to its significance, such as interrupting a key relationship or a designed view.
- 5.3 Consideration was made as to whether any of the heritage assets present within or beyond the 1km study area include the site as part of their setting, and therefore may potentially be affected by the proposed development.
- 5.4 Three designated heritage assets and five locally designated assets are located within the study area. The locations of designated heritage assets are illustrated on Figure 1 and are referred to below with their NHLE reference numbers. Locally designated assets are illustrated on Figure 2 and referred to with their NHER reference (where available) and local list number. These assets comprise:

- **Scheduled Monument *Mound on Hamilton Hill* (NHLE ref. 1002921) c. 600m north-east of the Site;**

- **Grade II Listed *Unwin's Mill* (NHLE ref. 1222226) c. 1km north-west of the site;**
- **Grade II Listed *Unwin's Mill House and adjoining outbuildings* (NHLE ref. 1234881) c.1km north-west of the site;**
- **Locally designated *Roundhill Farm* (refs. 407/MNT24986) c.80m north-west of the site;**
- **Locally designated *Kirkby in Ashfield and Selston Railway Line* (ref. 112) c.280m north-west of the site;**
- **Locally designated *Sutton Hall/ Sutton Lawn park and garden*, c.800m north-west of the site (refs. 874/MNT26719);**
- **Locally designated *grounds at Kirkby Hardwick park and garden*, c.845m south-west of the site (refs. 199/MNT26718); and,**
- **Nominated site for local listing *Kirkby Hardwick Railway Bridge*, c.905m south-west of the site (refs. 953/MNT12380).**

- 5.5 A review of designated heritage assets beyond the study area has not identified any assets which were considered to be potentially sensitive to adverse impacts resulting from the development of the site.
- 5.6 During the site visit it was ascertained that as a result of combinations of distance, natural topography, vegetation,

existing built form, the site does not contribute to the significance of the following assets. In addition, no direct historical or functional connection has been identified between the site and the assets set out below. As such, it is not considered that the site forms part of the setting of these assets which contributes to their heritage significance, therefore they have not been taken forward for further assessment:

- **Grade II Listed *Unwin's Mill* (NHLE ref. 1222226) c.1km north-west of the site;**
- **Grade II Listed *Unwin's Mill House and adjoining outbuildings* (NHLE ref. 1234881) c.1km north-west of the site;**
- **Locally designated *Kirkby in Ashfield and Selston Railway Line* (ref. 112) c.280m north-west of the site;**
- **Locally designated *Sutton Hall/ Sutton Lawn park and garden*, c.800m north-west of the site (refs. 874/MNT26719);**
- **Locally designated grounds at *Kirkby Hardwick park and garden*, c.845m south-west of the site (refs. 199/MNT26718); and,**
- **Nominated site for local listing *Kirkby Hardwick Railway Bridge*, c.905m south-west of the site (refs. 953/MNT12380).**

#### Scheduled Monument Mound on Hamilton Hill

5.7 The Scheduled Monument *Mound on Hamilton Hill* (NHLE ref. 1002921, Plate 13) is located c.600m north-east of the site. The exact function of the monument is unclear, having been variously interpreted as a prehistoric burial mound, motte, moot site, or a gallows or gibbet.<sup>49</sup> It may have been utilised as one or more of these throughout its history – there is certainly much discussion as to its nature. This hill-top feature comprises a triangular depression, 2m in depth, within which is a circular mound, the top of which is roughly level with the hill-top. Smaller pit-like depressions are also present on the hill-top and some of the hillsides. The base of the hill (beyond the Scheduled area) is encircled by a bank, with an internal ditch on the north side.

---

<sup>49</sup> Spence, U and Nottinghamshire County Council, 2015, *Hamilton Hill, Sutton in Ashfield*. 3



*Plate 13: View of Hamilton Hill, looking north from Hamilton Hill Farm*

- 5.8 The *Mound on Hamilton Hill* overwhelmingly derives its significance from its physical fabric, having archaeological interest, with the potential for the archaeological remains within it to yield information on its origins and past uses. As the function and origin of the asset is unknown, it is difficult to ascertain how much of its significance it derives from its setting. The hilltop location of the feature suggests that views to and/or from it were a factor in its siting, and so it could therefore be considered that such views make a minor contribution to its significance.
- 5.9 The vast majority of the site is topographically screened from the Scheduled Monument. From the highest topographical point of the Site, in the south-east corner, Hamilton Hill was not visible due to the screening provided by vegetation along the site

boundary and the B6139. Intervisibility between these two high points in the landscape may be possible during the winter, when the screening effect of vegetation is reduced. Given the restricted nature of these potential glimpsed winter views of one small area of the site, as part of mixed views including development in the vicinity, the site is not considered to contribute to the significance of the Scheduled Monument.

- 5.10 Furthermore, no residential development will take place in the south-eastern corner of the site. The proposed development would not therefore alter the character of the panoramic views from the Scheduled Monument, which already include extensive development surrounding it in closer proximity. Development within the site would not therefore result in any harm to the significance of the Scheduled Monument *Mound on Hamilton Hill*.

#### Locally Designated Roundhill Farm



*Plate 14: Modern aerial image of Roundhill Farm (farmhouse outlined in blue)*

- 5.11 Roundhill Farm (ref. MNT24986) is recorded by the NHER c. 80m north-east of the site. However, the only surviving historic building within the farm complex is the farmhouse (ref. 407), which is locally designated and situated c. 110m north-west of the site. Cartographic analysis suggests that Roundhill Farm was constructed between 1801 and 1835. The farmhouse comprises a two-storey building with a slate roof. The earlier part of the building is rectangular in plan, and constructed of stone, with what appear to be later brick extensions on the north-western side. The farmhouse primarily derives its significance from its

physical fabric, and has architectural and historic as an example of an early-19<sup>th</sup> century farmhouse.

- 5.12 Roundhill Farm also derives some significance from its setting. A key element of its setting which contributes to its significance is the surrounding farmyard (although no historic features associated with the original farm survive), which contributes to its historic interest by preserving the intelligibility of its origins as farmhouse. The surrounding grounds and gardens have been much-altered from their historic layout, and do not make more than a very minor contribution to the significance of the building.
- 5.13 It is unclear whether the land within the site was functionally associated with the farmhouse. Furthermore, the farmhouse is completely visually and spatially separated from farmland by the large modern barns immediately to the south-east, by modern residential development to the north-east and south-west, and by urban green space and playing fields to the north-west. The site is not considered to contribute to the significance of Roundhill Farm, and is not visible from it. Development within the site would not therefore harm the significance of this non-designated asset.

# 8. Conclusions

## Archaeology

- 8.1 A geophysical survey of the site identified a single curvilinear anomaly within the south-west of the site which is tentatively interpreted as being of possible archaeological origin, but which may be non-archaeological. Evidence of former ploughing is also recorded within the site, along with magnetic disturbance in the northern area of the site, likely related to quarrying and/or recent disturbance. Otherwise, only service pipes and geological anomalies were identified. Overall, the survey considered that the archaeological potential of the site was very low, and there is no evidence to suggest that archaeological remains that would be a constraint to development are present.
- 8.2 No prehistoric or Roman-period activity has been recorded within the site, although Roman settlement appears to have been located at least as close as c. 180m north-east of the site in the vicinity of the Scheduled Monument Mound on Hamilton Hill, a feature of unknown origin. There is currently no evidence to suggest that prehistoric or Roman-period archaeological remains are present within the site, although the possibility cannot be ruled out, particularly at the high point where the ridgeline rises in the south-eastern corner of the site. However, the extensive quarrying which has taken place within the northern part of the site will have removed any archaeological remains which may have been present within the quarry footprint.
- 8.3 The site is not located within the vicinity of any known early medieval or medieval settlement; the medieval extent of the settlement of Sutton-in-Ashfield is located c. 1.8km to the west. The site was located within the boundaries of Sherwood Forest, and was passed in close proximity by a branch of a medieval route known as the 'Great Way.' The site is likely to have comprised woodland or marginal land during the early medieval and medieval periods.
- 8.4 Two now-demolished areas of 19<sup>th</sup> and 20<sup>th</sup>-century settlement, Redhouse/Greenhills Farm and a cluster of buildings which originated as Greenhill Cottage, are recorded in the northern part of the site adjacent to the B6022 which they formerly fronted on to. These areas are unlikely to have been settled in the post-medieval period, as the B6022 was not established until the end of the period and the site still comprised heathland as late as 1774. The buildings were demolished in the mid-20<sup>th</sup> century and no extant, visible remains are present within the site, which has been under arable use from at least the late-20<sup>th</sup> century. It is possible that some below ground remains may survive beneath the depth of modern ploughing, however any such remains are would not considered to be of significance commensurate to heritage assets.

### **Setting**

- 8.5 The proposed development is not anticipated to result in harm to the significance of any designated or non-designated heritage assets in the wider vicinity, through changes to setting.

## 9. Sources

|                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Legislation and Policy Guidance</b>                                                                                                                                                                                                                                                                                              |
| English Heritage, Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment (London, April 2008).                                                                                                                                                                                   |
| Historic England, Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2 (2nd edition, Swindon, July 2015).                                                                                                                                                 |
| Historic England, The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (2nd edition, Swindon, December 2017).                                                                                                                                                                               |
| Historic England, Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12 (Swindon, October 2019).                                                                                                                                                                          |
| Ministry of Housing, Communities and Local Government (MHCLG), National Planning Policy Framework (NPPF) (London, July 2021).                                                                                                                                                                                                       |
| Ministry of Housing Communities and Local Government (MHCLG), Planning Practice Guidance: Historic Environment (PPG) (revised edition, 23rd July 2019), <a href="https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment">https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment</a> . |
| UK Public General Acts, <i>Ancient Monuments and Archaeological Areas Act 1979</i> .                                                                                                                                                                                                                                                |
| UK Public General Acts, <i>Planning (Listed Buildings and Conservation Areas) Act 1990</i> .                                                                                                                                                                                                                                        |
| UK Public General Acts, <i>Planning and Compulsory Purchase Act 2004</i> .                                                                                                                                                                                                                                                          |
| <b>Court and Appeal Decisions</b>                                                                                                                                                                                                                                                                                                   |
| Catesby Estates Ltd. V. Steer [2018] EWCA Civ 1697.                                                                                                                                                                                                                                                                                 |
| Bedford Borough Council v Secretary of State for Communities and Local Government [2013] EWHC 2847 (Admin).                                                                                                                                                                                                                         |

|                                                                                             |                                                         |
|---------------------------------------------------------------------------------------------|---------------------------------------------------------|
| R (Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin).              |                                                         |
| Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061.                                 |                                                         |
| Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others [2014] EWCA Civ 137. |                                                         |
| Jones v Mordue [2015] EWCA Civ 1243.                                                        |                                                         |
| <b>Cartographic Sources and Aerial Photographs</b>                                          |                                                         |
| 1610                                                                                        | William Senior's map of the manor of Sutton-in-Ashfield |
| 1769                                                                                        | Rocque's map of Nottinghamshire                         |
| 1774                                                                                        | Chapman's map of Nottinghamshire                        |
| 1801                                                                                        | Smith's map of Nottinghamshire                          |
| 1801                                                                                        | Sutton-in-Ashfield Enclosure Map                        |
| 1809                                                                                        | Plan of the Clarke Estate in Sutton-in-Ashfield         |
| 1825                                                                                        | Plan of lands in Sutton-in-Ashfield to be sold in lots  |
| 1835                                                                                        | Sanderson's plan of Twenty Miles Around Mansfield       |
| 1874                                                                                        | Plan of Sutton-in-Ashfield in Mansfield                 |
| 1877-8                                                                                      | 25-inch First Edition Ordnance Survey map               |
| 1887                                                                                        | 6-inch First Edition Ordnance Survey map                |
| 1902                                                                                        | Plans of sites and cottages in Sutton-in-Ashfield       |
| 1900                                                                                        | 25-inch Second Edition Ordnance Survey map              |

|         |                                           |
|---------|-------------------------------------------|
| 1900    | 6-inch Second Edition Ordnance Survey map |
| 1916    | 25-inch Third Edition Ordnance Survey map |
| 1921    | 6-inch Second Edition Ordnance Survey map |
| 1938    | 6-inch Second Edition Ordnance Survey map |
| 1939    | 25-inch Ordnance Survey map               |
| 1953    | Aerial Photograph                         |
| 1954-73 | 25-inch Ordnance Survey map               |
| 1955    | 6-inch Ordnance Survey map                |
| 1958    | 1:1,250 Ordnance Survey map               |
| 1959-61 | 25-inch Ordnance Survey map               |
| 1967    | 6-inch Ordnance Survey map                |
| 1973-76 | 6-inch Ordnance Survey map                |

# Appendix 1: Gazetteer of Historic Environment Record Data

## Heritage Data

### HER Event Data

| Ev UID  | Name                                                                   | Event Type |
|---------|------------------------------------------------------------------------|------------|
| ENT1558 | Building Survey at Dobson's Mill, Sutton in Ashfield                   | EVS        |
| ENT1813 | Field Observation at Hamilton Hill, Sutton in Ashfield by Woodhouse    | EVS        |
| ENT1833 | Casual Find at Sutton Junction, Sutton in Ashfield by K Lawrence       | EVS        |
| ENT2552 | Field Observations at Windmill Hill, Kirkby in Ashfield by Seaman      | EVS        |
| ENT2556 | Casual find in garden, Sutton in Ashfield                              | EVS        |
| ENT3910 | Fieldwalking on Mansfield Bypass (Central), Sutton in Ashfield by TPAU | EVS        |
| ENT405  | Field Observation at Hamilton Hill, Sutton in Ashfield by Seaman       | EVS        |
| ENT406  | Field Observation, Hamilton Hill, Sutton in Ashfield by Dodd           | EVS        |
| ENT410  | Topographical survey of Hamilton Hill by Sumpter                       | EVS        |
| ENT411  | Field Observation at Hamilton Hill, Sutton in Ashfield by Oswald       | EVS        |
| ENT414  | Field observations at Hamilton Hill for AM7                            | EVS        |

| Ev UID  | Name                                                        | Event Type |
|---------|-------------------------------------------------------------|------------|
| ENT4630 | Geophysical Survey, Land at Newark Road, Sutton-in-Ashfield | EVS        |

#### HER Monument Data

| Mon UID  | Pref Ref | Name                                                                               | Mon Type         | Period                    |
|----------|----------|------------------------------------------------------------------------------------|------------------|---------------------------|
| MNT12067 | L12194   | Worked flint from field 18, Mansfield Bypass (Central), Sutton in Ashfield         | FINDSPOT         | Mesolithic to Bronze Age  |
| MNT12068 | L12195   | Worked flint from field 19, Mansfield Bypass (Central), Sutton in Ashfield         | FINDSPOT         | Mesolithic to Bronze Age  |
| MNT12069 | L12196   | Ro pottery from field 18, Mansfield Bypass (Central), Sutton in Ashfield           | FINDSPOT         | Roman                     |
| MNT12070 | L12197   | Ro pottery from field 19, Mansfield Bypass (Central), Sutton in Ashfield           | ARTEFACT SCATTER | Roman                     |
| MNT12071 | L12198   | Heat affected stone from field 19, Mansfield Bypass (Central), Sutton in Ashfield  | ARTEFACT SCATTER | Neolithic to Roman        |
| MNT12072 | L12199   | Heat affected stones from field 18, Mansfield Bypass (Central), Sutton in Ashfield | ARTEFACT SCATTER | Neolithic to Roman        |
| MNT14082 | M2557    | Mound on Hamilton Hill, Sutton in Ashfield                                         | ROUND BARROW?    | Neolithic to Bronze Age   |
| MNT15678 | M5307    | Windmill Hill, Kirkby in Ashfield                                                  | WINDMILL?        | Medieval to Post Medieval |

| Mon UID  | Pref Ref | Name                                                        | Mon Type                                    | Period                       |
|----------|----------|-------------------------------------------------------------|---------------------------------------------|------------------------------|
| MNT2540  | L2557    | Earthworks on Hamilton Hill, Sutton in Ashfield             | HOLLOW; MOUND                               | Unknown                      |
| MNT26074 | M18421   | Possible Roman settlement at Sutton in Ashfield             | SETTLEMENT?                                 | Roman                        |
| MNT2728  | L2746    | Multangular enclosure, Sutton in Ashfield                   | ENCLOSURE                                   | Unknown                      |
| MNT2729  | L2747    | Cropmark features, Sutton in Ashfield                       | RECTANGULAR<br>ENCLOSURE; LINEAR<br>FEATURE | Unknown                      |
| MNT5248  | L5307    | Place name, Windmill Hill, Kirkby in Ashfield               | PLACE NAME                                  | Medieval to Post<br>Medieval |
| MNT5252  | L5311    | Iron spearhead , Sutton in Ashfield                         | FINDSPOT                                    | Iron Age to Medieval         |
| MNT6932  | L7000    | Possible mining remains, Kirkby in Ashfield                 | BELL PIT; MOUND                             | Post Medieval to Modern      |
| MNT12379 | L12507   | Map depiction of Bridge off Low Moor Road, Kirkby Hardwick  | MAP DEPICTION                               | Modern                       |
| MNT12380 | L12508   | Structure of Bridge off Low Moor Road, Kirkby Hardwick      | STRUCTURE                                   | Modern                       |
| MNT12381 | L12509   | Map depiction of Bridge on Station Road, Sutton in Ashfield | MAP DEPICTION                               | Modern                       |
| MNT12382 | L12510   | Structure of Bridge on Station Road, Sutton in Ashfield     | STRUCTURE                                   | Modern                       |
| MNT12383 | L12511   | Map depiction of Bridge on Coxmoor Road, Sutton in Ashfield | MAP DEPICTION                               | Modern                       |
| MNT12384 | L12512   | Structure of Bridge on Coxmoor Road, Sutton in Ashfield     | STRUCTURE                                   | Modern                       |
| MNT14108 | M2592    | Windmill, Sutton in Ashfield                                | FLOUR MILL; WINDMILL                        | Modern                       |

| Mon UID  | Pref Ref | Name                                                                   | Mon Type                   | Period                    |
|----------|----------|------------------------------------------------------------------------|----------------------------|---------------------------|
| MNT25542 | M17870   | Bridge on Station Road, Sutton in Ashfield                             | BRIDGE                     | Modern                    |
| MNT25543 | M17871   | Bridge on Coxmoor Road, Sutton in Ashfield                             | BRIDGE                     | Modern                    |
| MNT2562  | L2579    | Neolithic stone axe from Sutton Junction, Sutton in Ashfield           | FINDSPOT                   | Neolithic                 |
| MNT2572  | L2589    | The Old Mill, Dobson's Silk Throwsters, Sutton in Ashfield             | BUILDING                   | Medieval to Post Medieval |
| MNT2575  | L2592    | Windmill, Sutton in Ashfield                                           | BUILDING                   | Modern                    |
| MNT6933  | L7001    | Possible mining remains, Kirkby in Ashfield                            | BELL PIT; MOUND            | Post Medieval to Modern   |
| MNT6942  | L7010    | Possible mining remains, Kirkby in Ashfield                            | BELL PIT; MOUND            | Post Medieval to Modern   |
| MNT8998  | L9090    | The Old Mill; Dobson's Silk Throwsters, Sutton in Ashfield - mill pond | MILL POND                  | Medieval to Post Medieval |
| MNT24986 | M17290   | Roundhill Farm; Rowe Hill                                              | FARMSTEAD                  | Modern                    |
| MNT24987 | M17291   | Blackmires Farm                                                        | FARMSTEAD                  | Modern                    |
| MNT14105 | M2589    | The Old Mill; Unwin's Mill; Dobson's Silk Throwsters                   | COTTON MILL;<br>WATERMILL  | Medieval to Modern        |
| MNT19660 | M11780   | UNWIN'S MILL HOUSE AND ADJOINING OUTBUILDINGS                          | MILL HOUSE;<br>OUTBUILDING | Post Medieval to Modern   |
| MNT26718 | MNT26718 | Grounds at Kirkby Hardwick                                             | GARDEN                     | Post Medieval to Modern   |
| MNT26719 | MNT26719 | Park at Sutton Hall/The Lawn, Sutton in Ashfield                       | LANDSCAPE PARK             | Post Medieval to Modern   |

| Mon UID  | Pref Ref | Name                                      | Mon Type | Period  |
|----------|----------|-------------------------------------------|----------|---------|
| MNT26858 | MNT26858 | Railway Bridge at Kirkby Hardwick         |          | Unknown |
| MNT25541 | M17869   | Bridge off Low Moor Road, Kirkby Hardwick | BRIDGE   | Modern  |

### Historic England Data (within 1km of site)

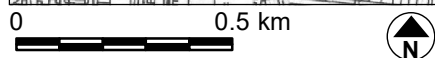
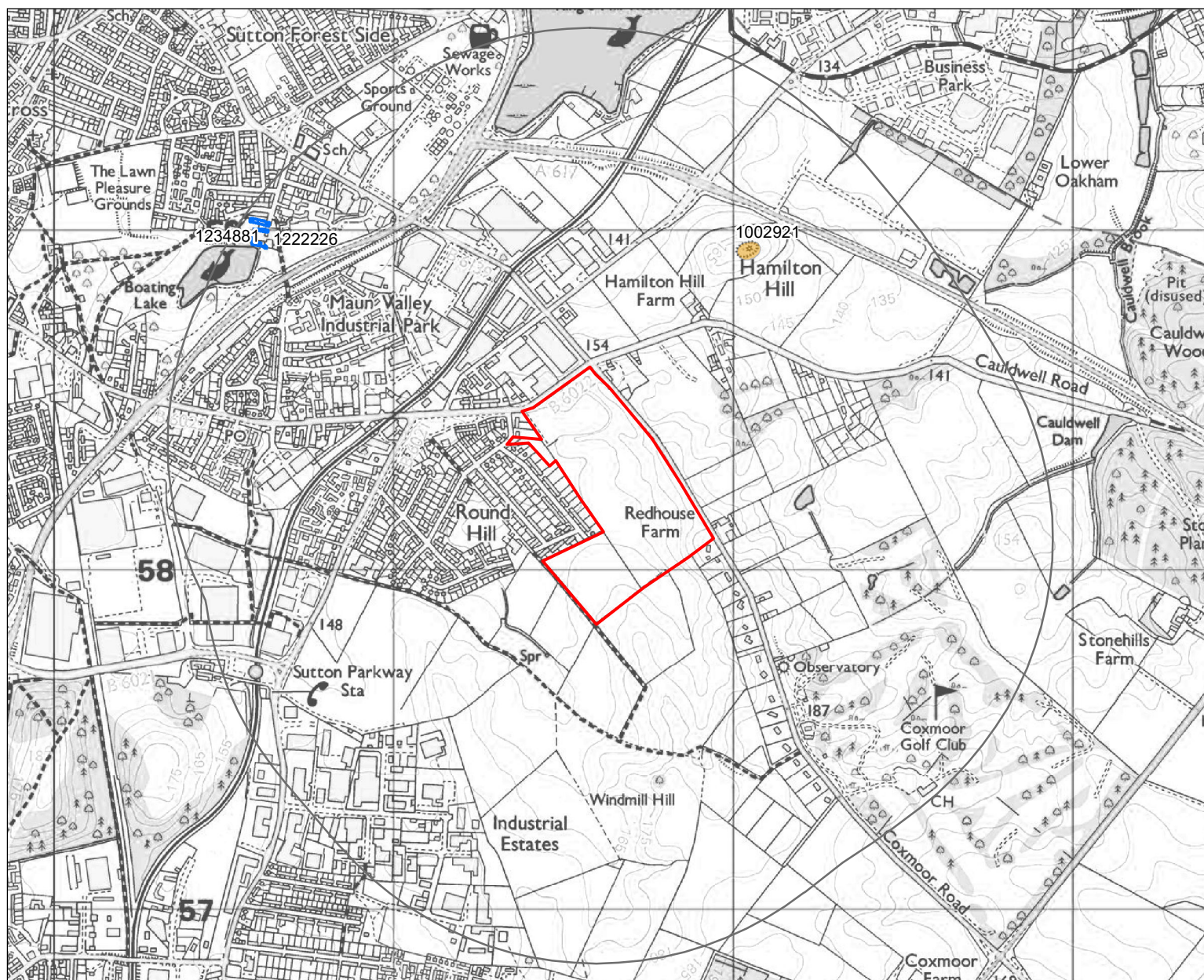
#### Historic England Listed Buildings

| List Entry | Name                                          | Grade | NGR               |
|------------|-----------------------------------------------|-------|-------------------|
| 1234881    | UNWIN'S MILL HOUSE AND ADJOINING OUTBUILDINGS | II    | SK 50614<br>59027 |
| 1222226    | UNWIN'S MILL                                  | II    | SK 50606<br>59002 |

#### Scheduled Monuments

| List Entry | Name                   | NGR            | Area (ha)   |
|------------|------------------------|----------------|-------------|
| 1002921    | Mound on Hamilton Hill | SK 52044 58941 | 0.282126341 |

## Appendix 2: Figures



## KEY

- Site
- 1km Buffer
- Grade II Listed Building
- Scheduled Monument

Revisions:  
First Issue- 12/08/2022 DS

## Figure 1: Designated Heritage Assets

Land at Newark Road,  
Sutton-in-Ashfield, Ashfield

Client: Hallam Land Management

DRWG No: **EMS.2254\_1** Sheet No: - REV: -

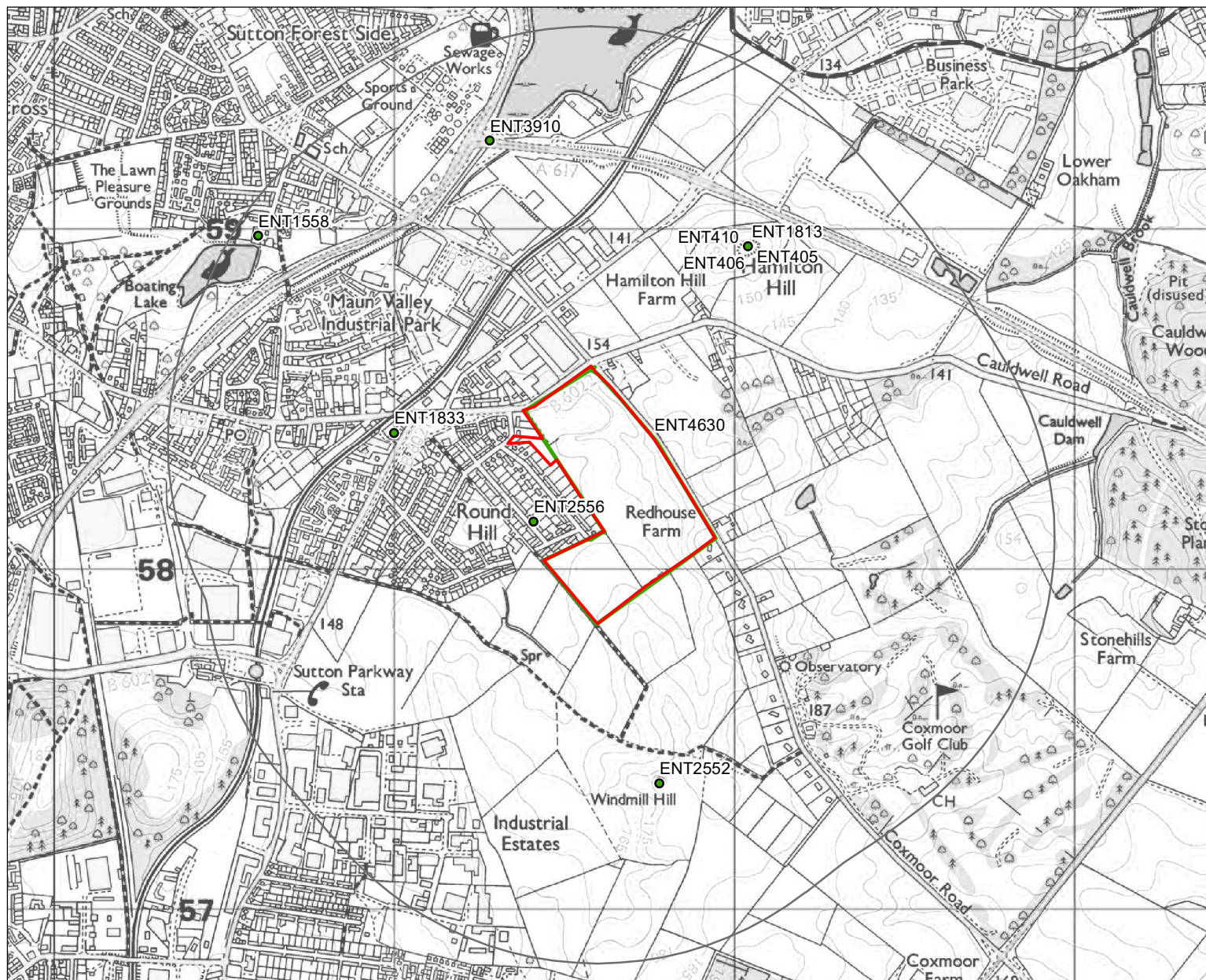
Drawn by: DS

Approved by: -

Date: 12/08/2022

Scale: 1:17,500 @ A4

**Pegasus**  
Group



## KEY

- Site
- 1km Buffer
- HER Event Point
- HER Event Polygon

Revisions:  
First Issue- 12/08/2022 DS

## Figure 2: HER Events

### Land at Newark Road, Sutton-in-Ashfield, Ashfield

Client: Hallam Land Management  
 DRWG No: **EMS.2254\_2** Sheet No: - REV: -  
 Drawn by: DS Approved by: -  
 Date: 12/08/2022  
 Scale: 1:17,500 @ A4

**Pegasus**  
Group



# Appendix 3: Geophysical Survey Report



**WYAS**  
**Archaeological  
Services**

**Land at Newark Road**  
**Sutton-in-Ashfield**  
**Nottinghamshire**

**Geophysical Survey**

Report no. 3056  
January 2018

**Client:** Pegasus Group



# **Land at Newark Road Sutton-in-Ashfield, Nottinghamshire**

## **Geophysical Survey**

### *Summary*

*A geophysical (magnetometer) survey, covering approximately 17 hectares, was undertaken on land at Newark Road, Sutton-in-Ashfield Nottinghamshire. The magnetic survey has detected large areas of magnetic disturbance towards the north of the site. Some geological anomalies have been detected across the site, as have service pipes. Overall the archaeological potential of the site is low.*



## Report Information

Client: Pegasus Group  
Address: First Floor, South Wing, Equinox North, Great Park Road,  
Almondsbury, Bristol, BS32 4QL  
Report Type: Geophysical Survey  
Location: Sutton-in-Ashfield  
County: Nottinghamshire  
Grid Reference: SK 5168 5826  
Period(s) of activity: Modern  
Report Number: 3056  
Project Number: 6854  
Site Code: SUT17  
OASIS ID: Archaeol11-304666  
Date of fieldwork: December 2017  
Date of report: December 2017  
Project Management: Emma Brunning BSc MCIfA  
Fieldwork: Adam Dyson BA  
Jake Freeman BA  
Christopher Sykes BA MSc MCIfA  
Alistair Trace BSc MSc  
Report: Emma Brunning & Christopher Sykes  
Illustrations: Christopher Sykes  
Photography: Christopher Sykes

Authorisation for  
distribution: \_\_\_\_\_



© Archaeological Services WYAS 2017  
Nepshaw Lane South, Morley, Leeds LS27 7JQ  
Telephone: 0113 383 7500.  
Email: [admin@aswyas.com](mailto:admin@aswyas.com)



## Contents

|                                                   |          |
|---------------------------------------------------|----------|
| Report information .....                          | ii       |
| Contents .....                                    | iii      |
| List of Figures .....                             | iv       |
| List of Plates .....                              | iv       |
| <br>                                              |          |
| <b>1 Introduction .....</b>                       | <b>1</b> |
| Site location, topography and land-use .....      | 1        |
| Soils and geology .....                           | 1        |
| <b>2 Archaeological Background .....</b>          | <b>1</b> |
| <b>3 Aims, Methodology and Presentation .....</b> | <b>2</b> |
| Magnetometer survey .....                         | 2        |
| Reporting .....                                   | 3        |
| <b>4 Results and Discussion .....</b>             | <b>3</b> |
| Possible archaeological anomalies .....           | 3        |
| Agricultural anomalies .....                      | 3        |
| Geological anomalies .....                        | 3        |
| Ferrous anomalies and magnetic disturbance .....  | 4        |
| <b>5 Conclusions .....</b>                        | <b>4</b> |

## Figures

## Appendices

Appendix 1: Magnetic survey - technical information

Appendix 2: Survey location information

Appendix 3: Geophysical archive

Appendix 4: Oasis form

## Bibliography

### **List of Figures**

- 1 Site location (1:50000)
- 2 Survey location showing greyscale magnetometer data (1:4000 @ A3)
- 3 Overall interpretation of magnetometer data (1:4000 @ A3)
- 4 Processed greyscale magnetometer data; Sector 1 (1:1000 @ A3)
- 5 XY trace plot of minimally processed magnetometer data; Sector 1 (1:1000 @ A3)
- 6 Interpretation of magnetometer data; Sector 1 (1:1000 @ A3)
- 7 Processed greyscale magnetometer data; Sector 2 (1:1000 @ A3)
- 8 XY trace plot of minimally processed magnetometer data; Sector 2 (1:1000 @ A3)
- 9 Interpretation of magnetometer data; Sector 2 (1:1000 @ A3)
- 10 Processed greyscale magnetometer data; Sector 3 (1:1000 @ A3)
- 11 XY trace plot of minimally processed magnetometer data; Sector 3 (1:1000 @ A3)
- 12 Interpretation of magnetometer data; Sector 3 (1:1000 @ A3)
- 13 Processed greyscale magnetometer data; Sector 4 (1:1000 @ A3)
- 14 XY trace plot of minimally processed magnetometer data; Sector 4 (1:1000 @ A3)
- 15 Interpretation of magnetometer data; Sector 4 (1:1000 @ A3)

### **List of Plates**

- 1 General overview of Area 1, facing east
- 2 General overview of Area 2, facing north
- 3 General overview of Area 2, facing southeast
- 4 General overview of Area 3, facing northwest

## 1 Introduction

Archaeological Services WYAS (ASWYAS) were commissioned by Pegasus Group, on behalf of Hallam Land Management, to undertake a geophysical (magnetometer) survey on arable agricultural land at Newark Road, Sutton-in-Ashfield, Nottinghamshire. The survey was undertaken in order to provide evidence for the presence/absence of potential below-ground archaeological remains, to inform planning application V/2017/0565, along with an Archaeology and Built Heritage Statement (Pegasus Group, 2017). The proposals are for residential development of the site. Guidance contained within the National Planning Policy Framework (DCLG 2012) was followed, in line with current best practice (CIfA 2014; David *et al.* 2008). The survey was carried out between 4th – 7th December 2017.

### Site location, topography and land-use

The survey area is approximately centred on National Grid Reference SK 5168 5826 (Fig. 1.) and located on the southeastern outskirts of Sutton-in-Ashfield, approximately 3km to the southwest of Mansfield. It lies between 156m above Ordnance Datum (aOD) in the north to 166m aOD in the south. The proposed development site is 20.7ha and the geophysical survey area is 17.1 ha, excluding areas of the former quarry (see Archaeological Background below and Fig. 2.). The Site is bounded to the east by Coxmoor Road, to the north by Newark Road, and to the west by residential housing.

### Soils and geology

The underlying bedrock geology belongs to the Lenton Sandstone Formation - Sandstone. Sedimentary bedrock formed approximately 247 to 272 million years ago in the Triassic and Permian periods. Superficial deposits have been recorded in the southwest of the survey area as glaciofluvial deposits, Mid-Pleistocene consisting of sands and gravels and Head deposits of Diamicton (BGS 2017). Soils of the area are characterised as freely draining slightly acidic and sandy soils (CSAI 2017).

## 2 Archaeological Background

The following information has been taken from the archaeology and built heritage statement prepared by Pegasus Group (Lucey, 2017).

No designated heritage assets are located within or adjacent to the Site. There are three assets located within the wider study area, comprising Mound on Hamilton Hill (1002921), Grade II listed Unwin's Mill (1222226) and Grade II listed Unwin's Mill House and adjoining outbuildings (1234881). The scheduled monument of Hamilton Hill is located approximately 600m to the northeast of the Site. This has been interpreted as a prehistoric burial mound, motte, moot site, or a gallows or gibbet.

Fieldwalking associated with the Mansfield Bypass has produced evidence of prehistoric and

Roman activity in a field southwest of Hamilton Hill and c. 180m - c. 450m northeast of the site. A single piece of worked flint (L12195), a substantial quantity of heat-affected stone (L12198) and 33 sherds of Roman pottery (L12197) were recorded in the field. The density of the pottery and the heat-affected stone suggests that this may represent the site of a Roman rural settlement. The fields between this area and the Site did not form part of the fieldwalking study area. Cropmarks of a distinct multi-angular enclosure, with circular features within it are recorded approximately 480m northeast of the Site (L2746) and likely to represent the site of prehistoric or Roman-period settlement. Three sides of a possible rectilinear enclosure with associated external linear features have been recorded 450m north of the site (L2747). This may represent the site of a prehistoric or Roman-period activity, or perhaps later agricultural activity and land divisions. Roundhill Farm, a post-medieval farmstead is recorded approximately 80m southwest of the Site (M17290).

The Site is recorded in detail on the 1801 Sutton-in-Ashfield Enclosure Map in which the eastern section is depicted comprising five strip fields. By 1835 the fields had been subdivided into smaller land parcels. The 1877-8 Ordnance Survey map shows three large sand extraction pits in the northwest, northeast and southeastern areas of the Site. By 1916 the pits in the north had been expanded into a large single quarry which expanded and continued in use through the mid-20th century. The quarry was backfilled around 1993.

### **3 Aims, Methodology and Presentation**

The main aim of the geophysical survey was to provide additional information on the known archaeology within the area. To achieve this, a magnetometer survey covering all available parts of the PDA was undertaken (see Fig. 2).

The general objectives of the geophysical survey were:

- to provide information about the nature and possible interpretation of any magnetic anomalies identified;
- to therefore determine the presence/absence and extent of any buried archaeological features; and
- to prepare a report summarising the results of the survey.

#### **Magnetometer survey**

The site grid was laid out using a Trimble VRS differential Global Positioning System (Trimble R6 model). The survey was undertaken using Bartington Grad601 magnetic gradiometers. These were employed taking readings at 0.25m intervals on zig-zag traverses 1.0m apart within 30m by 30m grids, so that 3600 readings were recorded in each grid. These readings were stored in the memory of the instrument and later downloaded to computer for

processing and interpretation. Geoplot 3 (Geoscan Research) software was used to process and present the data. Further details are given in Appendix 1.

## Reporting

A general site location plan, incorporating the 1:50000 Ordnance Survey (OS) mapping, is shown in Figure 1. Figure 2 shows a more detailed site location plan at a scale of 1:2000. The processed and minimally processed data, together with an interpretation of the survey results are presented in Figures 3 to 15 inclusive at a scale of 1:1000. For the purposes of reporting, the site has been divided into three areas, which are discussed below and illustrated on Figures 2 and 3.

Technical information on the equipment used, data processing and survey methodologies are given in Appendix 1. Technical information on locating the survey area is provided in Appendix 2. Appendix 3 describes the composition and location of the archive. A copy of the completed OASIS form is included in Appendix 4.

The survey methodology, report and any recommendations comply with guidelines outlined by English Heritage (David *et al.* 2008) and by the Chartered Institute for Archaeologists (CIfA 2014). All figures reproduced from Ordnance Survey mapping are with the permission of the controller of Her Majesty's Stationery Office (© Crown copyright).

***The figures in this report have been produced following analysis of the data in processed formats and over a range of different display levels. All figures are presented to most suitably display and interpret the data from this site based on the experience and knowledge of Archaeological Services staff.***

## 4 Results and Discussion (see Figs 3 to 15)

### Possible archaeological anomalies

A curvilinear anomaly has been recorded within the southern section of Area 3. This response has a slightly increased magnetic signature to the surrounding agricultural and geological anomalies, hence the given possible archaeological interpretation. It is however tentative and this curvilinear anomaly may have a non-archaeological origin.

### Agricultural anomalies

Area 2 is dominated by parallel linear trends on a northwest to southeast alignment and reflect the current field boundary. These responses are due to modern ploughing.

### **Geological anomalies**

Throughout the survey area, there are scatters of geological anomalies, with a clear concentration towards the south of the modern service in Area 2 which are likely to be associated with the former sand pit, marked on old mapping. Several linear trends are also deemed to be geological such as those in the eastern side of Area 3 which have a broadly slight diffuse signature. The anomalies are thought to be caused by variations in soil depth and composition of the soils and the superficial deposits from which they derive.

### **Ferrous anomalies and magnetic disturbance**

Ferrous anomalies, as individual 'spikes' or as large discrete areas, are typically caused by ferrous (magnetic) material, either on the ground surface or in the plough-soil. Little importance is normally given to such anomalies, unless there is any supporting evidence for an archaeological interpretation, as modern ferrous debris or material is common on rural sites, often being present as a consequence of manuring or tipping/infilling. There is no obvious pattern or clustering to their distribution in this survey to suggest anything other than a random background scatter of ferrous debris in the plough-soil.

Across the northern part of the site there is exclusively high magnetic variance and disturbance which would seem to reflect the potential that this area has been previously disturbed by quarrying. A service pipe can be seen bisecting the southeast of Area 2.

## **5 Conclusions**

The magnetic data are very clear for the site and generally have provided a regular image suggesting that there is little disturbance across the majority of the site. The obvious exception to this is Area 1 where magnetic disturbance would seem to suggest quarrying or some other disturbance. Some magnetic responses, indicative of geological material, have been identified throughout the survey area along with a tentative possible archaeological anomaly. Overall, based on the geophysical survey, the archaeological potential of the survey area is deemed to be very low.

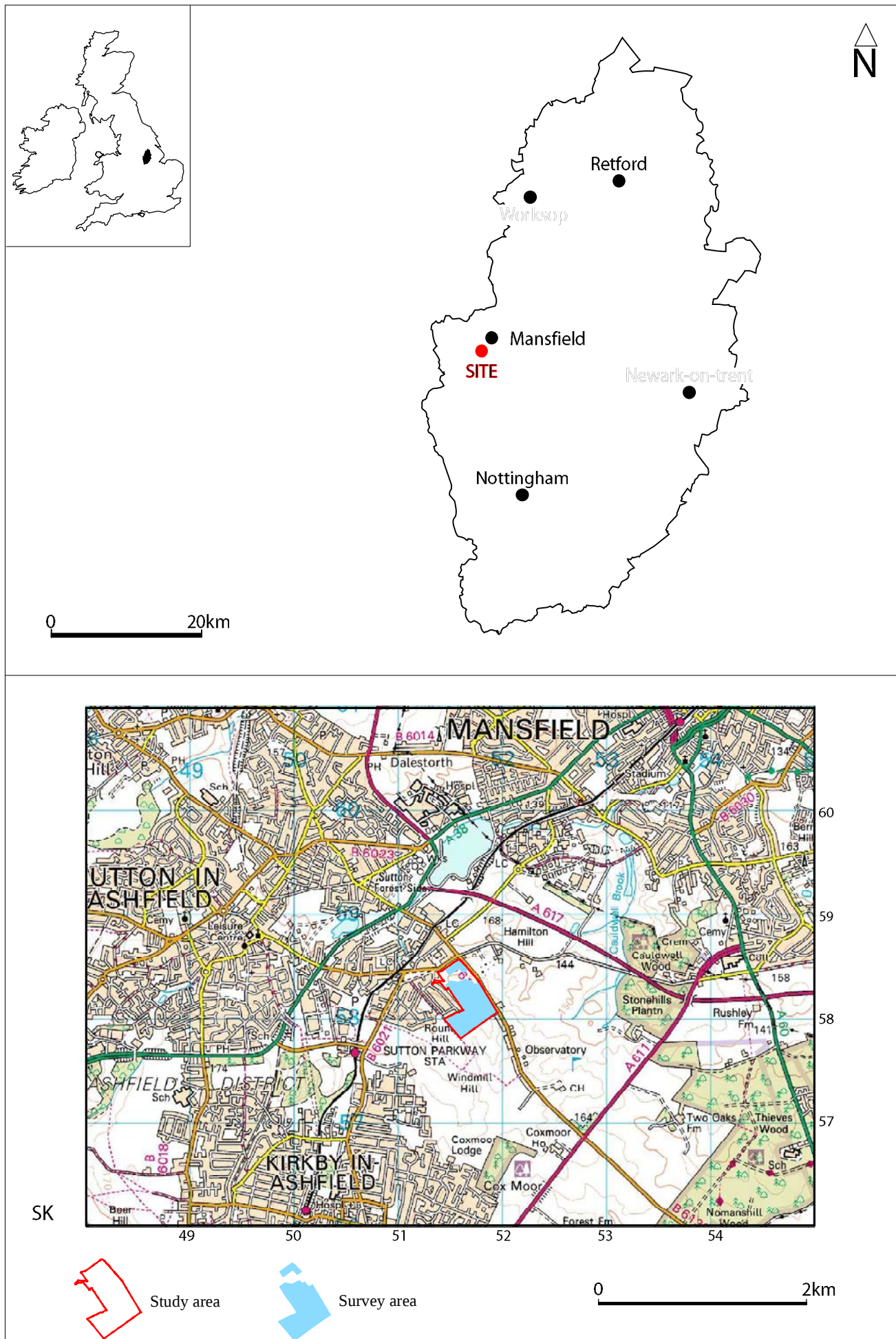


Fig. 1. Site location

Reproduced with the permission of the controller of Her Majesty's Stationery Office  
© Crown Copyright. Archaeological Services WYAS: licence LA076406, 2017.



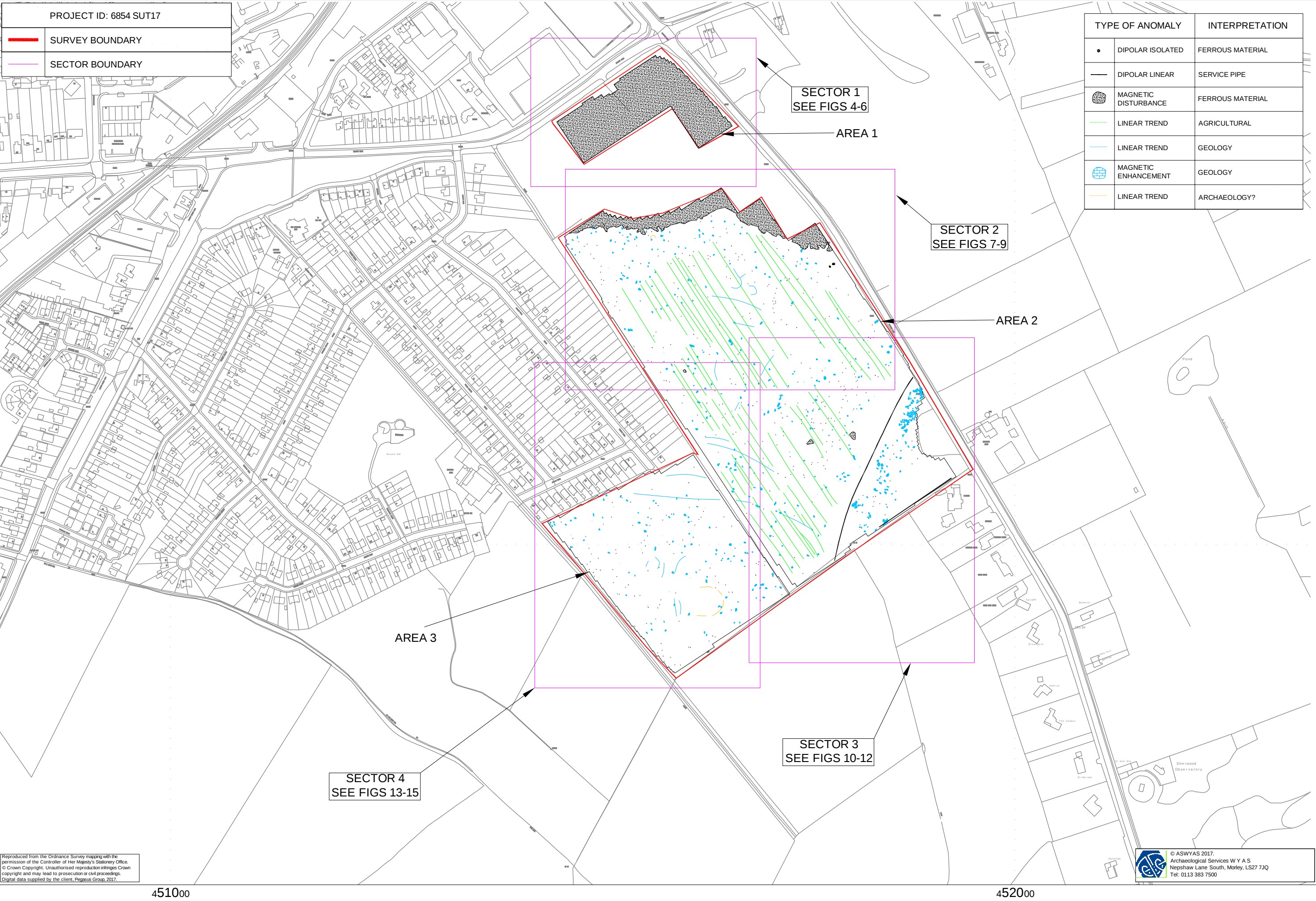


Fig. 3. Overall interpretation of magnetometer data (1:4000 @ A3)