

Land at Upper Stanbridge Farm Sherston Wiltshire

Heritage Assessment



Report prepared for:
STANBRIDGE PARK (SHERSTON) LIMITED,
a subsidiary of the Acorn Property Group

CA Project: 6590

CA Report: 18202

May 2018



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CONTENTS

1.	INTRODUCTION.....	3
2.	METHODOLOGY.....	6
3.	ARCHAEOLOGICAL AND HISTORICAL BACKGROUND	12
5.	THE SETTING OF HERITAGE ASSETS.....	21
6.	SHERSTON CONSERVATION AREA	25
7.	CONCLUSIONS.....	30
8.	REFERENCES.....	32

ILLUSTRATIONS

Fig. 1 Site location plan

Fig. 2 View from the west of the Site, looking north

Fig. 3 View from the north-west of the Site, looking south-east

Fig. 4 Prehistoric and Romano-British heritage assets

Fig. 5 Medieval heritage assets

Fig. 6 The medieval and modern development of Sherston (some detail taken from EUS figure 8)

Fig. 7 Post-medieval and modern heritage assets

Fig. 8 Extract from the Tithe map of Sherston Magna, 1839

Fig. 9 Extract from the 1:10560 OS map, 1924

Fig.10 View towards the Scheduled earthwork from Green Lane, adjacent to the Site

Fig. 11 View towards the Scheduled earthwork from Green Lane, adjacent to the Site

Fig. 12 View to the west and south-west from the public footpath adjacent to the Scheduled earthwork

Fig. 13 View to toward the Site from adjacent to the Scheduled earthwork

Fig. 14 Sherston Conservation Area

Fig. 15 View along High Street

Fig. 16 View north on Court Street

Fig. 17 View west from the Green Lane/Court Road junction

Fig. 18 Historic footpath access on the southern Site boundary (foreground) and the field to the south (background)

Photograph positions are shown in Fig. 14

1. INTRODUCTION

1.1. In March 2018, Cotswold Archaeology was commissioned by Stanbridge Park (Sherston) Limited, a subsidiary of the Acorn Property Group, to undertake a Heritage Assessment covering a proposed development on land at Standbridge Farm, in Sherston, Wiltshire (hereafter referred to as 'the Site'). The Site comprises a c. 3.5ha field in farmland on the western edge of the village (NGR 384969 186220, Fig 1).



Fig. 1 Site location plan

1.2. This report has been requested to assist in informing the Sherston Neighbourhood Plan Steering Group on the suitability of the Site for allocation in the Sherston Parish Neighbourhood Development Plan, with reference to a Site Appraisal provided by LRM Limited on behalf of Acorn Property Group (2017).

1.3. The final layout of the Site will be confirmed based on various constraints, but aims to include:

- Up to 45 new homes;
- A new GP surgery;
- An extension to the car park of the adjacent primary school; and

-
- An area to the west of the primary school for future expansion.

Objectives and professional standards

1.4. The composition and development of the historic environment within the Site and wider landscape are discussed. A determination of the significance of any heritage assets located within the Site, and any heritage assets beyond the Site boundary that may potentially be affected by the development proposals, is presented. Any potential development effects upon the significance of these heritage assets (both adverse and/or beneficial) are then described.

1.5. This approach is consistent with the Chartered Institute's 'Standard and Guidance for Heritage Desk-Based Assessment', which provides that, insofar as they relate to the determination of planning applications, heritage desk-based assessments should:

'...enable reasoned proposals and decisions to be made [as to] whether to mitigate, offset or accept without further intervention [any identified heritage] impact' (ClfA 2014, 4).

1.6. Cotswold Archaeology is a Registered Organisation (RO) with the Chartered Institute for Archaeologists (ClfA). This report has been prepared in accordance with the 'Standard and Guidance for Historic Environment Desk-Based Assessment' published by the Chartered Institute (2014).

1.7. The 'Historic Environment Good Practice Advice in Planning Note 2: Decision-Taking in the Historic Environment' (Historic England 2014), further clarifies that a desk-based assessment should:

'...determine, as far as is reasonably possible from existing records, the nature, extent and significance of the historic environment within a specified area, and the impact of the proposed development on the significance of the historic environment, or will identify the need for further evaluation' (Historic England 2014, 3).

Statute, policy and guidance context

This assessment has been undertaken within the key statute, policy and guidance context presented within Table 1.1. The applicable provisions contained within these statute, policy and guidance documents are referred to, and discussed, as relevant, throughout the text. Fuller detail is provided in Appendix 1.

Statute	Description
Ancient Monuments and Archaeological Areas Act (1979)	Act of Parliament providing for the maintenance of a schedule of archaeological remains of the highest significance, affording them statutory protection.
Planning (Listed Buildings and Conservation Areas) Act (1990)	Act of Parliament placing a duty upon the Local Planning Authority (or, as the case may be, the Secretary of State) to afford due consideration to the preservation of Listed buildings and their settings (under Section 66(1)), and Conservation Areas (under Section 72(2)), in determining planning applications.
National Heritage Act 1983 (amended 2002)	One of four Acts of Parliament providing for the protection and management of the historic environment, including the establishment of the Historic Monuments & Buildings Commission, now Historic England.
Conservation Principles (Historic England 2008)	Guidance for assessing heritage significance, with reference to contributing heritage values, in particular: <i>evidential</i> (archaeological), <i>historical</i> (illustrative and associative), <i>aesthetic</i> , and <i>communal</i> .
National Planning Policy Framework (2012)	Provides the English government's national planning policies and describes how these are expected to be applied within the planning system. Heritage is subject of Chapter 12 (page 30).
Good Practice Advice in Planning: Note 2 (GPA2): Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015)	Provides useful information on assessing the significance of heritage assets, using appropriate expertise, historic environment records, recording and furthering understanding, neglect and unauthorised works, marketing and design and distinctiveness.
Good Practice Advice in Planning: Note 3 (GPA3): The Setting of Heritage Assets, Second Edition (Historic England, 2017)	Provides guidance on managing change within the settings of heritage assets, including archaeological remains and historic buildings, sites, areas, and landscapes.
Wiltshire Core Strategy, 2015	Comprises the local development plan (local plan), as required to be compiled, published and maintained by the local authority, consistent with the requirements of the NPPF (2012). Intended to be the primary planning policy document against which planning proposals within that local authority jurisdiction are assessed. Where the development plan is found to be inadequate, primacy reverts to the NPPF (2012).
Hedgerow Regulations (1997)	Provides protection for 'important' hedgerows within the countryside, controlling their alteration and removal by means of a system of statutory notification, when this is not already proposed as part of a planning application.

Table 1.1 Key statute, policy and guidance

2. METHODOLOGY

Data collection, analysis and presentation

- 2.1. This assessment has been informed by a proportionate level of information sufficient to understand the archaeological potential of the Site, the significance of identified heritage assets, and any potential development effects. This approach is in accordance with the provisions of the NPPF (2012) and the guidance issued by ClfA (2014). The data has been collected from a wide variety of sources, summarised in Table 2.1.
- 2.2. Prior to obtaining data from these sources, an initial analysis was undertaken in order to identify a relevant and proportionate study area. This comprised a 1km radius from the Site boundary, which was considered sufficient to capture the relevant HER data, and provide the necessary context for understanding archaeological potential and heritage significance in respect of the Site now being assessed. The study area boundary is shown in Fig. 1. All of the spatial data held by the HER – the primary historic data repository – for the land within the study area, was requested. The records were analysed and refined in order to narrow the research focus onto those of relevance to the present assessment. These are provided in a gazetteer, in Appendix 2. *Not all HER records are therefore referred to, discussed or illustrated further within the body of this report, only those that are relevant.*
- 2.3. A site visit was also undertaken as part of this assessment. The primary objectives of the site visit were to assess the Site's historic landscape context, including its association with any known or potential heritage assets, and to identify any evidence for previous truncation of the on-site stratigraphy. The site visit also allowed for the identification of any previously unknown heritage assets within the Site, and assessment of their nature, condition, significance and potential susceptibility to impact. The wider landscape was examined, as relevant, from accessible public rights of way.

Source	Data
National Heritage List (NHL)	Current information relating to designated heritage assets, and heritage assets considered to be 'at risk'.
The Wiltshire and Swindon Historic Environment Record (HER)	Heritage sites and events records, Historic Landscape Characterisation (HLC) data, and other spatial data supplied in digital format (shapefiles) and hardcopy.
Historic England Archives (HEA)	Additional sites and events records, supplied in digital and hardcopy formats.
The Wiltshire and Swindon History Centre	Historic mapping, historic documentation, and relevant published and grey literature.
Old-Maps, National Library of Scotland & other cartographic websites	Historic (Ordnance Survey and Tithe) mapping in digital format.
British Geological Survey (BGS) website	UK geological mapping (bedrock & superficial deposits) & borehole data.
Cranfield University's LandIS Soil Portal	UK soil mapping.

Table 2.1 Key data sources

Assessment of heritage significance

- 2.4. The significance of known and potential heritage assets within the Site, and any beyond the Site which may be affected by the proposed development, has been assessed and described, in accordance with paragraph 128 of the NPPF (2012), the guidance issued by ClfA (2014) and ‘Historic Environment Good Practice Advice in Planning Note 2’ (Historic England 2014). Determination of significance has been undertaken according to the industry-standard guidance on assessing heritage value provided within ‘Conservation Principles’ (Historic England 2008). This approach considers heritage significance to derive from a combination of discrete heritage values, principal amongst which are: **i)** evidential (archaeological) value, **ii)** historic (illustrative and associative) value, **iii)** aesthetic value, **iv)** communal value, amongst others. Further detail of this approach, including the detailed definition of those aforementioned values, as set out, and advocated, by Historic England, is provided in Appendix 1 of this report.

The setting of heritage assets

- 2.5. The effect upon the significance of heritage assets in the area surrounding the Site as a result of changes within their setting was assessed in accordance with ‘The Setting of Heritage Assets’ GPA3 published by Historic England, as follows.

Step 1: Identification of heritage assets potentially affected

- 2.6. Step 1 of Historic England’s ‘Good Practice Advice in Planning: Note 3 (Second Edition)’ (GPA3) is to ‘*identify which heritage assets and their settings are affected*’ (see Appendix 1). GPA3 notes that Step 1 should identify the heritage assets which are likely to be affected as a result of any change to their experience, as a result of the development proposal (GPA3, page 9).
- 2.7. Heritage assets identified, as part of Step 1, as potentially susceptible to impact as a result of changes to their setting will be described. These assets have been identified using a combination of GIS analysis and field examination, which has considered, amongst other factors, the surrounding topographic and environmental conditions, built form, vegetation cover, and lines of sight, within the context of the assets’ heritage significance.
- 2.8. The settings assessment was undertaken with access only to the Site, and publically accessible land in the proximity of the identified heritage assets.

Steps 2 – 3: Assessment of setting and potential effects of the development

- 2.9. Step 2 assesses the degree to which setting contributes to the significance of the heritage assets, or how it allows their significance to be appreciated. Step 3 then considers how, if at all, and to what extent any anticipated changes to the setting of those assets, as a result of development within the Site, might affect their significance or the ability to appreciate it.

Assessment of potential development effects (benefit and harm)

- 2.10. The present report sets out, in detail, the ways in which identified susceptible heritage assets might be affected by the proposals, as well as the anticipated extent of any such effects. Both physical effects, i.e. resulting from the direct truncation of archaeological remains, and non-physical effects, i.e. resulting from changes to the setting of heritage assets, have been assessed. In regards to non-physical effects or ‘settings assessment’, the five-step assessment methodology advocated by Historic England, and set out in GPA3 (Historic England, 2017), has been adhered to (presented in greater detail in Appendix 1).
- 2.11. Identified effects upon **designated** heritage assets have been defined within broad ‘level of effect’ categories (Table 2.2). These are consistent with key national heritage policy and guidance terminology, particularly that of the NPPF (2012). This has been done in order to improve the intelligibility of the assessment results for purposes of quick reference and ready comprehension. These broad determinations of level of effect should be viewed within the context of the qualifying discussions of significance and impact presented in Chapter 5.

Level of effect	Description	Applicable statute & policy
Heritage benefit	The proposals would better enhance or reveal the heritage significance of the designated heritage asset.	Enhancing or better revealing the significance of a designated heritage asset is a desirable development outcome in respect of heritage. It is consistent with key policy and guidance, including the NPPF (2012) paragraphs 126 and 137.
No harm	The proposals would preserve the significance of the designated heritage asset.	Preserving a Listed building and its setting is consistent with s66 of the Planning (Listed Buildings and Conservation Areas) Act (1990). Preserving or enhancing the character or appearance of a Conservation Area is consistent with s72 of the Act. Sustaining the significance of a designated heritage asset is consistent with paragraph 126 of the NPPF, and should be at the core of any material local planning policies in respect of heritage.
Less than substantial harm (lower end)	The proposals would be anticipated to result in a restricted level of harm to the significance of the designated heritage asset, such that the asset's contributing heritage values would be largely preserved.	In determining an application, this level of harm should be weighed against the public benefits of the proposals, as per paragraph 134 of the NPPF (2012).
Less than substantial harm (upper end)	The proposals would lead to a notable level of harm to the significance of the designated heritage asset. A reduced, but appreciable, degree of its heritage significance would remain.	Proposals involving change to a Listed building or its setting, or any features of special architectural or historic interest which it possesses, or change to the character or appearance of Conservation Areas, must also be considered within the context of Sections 7, 66(1) and 72(2) of the 1990 Act. <i>The provisions of the Act do not apply to the setting of Conservation Areas.</i> Proposals with the potential to physically affect a Scheduled Monument (including the ground beneath that monument) will be subject to the provisions of the Ancient Monuments and Archaeological Areas Act (1979); <i>these provisions do not apply to proposals involving changes to the setting of Scheduled Monuments.</i>
Substantial harm	The proposals would very much reduce the designated heritage asset's significance or vitiate that significance altogether.	Paragraphs 132 and 133 of the NPPF (2012) would apply. Sections 7, 66(1) and 72(2) of the Planning Act (1990), and the Ancient Monuments and Archaeological Areas Act (1979), may also apply.

Table 2.2 Summary of level of effect categories (benefit and harm) referred to in this report in relation to designated heritage assets, and the applicable statute and policy.

2.12. It should be noted that the overall effect of development proposals upon the designated heritage asset are judged, bearing in mind both any specific harms or benefits (an approach consistent with the Court of Appeal judgement *Palmer v. Herefordshire Council & ANR* Neutral Citation Number [2016] EWCA Civ 1061).

2.13. In relation to non-designated heritage assets, the key applicable policy is paragraph 135 of the NPPF (2012), which 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 affect directly or indirectly non-designated heritage assets, a balanced judgment will be required having regard to the **scale of any harm or loss and the significance of the heritage asset**' [our emphasis].*

2.14. Thus with regard to non-designated heritage assets, this report seeks to identify the significance of the heritage asset(s) which may be affected, and the scale of any harm or loss to that significance.

Limitations of the assessment

2.15. This assessment is principally a desk-based study and utilises secondary information derived from a variety of sources, only some of which have been directly examined for the purpose of this assessment. The assumption is made that this data, as well as that derived from other secondary sources, is reasonably accurate. The records held by the HER and HEA are not a record of all surviving heritage assets, but a record of the discovery of a wide range of archaeological and historical components of the historic environment. The information held within it is not complete and does not preclude the subsequent discovery of further elements of the historic environment that are, at present, unknown.

2.16. A walkover survey was conducted within the Site on 11th April 2018. The weather conditions were not optimal for the settings assessment, but suitable to understand the relevant assets and their settings sufficiently for the assessment.

3. ARCHAEOLOGICAL AND HISTORICAL BACKGROUND

Landscape context

Overview

- 3.1. The Site is located within the parish of Sherston (formerly Sherston Magna), on the north-western edge of Sherston village, in north-west Wiltshire. The boundary of Gloucestershire County is c. 1.85 north-west of the Site, and the South Gloucestershire boundary is c. 3km to the west. To the north-east of the Site is a school playing field and tennis courts, associated with Sherston Primary School, which lies adjacent to the Site boundary in the south-east (Fig. 1). A water tower (Bristol Water Works) is located immediately to the north-west of the Site (Fig. 2). Modern residential development is adjacent to the remainder of the eastern boundary. To the north-west and east of the Site, and to the south beyond Green Lane, the land is largely characterised as an undulating agricultural landscape.
- 3.2. The Site comprises of one field (Fig. 3), with the northern and southern boundaries formed of tree and hedgerow boundaries. The southern half of the western boundary is likewise marked by a hedgerow, while further north there is no formal boundary; this is marked only by a narrow grass verge on the route of a public footpath (Fig. 2). The eastern boundary is fenced with an additional hedgerow around the school grounds to the south-east, and a discontinuous hedgerow along the remainder of the boundary.



Fig. 2 View from the west of the Site, looking north

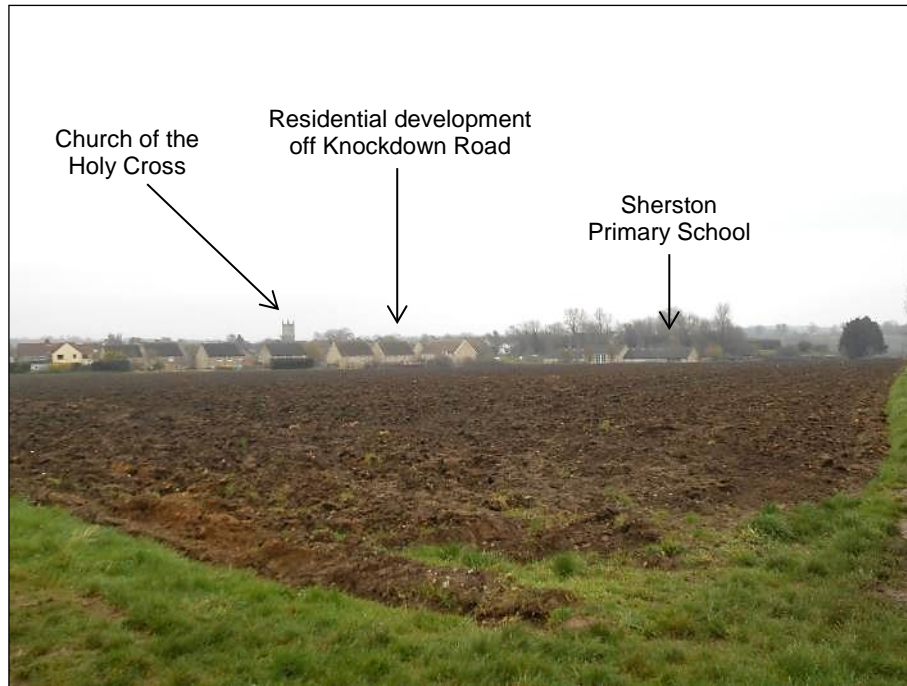


Fig. 3 View from the north-west of the Site, looking south-east

- 3.3. The Site lies upon a limestone bedrock geology of the Forest Marble Formation. This was formed during the Jurassic period. No superficial deposits have been recorded within the site (BGS 2018). The soils over most of the Site are recorded as shallow, lime-rich soils over chalk/limestone (LandIS 2018).
- 3.4. The Site slopes gently south-eastward, from c. 128m above Ordnance Datum (aOD) in the north-western corner, to c. 117m aOD in the south-west.

Proximity to known heritage assets

- 3.5. There is one heritage asset recorded within the Site, comprising of a record of historic plough marks in the north of the Site. There are no designated heritage assets within the Site boundary.
- 3.6. The study area contains numerous Listed Buildings, associated with the historic development of the settlement of Sherston. None of these are in close proximity to the Site.
- 3.7. There is one Scheduled Monument within the study area. This lies c. 40m south of the Site boundary, and is thought to be an earthwork of medieval date.
- 3.8. There are no further designated heritage assets within the study area.

- 3.9. The known heritage assets which have been recorded within the study area by the HEA and HER are discussed in more detail below.

Prehistoric and Romano-British periods (500,000 BC – AD 410)



Fig. 4 Prehistoric and Romano-British heritage assets

- 3.10. The Extensive Urban Survey (EUS) of Sherston was produced in 2004 (McMahon 2004), at which time there was very little known of activity in the area pre-dating the medieval period. However, some tentative evidence of prehistoric and Roman activity was recorded from aerial photographs within the study area by 2010. This includes two potential Bronze Age round barrows located c. 360m south-west (Fig. 4, 1) and c. 690m west of the Site (Fig. 4, 2) respectively. A suggested settlement c. 900m north-west of the Site is associated with possible cropmarks of a former field system, which likely dates to between the middle Bronze Age and the Roman period, based on the form of the cropmarks recorded (Fig. 4, 3).
- 3.11. Further, a trackway, also seen as cropmarks on aerial photography, has an uncertain date but may have originated in the prehistoric period c. 440m north-east of the Site (Fig. 4, 4). This is in proximity to the findspot of two Roman coins c. 500m north-west of the Site. Also in this area are records for a Roman burial and villa site, c. 630m north-east of the Site boundary. The burial (Fig. 4, 6) was that of

a child in a stone sarcophagus, containing a sheet lead box, with further material associated with the burial found during fieldwalking and ploughing. The adjacent villa site (Fig. 4, 7) was excavated in the late 1980s, and recorded as a late Romano-British villa with at least five phases of occupation. Evidence of post-villa occupation, and industrial activity were also recorded here. However, there is no certain evidence of extensive activity or settlement in the area dating to the prehistoric or Roman periods. The route of the nearest Roman roads through this area of Wiltshire is thought to be over 3km to the east of the Site.

Early medieval and medieval periods (AD 410 – 1539)



Fig. 5 Medieval heritage assets

3.12. A Scheduled medieval earthen bank and ditch (Fig. 5, 16), which has been interpreted as a defensive earthwork is located just to the south of the Site. Former earthworks, shown on the First Edition OS Map (Fig. 8) to the west of the parish church are also believed to have been associated with this feature, although they have since been levelled. The HEA tentatively links this feature to a battle posited to have been fought in the area in 1016. Alternative suggestions for the origin of this feature include the position of a former Norman castle, or remnants of the earlier

medieval village (Mcmahon 2004). However, the form and location of the surviving earthwork appears to be more indicative of a Norman castle/ringwork; perhaps associated with a period of unrest in the reign of King Stephen in the mid-12th century.

- 3.13. Research for the EUS identified the first written record of Sherston in 896, when it was referred to as '*Scorranston*'. A settlement is thought to have been present here by this time (Wiltshire Council ND) (Fig. 5, **8**). It was later named '*Sorstain*' representing Sherston Magna in the Domesday survey of 1086, which lists a church (Fig. 5, **10**) and two mills within the village (one is recorded at Upper Stanbridge Farm, c. 400m west of the Site (Fig. 5, **13**)), potentially focussed on a manor. The place name origins may be associated with a steep slope or cliff ('*Scora*') and stone or rock ('*stan*'); likely referring to that to the south of the Site (see Section 6). Alternatively, the name could refer to '*sceard-stan*' meaning boundary stone or marker, given the location of the village on the borders of the Saxon kingdoms of Mercia and Wessex (Mcmahon 2004, p4).
- 3.14. Some sources indicate that Sherston was the site of a battle in 1016, between the local Saxon warrior Rattlebone who fought for King Edmund Ironside, and the Danish King Cnut. Local folklore suggests that Rattlebone was heavily wounded, but continued to fight with a stone tile held over his abdomen. The HEA marks the possible site of this battle c. 740m south-east of the Site (Fig. 5, **9**), although it has also been suggested that it took place in Hampshire; close to the border with Wiltshire (Wiltshire Council ND).
- 3.15. The present parish church (Fig. 5, **10**; the Holy cross church, c. 350 south-east of the Site) originated in the 12th century, although there have been numerous additions and alterations since then, and may have been constructed on the site of the earlier church mentioned in the Domesday survey. This appears to have been located at the northern edge of the early medieval (Fig. 5, **8**) and later, the medieval settlement (Fig. 5, **11**), which encompassed much of the south-western extent of the present village. The settlement grew to have borough status and a weekly market, until a fire caused widespread damage in the village in 1511. The village recovered after several years of rebuilding on the former burgage plots, but the market ceased (Macmahon 2004; Wiltshire Council ND). Further, isolated evidence of medieval settlement has also been recorded beyond the medieval core of Sherston, including possible crofts at c. 970m east and c. 530m east of the Site

(Fig. 5, **12 & 14**), and a deserted medieval settlement at 750m east of the Site (Fig. 5, **15**). The Sherston Conservation Area Statement (North Wiltshire District Council 1999) refers to several characteristics of the village which represent its medieval heritage (see Section 6), which contribute to the reasons the Area was designated.

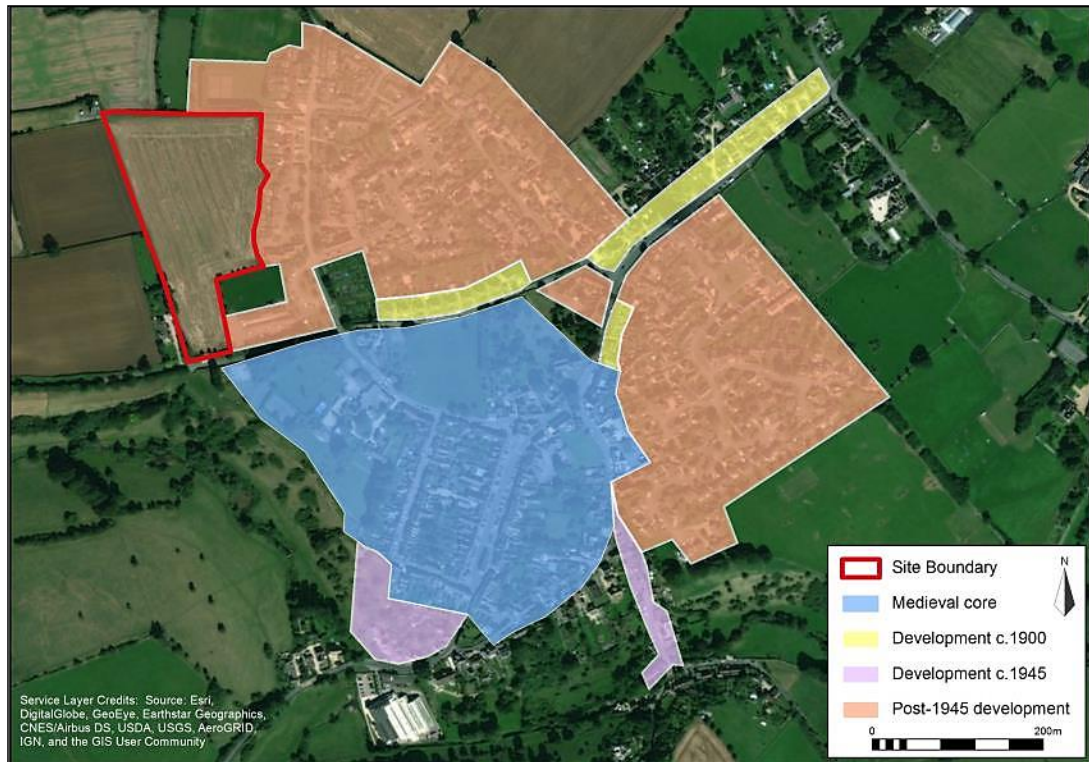


Fig. 6 The medieval and modern development of Sherston

- 3.16. The HER and HEA records covering the Site and the landscape beyond the settlement largely represent the historic agricultural landscape. The farmland, shown in the area as extensive cropmarks and earthworks of plough marks, plough headlands, and lynchets in aerial photographs (Fig. 5), was dispersed with farmsteads; including Stanbridge Farm, and Manor Farm, both of which originated during the medieval period (Fig. 5, **17 & 19**). The landscape largely retains this agricultural character.
- 3.17. Evidence of possible medieval (or later) ploughing has been recorded in the northern half of the Site (Fig. 5) comprising earthworks of ridge and furrow visible in historic aerial photographs. However, these earthworks were noted to have largely been levelled by 1999, and none were visible within the Site during the visit. Evidence of possible medieval mineral extraction has been recorded c. 380m north-east of the Site, although the date of this remains uncertain (Fig. 5, **18**).

Post-medieval and modern periods (1540 – present)

3.18. Beyond the gradual expansion of the village and the reconstruction of buildings following the fire, there was little notable change during the post-medieval period in Sherston. The Historic Landscape Characterisation of the area undertaken by Hoyle in 1997-1998 identifies that much of the rural landscape around the village was enclosed from the mid-16th century onwards. The land continued to be farmed, and several additional farmsteads and outfarms were established (Fig. 7) during this period, including Manor Farm c. 210m south-east of the Site (Fig. 7, **19**). Many of the farmhouses which survive have been designated as Grade II Listed Buildings for their historic interest.



Fig. 7 Post-medieval and modern heritage assets

3.19. The land use of the Site and the surrounding area is given in the Tithe map of Sherston Magna (the former parish name), dated to 1839 (Fig. 8). At this time, the village still focussed largely on the medieval roads through its centre, and the Site is under arable along with many of the adjacent fields. The Site was a component of a larger field, with the northern, west, and part of the southern field boundaries shown in their present form.

- 3.20. The Scheduled earthwork (Fig. 6, 16) and its former extension to the east is depicted clearly on the 1924 OS map (Fig. 9), in which the north of the Site is labelled as allotments. The modern growth of the town is depicted in Figure 8 of the EUS, extracted in Fig. 6 of this report.
- 3.21. There is no change to the Site until the construction of Sherston Primary School following the most recent historic OS map available (1983, not reproduced) adjacent to the eastern boundary of the Site, and modern residential development to the east of Knockdown Lane, resulting in the present location of field boundaries.
- 3.22. Based on the record of plough marks within the Site, and the available historic mapping, it is reasonable to suggest that the Site has lain within the agricultural hinterland of Sherston since at least the medieval period.

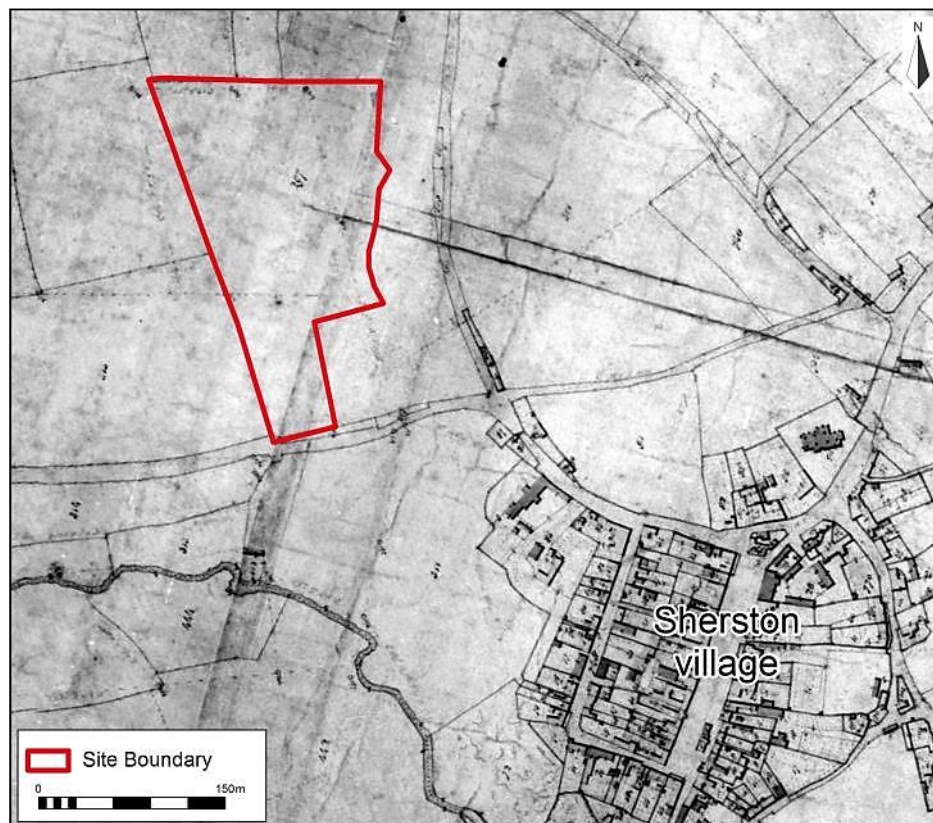


Fig. 8 Extract from the Tithe map of Sherston Magna, 1839

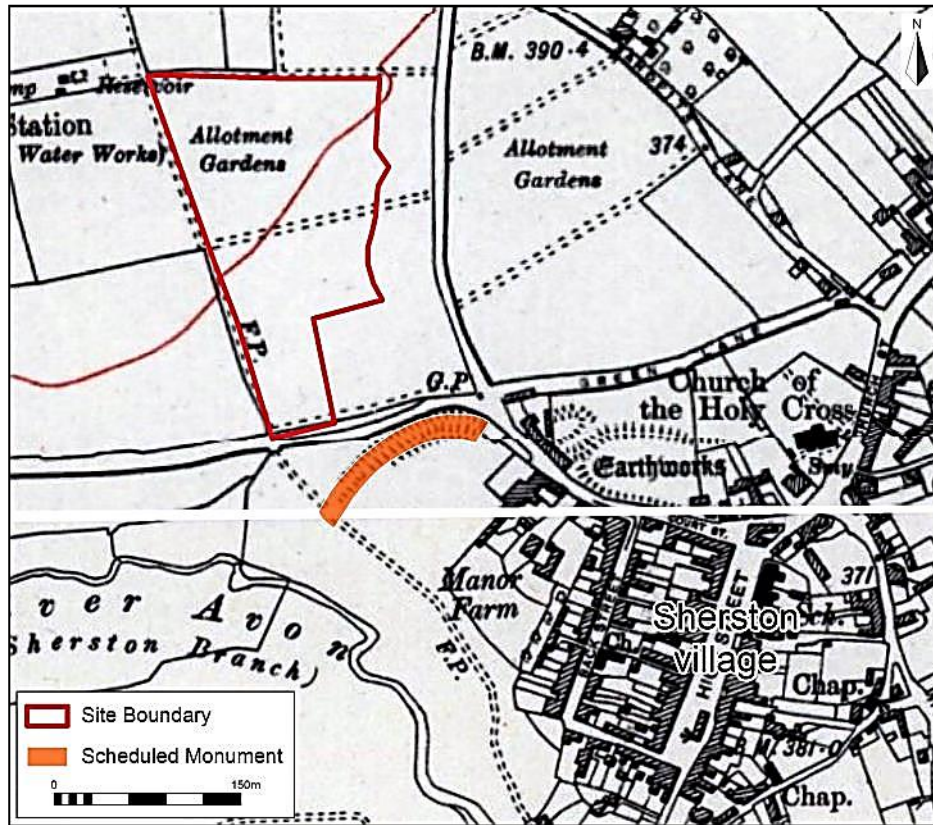


Fig. 9 Extract from the 1:10560 OS map, 1924
(Wiltshire Sheet VII in the north, and XXI.N.E in the south)

5. THE SETTING OF HERITAGE ASSETS

5.1. This section considers potential non-physical effects upon the significance of heritage assets within the Site environs. Non-physical effects are those that derive from changes to the setting of heritage assets as a result of new development. Those assets identified as potentially susceptible to non-physical impact, and thus subject to more detailed assessment, are discussed in greater detail within the remainder of this section.

Scheduled earthwork (Fig. 5, 16)

5.2. The date and specific purpose of the Scheduled earthwork c. 40m south of the Site (Fig. 5, 16) is uncertain, although suggested interpretations include a Saxon defensive feature, a Norman castle, or a component of the medieval settlement. Whatever its purpose, the earthwork appears to have been an enhancement of a natural bank with a wide view to the west. Taking into consideration the lack of current knowledge associated with this asset, the factor which contributes most to the significance its evidential (archaeological) value, given its potential to yield new information on its history under investigation. It also benefits from a level of historic value, as it illustrates an element of the village's past.

5.3. Most of the feature is located within private land, although part of the bank is visible through trees from Green Lane, from within the south of the Site (Fig. 10), and extending from the public footpath into the private paddocks (Fig. 11).



Fig. 10 View towards the Scheduled earthwork from within the south of the Site

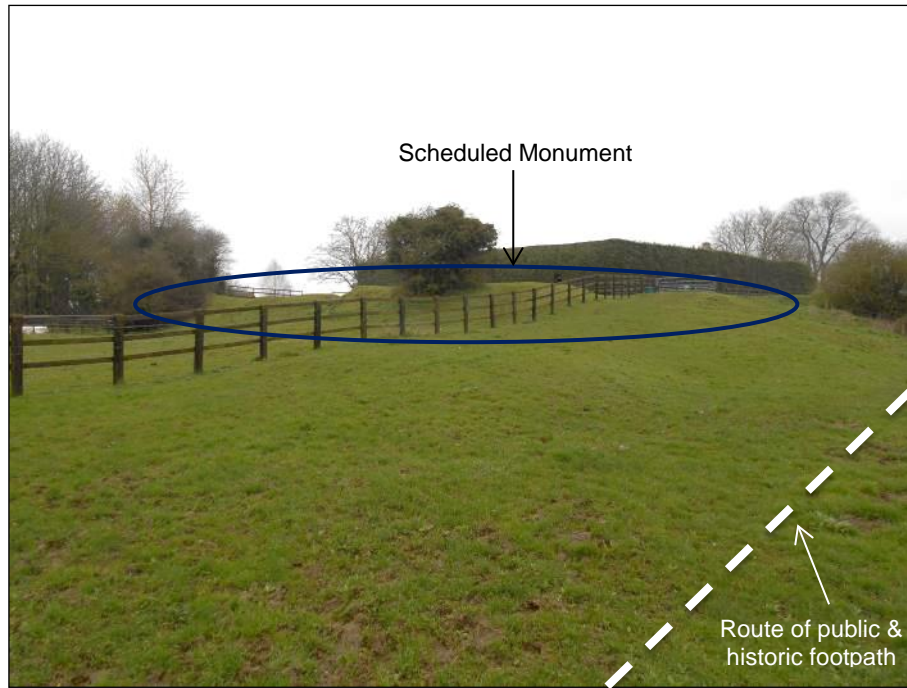


Fig. 11 View towards the Scheduled earthwork from the public and footpath to the south of the Site

- 5.4. The setting of the earthwork is indeed suggestive of a defensive feature; upon the peak of a steep westward slope (Fig. 12) at its northern edge, where the benefits of the natural topography level off and become less effective as natural defences. The key attributes in its setting of a defensive feature would have been its position in relation to the settlement (Fig. 5, 8), views across the landscape, and the defensive quality of the adjacent natural topography.
- 5.5. The defence of this part of Sherston may indicate that an attack may have been anticipated from the north or west. However, the rising topography to the north results in a limited view in this direction, which suggests that the defence provided by the earthwork, rather than views, were more important to the north. It is expected that the more extended view to the west and south from this point would have been more beneficial, in addition to its defensive purpose. Therefore, the northward view from this asset (Fig. 13) is considered primarily to be a matter of visual amenity rather than a component of its setting, given that this view does not contribute to the significance of this asset, nor allows appreciation of its significance (Historic England 2017, p7).



Fig. 12 View to the west and south-west from the public footpath adjacent to the Scheduled earthwork

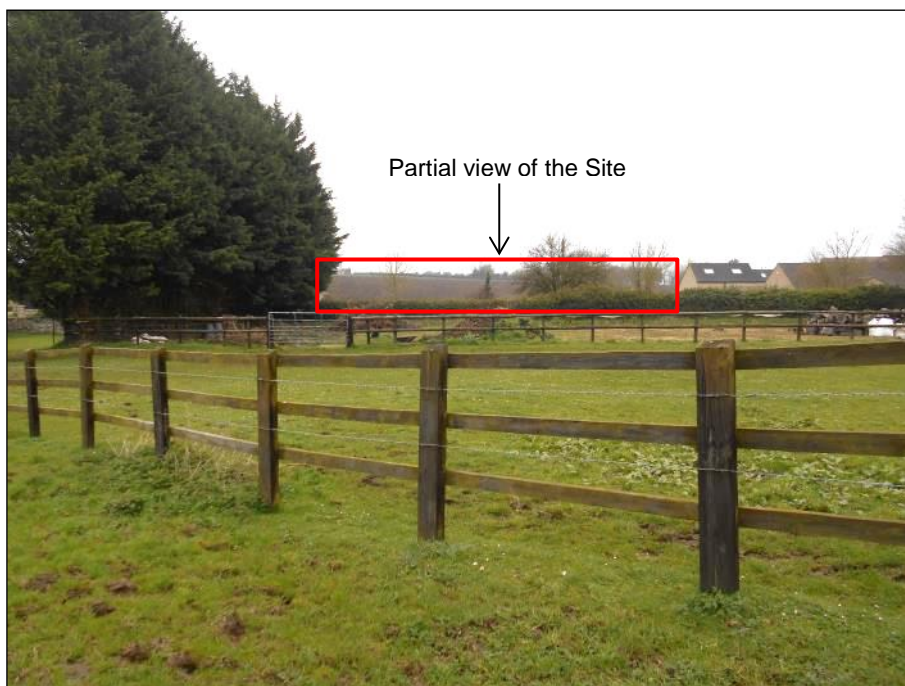


Fig. 13 View toward the Site from adjacent to the Scheduled earthwork

- 5.6. While the earthwork can be experienced from these viewpoints, the majority of passers-by would be unaware of its potential heritage value given the absence of any informative signage, and therefore its significance is frequently unobserved. Whether the heritage value of this asset is appreciated or not, it is not anticipated

that the proposed change within the Site would alter how the significance of this asset is experienced, given the lack of historic relationship with the Site.

- 5.7. Furthermore, there will be no change to the position of this feature in relation to the historic core of Sherston, and no change to its relationship with the westward slope and associated views. As such, key attributes of setting which contribute to the significance of this asset will remain unchanged, resulting in **no harm** to this asset as a result of the proposed development.

Other heritage assets

- 5.8. The potential development effect upon the Conservation Area to the south of the Site is assessed in Chapter 6 below.
- 5.9. The site visit and study area walkover also identified that there would be no non-physical impact upon the significance of any other heritage assets, whether designated or non-designated, as a result of changes to the use and/or appearance of the Site. Factors which were considered included intervening vegetation and built form preventing intervisibility, their distance from Site, topography, proximity to modern development, past impacts (i.e. changes in use and/or significance over time) and their overall clear lack of relationship to the land within the Site. In particular, the topographic variation between the Site and the nearest Listed Building at Manor Farm (Fig. 6, 19) appears to prevent any relationship between them.

6. SHERSTON CONSERVATION AREA

Overview

- 6.1. The Site is not within the Sherston Conservation Area, although the boundary of the Area runs adjacent to the southern boundary of the Site (Fig. 14).

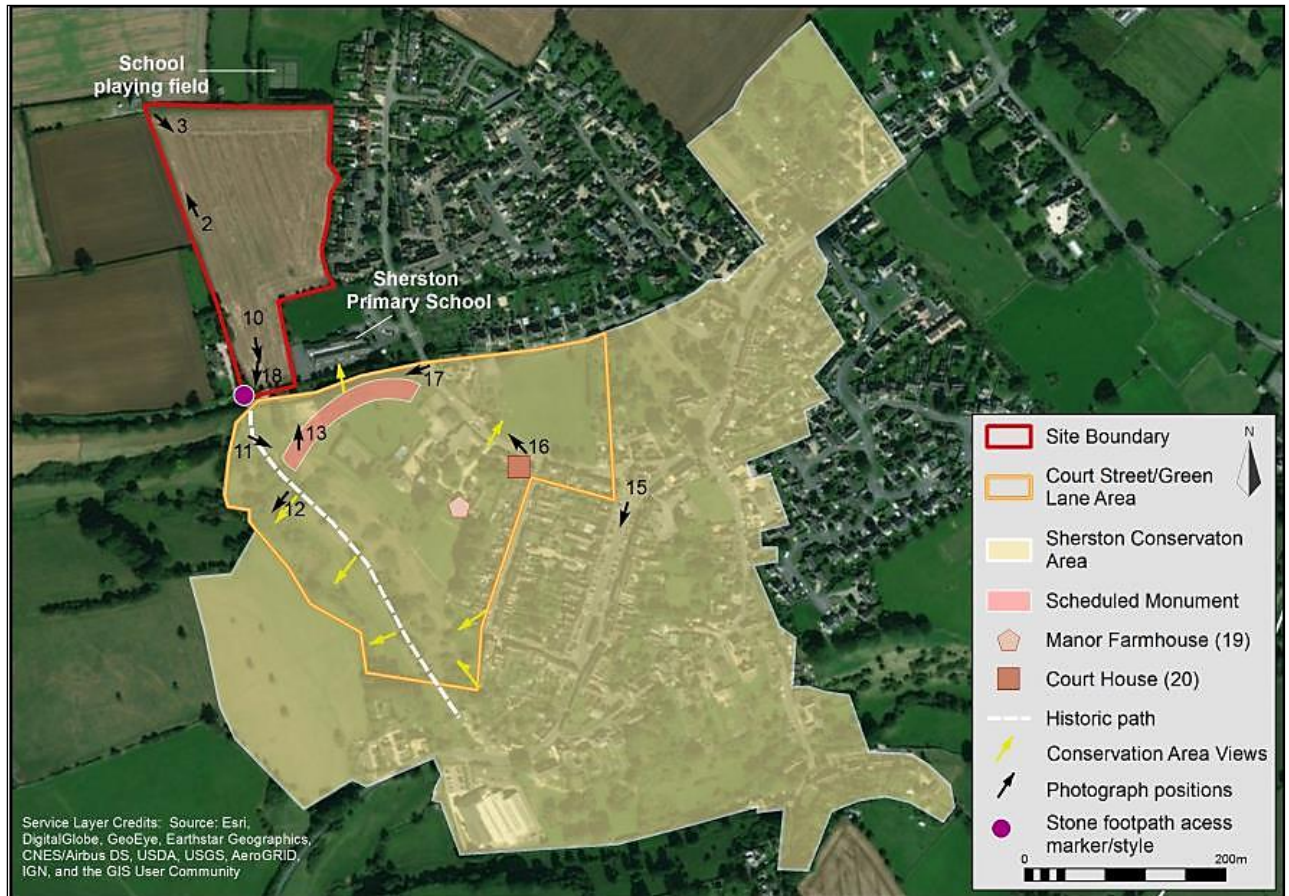


Fig. 14 Sherston Conservation Area

- 6.2. The Sherston Conservation Area Statement (North Wiltshire District Council 1999) identifies key areas of character along the central streets of the village, most of which were founded in the medieval period and were later rebuilt following fire, or remodelled/extended as the village grew. This part of the village retains its medieval – post-medieval village character and appearance, despite modern infill development. Most modern development within the Conservation Area has been constructed with architecture and materials which are sympathetic to the local vernacular. The streets through the centre of the village are long and straight, and are lined with terraced buildings on either side. This character gradually fades into more detached properties and modern buildings towards the boundaries of the area.



Fig. 15 View along High Street

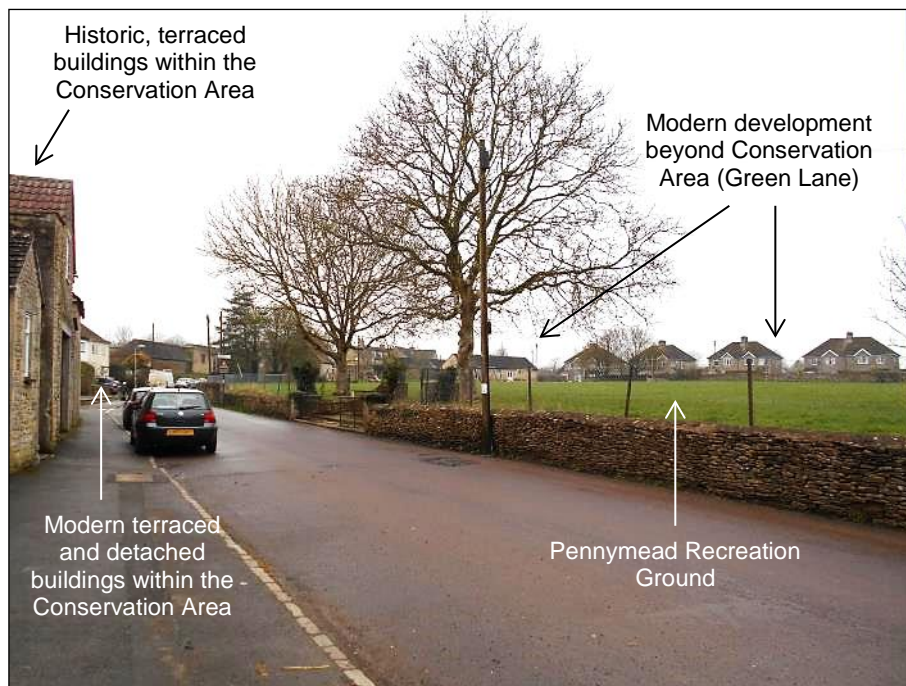


Fig. 16 View north on Court Street

- 6.3. The Court Street/Green Lane section, in the north-west of the Conservation Area meets the boundary of the Site along Green Lane (Fig. 14). This part of the Conservation Area is described in the Conservation Area Statement (1999, p30) as having a lower density of dwellings than the centre of the village, some of which are important components of the village's heritage. These include the 16th century Court House c. 240m south-east of the Site (Grade II* Listed Building, Fig. 14, 20),

and Manor Farm c. 210m south-east of the Site (Grade II Listed Building, Fig. 5, **19**); the grounds of which contain the Scheduled earthwork (Fig. 6, **16**) c. 40m south of the Site. Green Lane provides entry to the village from the west, although there is no view of the village from the road adjacent to the Site. Likewise there is no view of the Site from the junction of Green Lane and Court Road, nor the remainder of the village (Fig. 17). The land adjacent to the north-western boundary of the Area comprise of the rural landscape and modern residential development to the east of Knockdown Road (Fig. 6).



Fig. 17 View west from the Green Lane/Court Road junction

Potential development effects

- 6.4. As the Site is not located within the Conservation Area, the key issue is whether the Site comprises a part of its setting which contributes to its significance, and if the proposed development would harm this contribution.
- 6.5. The Conservation Area is set within a landscape of rolling rural farmland, with pockets of modern development on its boundaries such as that to the east and west of Knockdown Road (Fig. 6). Within it are areas of open green space, and various development densities, although the dense development in the centre of the village quickly disperses into the tranquil countryside. The roads within and around the Conservation Area are typically quiet, with few vehicles passing through the village.

6.6. The Conservation Area Statement provides a general overview of the history of the village, and identifies buildings of key historic significance. It also identifies important historic paths and views, such as those shown in the vicinity of the Site in Fig. 14. The historic path to the south of the Site remains as a public footpath which continues north along the western boundary of the Site; marked by a stone access point/stile on the southern Site boundary and the field to the south which positively contributes to the Conservation Area (Fig. 14 & 18).



Fig. 18 Historic footpath access on the southern Site boundary (foreground) and the field to the south (background)

6.7. Following the study area walkover, it was concluded that much of the Conservation Area has no relationship with the Site; visual or otherwise. This is due to the distance from the Site, intervening built form, and the change from historic, quiet village character, to modern residential rural character in the area of the Site. However, the attributes of parts of the Conservation Area closest to the Site will be assessed in order to understand whether the proposed change within the Site may result in harm to this part of the Conservation Area, and therefore the character of the Conservation Area overall. The historic development of the village and the key attributes of it referred to in the Conservation Area Statement will be discussed below, where they have any relationship with the Site.

6.8. The significance of the Court Street/Green Lane component of the Conservation Area is primarily contributed to by:

-
- Manor Farm (Fig. 5, **19**);
 - A historic path from Green Lane past the Scheduled Monument (Fig. 5, **16**) and Manor Farm (Fig. 6, **19**);
 - Views from the historic path over the weir;
 - Views from Green Lane along the historic path; and
 - The Scheduled defensive earthwork (Fig. 6, **16**) and views from it to the north (North Wiltshire District Council 1999, p18 & 30-31).

6.9. These elements all contribute to the setting of the Conservation Area. However, this is not extended into the land north of Green Lane (beyond the Conservation Area boundary), where a modern residential development and school are located (Fig. 6). Therefore, the introduction of new development within the Site will not change the existing appreciation of this fringe of the village. Further, there is very little view of the Site from much of the Conservation Area, as it is screened by the neighbouring modern housing development, the modern school, and the hedgerow/tree-lined boundaries. While the proposal will result in a change to the current view from the Scheduled Monument (Fig. 6, **16**) toward the Site, this is considered primarily to be a matter of visual amenity rather than a significant element of its modern setting (as discussed in Section 5), and is one of many assets which contribute positively to the Conservation Area which will not be affected by the proposal. The proposal will not change the historic value of this asset, nor its contribution to the Conservation Area.

6.10. It is concluded that there will be **no harm** to the setting of Sherston Conservation Area as a result of the proposed development, assuming that the materials, designs, massing, and layout will be sympathetic to the neighbouring Conservation Area. Included in this consideration would be the retention of the stone access stile which marks the route of the historic footpath (still in use); while it is not of high heritage value, it does contribute positively to the setting of the Conservation Area.

6.11. Considerations to ensure that there will be no harm to the Conservation Area as a result of development within the Site can be sought through the implementation of recommendations in the Conservation Area Statement (1999, p31), including:

- The maintenance of existing mature hedgerows and trees, and encourage new planting; and
- The maintenance of quiet residential use.

7. CONCLUSIONS

- 7.1. This assessment has investigated the known and potential heritage assets which may be affected by a proposed development on land at Upper Stanbridge Farm, Sherston, Wiltshire.
- 7.2. The known archaeological resource identified in the area surrounding the Site is characterised largely by the known settlement in Sherston, which was established in the early medieval and expanded during the medieval period (Fig. 5, **8 & 11**), and through to the present day. In addition, a Scheduled earthwork is located a short distance to the south of the Site (Fig. 5, **6**), which existing interpretations suggest may be remnants of a Norman ringwork/castle, part of the medieval settlement, or an early medieval defensive earthwork associated with the suggested site of a Saxon battle nearby (Fig. 6, **9**).
- 7.3. Historic aerial photography showing plough marks within part of the Site, as well as much of the land around the settlement (Fig. 5), suggests that much of this area was farmland from at least the medieval period onwards. Any remnant agricultural features such as furrows or ditches would not be of more than low heritage significance.
- 7.4. The wider area contains evidence of prehistoric and Roman activity, although this is infrequent and largely untested, with none in close proximity to the Site (Fig. 4). There is thus some limited potential for currently unrecorded remains of this date within the Site.
- 7.5. There is no specific evidence for remains associated with the Scheduled medieval earthwork to the south of the Site to extend to the north into the Site. The southernmost part of the Site has obviously a greater potential for any such possible associated features.
- 7.6. Further, it is advised that a stone access stile which marks the route of the historic footpath (still in use) on the southern boundary of the Site is retained (Fig. 14); while it is not of high heritage value, it does contribute positively to the setting of the Conservation Area.
- 7.7. It is suggested that further investigative work would be beneficial in order to better understand the archaeological potential and significance within the Site boundary, in line with Core Policy 58 of the Wiltshire Core Strategy. This may initially comprise

of a geophysical survey; the results of which can inform the need and extent of further proportionate and appropriate work.

- 7.8. A settings assessment undertaken as part of this report has concluded that there will be no harm to the significance of heritage assets surrounding the Site as a result of the proposed development, including Sherston Conservation Area which runs along the southern boundary of the Site, and the Scheduled earthwork c. 40m south of the Site. The development would therefore be implemented in accordance with Core Policy 58 of the Wiltshire Core Strategy, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Paragraph 132 of the NPPF, with regard to the setting of heritage assets.

8. REFERENCES

- BGS (British Geological Society), 2018.** *Geology of Britain viewer.*
<http://mapapps.bgs.ac.uk/geologyofbritain/home.html>
- Chartered Institute for Archaeologists, 2014.** *Standard and Guidance for Historic Environment Desk-Based Assessment.*
- Department for Communities and Local Government, 2012.** *National Planning Policy Framework (NPPF).*
- Historic England Archives.** *Data reference number: 112605.*
- Historic England, 2008.** *Conservation Principles, Policies and Guidance.*
- Historic England, 2015.** *Historic Environment Good Practice Advice in Planning Note 2: Decision-Taking in the Historic Environment.*
- Historic England, 2016.** *Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management.*
- Historic England, 2017.** *Historic Environment Good Practice Advice in Planning: Note 3: The Setting of Heritage Assets (Second Edition).*
- Hoyle J, 1997 - 1998.** *Cotswolds AONB and Gloucestershire and Wye Valley AONB: Historic Landscape Characterisation.*
- LandIS ,2018.** *Soilscapes Soil Types Viewer.* <http://www.landis.org.uk/soilscapes/>
- LRM Planning Limited, 2017.** *Land at Upper Stanbridge Farm, Sherston: Site Appraisal.*
- McMahon P, 2004.** *The Archaeology of Wiltshire's Towns: An extensive Urban Survey, Sherston. Wiltshire County Archaeology Service: Trowbridge.*
- North Wiltshire District Council, 1999.** *Sherston Conservation Area Statement.*
- Planning (Listed Buildings and Conservation Areas) Act (1990).** *Act of UK Parliament.*
- Wiltshire and Swindon Historic Environment Record.**
- Wiltshire Council, 2015.** *Wiltshire Core strategy: Adopted January 2015.*
- Wiltshire Council, ND.** *Wiltshire Community History: Sherston Search Results.*
<https://history.wiltshire.gov.uk/community/getcom.php?id=201>
- Cartographic / archive sources*
- 1839** Tithe map and apportionment of Sherston Magna parish
1924 OS map sheets VII XXI.N.E, 1:10560
1983 OS plan

APPENDIX 1: HERITAGE STATUTE POLICY & GUIDANCE

Heritage Statute: Listed buildings

Listed buildings are buildings of ‘special architectural or historic interest’ and are subject to the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 (‘the Act’). Under Section 7 of the Act ‘no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised.’ Such works are authorised under Listed Building Consent. Under Section 66 of the Act ‘In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses’.

Note on the extent of a Listed building

Under Section 1(5) of the Act, a structure may be deemed part of a Listed building if it is:

- (a) fixed to the building, or
- (b) within the curtilage of the building, which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948

The inclusion of a structure deemed to be within the ‘curtilage’ of a building thus means that it is subject to the same statutory controls as the principal Listed building. Inclusion within this duty is not, however, an automatic indicator of ‘heritage significance’ both as defined within the NPPF (2012) and within Conservation Principles (see Section 3 above). In such cases, the establishment of the significance of the structure needs to be assessed both in its own right and in the contribution it makes to the significance and character of the principal Listed building. The practical effect of the inclusion in the listing of ancillary structures is limited by the requirement that Listed Building Consent is only needed for works to the ‘Listed building’ (to include the building in the list and all the ancillary items) where they affect the special character of the Listed building as a whole.

Guidance is provided by Historic England on ‘Listed Buildings and Curtilage: A Historic England Advice Note’ (Historic England 2016).

Heritage Statute: Scheduled Monuments

Scheduled Monuments are subject to the provisions of the Ancient Monuments and Archaeological Areas Act 1979. The Act sets out the controls of works affecting Scheduled

Monuments and other related matters. Contrary to the requirements of the Planning Act 1990 regarding Listed buildings, the 1979 Act does not include provision for the 'setting' of Scheduled Monuments.

National heritage policy: the National Planning Policy Framework

Heritage assets and heritage significance

Heritage assets comprise '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' (the NPPF (2012), Annex 2). Designated heritage assets include Scheduled Monuments and Listed buildings. The NPPF (2012), Annex 2, states that the significance of a heritage asset may be archaeological, architectural, artistic or historic. Historic England's 'Conservation Principles' looks at significance as a series of 'values' which include 'evidential', 'historical', 'aesthetic' and 'communal'.

The setting of heritage assets

The 'setting' of a heritage asset comprises '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.' Thus it is important to note that 'setting' is not a heritage asset: it may contribute to the value of a heritage asset.

Guidance on assessing the effects of change upon the setting and significance of heritage assets is provided in 'Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets', which has been utilised for the present assessment (see below).

Levels of information to support planning applications

Paragraph 128 of the National Planning Policy Framework ('the NPPF (2012)) identifies that 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.'

Designated heritage assets

Paragraph 126 of the NPPF (2012) notes that local planning authorities 'should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.' Paragraph 132 notes that '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. The more important the asset, the greater the weight should be.' It goes on to note that 'substantial harm to or loss of a grade II listed building...should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments.....should be wholly exceptional.'

Paragraph 134 clarifies that '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 securing its optimum viable use.'

The Wiltshire Core Strategy

Wiltshire Core Strategy was adopted in January 2015. Policies of relevance to this assessment include:

'Core Policy 58: Ensuring the conservation of the historic environment: Development should protect, conserve and where possible enhance the historic environment. Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance, including:

- i. nationally significant archaeological remains
- ii. World Heritage Sites within and adjacent to Wiltshire
- iii. buildings and structures of special architectural or historic interest
- iv. the special character or appearance of conservation areas
- iv. historic parks and gardens
- v. important landscapes, including registered battlefields and townscapes.

Distinctive elements of Wiltshire's historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced. The potential contribution of these heritage assets towards wider social, cultural, economic and environmental benefits will also be utilised where this can be delivered in a sensitive and appropriate manner in accordance with Core Policy 57 (Ensuring High Quality Design and Place Shaping). Heritage assets at risk will be monitored and development proposals that improve their condition will be encouraged. The advice of statutory and local consultees will be sought in consideration of such applications.'

Good Practice Advice 1-3

Historic England has issued three Good Practice Advice notes ('GPA1-3') which support the NPPF. The GPAs note that they do not constitute a statement of Government policy, nor do they seek to prescribe a single methodology: their purpose is to assist local authorities, planners, heritage consultants, and other stakeholders in the implementation of policy set out in the NPPF. This report has been produced in the context of this advice, particularly 'GPA2 – Managing Significance in Decision-Taking in the Historic Environment' and 'GPA3 – The Setting of Heritage Assets'.

GPA2 - Managing Significance in Decision-Taking in the Historic Environment

GPA2 sets out the requirement for assessing 'heritage significance' as part of the application process. Paragraph 8 notes 'understanding the nature of the significance is important to understanding the need for and best means of conservation.' This includes assessing the extent and level of significance, including the contribution made by its 'setting' (see GPA3 below). GPA2 notes that 'a desk-based assessment will determine, as far as is reasonably possible from existing records, the nature, extent and significance of the historic environment within a specified area, and the impact of the proposed development on the significance of the historic environment, or will identify the need for further evaluation to do so' (Page 3).

GPA3 – The Setting of Heritage Assets

The NPPF (Annex 2: Glossary) defines the setting of a heritage asset as 'the surroundings in which a heritage asset is experienced...'. Step 1 of the setting assessment requires heritage assets which may be affected by development to be identified. Historic England notes that for the purposes of Step 1, this process will comprise heritage assets 'where that experience is capable of being affected by a proposed development (in any way)...'.

Step 2 of the settings process 'assess the degree to which these settings and views make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated', with regard to its physical surrounds; relationship with its surroundings and patterns of use; the contribution of noises, smells etc. to significance; and the way views allow the significance of the asset to be appreciated. Step 3 'assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it', with regard to the location and siting of the development; its form and appearance; wider effects; and its permanence.

Step 4 of GPA3 provides commentary on 'ways to maximise enhancement and avoid or minimise harm'. It notes (Paragraph 37) that 'maximum advantage can be secured if any

effects on the significance of a heritage asset arising from development likely to affect its setting are considered from the project's inception.' It goes on to note (Paragraph 39) that 'good design may reduce or remove the harm, or provide enhancement'.

Heritage significance

Discussion of heritage significance within this assessment report makes reference to several key documents. With regard to Listed buildings and Conservation Areas it primarily discusses 'architectural and historic interest', which comprises the special interest for which they are designated.

The NPPF provides a definition of 'significance' for heritage policy (Annex 2). This states that heritage significance comprises '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'.

Regarding 'levels' of significance the NPPF (2012) provides a distinction between: designated heritage assets of the highest significance; designated heritage assets not of the highest significance; and non-designated heritage assets.

Historic England's 'Conservation Principles' expresses 'heritage significance' as comprising a combination of one or more of: evidential value; historical value; aesthetic value; and communal value.

Effects upon heritage assets

Heritage benefit

The NPPF clarifies that change in the setting of heritage assets may lead to heritage benefit. Paragraph 137 of the NPPF (2012) notes 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 or better reveal the significance of the asset should be treated favourably'.

GPA3 notes that 'good design may reduce or remove the harm, or provide enhancement' (Paragraph 28). Historic England's 'Conservation Principles' states that 'Change to a significant place is inevitable, if only as a result of the passage of time, but can be neutral or beneficial in its effects on heritage values. It is only harmful if (and to the extent that) significance is reduced' (Paragraph 84).

Specific heritage benefits may be presented through activities such as repair or restoration, as set out in Conservation Principles.

Heritage harm to designated heritage assets

The NPPF (2012) does not define what constitutes ‘substantial harm’. The High Court of Justice does provide a definition of this level of harm, as set out by Mr Justice Jay in *Bedford Borough Council v SoS for CLG and Nuon UK Ltd*. Paragraph 25 clarifies that, with regard to ‘substantial harm’: ‘Plainly in the context of physical harm, this would apply in the case of demolition or destruction, being a case of total loss. It would also apply to a case of serious damage to the structure of the building. In the context of non-physical or indirect harm, the yardstick was effectively the same. One was looking for an impact which would have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced’.

Effects upon non-designated heritage assets

The NPPF (2012) paragraph 135 guides 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 affect directly or indirectly non designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset’.

The Hedgerows Regulations (1997)

The 1997 Hedgerow Regulations were made under section 97 of the Environment Act 1995, and introduced arrangements for Local Planning Authorities to protect ‘important’ hedgerows in the countryside, by controlling their removal through a system of notification. The DEFRA publication ‘The Hedgerows Regulations 1997: A Guide to the Law and Good Practice’ is a useful guide in this respect. The Regulations provide criteria for assessing whether a hedgerow is ‘important’ for the purposes of the Regulations. To qualify as ‘important’ a hedgerow must have existed for 30 years or more and following this must fulfil at least one of the criteria in the Schedule 1 criteria. Those for ‘archaeology and history’ comprise Part II, namely:

‘The hedgerow marks the boundary, or part of the boundary, of at least one historic parish or township; and for this purpose “historic” means existing before 1850.

The hedgerow incorporates an archaeological feature which is-

included in the schedule of monuments compiled by the Secretary of State under section 1 (schedule of monuments) of the Ancient Monuments and Scheduled Areas Act 1979(g); or

recorded at the relevant date in a Sites and Monuments Record [Historic Environment Records have largely replaced Sites and Monuments Records].

The hedgerow-

is situated wholly or partly within an archaeological site included or recorded as mentioned in paragraph 2 or on land adjacent to and associated with such a site; and

is associated with any monument or feature on that site.

The hedgerow-

marks the boundary of a pre-1600 AD estate or manor recorded at the relevant date in sites and Monuments Record or on a document held at that date at a Record Office; or

is visibly related to any building or feature of such an estate or manor.

The hedgerow-

is recorded in a document held at the relevant date at a Record Office as an integral part of a field system pre-dating the Inclosure acts; or

is part of, or visibly related to, any building or other feature associated with such a system, and that system-

- i is substantially complete; or
- ii is of a pattern which is recorded in a document prepared before the relevant date by a local planning authority, within the meaning of the 1990 Act(b), for the purposes of development control within the authority's area, as a key landscape characteristic.'

The criterion of point five is the subject of debate and differing interpretation. Some heritage professionals interpret the criterion referring to the individual Inclosure Act for the parish in

which a site is located, and numerous Acts were made in the 18th century (including the 1773 Inclosure Act). However, the criterion references the Short Titles Act of 1896, and it is commonly interpreted by LPAs and heritage professionals that it thus refers to the Inclosure Act of 1845, and subsequent Acts up to the Commonable Rights Compensation Act of 1882. This latter interpretation sets a date of 1845 as the benchmark test.

'Important' hedgerows are not designated heritage assets (as defined in NPPF Annex 2). The Regulations are essentially a notification mechanism. Thus an applicant needs to notify the LPA prior to the removal, either entirely or in part, of an 'important' hedgerow. There is a prescribed form of notice set out in Schedule 4 to the Regulations, although the form an LPA uses does not have to follow this. The requirement is for sufficient information to be given to the LPA for them to consider the proposed removal. However, where a hedgerow is impacted through a development proposal requiring Planning Consent no parallel consent process is required.

APPENDIX 2: DATA CAPTURE GAZETTEER

Ref. No.	Orig. Ref.	Description	Period
1	MWI72579	Possible bronze Age round barrow to the south of Upper Stanbridge Farm. May also be 20th century cultivation marks	?Prehistoric
2	MWI72571	Possible Bronze Age round barrow north of lower Stanbridge farm	Prehistoric
3	MWI72575	Possible settlement and field system of Neolithic to Roman date	Prehistoric - Roman
4	HEA 1521953	Possible Iron Age trackway. Possibly of later date (Roman – post-medieval)	?Prehistoric
5	HEA 208586	Roman coins found in plough soil	Roman
6	MWI2379	A Roman burial, comprising of a stone sarcophagus with a broken lid, containing sheet lead box with a child burial. Pottery and stone walling were also found during fieldworking and ploughing	Roman
7	MWI12380	A Roman villa site, with at least five occupation phases, plus post-villa occupation.	Roman
8	MWI2385	The Saxon settlement at Sherston	Medieval
9	HEA 41981	The suggested site of a Saxon battle at Sherston, between the local Saxon warrior Rattlebone who fought for King Edmund Ironside, and the Danish King Cnut in 1016	Medieval
10	HEA 181228 DWI5639 NHL 102322	The medieval church of the Holy Cross, Sherston, Grade I Listed Building. Late 12th century and later fabric.	Medieval
11	-	The medieval core of Sherston (extracted from EUS figure 8)	Medieval
12	MWI72529 HEA1522063	Possible medieval settlement remains in the form of crofts, seen on aerial photographs	Medieval
13	MWI2468	The site of the medieval Gags Mill	Medieval
14	MWI2528	Possible medieval settlement remains in the form of crofts, seen on aerial photographs	Medieval
15	MWI2390	Remains of a deserted medieval settlement, seen on aerial photographs	Medieval
16	MWI2400 DWI14032 HEA 208576 NHL 1004703	A Scheduled earthen bank and ditch, suggested to be a defensive features associated with the Saxon battle nearby	Medieval
17	MWI2467	Stanbridge Farm, originated in the medieval period as one of many farmsteads surrounding the settlement at Sherston. There is no evidence to suggest that any medieval components of the farmstead survive.	Medieval
18	MWI2442	Evidence of possible medieval material extraction, though it may date to as late at the 19th century	?Medieval
19	MWI65872 DWI5661 NHL 1199631	Manor Farm and farmstead. The farm here originated in the medieval period, although there is no available evidence to suggest that the earliest features of the farmstead survive. The Farmhouse in the south of the complex originated in the 17th century, and is Grade II Listed.	Post-medieval - modern
20	DWI5660 NHL1023232	Section of former Court House, now house and village store. Probable 16th century in origin, and rebuilt in c. 1680, and altered in the 19th and 20th centuries	Medieval - post-medieval

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