

41 Micklegate, York

Report on an Archaeological Watching Brief

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EXECUTIVE SUMMARY

An archaeological watching brief was undertaken in November 2016, monitoring groundworks during alterations to an existing retail unit at 41 Micklegate, York. The watching brief was undertaken in response to a condition placed on planning permission (15/02693/FUL), against the potential disturbance of previously unidentified archaeological remains on the site.

The archaeological monitoring undertaken has not revealed any significant archaeological features or finds. The assemblage of animal bone recovered, suggestive of probable medieval or post-medieval occupation, is to be expected for a site in this location, but without any related datable finds it has little further potential to inform on past human activity on the site. It is recommended that the bone assemblage not be retained.

No other archaeological features or finds were noted.



1. INTRODUCTION

1.1 PROJECT BACKGROUND

This report has been commissioned by Flanstead Limited to outline the findings of a programme of archaeological monitoring (watching brief) on groundworks during alterations to an existing retail unit, including demolition of a single storey lean-to corridor link and alterations and extensions to a single storey building to the rear to form a two-storey dwelling. The monitoring was undertaken to fulfil a condition of planning permission (15/02693/FUL).

1.2 SITE LOCATION

The site is situated on the south side of Micklegate in the city of York, to the immediate east of the Church of St Martin cum Gregory. The site is centred at grid reference SE 60021 51618 (Figure 1). The extent of the works is shown on Figure 2 below.

1.3 POTENTIAL SIGNIFICANCE

The archaeology of York has international significance, most particularly for the Roman, early medieval and medieval periods. Archaeological deposits and finds from these periods are likely to have an inherent high significance.

The reason for the watching brief being requested is principally that the site lies within an Area of Archaeological Importance, and the development has the potential to affect important archaeological deposits which must be recorded during the construction programme. York is one of five cities that have been designated as an 'Area of Archaeological Importance' (AAI) under Part 2 of the 1979 Ancient Monuments and Archaeological Areas Act.

In addition to the internationally important Roman, early medieval and medieval archaeological interest of York, the immediate development area includes the Grade II listed building of 39 and 41 Micklegate (NHLE 1257326), built in 1835. Immediately adjacent to the west is the Grade I listed Church of St Martin cum Gregory (NHLE 1257277), a parish church in which the earliest parts of the existing building date to at least the 11th century. A detailed archaeological background of the Micklegate area is provided in Macrae (2013), which highlights particularly the important Roman, Anglo-Scandinavian, medieval and Early Modern archaeological deposits known to survive in this area.

1.4 AIMS AND OBJECTIVES

An archaeological watching brief is defined as:

“A formal programme of observation and investigation conducted during any operation carried out for non-archaeological reasons. This will be within a specified area or site on land, intertidal zone or underwater, where there is a possibility that archaeological deposits may be disturbed or destroyed. The programme will result in the preparation of a report and ordered archive” (ClfA 2014b, 2).

The overarching aim of the watching brief was:

- To ensure that significant archaeological remains were not destroyed without first being adequately recorded.

The objectives of the watching brief were:



- To record, excavate and environmentally sample any archaeological deposits of significance observed during the groundworks
- To establish the date, character and significance of any archaeological and palaeoenvironmental deposits, including in relation to other similar features within the area
- To ensure there is a permanent record of the work undertaken deposited with the local Historic Environment Record (HER) and made available online
- To ensure all work is undertaken in compliance with the Code of Conduct of the Chartered Institute for Archaeologists (CIfA) (2014a), the CIfA Standard and Guidance for Watching Briefs (revised 2014b), and the Regional Statement of Good Practice.

Figure 1 Site Location



2. POLICY AND GUIDANCE FRAMEWORK

2.1 LEGISLATION

National legislation that applies to the consideration of cultural heritage within development and the wider planning process is set out in Table 1 below.

Title	Key Points
Ancient Monuments and Archaeological Areas Act 1979 (amended by the National Heritage Act 1983 and 2002)	Scheduled Monuments, as defined under the Ancient Monuments and Archaeological Areas Act (1979), are sites that have been selected by a set of non-statutory criteria to be of national significance. Where scheduled sites are affected by development proposals there is a presumption in favour of their physical preservation. Any works, other than activities receiving class consent under The Ancient Monuments (Class Consents) Order 1981, as amended by The Ancient Monuments (Class Consents) Order 1984, which would have the effect of demolishing, destroying, damaging, removing, repairing, altering, adding to, flooding or covering-up a Scheduled Monument require consent from the Secretary of State for the Department of Culture, Media and Sport.
Planning (Listed Building and Conservation Areas) Act 1990	Buildings of national, regional or local historical and architectural importance are protected under the Planning (Listed Buildings and Conservation Areas) Act 1990. Buildings designated as 'Listed' are afforded protection from physical alteration or effects on their historical setting.
Hedgerows Regulations 1997	The Hedgerow Regulations (1997) include criteria by which hedgerows can be regarded as historically important (Schedule 1 Part III).

Table 1 Legislation relating to cultural heritage in planning

2.2 POLICY

2.2.1 NATIONAL

The principal instrument of national planning policy within England is the National Planning Policy Framework (NPPF) (CLG 2012) which outlines the following in relation to cultural heritage within planning and development:

Paragraph	Key Points
7	Contributing to protecting and enhancing the historic environment is specifically noted as being a part of what constitutes 'sustainable development' – the "golden thread" which, when met, can trigger presumption in favour.
17	A core planning principle is to "conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for the contribution to the quality of life of this and future generations".
128	During the determination of applications "local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting". This information should be proportionate to the significance of the asset and only enough to "understand the potential impact of the proposal on their significance".
129	Paragraph 129 identifies 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.
132	It is noted that significance – the principal measure of inherent overall heritage worth – can be harmed or lost through development within its setting. Heritage assets are

	an irreplaceable resource and any adverse effects require “clear and convincing justification” relative to the significance of the asset in question.
135	At paragraph 135 it 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 judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
139	At paragraph 139 it states that non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.
141	In paragraph 141 amongst other matters it states that planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Table 2 Key passages of NPPF in reference to cultural heritage (archaeology)

2.2.2 LOCAL

Under planning law, the determination of an application must be made, in the first instance, with reference to the policies of the local development plan. For the proposed development this is represented by the *City of York Local Plan* (fully adopted 2005) until superseded by the new *Local Plan*, currently in consultation. Within the *City of York Local Plan* (2005), the following are the key policies with reference to cultural heritage and the nature of the proposed development:

Policy	Text or Summary
HE2	“Within or adjoining conservation areas, and in locations which affect the setting of listed buildings, scheduled monuments or nationally important archaeological remains (whether scheduled or not), development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials. Proposals will be required to maintain or enhance existing urban spaces, views, landmarks, and other townscape elements, which contribute to the character or appearance of the area.” (CYC 2005, 32)
HE4	“With regard to listed buildings, consent will only be granted for the following types of development where there is no adverse effect on the character, appearance or setting of the building : • development in the immediate vicinity of listed buildings; • demolition; • internal or external alterations; • change of use; • erection of satellite antenna.” (CYC 2005, 33)
HE10	“Planning applications for development that involves disturbance of existing ground levels on sites within York City Centre Area of Archaeological Importance will be granted provided: a) applicants permit a field evaluation, approved by the Council, to assess the extent and importance of any archaeological remains; and b) applicants can demonstrate that less than 5% of any archaeological deposits will be disturbed or destroyed; Outside York City Centre Area of Archaeological Importance, archaeological deposits of national importance must be preserved in situ. Where physical preservation of the deposits in situ is not possible, applicants must make provision for the professional excavation and recording of the archaeology, in accordance with a detailed scheme approved prior to development commencing.” (CYC 2005, 36)

Table 3 Key policies of City of York Local Plan in relation to the current project

2.3 GUIDANCE

2.3.1 NATIONAL

During the assessment and preparation of this document, the following guidance documents have been referred to, where relevant:

Document	Key Points
National Planning Practice Guidance (NPPG) (CLG 2014)	The Department for Communities and Local Government (CLG) released the guidance to NPPF in March 2014 in a 'live' online format which, it is intended can be amended and responsive to comment, particular as case law develops in relation to the implementation of NPPF. In relation to cultural heritage the NPPG follows previous guidance in wording and 'keys in' with, in particular, extant English Heritage guidance documents. The NPPG references many similar terms to the previous PPS5 Practice Guidance.
Conservation Principles, Policies and Guidance (HE 2008)	This sets out the guiding principles of conservation as seen by Historic England and also provides a terminology for assessment of significance upon which much that has followed is based.
Standard and Guidance for an Archaeological Watching Brief (ClfA 2014b)	This document represents non-statutory industry best practice as set out by the Chartered Institute for Archaeologists. This work has been undertaken to these standards, as subscribed to by Solstice Heritage.

Table 4 National guidance documentation consulted

2.3.2 REGIONAL

Archaeological work in Yorkshire is often required to comply with *Yorkshire, The Humber and The North East: A Regional Statement of Good Practice for Archaeology in the Development Process* (SYAS 2011). The key principles in relation to the monitoring work undertaken are summarised in the table below:

Principle	Key Points
2	Archaeological work should be undertaken by professionally qualified and appropriately experienced archaeologists and organisations.
3	All archaeological work will have a scope agreed in advance with the archaeological curator (this document), and any changes to the scope or methodology will be agreed in writing with the archaeological curator.
4	Monitoring of archaeological work by the local archaeological curator will be the norm, and reasonable notice of commencement of fieldwork will be given.
5	Archaeological work will be undertaken in accordance with the best practice guidance of English Heritage and the IfA.
6	The local Historic Environment Record should be consulted prior to the commencement of fieldwork.
7	Archaeological work in the planning process should have regard to national and local published research agenda (see section 4.2 below)
9	Reports and required data will be submitted to the archaeological curator and local HER in a timely fashion and in accordance with the agreed WSI.
10	Any comments made by the archaeological curator on reports and outputs will be made within a reasonable timetable of receipt.
11	Where appropriate significant archaeological findings will be submitted for publication in a suitable journal or journals.
12	Any archive produced will be deposited in an ordered and acceptable fashion within a reasonable timetable, the details of which will be given in the report.
13	During the course of archaeological work arrangements will be made, where possible, for disseminating information about the site to the general public.

Table 5 Key principles of the Regional Statement of Good Practice

3. METHODOLOGY

3.1 FIELDWORK

A small excavation for a supporting concrete pad for a new inserted staircase, within the basement of 41 Micklegate, was excavated on 9th November 2016. All groundworks were monitored by a suitably qualified archaeologist and all excavations were hand dug due to the enclosed nature of the site.

Where archaeological features and deposits were encountered, these were recorded to the standards outlined in the relevant ClfA Standard and Guidance (2014b). All features and deposits were recorded on *pro forma* record sheets, drawn in plan and section at a suitable scale and photographed. No deposits with palaeoenvironmental potential were noted. In addition to any specific features or deposits, a general record of the trench stratigraphy was made on a *pro forma* record sheet.

3.2 POST-FIELDWORK

The primary site archive was compiled, comprising site records and digital photography. This has been used to compile this report, which will be deposited with the local HER as the principal record of the monitoring work undertaken. If considered to be of sufficient significance following discussion with the City of York Archaeologist, the documentary archive will be deposited with a suitable local collections museum within six months of the submission of this report. A suitable OASIS record will be completed for this work, including a digital version of the report uploaded, within the same timescale.

A small assemblage of animal bone was recovered from deposit (003); this has been catalogued, processed and assessed (see Section 5 below).

3.3 CHRONOLOGY

Where chronological and archaeological periods are referred to in the report, the relevant date ranges are broadly defined as follows:

- Palaeolithic (Old Stone Age): 1 million – 12,000 BP (Before present)
- Mesolithic (Middle Stone Age): 10000 – 4000 BC
- Neolithic (New Stone Age): 4000 – 2400 BC
- Chalcolithic/Beaker Period: 2400 – 2000 BC
- Bronze Age: 2400 – BC
- Iron Age: BC – AD 70
- Roman/Romano-British: AD 70 – 410
- Anglo-Saxon/Anglo-Scandinavian: AD 410 – 1066
- Medieval: AD 1066 – 1540
- Post-medieval: AD 1540 – 1750
- Industrial: AD 1750 – 1900
- Modern: AD 1900 – Present

3.4 **ASSUMPTIONS AND LIMITATIONS**

Data and information obtained and consulted in the compilation of this report has been derived from a number of secondary sources. Where it has not been practicable to verify the accuracy of secondary information, its accuracy has been assumed in good faith. All statements and opinions arising from the works undertaken are provided in good faith and compiled according to professional standards. No responsibility can be accepted by the author/s of the report for any errors of fact or opinion resulting from data supplied by any third party, or for loss or other consequence arising from decisions or actions made upon the basis of facts or opinions expressed in any such report(s), howsoever such facts and opinions may have been derived.

3.5 **COPYRIGHT**

Solstice Heritage will retain the copyright of all documentary and photographic material under the Copyright, Designs and Patent Act (1988).



4. RESULTS

4.1 STAIRCASE FOUNDATION TRENCH

An area of monitored excavation was carried out within the basement of 41 Micklegate to create a foundation for a new staircase (Figure 2). The excavation was 3 m long (N-S) and 1.45 m wide (E-W). Excavation was carried out to a total depth of 0.3 m below existing ground level. The excavation removed an area of large York stone flags (001), probably the original floor of the room, which had an average thickness of c. 0.05 m (Figure 3). These had been laid over a dark yellow sand bedding layer (002) with an average thickness of c. 0.05 m. Sealed by the bedding sand (002) was a disturbed layer of black silty soil (003), which contained inclusions of stone chips, small brick fragments and animal bone. This layer was penetrated to a depth of c. 0.2 m but was still present at the base of the excavation once it had been completed (Figure 4). This layer (003) most probably represents a disturbed natural soil horizon present on the site at the time of construction of 41 Micklegate.

Figure 2 Extent of area of monitoring





Figure 3 Undisturbed area of stone flags prior to excavation, looking south. Scale 1x1m



Figure 4 Area of stone flags after excavation. Scale 2x1m

5. FAUNAL REMAINS

Jim Brightman

5.1 INTRODUCTION AND METHOD

A sample of animal bone was assessed and catalogued. All individual specimens were cleaned (depending on condition and suitability to various cleaning methods), bagged and assigned individual small find numbers. The bags were marked with site code, small find number, context number, trench number and general artefact type. Each specimen was examined on a clean working surface in natural light by both eye and using a x10 and x20 magnification hand lens. Metrical data were captured using digital calipers with plastic tines, accurate to 1/10 mm. Weight was measured with a digital balance accurate to 0.1g. Each specimen was logged into a spreadsheet as it was examined.

5.2 SPECIES AND ELEMENT REPRESENTATION

The total number of individual specimens (NISP) was 11. The NISP, element representation and minimum number of individuals (MNI) by taxon is given in Table 6.

Element	Side					Total	Percentage
		Fowl	Sheep/Goat	Unidentified medium mammal	Unidentified		
Rib	Left	1				4	36.36
	Right		1	1			
	Indeterminate			1			
Femur	Left		1			2	18.18
	Indeterminate	1					
Tibia	Right		2			2	18.18
Metatarsal	Indeterminate		1			1	9.09
Unidentified				1	1	2	18.18
NISP		2	5	3	1	11	100.00
Percentage		18.18	45.45	27.27	9.09	100.00	
MNI		2	4	3	1	10	
Percentage		20.00	40.00	30.00	10.00	100.00	

Table 6 Faunal remains assemblage

Seven of the specimens (63.64%) could be identified to taxon with a reasonable degree of certainty, and a further three (27.27%) were considered to be from an unidentified medium mammal. Only one fragment could not be ascribed to any taxon or broad category. Where a taxon identification was possible, two specimens (18.18%) represented fowl, most likely domestic chicken (*gallus*), and five (45.45%) represented sheep/goat, most likely sheep (*ovis*).

In terms of elements represented, the majority were fragments of rib including one fowl, one from sheep/goat and two from indeterminate medium mammals, also considered most likely to be sheep (*ovis*). Other than two indeterminate pieces, the remainder of the specimens were from posterior limb long bones (femur, tibia and metatarsal). One was from a fowl, most likely domestic chicken (*gallus*), and the remaining five (45.45% of the assemblage) were from sheep/goat or unidentified medium mammal, probably sheep (*ovis*).

5.3 DISTRIBUTION

All the specimens were recovered from context (003), a layer of disturbed silty soil considered to represent a pre-existing land surface prior to the construction of 41 Micklegate.

5.4 SEX AND AGE PROFILE

No specimens were noted showing clear indicators of sex. Where present, epiphysial ends to long bones were fused, suggesting that the assemblage comprises the remains of predominantly adult animals. No other characteristic indicators of age were noted in the assemblage.

5.5 BUTCHERY AND BURNING

Five specimens (45.45% of the assemblage) exhibited clear or probable marks associated with butchery, principally the clean cuts associated with heavy chop marks. Several of the long bones had been comprehensively hollowed, suggesting that the marrow had been removed as part of pre-deposition processing.

5.6 CONCLUSION AND RECOMMENDATIONS

Despite its small size, the assemblage of animal bone is typical of medieval or post-medieval domestic refuse, most likely representing the butchered and processed remains of at least sheep and domestic chicken. No further analysis of the assemblage is recommended.

6. **DISCUSSION**

The archaeological monitoring undertaken has not revealed any significant archaeological findings. The assemblage of animal bone recovered, suggestive of probable medieval or post-medieval occupation, is to be expected for a site in this location, but without any related datable finds it has little further potential to inform on past human activity on the site. It is recommended that the bone assemblage not be retained.

No other archaeological features or finds were noted.



7. SOURCES

7.1 BIBLIOGRAPHY

Chartered Institute for Archaeologists. 2014a. *Code of Conduct*. Reading, Chartered Institute for Archaeologists.

Chartered Institute for Archaeologists. 2014b. *Standard and Guidance for an Archaeological Watching Brief*. Reading, Chartered Institute for Archaeologists.

City of York Council (CYC). 2005. *City of York Local Plan*. York, City of York Council.

Department for Communities and Local Government (CLG). 2012. *National Planning Policy Framework*. London, The Stationery Office.

Department for Communities and Local Government (CLG). 2014. *National Planning Practice Guidance*. London, The Stationery Office.

English Heritage (EH). 2008. *Conservation Principles, Policies and Guidance*. London, English Heritage.

Macrae, C. 2013. *City of York Historic Characterisation Project: Character area 21: Micklegate*. York, City of York Council.

South Yorkshire Archaeology Service (SYAS). 2011. *Yorkshire, The Humber and the North East: A Regional Statement of Good Practice for Archaeology in the Development Process*.



APPENDIX 1 – CONTEXT REGISTER

Context Number	Type	Description	Probable Date
001	Structure	Stone slab floor	c.1835
002	Deposit	Yellow sand bedding for floor	c.1835
003	Deposit	Black silty soil	Pre-1835