

ARCHAEOLOGICAL EVALUATION REPORT

SCCAS REPORT No. 2009/307

Land to the rear of 28 St Mary's Square, Newmarket NKT 030

E. Muldowney
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www.suffolkcc.gov.uk/e-and-t/archaeology

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HER Information

Planning Application No: F/2009/0323/FUL

Date of Fieldwork: 14.12.2009

Grid Reference: TL 64151 63396

Funding Body: Mr. A. Owen

Curatorial Officer: Keith Wade

Project Officer: Liz Muldowney

Oasis Reference: suffolkc1-70006

Digital report submitted to Archaeological Data Service:
<http://ads.ahds.ac.uk/catalogue/library/greylit>

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Summary

An archaeological evaluation was carried out on land to the rear of 28 St Mary's Square, Newmarket on the 14th December 2009. No pre post-medieval features were encountered within the evaluated area. Part of a brick-built structure and associated internal and external surfaces were recorded, as well as a pit backfilled with modern rubble including well preserved plastic cement sacks. No artefacts were recovered and no environmental samples were taken.

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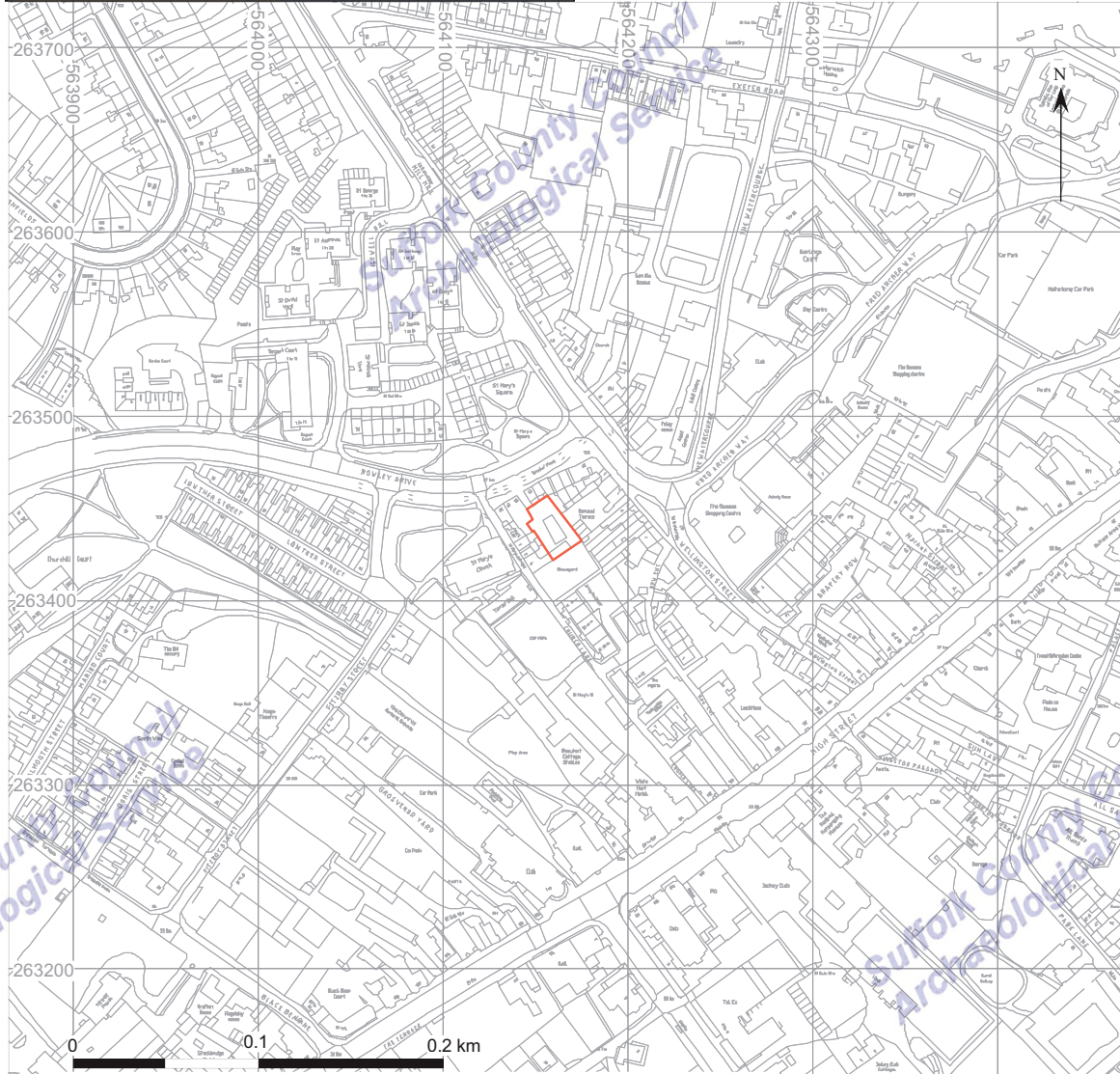
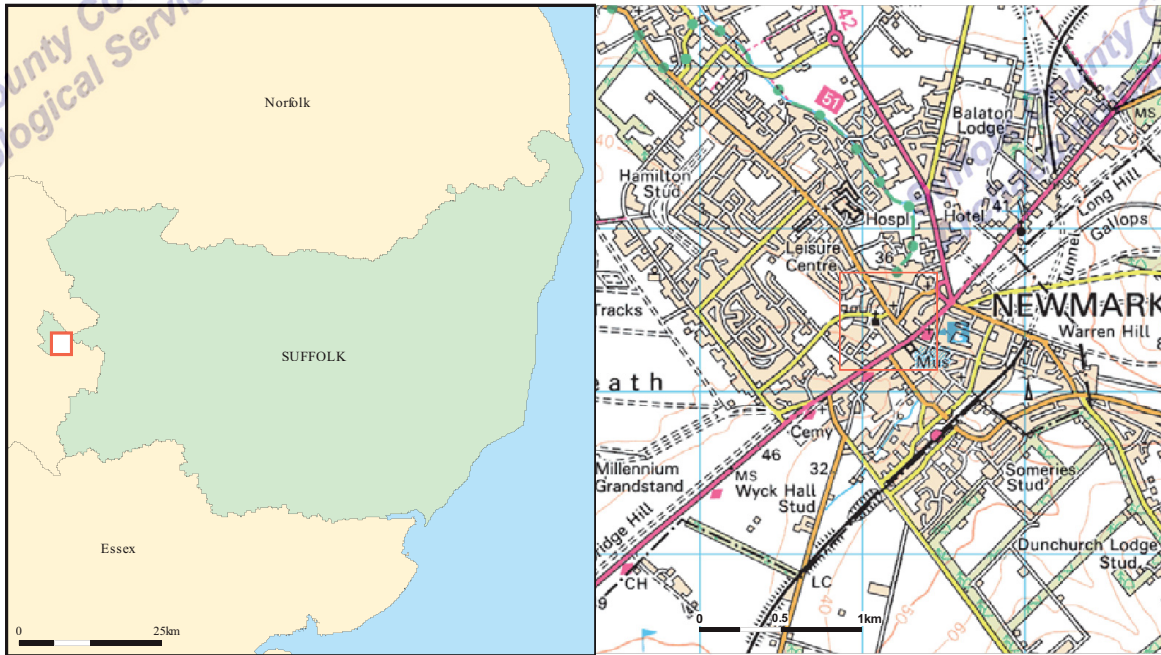
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1. Introduction

An archaeological evaluation was carried out on land to the rear of 28 St Mary's Square, Newmarket on the 14th December 2009. The work was carried out in accordance with a brief and specification issued by Keith Wade (Suffolk County Council Archaeological Service, Conservation Team). This document is included as Appendix 1. The work was undertaken in advance of construction of a small housing development. Funding was provided by the site owner Mr. A. Owen.

2. Geology and topography

The site lies at TL 64151 63396 within the town of Newmarket (Fig. 1). The development area is roughly rectangular measuring 0.05 hectares and is currently a yard associated with the property at Number 28. The majority of the site was covered in tarmac. An open-sided shed/garage was sited in the south-west corner of the site and the centre of the site contained a rectangular area with a thick concrete base bounded by a concrete post and mesh fence. The development area was bounded to the north-west by properties 26, 27 and 28 St Mary's Square, whilst to the north-east there was a high wall forming the boundary to properties facing onto Wellington Street. This wall had multiple construction phases and had been subject to episodes of repair. The most northern part was probably constructed in the 18th or 19th century, and the southern part was constructed of bricks and flints and breeze blocks. To the south-east there was a wall beyond which was a graveyard associated with St Mary's Church and to the south-west was the boundary wall to properties facing onto Church Lane. The area between the central concrete pad and the north-east boundary wall was the only area not under tarmac or concrete and available for evaluation. The geological horizon was white chalk with mid yellowy orange clay and large flint cobble inclusions.



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Figure 1. Site location

3. Archaeological and historical background

The development area is located within the medieval settlement of Newmarket, of which the earliest references occur in the early 13th century (Appendix 3). However, the earliest source available for investigation is a map produced in 1787 showing the development area as part of a larger enclosure extending to the south-west to the frontage with Church Lane. Ranges of buildings are shown around the north-west, south-west and south-east sides of the enclosure (Plate 1). These probably represent a farm and its associated outbuildings. This farm is likely to have been Bottom Farm, recorded on the 1821 Enclosure map as land parcel 101 (Plate 2). Although the ranges of buildings are different from those shown on the 18th century map, the extent of the enclosure is the same. In 1821 this farm is described as the property of the Earl of Rutland, the lord of the manor, and occupied by his tenant William Pettit.

The Church of St Mary was built in the late 13th century as a chapel of ease within the parish of St Martin, Exning. It was located to the north-west of the narrow linear medieval plots offset from the High Street to the south-east. This suggests that the medieval settlement was well established by the late 13th century along the High Street with open land/fields to the rear. It is possible that in the later middle ages to the early post-medieval period, prior to the construction of Bottom Farm, the development area was within this open land later called Mill Hill, the Fair Stead and St Mary's Square. The town expanded into this area in the 18th and 19th centuries.

A search of the Historic Environment Record (HER) within the vicinity of the development area produced few results, suggesting little archaeological intervention has taken place within this part of Newmarket. Most of the references relate to structures, either the parish churches or the royal palaces established by Charles I and Charles II in the 17th century. Two monitorings carried out in vicinity revealed only occasional post-medieval features. A summary of this information is contained in Table 1 below and their location is recorded in Figure 2.

Reference	Type	Form	Date	Description
NKT 001	Building	Church	Post-medieval	All Saints Church. Built in 1875, replacing medieval church on same site
NKT 002	Building	Church	Medieval	Church of St. Mary. 13th century origins with later modifications, Initially a Chapel of ease within the parish of St. Martin, Exning
NKT 004	Building	Inn/Palace/Court	Post-	Newmarket Courthouse stands on site of the palace of

			medieval	James I, which was built on the site of 15th century Griffin Inn
NKT 005	Building	Palace/mansion	Post-medieval	Charles II palace replacing earlier palace NKT 004.
NKT 007	Reference	Road	Unknown	Reference to the Icknield way in post-medieval will. Road might have been in use in the medieval period
NKT 008	Reference	Icehouses	Post-medieval	Between 4 and 7 Icehouses were capped in mid 20th century before Icewell Hill Flats were constructed. Reference to this land being sold in 1819 with the palace of Charles II
NKT 009	Monitoring	Pit	Post-medieval	18th century pit seen in a pile trench
NKT 010	Monitoring	Well; wall	Post-medieval	Post-medieval well seen close to Palace House Precinct wall seen in footing trenches in a factory

Table 1. Selected HER references



Figure 2. Selected HER references close to the development area

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Plate 1. John Chapman's 'Plan of the Town of Newmarket' 1787, oriented approximately north

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Plate 2. Enclosure map for the parish of St. Mary 1821, north to the right

4. Methodology

A programme of evaluation was carried out in accordance with a brief and specification provided by Keith Wade (Suffolk County Council Archaeological Service, Conservation Team). A desk based assessment (DBA) of the archaeological potential had been previously carried out by A. Breen on behalf of Suffolk County Council Archaeological Service, Field Team. The results of this DBA are summarised in Section 3, and the full report is included as Appendix 3. A single trench was excavated in the soft ground between the north-east boundary wall and the central concrete pad (Fig. 3). The trench covered 26.82m² forming 5.15% of the 0.05 hectare development area.

The trench was excavated using a wheeled JCB excavator fitted with a 1.8m wide toothless ditching bucket, under constant archaeological supervision. The recording was carried out in accordance with SCCAS guidelines, and all records were created using SCCAS proformas and high resolution (7 megapixel) digital images were taken of the trench.

No finds were recovered and no environmental samples were taken.

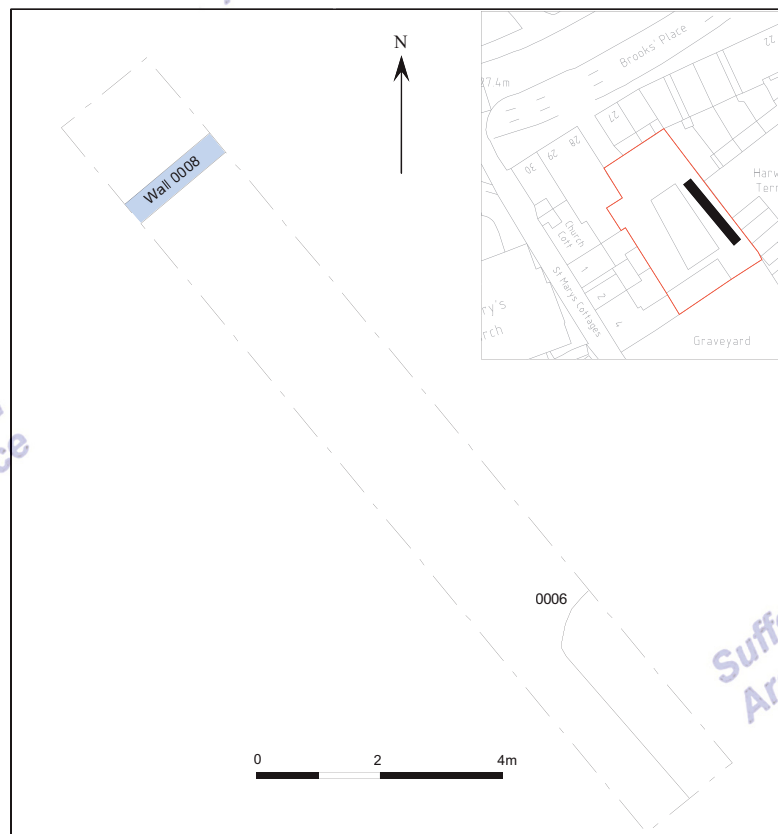


Figure 3. Trench plan

5. Results

No pre post-medieval archaeological features were encountered during the evaluation. A series of ground make up layers and yard/floor surfaces were encountered as well as the footing for a post-medieval wall and a modern pit (Plate 3). The sequence will be described below in stratigraphic order.

Layer 0005 was mid yellowy brown silty clay with moderate brick fragments and moderate charcoal flecks measuring 0.41m in depth. This deposit directly overlay the natural geological horizon and was subsoil.

Wall foundation trench 0009 cut subsoil layer 0005 and was located 1.6m from the north-west end of the trench. It was 0.41m in depth and 0.4m in width. It was filled with mortared brick foundation deposits that were not removed by machine (Plate 3). The stub of wall above it (0008) would have been above ground level.

Wall 0008 was set on the foundation in wall trench 0009. It was constructed from mortared red brick. The bricks were large but appeared to be hand-made and had large flint inclusions. They were likely to be of 18th or 19th century date. This stub of wall originally joined the north-east yard boundary wall and was presumably part of a structure (Plate 4). The full extent of this building could not be established within the evaluation trench.

Layer 0011 abutted wall 0008 on its north-east side. It was mid reddish brown silty clay with frequent crushed brick fragments 0.34m in depth. The layer extended north-west from the wall to the limit of the trench.

Surface 0010 was composed of squared stone flags measuring approximately 200mm by 200mm by 100mm. It sealed layer 0011 and also abutted wall 0008 on its north-west side. It was not present south-west of the wall. This was a floor surface within the demolished structure. It was sealed by the present gravel yard surface 0001.

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Plate 3. Trench 1 looking south-east



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Plate 4. Wall 0008 in section, corner of wall visible at top of image, looking north

Layer 0004 sealed subsoil 0005 and abutted wall 0008 on its south-west side. It was greyish white chalk 0.2m in depth. The deposit extended from the wall across the trench to the south-east where it was truncated by modern pit 0006.

Layer 0003 sealed redeposited chalk layer 0004 and also abutted wall 0008 on its south-west side. It was dark grey clay with occasional chalk flecks 0.15m in depth. The deposit extended from the wall across the trench to the south-east where it was truncated by modern pit 0006.

Layer 0002 sealed clay layer 0003 and also abutted wall 0008 on its south-west side. It was greyish white chalk 0.14m in depth. The deposit extended from the wall across the trench to the south-east where it was truncated by modern pit 0006. A number of small square concrete pads with the remnants of square cut timber posts were observed within this layer.

Layer 0001 was mixed orange and grey silty clay with frequent gravel measuring 0.2m in depth. This deposit formed the present yard surface. It sealed the stump of wall 0008 and the two surfaces on either side of the wall, stone floor 0010 and chalk layer 0002. It was cut at the south-east end of the trench by modern pit 0006.

Pit 0006 was located in the south-east corner of the trench and was partially obscured by the baulks. It was probably sub-rectangular in plan with near vertical sides. The base of the pit was not observed. It cut through the current yard surface 0001. A single loose rubble fill 0007 was recorded in the pit (Plate 5). This contained mortared brick wall fragments, iron fragments, and plastic cement sacks in very good condition indicating that they had been dumped in the pit within the last 30 years.



Plate 5. Modern pit 0006, looking south-east

6. Discussion

Despite the fact that the site was close to the medieval church of St Mary and within the medieval town, no pre post-medieval features were encountered within the evaluated area.

The earliest activity observed was the construction of the north-east to south-west oriented brick wall running across the north-west end of the trench. This wall was the south-east wall of a non extant brick-built structure on the north-east side of the development area. The north-east wall of the building remains and is now part of the boundary wall of the site. The remains of the corner of the wall were still visible above ground (Plate 4). The bricks appeared to be hand-made with large flint inclusions, and their size and form suggested that they were of 18th or 19th century origin. The upper

part of the wall above the level of the subsoil 0005 would have been above ground level and on either side of the wall a different sequence of activity was observed.

To the north-west of the wall was a layer of make up material 0011 that formed the bedding for a stone flagged/cobbled floor 0010. It is presumed that this was an internal floor surface within the building.

To the south-east of the wall was a sequence of layers above the subsoil 0005. A redeposited chalk layer 0004 was sealed by a dark grey clay layer 0003, which was in turn sealed by another redeposited chalk layer 0002. The chalk layers were thought to have been yard surfaces external to the building. The presence of concrete pads in the latest chalk surface 0002 with the remains of timber in their settings indicated that these surfaces were also quite recent in origin. The current property owner said that there had been an open-sided shed here when the property was a builders merchant's yard in the mid 20th century and this latest surface might have been associated with it.

The stone floor surface 0010 and chalk surface 0002 were sealed below the present yard surface 0001. This was in turn cut by the large pit 0006 that had been filled with rubble and builders merchant debris. The pit had been obscured at the surface by leaf mould and vegetation.

7. Conclusions and recommendations for further work

The evaluation produced no evidence for use of the site prior to the late post-medieval period. No evidence for medieval or earlier activity was present. On the basis of this evaluation further work is considered unnecessary.

8. Archive deposition

Paper and photographic archive: SCCAS Bury St Edmunds
T:\Arc\ALL_site\Newmarket\NKT 030 28 St Marys Square

9. List of contributors and acknowledgements

The evaluation was carried out by Liz Muldowney and John Simms from Suffolk County Council Archaeological Service, Field Team. The Desk Based Assessment was produced by Anthony Breen.

The project was directed by Liz Muldowney, and managed by Dave Gill.

The post-excavation was managed by Richenda Goffin, who also checked the report.

Disclaimer

Any opinions expressed in this report about the need for further archaeological work are those of the Field Projects Team alone. Ultimately the need for further work will be determined by the Local Planning Authority and its Archaeological Advisors when a planning application is registered. Suffolk County Council's archaeological contracting services cannot accept responsibility for inconvenience caused to the clients should the Planning Authority take a different view to that expressed in the report.

Appendix 1. Brief and specification

SUFFOLK COUNTY COUNCIL

ARCHAEOLOGICAL SERVICE - CONSERVATION TEAM

Brief and Specification for an Archaeological Evaluation

Evaluation by Trial Trench

LAND TO THE REAR OF 28 ST MARY'S SQUARE, NEWMARKET

The commissioning body should be aware that it may have Health & Safety and other responsibilities, see paragraphs 1.7 & 1.8.

This is the brief for the first part of a programme of archaeological work. There is likely to be a requirement for additional work, this will be the subject of another brief.

1. Background

1.1 Planning consent has been granted for erection of four terraced dwellings on land to the rear of 28 St Mary's Square, Newmarket (F/2009/0323/FUL).

1.2 The planning consent contains a condition (8) requiring the implementation of a programme of archaeological work before development begins (Planning Policy Guidance 16, paragraph 30 condition). In order to establish the full archaeological implications of the proposed development, an archaeological evaluation is required of the site. **The evaluation is the first part of the programme of archaeological work and decisions on the need for, and scope of, any further work will be based upon the results of the evaluation and will be the subject of additional briefs.**

1.3 The development area lies within the area of archaeological importance defined for late medieval Newmarket in the County Historic Environment Record and close to St Mary's Church.. There is, therefore, a high probability that the development will damage or destroy archaeological deposits.

1.4 All arrangements for the field evaluation of the site, the timing of the work, access to the site, the definition of the precise area of landholding and area for proposed development are to be defined and negotiated with the commissioning body.

1.5 Detailed standards, information and advice to supplement this brief are to be found in *Standards for Field Archaeology in the East of England*, East Anglian Archaeology Occasional Papers 14, 2003.

1.6 In accordance with the standards and guidance produced by the Institute of Field Archaeologists this brief should not be considered sufficient to enable the total execution of the project. A Project Design or Written Scheme of Investigation (PD/WSI) based upon this brief and the accompanying outline specification of minimum requirements, is an essential requirement. This must be submitted by the developers, or their agent, to the Conservation Team of the Archaeological Service of Suffolk County Council (Shire Hall, Bury St Edmunds IP33 2AR; telephone/fax: 01284 352443) for approval. The work must not commence until this office has approved both the archaeological contractor as

suitable to undertake the work, and the PD/WSI as satisfactory. The PD/WSI will *provide the basis for measurable standards* and will be used to establish whether the requirements of the planning condition will be adequately met.

- 1.7 Before any archaeological site work can commence it is the responsibility of the developer to provide the archaeological contractor with either the contaminated land report for the site or a written statement that there is no contamination. The developer should be aware that investigative sampling to test for contamination is likely to have an impact on any archaeological deposit which exists; proposals for sampling should be discussed with this office before execution.
- 1.8 The responsibility for identifying any restraints on field-work (e.g. Scheduled Monument status, Listed Building status, public utilities or other services, tree preservation orders, SSSIs, wildlife sites &c.) rests with the commissioning body and its archaeological contractor. The existence and content of the archaeological brief does not over-ride such restraints or imply that the target area is freely available.

2. **Brief for the Archaeological Evaluation**

- 2.1 Establish whether any archaeological deposit exists in the area, with particular regard to any which are of sufficient importance to merit preservation *in situ* [at the discretion of the developer].
- 2.2 Identify the date, approximate form and purpose of any archaeological deposit within the application area, together with its likely extent, localised depth and quality of preservation.
- 2.3 Evaluate the likely impact of past land uses and natural soil processes. Define the potential for existing damage to archaeological deposits. Define the potential for colluvial/alluvial deposits, their impact and potential to mask any archaeological deposit. Define the potential for artificial soil deposits and their impact on any archaeological deposit.
- 2.4 Establish the potential for waterlogged organic deposits in the proposal area. Define the location and level of such deposits and their vulnerability to damage by development where this is defined.
- 2.5 Provide sufficient information to construct an archaeological conservation strategy, dealing with preservation, the recording of archaeological deposits, working practices, timetables and orders of cost.
- 2.6 Evaluation is to proceed sequentially: the desk-based evaluation will normally precede the field evaluation unless agreed otherwise. The results of the desk-based work is to be used to inform the trenching design. This sequence will only be varied if benefit to the evaluation can be demonstrated.
- 2.7 This project will be carried through in a manner broadly consistent with English Heritage's *Management of Archaeological Projects*, 1991 (MAP2), all stages will follow a process of assessment and justification before proceeding to the next phase of the project. Field evaluation is to be followed by the preparation of a full archive, and an assessment of potential. Any further excavation required as mitigation is to be followed by the preparation of a full archive, and an assessment of potential, analysis and final report preparation may follow. Each stage will be the subject of a further brief and updated project design, this document covers only the evaluation stage.
- 2.8 The developer or his archaeologist will give the Conservation Team of the Archaeological Service of Suffolk County Council (address as above) five working days

notice of the commencement of trenching on the site, in order that the work of the archaeological contractor may be monitored.

2.9 If the approved evaluation design is not carried through in its entirety (particularly in the instance of trenching being incomplete) the evaluation report may be rejected. Alternatively the presence of an archaeological deposit may be presumed, and untested areas included on this basis when defining the final mitigation strategy.

2.10 An outline specification, which defines certain minimum criteria, is set out below.

3. **Specification A: Desk-Based Assessment**

3.1 Consult the County Historic Environment Record (HER), both the computerised record and any backup files.

3.2 Examine all the readily available cartographic sources (e.g. those available in the County Record Office). Record any evidence for historic or archaeological sites (e.g. buildings, settlements, field names) and history of previous land uses. Where permitted by the Record Office make either digital photographs, photocopies or traced copies of the document for inclusion in the report.

3.3 Assess the potential for documentary research that would contribute to the archaeological investigation of the site.

4 **Specification B: Field Evaluation**

4.1 Trial trenches are to be excavated to sample all parts of the site. A single linear trench (north-south) down the middle of the site is thought to be the most appropriate sampling method. Trenches are to be a minimum of 1.2m wide unless special circumstances can be demonstrated. If excavation is mechanised a toothless 'ditching bucket' must be used. The trench design must be approved by the Conservation Team of the Archaeological Service before field work begins.

4.2 The topsoil may be mechanically removed using an appropriate machine fitted with toothless bucket and other equipment. All machine excavation is to be under the direct control and supervision of an archaeologist. The topsoil should be examined for archaeological material.

4.3 The top of the first archaeological deposit may be cleared by machine, but must then be cleaned off by hand. There is a presumption that excavation of all archaeological deposits will be done by hand unless it can be shown there will not be a loss of evidence by using a machine. The decision as to the proper method of further excavation will be made by the senior project archaeologist with regard to the nature of the deposit.

4.4 In all evaluation excavation there is a presumption of the need to cause the minimum disturbance to the site consistent with adequate evaluation; that significant archaeological features, e.g. solid or bonded structural remains, building slots or post-holes, should be preserved intact even if fills are sampled.

4.5 There must be sufficient excavation to give clear evidence for the period, depth and nature of any archaeological deposit. The depth and nature of colluvial or other masking deposits must be established across the site.

4.6 The contractor shall provide details of the sampling strategies for retrieving artefacts, biological remains (for palaeoenvironmental and palaeoeconomic investigations), and samples of sediments and/or soils (for micromorphological and other pedological/sedimentological analyses. Advice on the appropriateness of the proposed

strategies will be sought from the English Heritage Regional Adviser for Archaeological Science (East of England). A guide to sampling archaeological deposits (Murphy and Wiltshire 1994) is available.

- 4.7 Any natural subsoil surface revealed should be hand cleaned and examined for archaeological deposits and artefacts. Sample excavation of any archaeological features revealed may be necessary in order to gauge their date and character.
- 4.8 Metal detector searches must take place at all stages of the excavation by an experienced metal detector user.
- 4.9 All finds will be collected and processed (unless variations in this principle are agreed with the Conservation Team of SCC Archaeological Service during the course of the evaluation).
- 4.10 Human remains must be left *in situ* except in those cases where damage or desecration are to be expected, or in the event that analysis of the remains is shown to be a requirement of satisfactory evaluation of the site. However, the excavator should be aware of, and comply with, the provisions of Section 25 of the Burial Act 1857.
"Guidance for best practice for treatment of human remains excavated from Christian burial grounds in England" English Heritage and the Church of England 2005 provides advice and defines a level of practice which should be followed whatever the likely belief of the buried individuals.
- 4.11 Plans of any archaeological features on the site are to be drawn at 1:20 or 1:50, depending on the complexity of the data to be recorded. Sections should be drawn at 1:10 or 1:20 again depending on the complexity to be recorded. Any variations from this must be agreed with the Conservation Team.
- 4.12 A photographic record of the work is to be made, consisting of both monochrome and colour photographs.
- 4.13 Topsoil, subsoil and archaeological deposit to be kept separate during excavation to allow sequential backfilling of excavations.

5. General Management

- 5.1 A timetable for all stages of the project must be agreed before the first stage of work commences, including monitoring by the Conservation Team of SCC Archaeological Service.
- 5.2 The composition of the project staff must be detailed and agreed (this is to include any subcontractors).
- 5.3 A general Health and Safety Policy must be provided, with detailed risk assessment and management strategy for this particular site.
- 5.4 No initial survey to detect public utility or other services has taken place. The responsibility for this rests with the archaeological contractor.
- 5.5 The Institute of Field Archaeologists' *Standard and Guidance for Archaeological Desk-based Assessments* and for *Field Evaluations* should be used for additional guidance in the execution of the project and in drawing up the report.

6. Report Requirements

- 6.1 An archive of all records and finds must be prepared consistent with the principles of English Heritage's *Management of Archaeological Projects*, 1991 (particularly Appendix 3.1 and Appendix 4.1).
- 6.2 The data recording methods and conventions used must be consistent with, and approved by, the County Historic Environment Record.
- 6.3 The objective account of the archaeological evidence must be clearly distinguished from its archaeological interpretation.
- 6.4 An opinion as to the necessity for further evaluation and its scope may be given. No further site work should be embarked upon until the primary fieldwork results are assessed and the need for further work is established
- 6.5 Reports on specific areas of specialist study must include sufficient detail to permit assessment of potential for analysis, including tabulation of data by context, and must include non-technical summaries.
- 6.6 The Report must include a discussion and an assessment of the archaeological evidence. Its conclusions must include a clear statement of the archaeological potential of the site, and the significance of that potential in the context of the Regional Research Framework (*East Anglian Archaeology*, Occasional Papers 3 & 8, 1997 and 2000).
- 6.7 Finds must be appropriately conserved and stored in accordance with *UK Institute of Conservators Guidelines*. The finds, as an indissoluble part of the site archive, should be deposited with the County HER if the landowner can be persuaded to agree to this. If this is not possible for all or any part of the finds archive, then provision must be made for additional recording (e.g. photography, illustration, analysis) as appropriate.
- 6.8 The site archive is to be deposited with the County HER within three months of the completion of fieldwork. It will then become publicly accessible.
- 6.9 Where positive conclusions are drawn from a project (whether it be evaluation or excavation) a summary report, in the established format, suitable for inclusion in the annual 'Archaeology in Suffolk' section of the *Proceedings of the Suffolk Institute for Archaeology*, must be prepared. It should be included in the project report, or submitted to the Conservation Team, by the end of the calendar year in which the evaluation work takes place, whichever is the sooner.
- 6.10 County HER sheets must be completed, as per the county HER manual, for all sites where archaeological finds and/or features are located.
- 6.11 At the start of work (immediately before fieldwork commences) an OASIS online record <http://ads.ahds.ac.uk/project/oasis/> must be initiated and key fields completed on Details, Location and Creators forms.
- 6.12 All parts of the OASIS online form must be completed for submission to the HER. This should include an uploaded .pdf version of the entire report (a paper copy should also be included with the archive).

Specification by: Keith Wade

Suffolk County Council
Archaeological Service Conservation Team
Environment and Transport Department
Shire Hall
Bury St Edmunds
Suffolk IP33 2AR

Tel: 01284 35244

Date: 17th November, 2009

Reference: /St Mary's Square

This brief and specification remains valid for 12 months from the above date. If work is not carried out in full within that time this document will lapse; the authority should be notified and a revised brief and specification may be issued.

If the work defined by this brief forms a part of a programme of archaeological work required by a Planning Condition, the results must be considered by the Conservation Team of the Archaeological Service of Suffolk County Council, who have the responsibility for advising the appropriate Planning Authority.

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Appendix 2. Context Information

Context of	Fill	Filled by	Category	Type	Description	Length (m)	Width (m)	Depth(m)	Interpretation
0001			Layer	Surface (external)	Mixed orange and grey			0.2	Current yard surface. Cut by pit 0006. Seals top of wall stump 0008.
0002			Layer	Surface (external)	White			0.14	Redeposited chalk layer probably forming a floor/surface in a post-medieval shed (removed). Open sided structure once here when number 28 was a builders merchant. Possibly associated with concrete pad and post supports seen in here Part of sequence of layers - could be yard surface.
0003			Layer	Surface (external)	Dark grey			0.15	Redeposited chalk probably a yard surface built up against base of wall 0008 on southern side. Abbutts the wall.
0004			Layer	Surface (external)	White			0.20	Subsoil cut by wall foundation trench 0009. Could have been dumped to level the area.
0005			Layer	Subsoil	Mid yellow brown			0.41	Large modern pit filled with rubble
0006		0007	Cut	Pit	Vertical sided, base not seen	3.6	1	1.1	Loose rubble backfill of pit. Some builders merchant debris mixed with remains of a mortared wall fragments. Well preserved plastic sacks would suggest dumped in the last 30 years.
0007	0006		Fill	Pit	Dark greyish brown			1.1	Wall foundation trench cuts subsoil 0005. Wall stub would have been above ground, probably 18th to 19th century by the look of the bricks. stone cobbled floor. North-west of wall only. Internal floor. Possibly floor make up layer
0009		0008	Cut	Foundation trench	North-east to south-west	1.8	0.4	0.41	
0010			Layer	Surface (internal)	Firm			0.34	
0011			Layer	Surface (make up)	Mid reddish brown				Frequent crushed red brick fragments

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Appendix 3. Documentary Evidence

By Anthony Breen

Introduction

The research for this report has been carried out at the Suffolk Record Office in Bury St Edmunds, though a limited number of primary sources have been used. This is due to the large number of books that have been published on the history of Newmarket including the works of Canon Peter May, the former rector of St Mary's.

Site Location

This site is to the rear of 28 St Mary's Square. The property's frontage faces north onto the square. The site is within a block of housing roughly defined by Wellington Street to the east, that continues to the north first into Mill Hill and then into Exning Road, to the west by Church Lane with St Mary's Church to the west of the lane and an extension of the churchyard immediately to the south of this site. Running through this area is the New Cut street that covers an earlier watercourse. Some of the names of the nearby streets such as Rowley Drive, Wellington Street have changed over time.

The former borough of Newmarket and present town are entirely within Suffolk. The town itself was divided into two parishes with St Mary's in Suffolk and All Saints in Cambridgeshire. The parish and former county boundary ran through the centre of the High Street to the south of this site. Both parishes were in the deanery of Fordham that overlaps both counties. Canon May states that Newmarket was 'carved out of one parish (Exning) and spread out into another (Woodditton)'. 'The northern part of Newmarket, corresponding to the old St Mary's Ward, was in Exning, in Suffolk, while the southern part, corresponding to the old All Saints' Ward, was in Woodditton, in Cambridge'.

The earliest references to the town were recorded in about 1220 and 'Ecclesiastically St Mary's Church, built in the late 13th century, was called the old chapel of the Blessed Mary in Newmarket and was a chapel of ease in the parish of St Martin, Exning until the beginning of the 16th century when it became a parish church' (May 1982).

Maps

The record office has a limited number of maps for this area. They hold only the third edition of the 1:2500 Ordnance Survey map sheet number XLII.6, dated 1926. On this map Wellington Street is named as Wellington Lane and Rowley Drive as Fitzroy Street. The areas to the west and north of St Mary's Square have been redeveloped and a number of the smaller houses in Ice Well Hill, Victory Lane and Ward's Alley demolished and rows such as Regent Lane removed. The houses surrounding this site appear to occupy the same ground, as at present though there have been a number of changes to the ranges of the buildings behind each property. Harwood Terrace is not shown on this map.

There is no tithe map for Newmarket St Mary's as the conversion of the payment of tithes to a fixed rent charge was settled at the time of the enclosure of the parish in 1821.

At the time of the enclosure the entire parish was measured at 236 acres 1 rood and 5 perches of which 103 acres 3 roods and 12 perches had been common land, waste and open fields, the remaining 12 acres 3 roods and 35 perches were taken up by public and private roads and small areas of remaining common land (ref. FL610/1/6). As the enclosure award dealt with the payment of tithes and their conversion to a fixed rent charge the entire parish was mapped and each piece of land numbered. On this map the open area of St Mary's Square is labelled The Fair Stead. The New Cut was then an open watercourse running to the northeast. The area of this site was a single enclosure numbered 101 on the plan and according to the schedule attached to the award it was then the property of the Duke of Rutland, who was also the lord of the manor. It was measured at 1 rood 5 perches. In a pencilled note added to the margins of the schedule the property is further identified as 'Bottom Farm'. Various buildings are shown within this enclosure including three occupying the site to the rear of 28 St Mary's Square.

The land to the west numbered 102 on the map was then the property of the trustees of Richard Prince. It was measured at 2 roods and 3 perches. Richard Prince had been a noted 'groom' ie a horse trainer. He trained five winners of the 'Derby', a race first established in 1780. The horses were 'Spread Eagle' in 1795, 'Didelot' in 1796, 'Archduke' in 1799, 'Paris' in 1806 and 'Tiresias' in 1819. Richard Prince had also owned the plots numbered 98 and 99, measured together at 2 roods and 23 perches.

The site of the graveyard is numbered 100 on this map and was then the property of the rector of St Mary's and measured at 22 perches.

John Chapman's 1787 printed plan of the Newmarket (ref. 435) marks the area of St Mary's Square as 'Mill Hill' and Wellington Lane as 'Fox & Goose Lane'. Bottom Farm the property of the Earl of Rutland and in the occupation of his tenant William Pettit in 1821 is shown on this plan. Within the area of the farmyard itself there are fewer buildings though the range at the southeast corner is shown on both this plan and the enclosure map of 1821.

There are no other earlier maps for this site at the record office in Bury.

Ecclesiastical Records

Suffolk was formerly part of the diocese of Norwich. In 1837 the parishes of West Suffolk that were part of the archdeaconry of Sudbury were transferred to the jurisdiction of the diocese of Ely. Records produced by these dioceses but relating exclusively to Suffolk parishes have now been transferred to the record office in Bury. These include documents relating to the extension of the churchyard of St Mary's, Newmarket in 1819. In their petition to the Bishop of Norwich dated 22 February 1819, the recital clause states the case for the extension on behalf of the then incumbent Reverend James Barker and churchwardens, 'that the churchyard of the said Parish of St Mary in Newmarket aforesaid was not sufficiently large for the propose of a burying ground for the use of the said parish and that the close or field of pasture thereafter described lied contiguous to the said churchyard and convenient for an additional burying ground'. The land was further described as 'All that piece or parcel of ground being part of the aforesaid close or field of pasture ground situate in the parish of Saint Mary in Newmarket aforesaid containing twenty three perches or thereabouts bounded on the north by a farm yard and buildings then in the occupation of William Pettit on the east by other part of the aforesaid close or field on the south by other part of the same close or field and the west by the Church Lane'. This property had been bought in February 1819 from 'Richard Prince of Newmarket aforesaid groom and Ann his wife'. These same details appear in other documents in this bundle (ref. FE 500/3/NewmarketStMary/1). The documents note that the deeds had been enrolled at the court of Chancery and a new title is likely to appear in other deeds relating to

Richard Prince's lands from this date onwards. A further extension to the churchyard was required in 1836 when an additional 21 perches were purchased at the corner of Meeting House Lane (marked as Fitzroy Street on the Ordnance Survey map of 1926). Unlike the 1819 deeds there is a small plan attached to the deed for this property (ref. FE 500/3/NewmarketStMary/2).

Secondary Sources

In Canon Peter May's booklet 'Newmarket Medieval and Tudor' there is a plan of 'Newmarket as it may have been in 1472' based on his extensive research of late medieval records in particular the manorial account rolls of 1472/73. He labelled the site in brackets as St Mary's Square and numbers the area 59. It is listed in the key as 'Fairstead or St Mary's Square'. It was claimed that in 1223 Richard Argentein the then lord of the manor had been granted the right to hold a fair at Newmarket. This detail is omitted from a survey of the manor in 1283. His descendant Reginald Argentein obtained a charter in 1293 from Edward II to hold a second fair 'on the three days around St Barnabas' Day (11 June)'. 'The two fairs were no doubt held in St Mary's Square, frequently called Fairstead in later documents'.

Canon May produced a number of booklet on the earlier history of Newmarket based on his extensive knowledge of medieval and later documents. In his 1975 booklet 'High & Market Newmarket and Its Beginnings' he describes the area of Mill Hill based on Chapman's plan of the town. 'The Millhill then covered the area bounded by St Mary's Square, the roads to Burwell and Exning and Millbank'. 'It was different from the great common in several ways... the manorial tenants on the High Street rented land on it from the lord of the manor, an indication that it was his land and not common land'.

In his 'The Changing Face of Newmarket' he notes the growth of the town's population in the seventeenth and early eighteenth centuries and that 'One characteristic of this period is the amount of waste land which is being handed over by the lord of the manor to be built on by his new tenants ... the locations of these pieces of waste land show where the new building was taking place, on Mill-hill'.

It is unlikely that William Pettit's tenanted farm was built at such an early date, however it is clear that the land was the property of the lord of the manor and not common and this would have allowed the various lords a freehand to enclose various areas for their

own use. The farm and yard were probably enclosed and built on in the eighteenth century and by the late eighteenth century the title of the lordship rested with the Dukes of Rutland.

Not all the manorial documents relating to Newmarket have been deposited at the record office in Bury and the Dukes of Rutland have retained their own archives.

Conclusion

This site was formerly part of a farmyard, a tenanted property belonging to the dukes of Rutland. Though the area of Mill Hill, St Mary's Square and Fairstead appears to have been common land, in fact Peter May's extensive research establishes that the land was the property of the lords of the manor. The right to hold the fair in Newmarket had been granted to this lordship of the manor and the town was a seigneurial borough that is one under a lord rather than a borough incorporated by royal charter. The lords would have had the power to enclose parts of this area for their own use.

The settlement around St Mary's Square appears to have been a product of the growth of population in the late seventeenth and early nineteenth centuries with much of the area to the north and west of the square covered with small rows of cottages, now demolished. The position of the church, a former chapel of ease can be understood when it is thought to have been built only in the late thirteenth century at a time when the street frontage along the High Street and areas surrounding the former market had already been developed. Until the chapel became a separate parish, the parishioners would have been buried at St Martin's, Exning and not at Newmarket. When the town's population expanded it became necessary to acquire additional areas for burials.

References

Maps

1:2500 Ordnance Survey Map sheet number XLII.6 published 1926

FL 610/1/6 Newmarket St Mary's Enclosure Map and award 1821

435 John Chapman's 'Plan of the Town of Newmarket' published London 1787

Diocesan Papers

FE 500/3//NewmarketSt Mary/1 Graveyard Extension St Mary's Newmarket 1819

FE 500/3//NewmarketSt Mary/2 Graveyard Extension St Mary's Newmarket 1836

Printed Works

Peter May 'High & Market Newmarket and Its Beginnings' published privately 1975

Peter May 'The Changing Face of Newmarket 1600-1700' Peter May Publications 1984

Peter May 'Newmarket Medieval and Tudor' published privately 1992

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