

FOSS CASTLE, LYTHE,  
NORTH YORKSHIRE

ARCHAEOLOGICAL EARTHWORK SURVEY



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## EXECUTIVE SUMMARY

*In January 2022, Ed Dennison Archaeological Services (EDAS) Ltd secured a grant from the North York Moors National Park Authority (NYMNP) to survey the motte and bailey earthworks representing the former Foss Castle on the north side of Sandsend Beck, some 3km to the south-west of Sandsend, North Yorkshire (NGR NZ 83208 11733 centred). The measured earthwork survey provides a detailed record of the castle which will help with future management of the site. The castle, which is a Scheduled Monument (NHLE 1008286) within the Grade II\* Mulgrave Castle Registered Park and Garden (NHLE 1001065), lies within the Mulgrave Estate.*

*The castle is generally stated to have been founded by Nigel Fossard in the period c.1071-73, or 1072, although the exact source of this very precise date is unclear; if this date is correct, it would be an early foundation. Fossard was a major Norman landholder in Cleveland and Yorkshire, and the castle could have acted as an early post-Conquest 'caput' for his regional estates which lay between Egton in the south and Roxby to the north. It occupies a prominent position above the Barnby and Sandsend becks, and controls a crossing point of the watercourse adjacent to Foss Mill. The site was short-lived, being abandoned in c.1200 in favour of the stone-built Mulgrave Castle on the opposite side of the Sandsend Beck.*

*The motte at Foss Castle is a prominent and visually impressive sub-circular steeply-scarped mound, some 5.8m high and with a flattened summit measuring c.35.50m in diameter. Traces of a probable timber palisade can be seen around the break of slope, while a large platform on the north-east side of the motte must represent the principal structure, almost certainly a timber tower of two or more storeys. The position of two other possible structures are also visible as earthworks, although some slight features might be related to unrecorded excavations carried out in 1817.*

*There are two baileys. One to the north of the motte has a constricted triangular plan which has been cut through by a later trackway. This contains the earthworks of at least two possible structures, and a linear depression may represent an internal division. A larger bailey to the south-east of the motte has a more typical sub-rectangular, almost fan-shaped, plan, and it appears to be contemporary with the motte rather than being a later addition. Its north side is defined by a substantial bank and ditch but the full extent of the south side is unclear due to erosion along the beck. This bailey would have contained a large number of structures, but little above-ground evidence now remains, due to post-abandonment activity including ploughing (as evidenced by ridge and furrow), more recent tree planting and vegetation growth. There is a possible entrance with a forebuilding in the south-east corner of this bailey which suggests that the castle was approached from the east along the north side of the Sandsend Beck, although there is another potential entrance into the north bailey which may or may not be contemporary. Precisely how the top of the motte was accessed is now unclear, although it is assumed that there was a timber structure spanning the ditch and running up to the summit from one or both baileys. The whole complex covers approximately 1.71 acres, which would place it in the mid-range of sizes for castles known to have been established during the 11th century.*

*It has previously been thought that the castle was established on an existing pre-medieval, potentially late prehistoric or Anglo-Saxon, site. The detailed survey recorded earthworks suggesting an elongated semi-circular or elliptical enclosure defined by watercourses on its west and south sides. The remains of part of this enclosure could well have been incorporated into the later motte and bailey castle, which might explain the curiously-shaped and constricted north bailey. Confirmation of this enclosure, and any date and function, could only be confirmed by excavation.*

*The fact that Foss Castle saw minimal disturbance after its abandonment means that it is likely to retain important below-ground deposits, and so it represents a significant archaeological resource which is worthy of wider attention.*

# 1 INTRODUCTION

## Background to the Project

- 1.1 In January 2022, Ed Dennison Archaeological Services (EDAS) Ltd secured a grant from the North York Moors National Park Authority (NYMNPA) to undertake a detailed measured earthwork survey of the former Foss Castle in Lythe, some 3km to the west-south-west of Sandsend and 6.65km west of Whitby, North Yorkshire (NGR NZ 83208 11733 centred) (see figure 1). The NYMNPA grant covered the site survey work, while EDAS funded the reporting, archiving and publication elements of the project. The project was carried out with the permission of the Mulgrave Estate, which owns the site.
- 1.2 The measured earthwork survey provides a detailed record of the castle which will help with future management of the site. The castle is a Scheduled Monument (National Heritage List for England 1008286) and is located within the Grade II\* Mulgrave Castle Registered Park and Garden (National Heritage List for England 1001065); it also lies within the North York Moors National Park.

## Location and Summary Description

- 1.3 The earthwork known as Foss Castle is situated on the north side of the Sandsend Beck, directly above the point where it is joined by the Barnby Beck from the west and a minor tributary stream from the north (see figures 1 and 2). The area of survey measured c.160m north-south by 150m east-west, and was set at an elevation of c.91.50m AOD. Although there is higher land to the north and north-west, the ground level falls off very significantly to the immediate south of the castle site into the valley of the Barnby Beck.
- 1.4 The survey area comprised deciduous woodland, although the highest parts had recently been cleared of trees by the Mulgrave Estate. The site is accessed from a public footpath to the west, which leaves Low Lane to the north adjacent to High Leas Farm. At present, the Mulgrave Estate allows public access to the site on Wednesdays and at weekends, and an information board, produced by EDAS, has been erected at the entrance to the site in December 2021.
- 1.5 The castle is not thought to have been the subject of any previous detailed investigation, although a survey and description of the earthworks was produced by l'Anson in 1913 (l'Anson 1913, 348-351). Some limited excavations are reputed to have been dug into the castle mound before 1817, although it is not known what, if anything, was discovered. The site is also described in a number of general publications, dating from 1817 (Young 1817, 687) through to more recent times (e.g. Renn 1973, 250), although it is missing from more general regional surveys (e.g. Salter 2001; Turner 2004), probably because there are no upstanding structural remains.

## Fieldwork Methodology

- 1.6 The archaeological survey was defined by an EDAS methods statement, which was submitted to and approved by the Head of Historic Environment at the NYMNPA (see Appendix 1).

### *Detailed Measured Survey*

- 1.7 The detailed measured earthwork survey was undertaken at a scale of 1:500, and was carried out in two phases. The first phase utilised EDM total station equipment, and sufficient information was gathered to allow the survey area to be readily located through the use of surviving structures, fences, walls, water courses, trackways and other topographical features. The survey recorded the position at ground level of all structures, wall remnants and revetments, earthworks, water courses, leats, paths, stone and rubble scatters, ironwork, fences, walls and other features considered to be of archaeological or historic interest. The site survey was only able to be aligned approximately to the Ordnance Survey national grid, as there were no nearby Ordnance Survey bench marks. Two profiles at a scale of 1:250 were constructed across the castle, using one of the fixed survey stations as a temporary bench mark. Survey points were taken from fixed survey stations on a closed traverse around and through the survey area. The locations, descriptions and values of the control points are stated in the final survey data. The initial EDM survey was carried out on 2nd-3rd February 2022.
- 1.8 On completion of the total station survey, the field data was plotted and re-checked in the field in a separate operation (Phase 2). Any amendments or additions were surveyed by hand measurement. This work was undertaken on 1st March 2022.
- 1.9 The resulting site survey was produced at a scale of 1:500 and was presented as an interpretative hachure plan using conventions analogous to those used by Historic England (2017, 25-26 & 41-45). The survey work equates to a Level 3 archaeological survey as defined by Historic England (2017, 33-34).

### *Photographic Survey*

- 1.10 General photographic recording of the survey area, together with close-up photography of significant details, was undertaken using an SLR digital camera with 12 mega-pixel resolution. The guidelines produced by Historic England (2015; 2017, 22-23) were followed and each photograph was provided with a scale where appropriate.
- 1.11 All photographs were taken in colour in jpeg format, and clearly numbered and labelled with the subject, orientation, date taken and photographer's name, and cross referenced to digital files. A photographic register detailing the location and direction of each shot was completed.
- 1.12 For completeness, a number of site photographs taken on 6th April 2020 (film 1) and 8th October 2021 (film 2) have been added to those taken as part of the survey work on 1st March 2022 (film 3).

### *Written Accounts*

- 1.13 Sufficient notes were taken on site in order for a detailed description of the survey area to be prepared, in combination with the drawn and photographic records.

### **Reporting and Archive**

- 1.14 An EDAS archive archaeological survey report was produced, based on the results of the project. This report assembles and summarises the available evidence for the survey area in an ordered form, synthesises the data, comments on the quality

and reliability of the evidence, and how it might need to be supplemented by further fieldwork or desk-based research. The report is illustrated by reduced versions of the survey drawings, other historic maps and plans, and a selection of photographic plates. A combination of hard copy and electronic pdf versions of the final report were supplied to the NYMNP Historic Environment Record (HER) and the Mulgrave Estate, and another copy was also included within the site archive.

- 1.15 An appropriate entry was submitted to the Archaeology Data Service's OASIS (Online Access to the Index of Archaeological Investigations) project, including the deposition of a digital copy of the report, via the appropriate OASIS forms, on completion of the project.
- 1.16 A fully indexed and ordered field archive was prepared, following the guidelines produced by the Chartered Institute for Archaeologists and Historic England (CIfA 2020; Historic England 2017, 29-30). The archive comprises primary written documents, plans, sections and photographs, and an index to the archive. The site archive was deposited with the NYMNP at the end of the project, with the permission of the Mulgrave Estate (EADS site code FCL 22).

## 2 ARCHAEOLOGICAL AND HISTORICAL BACKGROUND

- 2.1 Foss Castle forms one part of a complex and rich historical and archaeological landscape, extending from the prehistoric period to the present day. However, for the purposes of this report, it is the medieval and post-medieval periods which are the most relevant, and it is therefore these periods which are discussed in the following text.

### The Medieval Period

- 2.2 The name 'Foss Castle' was first used in the early 20th century due to the presence of the nearby Foss Mill on the Barnby Beck, and it has no historical basis, although it has been widely used for the purposes of description. In the mid-19th century, the site of the castle fell within the western part of the historic township of Lythe. In 1831, this formed one of the ten townships making up the parish of Lythe, along with Barnby, Borrowby, Ellerby, Goldsborough, Hutton Mulgrave, Mickleby, Newton Mulgrave, Ugthorp and Egton, although Egton became a separate parish in the mid-14th century (Russell 1923, 388; Kroebel 2007).
- 2.3 Foss Castle has long standing Anglo-Saxon associations in folklore, ([www.gatehouse-gazetteer.info/English%20sites/2075.html](http://www.gatehouse-gazetteer.info/English%20sites/2075.html)), and this has prompted the suggestion that at least part of the earthworks on the site are pre-Conquest in origin, and that they were remodelled to form an earth and timber castle. There is certainly evidence for early medieval activity and settlement in the surrounding area. An Anglo-Saxon inhumation was present at Wade's Stone, east of East Barnby, and there is also an early record of Anglian cremation urns from Dunsley. The church of St Oswald, Lythe, some 2km to the north-east of the castle, was entirely rebuilt in 1910-11, and during the course of this rebuilding a large collection of Anglo-Saxon and Anglo-Scandinavian sculptural fragments were discovered. They are now on display in the church and the fragments include parts of cross heads and shafts, as well as a number of 'hogback' tomb monuments of 8th to 10th century date which are of an impressive quality. Indeed, it has been suggested that Lythe represented both a significant regional workshop for sculpture and a prominent cemetery of the Anglo-Scandinavian period, and

even the possible site of the lost monastery of *Osingadun* (Kroebel 2007; Jones & Uglow 2018, 5-6).

- 2.4 Prior to the Norman Conquest, the 'manor' and two carucates of land at Lythe belonged to Swen or Swein. In 1086, Lythe was held on behalf of the Count of Mortain by Nigel Fossard (Russell 1923, 393). It is stated that Foss Castle was founded in the period c.1071-73 (l'Anson 1913, 348) or in 1072 by Nigel Fossard (Historic England scheduling description). This date is both early and unusually precise ([www.gatehouse-gazetteer.info/English%20sites/2075.html](http://www.gatehouse-gazetteer.info/English%20sites/2075.html)), but it is not certain from where the evidence is derived; l'Anson suggests that the date is inferred by other unreferenced historical information.
- 2.5 Nigel Fossard was a major Norman landholder in Cleveland and Yorkshire, and the castle would have functioned as the *caput* (administrative centre) of his Cleveland estates, although it has been suggested that it seems rather a modest site for this purpose ([www.gatehouse-gazetteer.info/English%20sites/2075.html](http://www.gatehouse-gazetteer.info/English%20sites/2075.html)). Fossard was responsible for the foundation of several other castles, such as those at Birdsall (North Yorkshire), Lockington and Aughton (East Yorkshire) and at Langthwaite (South Yorkshire). He died in c.1091, and left at least three sons. The estates passed successively to his son Robert, and then to Robert's son William, who appears to have succeeded his father in c.1135 (l'Anson 1913, 349). In 1133, Foss Castle may be referred to as the '*castrum de Mulgreif*' (the castle of Mulgrave) (Renn 1973, 250). Nothing appears to be known about what, if any, role Foss Castle may have played during the Anarchy, the civil war between Stephen and Matilda in the mid-12th century.
- 2.6 Beyond what is known about Fossard's extensive estates, there is little published detailed information on the contemporary local landscape of the castle. It has been suggested that it was located within an area of dispersed settlement, with the nearby Foss Mill and crossing point of the river acting as a local focal point for these settlements ([www.gatehouse-gazetteer.info/English%20sites/2075.html](http://www.gatehouse-gazetteer.info/English%20sites/2075.html)). The mill itself is documented in 1279, when it was one of the four mills noted in the *Inquisition Post Mortem* of Peter de Mauley. Foss Mill served the planned settlement at Mickleby and the hamlets of East and West Barnby - the lack of suitable waterpower in the area between Runswick Bay and the Barnby Beck meant that the communities were often sited some distance from their mills (Harrison 2001, 11-12, 37 & 183). It is likely that several of the hollow ways and trackways which approach the mill and the castle are medieval in origin, perhaps with a fording point across the Sandsend Beck immediately upstream from Foss Mill. An extensive network of hollow ways has also been identified to the west of Old Mulgrave Castle (see below), one of which again leads towards Foss Mill (Jones & Uglow 2018, 12).
- 2.7 When William's son, William Fossard II, succeeded to the estate, he was a minor, and so in 1165 Henry II gave the heir's wardship to William Earl of Albemarle, who was thus tenant of Lythe in 1179. For the betrayal of the earl's sister, William Fossard II was obliged to flee the country, but he returned after his guardian's death and is said to have recovered his estate. However, between 1180 and 1197 Lythe and its soke (dependant territories) seems to have remained in the king's hands, paying tax with other royal demesnes. William Fossard II left a daughter and heir Joan, a minor in custody of the king, who gave her in marriage to Robert de Turnham; Joan had perhaps died by 1210-12 when Robert de Turnham held 31½ knights' fees in chief in Yorkshire. Their daughter and heir Isabel married Peter de Mauley, a close associate of King John. With this marriage, it appears that the manor of Lythe was merged with the manor of Mulgrave, and the centre of



the wider local physical and administrative landscape moved from Foss Castle to the nearby Old Mulgrave Castle, located c.700m to the east on the south side of the Sandsend Beck (l'Anson 1913, 349-50; Russell 1923, 395-396) (see figure 3C).

- 2.8 It is thought that Foss Castle was abandoned in c.1200, to be replaced in the early 13th century by the first phase of Old Mulgrave Castle, constructed either by Turnham or de Mauley. The earthwork survey of Foss Castle shows that its larger bailey was converted to arable, as it is covered in ridge and furrow earthworks, and it is likely that this took place during the later medieval period. LiDAR imagery also shows further ridge and furrow earthworks to the east of the castle (see figure 5), and similar earthworks have also been identified to the immediate west of the hollow way to the west of the castle itself (Skinner 2018). A deer park 'two leagues in circuit' was recorded in association with Old Mulgrave Castle in an Inquisition Post Mortem held in York in 1309. Although medieval parks are often termed 'deer parks', frequently the park formed a multi-functional area tied into the economy of a large estate, and included both managed woodland and pasture as well as areas for hunting deer. However, the physical boundaries and extent of this medieval park are, at present, poorly understood, and it is not known if it included the site of Foss Castle (Jones & Uglow 2018, 7-8 & 13).

### **The Post-Medieval Period**

- 2.9 There is little published information on the early post-medieval history of Foss Castle, and it is assumed that the parts of the site such as the bailey remained in agricultural use. To the east, Old Mulgrave Castle was used as a substantial hunting lodge by the early 17th century, serving the associated park. However, at some point in the early 18th century, and possibly before 1721, Mulgrave Hall (known as Mulgrave Castle after 1791) was built on a new site only 1km to the north-east of the medieval castle, but at a significantly higher elevation. It was constructed as a residence for Katharine, Duchess of Buckingham. In 1743 the estate passed to the Phipps family by marriage, and it is clear from correspondence of the time that the potential of the estate to be developed as a designed parkland landscape was already appreciated (Green 2017, 4-9).
- 2.10 However, it was in the later 18th century and the early 19th century that large-scale change of the local landscape took place, in two separate phases of design and implementation. Between 1785 and 1792, the 2nd Baron Mulgrave, Constantine John Phipps (1744-1792), consulted with three distinguished landscape gardeners. The first of these was Thomas White the elder (1739-1811) who drew up a detailed plan in 1785 illustrating proposals for how the estate might be improved along contemporary fashionable lines (Green 2017, 11-12). It is stated that the castle is clearly shown as a mound in White's 1785 plan (Jones & Uglow 2018, 76), although this does not appear to be the case on an image of the plan reproduced elsewhere (Southern Green Ltd 2018).
- 2.11 Thomas White the elder was followed at Mulgrave by Adam Mickle the senior (d.1809), another former employee of 'Capability' Brown who had set up as a landscape gardener in his own right. In 1786, Mickle received a substantial payment in connection with works on the estate, which included extensive tree planting (Green 2017, 14-15).
- 2.12 The third and last of the three landscape gardeners employed by the 2nd Baron Mulgrave was Humphrey Repton (1752-1818). Repton was commissioned to provide designs for improvements to numerous large English estates, again

including many in Yorkshire. His preferred method was to produce a 'Red Book', a volume bound in red leather containing his suggested improvements and illustrated with 'before and after' watercolour sketches. Repton's Mulgrave Red Book includes several examples of these, covering distant views looking back towards the estate from outside its boundaries, more detailed depictions of particular viewpoints within the estate, such as towards the ruined Old Mulgrave Castle, and of the visual relationship of the estate to the coast (Eyres & Lynch 2018, 51-72). His proposals were not completed until 1793, after the death of the 2nd Baron Mulgrave, and although many were subsequently implemented, work did not start until the beginning of the 19th century (Green 2017, 18-34). Repton's plan of 1790 does include the site of Foss Castle, although the castle earthworks are not specifically shown (Southern Green Ltd 2018).

- 2.13 The first known description of the Foss Castle earthworks was given by Sir George Young in 1817, who was of the opinion that it represented a Romano-British camp:

*"One of these circular forts is within the pleasure grounds of the Earl of Mulgrave, beside Foss Mill, about half a mile north-west from old Mulgrave castle. It is a large mound of earth, about 120 feet diameter at top, 30 feet high on the east side, and near 40 on the west, where the ground is lower. The top is crowned with a low parapet of earth; the descent on every side is steep. The top was dug into some years ago to examine the materials; its original form is therefore a little altered"* (Young 1817, 687).

- 2.14 By the time that the 1853 Ordnance Survey 6" to 1 mile map (sheet 31) was published, the site of the castle lay wholly within an area of woodland (see figure 3A). It is marked as a 'Fort', and is shown as a sub-circular mound surrounded by a wide, sub-circular ditch; there is a small oval feature, perhaps a small mound, shown on the outer north-east side of the ditch. Two paths or tracks approach the north and south sides of the castle from the east, but run past the site to converge to the immediate west. The single track then runs south-west for a short distance, across a watercourse, to join the track heading towards Foss Mill (named as 'Force Mill (Flour)' on the map). The 1894 Ordnance Survey 25" to 1 mile map (sheet 31/4) names the castle as an 'Earthwork' and again shows it as a sub-circular mound surrounded by a ditch (see figure 3B). The track shown running close to the south side of the castle in 1853 is no longer depicted, but that to the north is, and it has clearly cut through or re-used part of the western ditch. A narrow linear depression is shown to the immediate north of the northern ditch, with a north-east facing scarp, aligned north-west/south-east, a short distance to the north of this. It is interesting to note that neither of the Ordnance Survey plans depict the earthworks of the large bailey extending to the south-east. The complex of structures at Foss Mill had been expanded since 1853 - it is said to have been worked as a corn mill until 1901, and to have remained as an occupied building into the 1950s (Jones & Uglow 2018, 10).

- 2.15 Unfortunately, Foss Castle does not feature in Ella Armitage's pioneering early 20th century published work on earthwork castles (Armitage 1912). However, it was covered by l'Anson in his extensive survey of North Yorkshire castles (1913, 348-351). He suggests that, in its original form, there was probably a large timber tower or keep on the summit of the motte, containing the principal apartments, but that when Foss Castle became the principal residence of William Fossard II (i.e. in the late 12th century) a new hall may have been constructed at the south end of the bailey, overlooking the Sandsend Beck (l'Anson 1913, 348-349). However, he was of the opinion that the castle never developed any stone structures (l'Anson 1913, 350).

2.16 l'Anson describes the earthworks as follows (l'Anson 1913, 350-351):

*“The motte, which is only about 13 feet in height, is circular, and measures some 120 feet in diameter on its summit, which is exactly 100 feet above the beck, which washes its southern base. It has, owing to mutilation about the beginning of the last century, lost its banquette, which may, when complete, have increased the height of the motte ramparts to some 22 feet above the bottom of the ditch. It is surrounded by a ditch except for a distance of some 80 feet on the south, where the sides of the motte rest on the edge of a precipice dropping sheer some 80 feet towards the beck beneath. This ditch is continued on the side (south-east) next the bailey, and is carried right round the motte, widening on the north, where the counterscarp is enlarged into a long platform, which doubtless bore additional defences for the protection of this, the weakest part of the fortress. The bailey is small compared with the motte, but its exact dimensions are difficult to ascertain, owing to the fact that the precipice and steep slopes by which it is protected on the south-west and south, and to some extent on the south-south east, rendered a ditch unnecessary, the stockading being placed on the very verge of these formidable natural defences. It probably measured some 180 or 190 feet each way, and approximates to a horse-shoe in shape. From the base of the motte the ground on which the bailey was placed drops towards the beck, so that the enclosure was completely dominated by the defences on the summit of the motte. On the west the bailey was defended by a deep broad ditch, now much silted up in places, with scarp and counterscarp banks, which ditch, on the north-west, joins the main ditch running round the motte”.*

2.17 l'Anson also included a survey of the earthworks, together with three profiles across different parts of the castle complex (l'Anson 1913, 358-359, plate 3) (see figure 4A). His depiction was the first to show the substantial ditch, aligned north-west/south-east, which runs from a point to the east of the motte down towards the Sandsend Beck, and also to note a sub-triangular area of raised ground to the north of the motte. The 1914 Ordnance Survey 25" to 1 mile map (sheet 31/4) marks the castle earthworks in a very similar fashion to 1894, naming the site as 'Norman Castle (Supposed site of)' (see figure 4B). In 1938, Illingworth (1938, 69) noted that the motte was 13 feet high and 120 feet across the summit, but that *'the attached bailey seems to have been small'*. By 1953, the area of woodland around the castle had apparently been felled, but it has grown back or been replanted since. LiDAR images of 2020 and 2021 clearly show the earthworks through the tree cover (see figure 5).

### 3 DESCRIPTION OF THE SURVEY AREA

#### Introduction

- 3.1 The detailed survey area measures c.160m north-south by 150m east-west. In the following description, and only for the purposes of description, the various earthwork elements have been assigned unique letter identifiers (i.e. A, B etc). The digital photographs are referenced in italic type and square brackets, the numbers before the stroke representing the date on which the photograph was taken and the number after indicating the specific shot, e.g. [3/032].
- 3.2 The earthworks of Foss Castle have been variously described as a motte and bailey (l'Anson 1913), a motte (Renn 1973, 250), a motte with two baileys (Historic England Scheduled Monument description), a motte and bailey (Creighton 1998, 607), a ring-motte (i.e. a ringwork with a motte forming an integral part of the ring defence, sometimes also referred to as a 'motte barrage') (*www.gatehouse-*

*gazetteer.info*), and finally a ringwork with two associated baileys, the latter possibly representing a pre-existing enclosure upon which the ringwork was superimposed (NYMNPA HER). For the purposes of the following description however, the major elements are referred to as a motte with two baileys; the possible forms and development are discussed in the Discussion and Conclusions chapter below.

### **Setting and Location**

- 3.3 As has already been noted above, the earthwork known as Foss Castle is situated at the head of the valley of the Sandsend Beck, directly above the point where it is joined by the Barnby Beck from the west and a minor tributary stream from the north; the castle lies on the north side of the valley (see figures 1 and 2). The main body of the castle is set an elevation of approximately 91.50m AOD, with the natural ground level staying relatively level from the base of the motte as far as the northern limit of the survey area, although it falls off more steeply across the site of the south-east bailey. To the north and north-west of the castle complex, the ground level rises steadily, reaching a height of c.127m at Low Lane, meaning that the castle is overlooked from these directions. To the immediate south of the castle, there is a near vertical overgrown cliff face, dropping some 20m in height into the Barnby/Sandsend Beck below.
- 3.4 It is feasible, although currently difficult to prove, that when first built, the structures on the highest parts of the castle mound may have given a view along the Sandsend Beck valley as far as the coast, some 3km away. The extent of any views would of course have been limited by the extent of contemporary tree cover, prior to the 18th-19th century planting. As Luke (2020, 140-143) has discussed with regard to Neolithic long cairns and barrows within the Yorkshire Dales, centuries of continuous grazing pressure had left the landscape largely devoid of tree cover, making the relationship between monuments, local hills and solstitial events clearly visible. As a consequence, it becomes appealing to consider these relationships as being deliberate rather than fortuitous. The same point can be made about Foss Castle - the long distance views available from any structure on the motte may be attractive to the 21st century surveyor, but were not necessarily of importance to the 12th century lord occupying it. Nevertheless, it is undeniable that the castle would have been able to control any crossing points on this part of the Barnby/Sandsend Beck from its position high on the cliff face forming the north side of the valley.
- 3.5 A public footpath runs along the west side of the castle site, which runs from Low Lane to the north adjacent to High Leas Farm to a crossing of the Barnby Beck and then west to Barnby Sleights farm. An information board was erected on this footpath at the entrance to the castle in December 2021 (see figure 6).

### **Description of the Survey Area** (see figure 7)

#### *Hollow ways and Trackways (A and B)*

- 3.6 The current main approach to the castle complex is formed by a hollow way (**A**), running towards the castle from the north-west. This hollow way originates as a track/public footpath, branching off the south side of Low Lane to the immediate west of High Leas Farm. Here, it can be followed for a distance of c.280m as a flattened strip, 2m to 3m wide, running parallel to the east side of a hedged field boundary. The track only begins to deepen after it meets the steeply sloping ground running down into the valley of the beck. By the time it reaches the point

opposite the recently-erected visitor information board (where there is a gap in the fence allowing access onto the castle), the hollow way is represented by a substantial, flat-bottomed, depression, measuring c.5m across the top, and with steeply scarped sides up to 2m deep [3/662]. There is a steep natural slope above the west side of the hollow way, whilst to the east, to the north of the information board, there is a sub-oval mound with a deep linear depression around its north side, apparently a former trackway shown here in 1853 (see figure 3A and below).

- 3.7 To the south of the information board, the east side of the hollow way is bounded by a modern post and rail fence, and then a steeply scarped but narrow linear bank, standing up to c.1.2m high [3/661] (see plate 1). As the hollow way leaves the survey area, it curves around to the south-west, maintaining its width and sloping down towards the Foss Mill complex. Closer to the mill, although the gradient of the hollow way is still relatively steep, it appears that some effort was made to produce a routeway suitable for horses and perhaps even lighter wheeled traffic such as small carts. In 1853, the hollow way is shown continuing past the mill to the Barnby Beck and then apparently crossing on a ford at a weir, to run up the opposite slope and then turn sharply to the west, to continue as an enclosed track to Barnby Sleights farm (see figure 3A). Given the location of the mill in relation to the communities it served, it is likely that the route of the hollow way was established at least in part during the medieval period, and perhaps even earlier.
- 3.8 As has been already noted, the historic Ordnance Survey maps show a number of other tracks or footpaths crossing the survey area. A trackway is shown running around the north side of the motte from 1853 onwards (see figure 3). At that date, the track left the main hollow way (**A**) and then ran very close to the north-west ditch around the motte. It followed a sinuous route eastwards, eventually turning to the north to become an enclosed trackway between an avenue of trees, curving around the north-western edge of Mulgrave Castle park (formerly known as Mulgrave Hall). The northern part of the alignment of this trackway has now altered, so that it follows a straight north-east/south-west line (**B**). It enters the survey area from the main hollow way (**A**) by crossing the un-named watercourse on the west side of the castle [3/660], via a crude bridge; this now forms the main access into the site. This crossing point is shown in 1914, but not in 1894, when the trackway crossed the watercourse further to the south-west. In line with the map evidence, the bridge does not appear to be of any antiquity; the north face has a large diameter concrete pipe at the base, with some dressed stone and then rubble placed above [3/659] (see plate 2), while the south elevation has more visible dressed stone placed over the concrete pipe [3/658]. The stone could well have been obtained from the nearby ruined Foss Mill complex. After crossing the bridge, a short branch of the trackway runs to the south-west, towards the cliff edge of the Barnby Beck valley [3/655] where it is shown crossing the un-named watercourse in 1894 (see figure 3B).
- 3.9 The trackway (**B**) runs north-east as a well-defined straight linear depression, with a flattened base c.3.5m wide and steeply scarped sides up to 1.0m high [3/656, 3/663] (see plate 3). The alignment clearly cuts earlier earthworks to either side, having truncated the north-west base of the motte, cutting across the motte ditch and part of the north bailey [3/665]; this relationship is also clearly depicted on the 1894 Ordnance Survey map (see figure 3B). It can be followed on a relatively straight north-east/south-west alignment for some 60m before fading out. At the time of the survey (February/March 2022), a modern vehicle track continued this alignment to the northern edge of the survey area, but (as noted above) in 1853 and 1894 the trackway followed a more north-easterly course, which is now not clearly visible on the ground. However, the onward route as marked in 1853

through the plantation to the north-east of the castle can be seen on LiDAR imagery (see figure 5).

- 3.10 The trackway shown running around the south side of the motte in 1853 (see figure 3A) appears to have left the main hollow way (**A**) and then followed a line marked by a steep-sided depression to the north of the information board, as already noted above. After crossing the trackway (**B**), it then continued around the south side of the motte ditch, apparently along the top of the cliff edge here, but between 1853 and 1894 this section of the alignment was lost to natural erosion. In 1853, the trackway then angled to the south-east, at the point where the outer bank of the motte ditch terminates and then continued around the southern and eastern edges of the south-east bailey. At the south-west outer corner of the bailey, there are very spread banks that might represent the line of the former trackway, although they may be earlier features that were simply followed by its route. After leaving the south-east bailey, the 1853 trackway continued along the top of the steep northern slope of the beck, and it is visible here beyond the survey area as an earthwork terraced into the slope. The trackway followed the line of the beck for a considerable distance to the east before turning north-east through Mulgrave Castle park. It is not shown in 1894 but had re-appeared by 1914. This alignment is shown on the LiDAR imagery (see figure 5A).

#### *The Motte (C)*

- 3.11 The motte (**C**) is a very prominent and impressive earthwork. It is sub-circular in plan, measuring a maximum of c.55m across the base, although the southern scarp has been somewhat truncated by the collapse/erosion of the near vertical cliff face forming the north side of the beck valley here. The summit of the motte is also sub-circular in plan, slightly flattened to the north-west and south-east sides, measuring a maximum of c.35.5m (c.116 feet) across; this is very close to the dimension of 120 feet given by Young in 1817 and l'Anson in 1913. As would be expected, the motte has steeply scarped sides, standing to a maximum height of c.3.30m (c.10½ feet) to the north side and c.5.80m (c.19 feet) to the south side [3/669] (see plates 4 and 5). This is much lower than the height of between 30 and 40 feet given by Young in 1817, but close to the 13 feet recorded by l'Anson in 1913; it is highly unlikely that the motte could have been reduced in height so substantially between 1817 and 1913, and so Young's measurements must be over-exaggerated.
- 3.12 As already noted above, the southern scarp of the motte has been somewhat truncated by the collapse/erosion of the near vertical cliff face forming the north side of the beck valley. There is a slight break of slope towards the base of the southern scarp, partly an erosion scar caused by either animals or people following a path above the cliff face and probably partly also due to natural slumping [3/651]. It is noticeable that this scarp is also subject to rabbit burrowing [3/652], whereas the other sides of the motte are not. Where the scarp has been disturbed by rabbits, a 0.20m deep rich organic topsoil is revealed, overlying a light-brown compacted sandy silt/clay with frequent inclusions of small stones, less than 1cm across, sometimes occurring in thin layers.
- 3.13 In 1817, Young made reference to a low parapet of earth crowning the motte, although in 1913 l'Anson stated that this had been removed by the earlier excavations. However, there are still traces of what is most likely an earthwork parapet around the west, north and east sides of the top of the motte, formed by a spread, flat-topped, bank averaging 3m-4m wide and 0.5m high.

- 3.14 The top of the motte is not level, as the surface generally slopes down from north-west to south-east; the north-west edge is set some 2.50m higher than the opposite point on the south-east side [3/675-3/677] (see Section X-X' on figure 7, and plate 6). The major part of the higher ground is occupied by what appears to be a sub-rectangular platform (**C1**) for a structure, measuring c.19m long (north-west/south-east) by 14m wide [3/680, 3/681, 3/686] (see plate 7). It is defined by a 1m high scarp around the east and south sides, and it is possible that there was once a shallow ditch, again around the east and south sides, separating the platform from the rest of the motte's summit [3/685]. To the south of the possible ditch, there may be a very spread, curvilinear platform, measuring c.10m by 7m (**C2**). There is also a slight U-shaped depression to the south-west quadrant of the summit, while the southern edge appears to have been cut back slightly, with two semi-circular depressions in the same area on the very edge of the break of slope. It is possible that the latter represent tree pulls, although some of the features across the southern half of the summit might feasibly relate to the disturbance or excavations referred to by Young in 1817. There is also a possible platform (**C3**) measuring 11m long by 3m wide in the south-east quadrant, running up to the break of slope, although this could be an isolated surviving section of the motte parapet.
- 3.15 The motte is surrounded by a ditch on all but the southern side; the 1853 Ordnance Survey map suggests that the ditch originally continued around this side (see figure 3A) but this has since been lost due to erosion of the cliff face here. Starting at the south-east side, the ditch is 3.0m wide across the flattened base, with a counterscarp bank, c.8m wide and 1.5m high (**F8**) [3/630, 3/649]; LiDAR coverage suggests that the counterscarp bank is overlain by later ridge and furrow (see below). As they move around to the east side of the motte, both the ditch and counterscarp bank become less prominent [3/628], eventually fading out almost completely at a point south of the northern ditch of the south-east bailey (**F1**; see below). This is partly due to later disturbance, including the ploughing within the bailey, but it might also mark an access across the motte ditch (see also below). The motte ditch then recommences to the immediate west of the west end of the bailey ditch (**F1**), and continues around the north side of the motte as a well-preserved flat-bottomed depression, again up to 3m wide across the base [3/624-3/626] (see Section X-X' on figure 7, plates 8 and 9). The bank to the outer side is described under the north bailey (**D**) below. To the west side of the motte, the ditch has been cut through and deepened by a later trackway (**B**), as already described above [3/627].

*The North Bailey (D and E)*

- 3.16 The north bailey (**D**) is formed by a raised area of ground lying to the north of the motte ditch, and apparently divided into two parts (**D1** and **D3**) by the later trackway (**B**). The earthworks are not shown in 1853 (see figure 3A). Overall, the bailey is sub-triangular, almost crescentic in plan, with maximum dimensions of c.75m east-west by c.25m north-south. The sides of the bailey are generally steeply scarped, and stand up to 2.20m in height. The existing ground surface of the north bailey is set at least 1.80m below the north edge of the motte (see Section X-X' on figure 7).
- 3.17 To the east of the later trackway (**B**), the east part of the bailey comprises a raised triangular mound, with a flattened top (**D1**). There are very spread banks along the north and south edges of the summit, as well as a shallow sub-rectangular depression to the western end [3/678] (see plate 10). This part of the bailey is defined by the motte ditch to the south, and the east end of another, shallower

ditch (**D2**) to the north. The latter has been recently partly re-used as a vehicle track, and it measures c.3m to 4m wide, although it is no more than 0.60m deep [3/671]. This ditch (**D2**) curves around to the west of the later trackway (**B**) to become a much more prominent linear depression, measuring up to 6m wide across the top and 1.5m deep [3/667, 3/670] (see plate 11). At its western end, it opens out towards the natural watercourse forming the west side of the survey area, and has a rounded, flat-topped projection to the north side. The southern scarp of the ditch is indicated as an earthwork in 1894 and 1914, and the overall form of the bailey is illustrated by l'Anson in 1913 (see figures 3B and 4).

- 3.18 The ditch (**D2**) forms the northern boundary of that part of the bailey that lies to the west of the later trackway (**B**). It is possible that this part comprised a higher and a lower area. The higher part at the north end (once continuous with the raised mound to the east of the track - **D1**) may preserve the remains of a structure (**D3**), formed by a slight, irregularly-shaped, depression, measuring a maximum of c.11m by 7m [3/668]. This appears quite prominent on the 2021 LiDAR coverage, where it resembles a sub-square structure measuring c.8m across (see figure 5B). The lower, southern part of this part of the bailey is defined along its west side by a steep scarp set above the watercourse here, and may also have the remains of a structure or platform (**D4**) placed along the south-east side, formed by a slightly raised mound measuring c.12m by 3m which has a slightly higher mound at the north-east end. The two parts of the bailey may be separated by a north-south aligned linear depression, up to 1.40m deep (**D5**) [3/666] (see plate 12).
- 3.19 Some 25m south of the southern tip of the north bailey, and off the south-west corner of the motte to the east of the later trackway (**B**) [3/657], there is a bulbous earthwork (**E**). It is shown by l'Anson in 1913 as being part of the north bailey earthworks (see figure 4B). It is no longer clear that this is the case, but the feature is described here for the sake of convenience. The earthwork essentially comprises two parts; a lower spread bank or mound, up to 1.40m high, with a bulbous southern end, and a smaller upper mound c.1m high placed on top of this. The latter has steeply scarped sides and appears to have a high content of angular stone rubble [3/653, 3/654] (see plate 13). It is possible that this represents later dumping on an earlier earthwork.

#### *The South-East Bailey (F)*

- 3.20 The earthworks of the south-east bailey (**F**) cover a considerably larger area than those of the north bailey. It is sub-rectangular, almost fan-shaped, in plan, with average dimensions of c.65m both east-west and north-south; adjacent to the motte, the bailey is c.47m wide, but this increases to c.80m wide where it meets the scarp leading down to the beck. The interior slopes down from west to east, falling by a height of c.9.5m over a distance of c.65m [3/682], and it would have been dominated by the motte at the upper end. The earthworks are not shown in 1853 or on subsequent Ordnance Survey mapping, but the overall form is indicated by l'Anson in 1913 (see figures 3 and 4A).
- 3.21 The north side of the bailey is defined by a very prominent ditch (**F1**), measuring c.60m long and set on a shallow north-west/south-east alignment [3/631] (see Section Y-Y' on figure 7); this was clearly marked by l'Anson in 1913, who also produced a profile (C-D) across it (see figure 4A). The ditch has a flattened base, with steeply scarped sides up to 2.20m high, with an average width of c.8m across the top [3/632]. The base slopes down from west to east. The very western end of the ditch has been disturbed by vehicle tracks, most of which do not appear recent, and as a consequence in this part only the south scarp is clearly defined. A



shallow linear depression runs into the north side of the west end of the ditch, but beyond this to the east, both scarps are visible [3/633-3/636] (see plate 14). The south scarp is always much taller and steeper than the corresponding north scarp, and the former is topped by a spread flat-topped bank, c.4m wide, running parallel to it; this bank is different to the later ridge and furrow within the bailey (see below) [3/634]. Towards its eastern end, the bank is interrupted by a linear depression running across it and creating a narrow gap c.2m wide (**F2**) [3/637] (see plate 15). Beyond this depression, the bank resumes for a short distance and has the appearance of a flat-topped projection above the steep natural slope which runs down to the valley of the beck. On the opposite, north, scarp of the bailey ditch, the linear depression may be seen to continue to the north-east. Shortly before leaving the survey area, it is itself cut by a second, shallow, linear depression (**F3**), which appears to curve around to the north-east into the plantation beyond the survey area; this might be a watercourse running down the slope here (see figure 5A). On the 2021 LiDAR coverage, the first linear depression appears to form part of a footpath, starting at the motte ditch and then running slightly north-east across the bailey's interior to the gap in the bank (**F2**) (see figure 5B). It then crosses the bailey ditch, and then joins the continuation of a later trackway, which has the appearance of a terraced trackway on the 2020 imagery which continues along the north side of the beck (see figure 5A).

- 3.22 Beyond the first linear depression and gap across the south bailey bank (**F2**), the north scarp of the bailey ditch curves around to form a rounded flat-topped projection, similar to that existing to the south scarp. The bailey ditch (**F1**) can be seen to continue downslope as a shallow feature between these two projections for a further c.8m [3/638, 3/640, 3/641], before meeting the top of a 1.20m high, steep south-east facing scarp. This scarp appears to mark the upper limit of an area of natural terracing on the north slope of the valley of the beck, although it is possible that some of these terraces have been artificially enhanced at some point, perhaps through quarrying. The bailey ditch then re-appears beyond the terrace, continuing south-east for a further c.10m as a 1.10m deep linear depression (**F4**), before meeting the very steeply sloping side of the beck valley [3/639, 3/642, 3/643] (see plate 16).
- 3.23 It is possible that the south-west side of the bailey was once defined by a similar, but less substantial, ditch. The very northern tip of this ditch (**F5**) may still survive to the immediate south of the motte [3/650], but if so then the remainder has been lost to erosion into the valley of the beck. Shallow, spread banks run along the top of the south-west side of the bailey and then for a short distance along the southern side, above a 1.80m high, steep south-facing scarp that probably represents a former quarry (**F6**) [3/648] (see plate 17). The majority of the southern side of the bailey appears to have been defined by a natural steep scarp, as indicated by l'Anson in 1913 (see figure 4A); there was presumably once a timber palisade or other barrier running along the top of it.
- 3.24 The interior of the south-east bailey is crossed by spread earthworks representing former ridge and furrow cultivation; the ridges are set at c.5m centres, and stand up to 0.40m high [3/645] (see plate 18). At least twelve ridges are visible on the 2021 LiDAR imagery (see figure 5B), but they are less evident in the field under vegetation. In the northern part of the bailey, the ridges are aligned almost east-west parallel to the bailey ditch (**F1**), but they gradually diverge to assume a more north-west/south-east alignment in the south-west corner. These earthworks appear to overlie and cross an earlier, east-facing scarp (**F7**), which is aligned north-south through the interior of the bailey [3/647] (see plate 19). This scarp is rather spread, and generally stands less than 1m in height, but it is very clear on

the 2020 LiDAR imagery (see figure 5A). It may represent a former sub-division within the bailey, an earlier eastern boundary of the bailey, an earlier earthwork pre-dating the bailey, or possibly be a wholly natural feature (see Discussion below). The LiDAR imagery also shows that the ridge and furrow crosses the counterscarp bank (**C4**) on the south-east side of the motte, although this is not really visible in the field.

#### *Ridge and Furrow and Field Boundary*

- 3.25 In addition to the ridge and furrow earthworks within the south-east bailey, there are further similar earthworks to the north of the north bailey ditch (**D2**). Here, the ridge and furrow is more curvilinear in plan, following a broadly north-west/south-east alignment, mirroring the north bailey ditch. It is more clearly visible on the LiDAR coverage, where the southernmost ridge appears to be overlain by the outer ditch of the north bailey (see figure 5). However, this relationship is less clear in the field, as the ridge and furrow is not clearly defined; if anything, the southernmost ridge appears to respect the north bailey's ditch, although the possibility remains that this is in fact the result of a very spread counterscarp bank to the ditch merging with earlier ridge and furrow earthworks. Where they are visible, the ridges are set at c.4.5m to 5.0m centres, but are very spread, being no more than 0.3m in height [3/679]; the northern continuation of the later trackway (**B**) runs across the ridges. There are also two sub-square pits towards the centre of the ridge and furrow [3/672], on the east side of the trackway, which are assumed to be either tree pulls or modern disturbance. On the LiDAR imagery, the ridge and furrow can be seen to continue into the plantation to the north-east on a similar alignment to that within the survey area (see figure 5B).
- 3.26 The western end of the ridge and furrow is disturbed by a later field boundary, aligned north-east/south-west; it is possibly shown in 1853 and 1894 (see figure 3). The boundary is represented by a bank (**G**), c.2m wide and standing 0.5m high, with traces of a parallel ditch to the southern side [3/673] (see plate 20). This boundary can be followed north-east as far as the later trackway (**B**). On the east side of this trackway, there is a flat-topped oval mound, standing 0.8m high, bisected by the modern plantation fence. To the immediate north of the boundary, there are earthworks which resemble minor ridge and furrow set on an alignment parallel to the boundary itself, and which almost certainly result from modern agricultural practices.

## **4 DISCUSSIONS AND CONCLUSIONS**

### **An Earlier Enclosure or Fortification?**

- 4.1 A previous suggestion has noted that, because of their 'odd' form, the baileys are most likely to represent the remains of a pre-existing (i.e. pre-medieval) enclosure on top of which the motte has been superimposed (NYMNPA HER, quoting comments by the RCHME, now Historic England). This suggestion has been repeated elsewhere (Jones & Uglow 2018, 6) and also on the site's information board (see figure 6).
- 4.2 The new detailed earthwork survey does indeed suggest that the motte may have been superimposed on the north bailey (D) at least, and that this may well have been part of an earlier enclosure of some kind (see figure 8). Unfortunately, the original extent of this earlier enclosure is not known. It could be argued that the earlier earthwork is set either side of the later trackway (B), comprising the higher ground bounded by the linear depression (D5) to the west and the curving ditch to

the east (D2). It is noticeable, although perhaps entirely coincidental, that the linear depression (D5) is broadly aligned on a change in angle to the near vertical cliff-face forming the north side of the beck valley. In addition, the remains of another linear depression (F5) above the cliff, which could be a remnant of a ditch along the south-east bailey's west side, might also be the remains of the earlier enclosure emerging from beneath the motte. It is also noticeable, although again possibly entirely coincidental, that a projection of the curve of northern ditch (D2) would run close to the spread scarp (F7) running across the south-east bailey. Taken together, these features might suggest an earlier enclosure taking the form of an elongated semi-circle or ellipse, measuring a maximum of c.120m north-south by 55m east-west. This enclosure made use of the deep beck valley to the south and the much smaller watercourse to the west as natural defences. It is also possible that the northern end of the interior was raised above the rest of the enclosure, and that the platform (D3) may have been a structure within it.

- 4.3 Assigning a date to any earlier enclosure or earthwork is very difficult based on current evidence; possibly selected excavation would provide the answer. However, if the plan form of the earlier enclosure proposed above is correct, then one might argue that it could have originated as a small late Iron Age promontory fort or defendable enclosure, although it is overlooked to the north and north-west. Of course, it is also quite possible that any earlier enclosure underwent several phases of development even prior to the erection of the motte and bailey castle. If this was the case, then the raised northern end could be perhaps seen as early medieval re-occupation and modification of a late prehistoric enclosure.
- 4.4 Any earlier enclosure, like the Norman castle, has to be considered as just one part of a contemporary landscape. It is noticeable that the distribution of pre-Conquest holdings of Swen or Swein in this part of Cleveland and North Yorkshire is very similar to those taken over by Nigel Fossard immediately after the Conquest (<https://opendomesday.org>). However, as noted elsewhere, suggestions of early medieval manorial antecedents to early Norman castle sites must be made with caution (e.g. Creighton 1998, 85) and, whilst there is good evidence for Anglo-Saxon and Anglo-Scandinavian activity in the Lythe area, further work would be needed before Foss Castle could be postulated as the centre of a pre-Conquest estate or landholding.
- 4.5 In terms of the landscape setting of an earlier enclosure, the relationship of the north bailey earthworks (D) to the ridge and furrow field system to their north is also important. The ringwork and bailey at William's Hill in Middleham, North Yorkshire, occupied between c.1080 to 1180, overlies an earlier ridge and furrow field system (Moorhouse 2003, 318), whereas at Sheriff Hutton, also North Yorkshire, although the probable early 12th century first castle was initially thought to overlie adjacent ridge and furrow, detailed earthwork survey suggested that it was, in fact, respected by the ridge and furrow (Dennison 2005, 91).
- 4.6 At Foss Castle, the LiDAR coverage demonstrates that the ridge and furrow within the survey area forms part of a larger block extending to the north-east, and suggests that the southernmost ridge is overlain by the outer ditch (D2) of the north bailey (see figure 5B). However, in the field, this relationship is less clear; the visible southernmost ridge appears to respect the north bailey ditch, although the possibility remains that this is in fact the result of a very spread counterscarp bank to the ditch merging with earlier ridge and furrow earthworks. If the north bailey could be proved to overlie the ridge and furrow, this might infer that, rather than being part of an earlier enclosure, it might in fact be contemporary with the motte and the south-east bailey. Higham and Barker (1992, 221) illustrate a survey of

the motte and bailey castle at Wilmington in Chribury, Shropshire, where the southern tip of the site forms a triangular projection from the oval bailey, and is cut off by the inner defences. They suggest it might have functioned as a small outer bailey, although the relationship to the main bailey is obviously different to that at Foss Castle.

- 4.7 Finally, the presence of an earlier earthwork here, whatever its date, also raises questions about how it was perceived by the early Norman castle builders. The presence of an earlier earthwork occupying a defensive position and making use of the natural topography would have made it an attractive site for a Norman landowner to re-use, but the apparent form of their castle (see below) suggests that they largely ignored the earlier enclosure when laying out their site.

## The Norman Castle

### *Origins*

- 4.8 Foss Castle is generally stated to have been founded by Nigel Fossard in the period c.1071-73, or 1072, although the exact source of this early and very precise date is not made clear (l'Anson 1913, 348; Historic England scheduling description). It was not included by Renn on his map of castles built between 1066 and 1071, nor on the corresponding map of castles built by 1086 (Renn 1973, 13 & 15). If the castle was established in c.1072, then it is an early foundation, built within six years of the Conquest and within three to four years of the two castles in York; the latter were both set in a large town which had resisted the Normans (Higham & Barker 1992, 59). Fossard was a major Norman landholder in Cleveland and Yorkshire, and the castle could have acted as an early post-Conquest *caput* for Fossard's Cleveland estates; there was a concentration of these between Egton in the south and Roxby to the north, with Foss Castle being placed more or less centrally to their eastern extent (<https://opendomesday.org/name/nigel-fossard>).

### *Size*

- 4.9 Although it has been suggested as possibly being rather a modest site for a regional *caput* ([www.gatehouse-gazetteer.info/English%20sites/2075.html](http://www.gatehouse-gazetteer.info/English%20sites/2075.html)), the mound (C) and south-east bailey (F) at Foss Castle cover approximately 0.692 hectares or 1.71 acres. This places it in about the mid-range of acreages given by Armitage for castles known to have been established during the 11th century (Armitage 1912, 396-399). Early castles sites are sparsely distributed along this part of the North Yorkshire coast. Some 26 km to the south-east of Foss Castle, there may have been a now lost motte at Cloughton (north of Scarborough), although this could actually have been a prehistoric burial mound (Creighton 1998, 589). Approximately 15km to the north-west at Kilton (Cleveland), a timber castle built in c.1135-40 was later replaced by a stone structure, while at Skelton (Cleveland), slightly further to the north-west again, the earliest timber phase of the castle was erected in 1072-75 (Creighton 1998, 23, 527-529 & figure 2.2; [www.gatehouse-gazetteer.info](http://www.gatehouse-gazetteer.info)). Earthwork and geophysical survey undertaken on the site of Roxby Hall uncovered no convincing evidence for any large medieval or fortified residence, with the hall most likely to have been built on a new site adjacent to the village church in the early 17th century (Dennison & Richardson 2014). Moving inland, at Castle Hill in Castleton, North Yorkshire, there is a substantial probable ringwork which may be first documented in the mid-13th century (Creighton 1998, 23, 585-586 & figure 2.2; [www.gatehouse-gazetteer.info](http://www.gatehouse-gazetteer.info)). It therefore seems likely that Foss Castle would have been adequate for the needs

it served, such as a local military base and administrative centre for Fossard's local estates.

### *Landscape Setting*

- 4.10 As has already been noted above, it is possible that the castle occupies the site of an earlier earthwork enclosure, perhaps itself of several different phases and perhaps originating in the late prehistoric period. However, Fossard's 11th century castle appears to have been largely superimposed over the earlier earthwork, rather than incorporating it into the Norman structure. It may be that it was the natural defensive capabilities of the site that proved attractive, rather than the form of the earlier earthwork. Fossard's motte and bailey castle of Mount Ferrant at Birdsall (North Yorkshire) also makes use of a natural promontory, although here it is surrounded on three sides by steep-sided natural valleys. The motte and bailey castle at Acklam (North Yorkshire), also possibly constructed by the Fossard family, again occupies a promontory projecting from a lower scarp of the Yorkshire Wolds ([www.gatehouse-gazetteer.info](http://www.gatehouse-gazetteer.info)).
- 4.11 In 1913, l'Anson (1913, 351) noted some similarities between the earthworks of Foss Castle and those at Bailey Hill in Bradfield (West Yorkshire). The West Yorkshire motte and bailey castle is believed to have been constructed by the de Furnivals at some point during the 12th century, although it is poorly documented; the southern edge of the bailey makes use of the steep scarp of the valley of the Rocher End Brook as a defence. An earthwork survey of the castle undertaken by Hills in 1874 (Hills 1874, plate 17 facing p.345) shows the motte to have been surrounded by a ditch, with a prominent bank and ditch running around the northern side of the east side of the bailey, as with the south-east bailey at Foss Castle. The western edge of the Bailey Hill bailey also made use of the steep valley side leading to the brook as a defence. Again, there are similarities to Foss Castle, although it is not exactly the same, as there is a less steeply sloping terrace or level area below the bailey at Foss Castle before the edge of the beck valley is reached.
- 4.12 It is also possible that there was an early crossing point or ford over the Sandsend/Barnby Beck and through the associated valley here that the castle would have controlled. Constable (2003, 207 & 325) suggests that the castle may have become isolated, or is seen as isolated today, due to post-medieval changes to the landscape. There is however no known evidence that the post-medieval development of the parkland around the castle removed an associated settlement (*burgus*), for example, and the nearest early church is at Lythe, some 2 km away; of all Fossard's local estates, Lythe also recorded the highest number of householders in the 1086 Domesday Survey (<https://opendomesday.org/name/nigel-fossard>).
- 4.13 The close proximity of the castle to Foss Mill must also be significant. Although the mill is first documented in 1279, by which point Foss Castle had been abandoned, the lack of suitable waterpower for mill sites in the area between Runswick Bay and the Barnby Beck suggests that it was probably established significantly earlier, and it could well have been contemporary with the castle. The dispersed settlements which the mill served included the nearby planned settlement at Mickleby and the hamlets of East and West Barnby, as well as possibly Lythe and Hutton Mulgrave. Their position in relation to the mill indicates that early routeways would have approached the castle from the north-west, south-west and south, and it is likely that the existing hollow way (A) is one of these. There may also have been access from the east, along trackways following the north side of the

Barnby/Sandsend Beck valley. Those travelling to the mill would have passed very close to the castle, and therefore tenants of Fossard could have attended to other business whilst in the area.

- 4.14 Finally, it has been speculated above that timber platforms and towers on the summit of the castle mound could have offered a view as far as the coast and sea. Wright and Creighton (2016, 33-37) note that, in relation to the possible late 11th century motte at Castle Carlton in East Lindsey (Lincolnshire), its situation near to the coast may have been partly due to the continued threat posed from North Sea invasion throughout the early post-Conquest period. It is possible that such a factor also played a part in the location of Foss Castle, although the viewshed towards the sea is limited compared to what would have been possible had the castle been sited nearer to the coast.

#### *Form and Layout of the Castle*

- 4.15 The earthworks of Foss Castle have been variously described as a motte and bailey (l'Anson 1913), a motte (Renn 1973, 250), a motte with two baileys (Scheduled Monument description), a motte and bailey (Creighton 1998, 607), a ring-motte (i.e. a ringwork with a motte forming an integral part of the ring defence, sometimes also referred to as a 'motte barrage') ([www.gatehouse-gazetteer.info](http://www.gatehouse-gazetteer.info)) and a ringwork with two associated baileys, the latter possibly representing a pre-existing enclosure upon which the ringwork was superimposed (NYMNP HER, quoting comments by the RCHME, now Historic England). Higham and Barker (1992, 21) rightly stress that there is little evidence that contemporaries were interested in, or even recognised, the categorisations to which modern archaeologists and historians are accustomed, while Creighton (1998, 14-16) emphasises the complexities and shortcomings of any classificatory approach to castle siting, and that a division between mottes and ringworks, for example, is misleading, as it neglects the sheer variety of early castle forms, their longer-term development and their reference to pre-existing landscape features, both natural and anthropogenic. However, taking this into account, the current survey considers that Foss Castle should be described as a motte and two baileys; it certainly does not conform to the generally accepted meaning of a ringwork which is a circular or near-circular defensive ditch without any associated raised mound. There are other examples of mottes, such as at Kingsland near Leominster (Herefordshire), where the motte is of a substantial diameter but is relatively low and with a wide flat top (Higham & Barker 1992, 229), but this is still considered to be a motte.
- 4.16 Excavation has shown that even single baileys, however small, could be crowded with buildings, while contemporary 12th century descriptions make reference to timber towers on mottes of up to three storeys in height, containing domestic accommodation as well as serving a military function. Earthworks themselves, including banks, ditches and even mottes, might once have been revetted with timber, and this will affect how they collapsed and degraded once the timber was removed. Timber buildings could have either timber or stone footings (Higham & Barker 1992, 115-116, 189-191 & 199). It is likely that the earthworks of Foss Castle, even though they are relatively well preserved within woodland, only provide an overall impression as to the former complexity of the site, and there are very likely to be significant and relatively undisturbed remains below ground level.
- 4.17 The motte at Foss Castle is a prominent and visually impressive sub-circular earthwork, measuring a maximum of c.55m across the base, with a flattened summit measuring a maximum of c.35.50m across. The sides are steeply scarped, standing to a maximum height of c.5.80m to the southern side. The

motte would have had a substantial timber palisade around the edge of the summit, probably on or just inside the break of slope and quite possibly incorporating a wall-walk and other features. There is a surviving spread bank marking its position, and this is especially prominent around the north-west and south quadrants; similar slight earthworks recorded around the edge of the substantial mound at Pendragon Castle (Cumbria) were also interpreted as the possible remains of a timber palisade (Dennison & Richardson 2018, 51). The summit of the aforementioned ringwork at William's Hill in Middleham (North Yorkshire) also has a bank around the edge, with a flattened sub-square platform to the western side (Moorhouse 2003, 318).

- 4.18 The large platform (C1) on the north side of the motte at Foss Castle must represent the principal structure, almost certainly a timber tower of two or more storeys with a shallow ditch around the eastern and southern sides; it may also have been provided with a well (Higham & Barker 1992, 187). There is room on the motte for at least one other relatively large structure, which might be represented by the spread, curvilinear platform to the south (C2), and there is potentially another narrower structure placed against the south-east section of palisade (C3). However, it is possible that the curvilinear platform (C2), or some of the other more nebulous earthworks in the southern part of the summit, are associated with the excavations referred to in 1817. The current survey uncovered no evidence for any stone structures either on the motte or elsewhere around the castle, and it is quite possible that they were never built given that the site is relatively short-lived (constructed in c.1072, and abandoned in c.1200); when the timber keep on the motte at York was burned down in 1190, it was rebuilt in timber even at this date (Higham & Barker 1992, 122).
- 4.19 In terms of the baileys, it is questionable as to what extent the north bailey (D) did actually form a functioning bailey and this is partly connected with the question of access and approach, and also its relationship to the adjacent ridge and furrow. The apparently very constricted triangular or right-angled plan form of the north bailey could well result from the amalgamation of several different features. As already noted, the higher part either side of a later trackway (B) could form part of an earlier pre-medieval enclosure, and appears to contain at least one structure (D3). This higher part of the north bailey is separated from the lower part by a linear depression (D5), and the shape of the lower part is largely defined by the tributary watercourse valley to the west; it appears to contain a rectangular platform (D4). There is no clear link between the lower part of the bailey and the bulbous mound (E) to the south, as was shown by l'Anson in 1913, although the relationship between the two has been confused by the later trackway (B). Of course, it is possible that the north bailey (D) represents an early post-Conquest feature, which was soon replaced by the larger south-west bailey (F); such a development would not be unexpected, and indeed several examples where larger baileys were added to existing castles have been identified, including that at Thonock in north-west Lincolnshire (Everson, Taylor & Dunn 1991, 193-194).
- 4.20 The larger south-east bailey (F) is much more evident and typical, and it is considered that, rather than forming part of an earlier enclosure, it is, on balance, contemporary with the motte. It was bounded by a substantial bank and ditch (F1) on its north side, which continues south-east as far as the very steep north slope of the beck valley; a narrow gap (F2) in this bank may represent an entrance (see below). The southern side of the bailey runs along the top of the natural scarp above the valley, and would have been reinforced by a timber palisade. There are traces of a slight bank around the top of the south-west corner of the bailey, and there may once have been a ditch along the south-western side, of which only a

short fragment (F5) now remains; it is unknown how much of the south side of the bailey has been lost to erosion, as indicated on the Ordnance Survey maps of 1853 and 1893 (see figure 3). Unfortunately, post-abandonment agricultural activity and tree growth has served to obscure the earthwork remains of any structures within the bailey. It is likely that it would have contained numerous structures, some of which would have been arranged around the perimeter as with those recorded as surviving earthworks at William's Hill (Moorhouse 2003, 318), perhaps with at least one larger structure towards the centre as revealed by excavation at Hen Domen, near Montgomery (Wales) (Higham & Barker 1992, 326-347).

#### *Approaches to the Castle and Motte*

- 4.21 There are two possible directions of approach to the castle. The first could have been from the north, perhaps along the present hollow way (A) to the immediate west of the site, although there is no longer any clear indication of an early access from the hollow way across the minor watercourse into the complex, unless it is perpetuated by the existing bridge. One possibility might be that the linear depression (D5) within the north bailey forms the remains of an access to the motte, with the possible structure (D3) on its east side forming a gate structure or forebuilding overlooking the approach. It is also possible that the platform (D4), which has probably been partly truncated by the later trackway (B), could have acted as the base for a wooden bridge or other structure which crossed the motte ditch and ascended to the motte summit; timber bridges or ramps on stilts are referred to in contemporary descriptions as a means of reaching the summit (Higham & Barker 1992, 118-119). However, this arrangement would appear to be very constricted, and there is now no clear earthwork evidence for a crossing point over the minor watercourse in line with the linear depression (D5), nor anything on the LiDAR imagery that would indicate an onward route for a trackway from a crossing point here.
- 4.22 Notwithstanding the above, it would seem more likely that Foss Castle was approached from the south-east, along a track which followed the north side of the Sandsend Beck valley and passed through the south-east bailey (F). Towards the east end of the substantial bank and ditch (F1) forming the north side of this bailey there is a narrow gap (F2) through which a footpath or trackway now passes. There is a prominent flat-topped mound to the south-east of this gap, with a corresponding mound just to the north-east. Although this gap (F2) is now rather narrow, at c.2m wide, it is possible that this arrangement represents the main entrance into the south-east bailey, perhaps via a gate structure or forebuilding with a bridge spanning the bailey ditch (F1) which appears to continue south-east to the edge of the beck valley (F4). As noted above, and as shown on the 2020 LiDAR imagery, the track or footpath continues east for some distance along the top of the north side of the Sandsend Beck valley (see figure 5A). Alternatively, the gap (F2) and potential forebuilding could have been approached along what appears to be the remains of a terraced track further to the south, also running along the north side of the valley here.
- 4.23 Quite how the high motte was accessed from the south-east bailey remains unclear. On the 2021 LiDAR imagery, the path or track enters the south-east corner of the bailey via the gap (F2) and appears to continue west as far as the counterscarp bank (F8) on the south-east side of the motte (see figure 5B), although whether this is contemporary with the bailey or represents post-abandonment access is unclear. If contemporary, perhaps this counterscarp bank acted as the base for a bridged access from the bailey onto the top of the motte.



Alternatively, this access may have lain further to the north, along the inside of the bailey ditch (F1), along the flat-topped internal bank, to a point where the motte ditch is much less prominent. Finally, it is also conceivable that the prominent ditch (F1) itself, could represent a route to the motte, effectively by-passing the south-east bailey, although an internal route through the bailey would be expected; it is considered that this ditch acted as a drainage channel to take water away from the bailey and the structures within.

- 4.24 Of course, it is entirely feasible that both entrances into the castle complex were used, from the south-east and north-west, either at the same time or one forming a modification of the other, especially if the north bailey predates the construction of the larger south-east bailey; the north-west entrance may then have reverted to a secondary function. However, given the size of the motte, only one route of ascending the steep side to reach the top would be expected.

### **Post-Abandonment Use**

- 4.25 In 1133, Foss Castle may be referred to as the '*castrum de Mulgreit*' (the castle of Mulgrave) (Renn 1973, 250), and it is assumed that it remained occupied for most of the 12th century, finally being abandoned in c.1200 and replaced by the stone-built Mulgrave Castle on a new site on the opposite side of the Sandsend Beck (see figure 3C). The most obvious post-abandonment activities are the ploughing within the south-east bailey (F), as evidenced by the ridge and furrow, and the cutting of a trackway (B) though the western ditch of the motte and across the north bailey (D) before 1853. It is assumed that the ridge and furrow in the south-east bailey and elsewhere dates to the later medieval period. The trackway (B) was probably used to access Foss Mill from an east/north-easterly direction, and may be post-medieval rather than a medieval route, although it is odd that it took an angled route around the top of the north bailey rather than following a more direct line though the motte ditch.
- 4.26 Despite the extensive development of the parkland and designed landscape of Mulgrave Hall (now Mulgrave Castle) between the early 18th and early 19th centuries, and the incorporation of old Mulgrave Castle into this, there is no evidence that Foss Castle was afforded the same treatment. The castle site appears to have been wooded for much of the last 200 years.
- 4.27 The fact that Foss Castle was not retained and adapted to later use makes it fairly unusual - most of the structures forming motte and bailey castles in the area are rebuilt in stone from the 12th century onwards, such as Pickering, Whorlton, Scarborough and Helmsley; less altered or rebuilt examples in the North York Moors include Cropton, Castleton and Hood castles but even here some later disturbance, replacement of timber structures with stone, or construction of post-medieval buildings has taken place (Turner 2004, 237-238 & 239-240; Sherlock 1992; Dennison 2002). As a result, Foss Castle remains an important and relatively undisturbed resource which is very likely to contain important archaeological deposits, particularly below-ground where evidence for timber structures and defences may survive.

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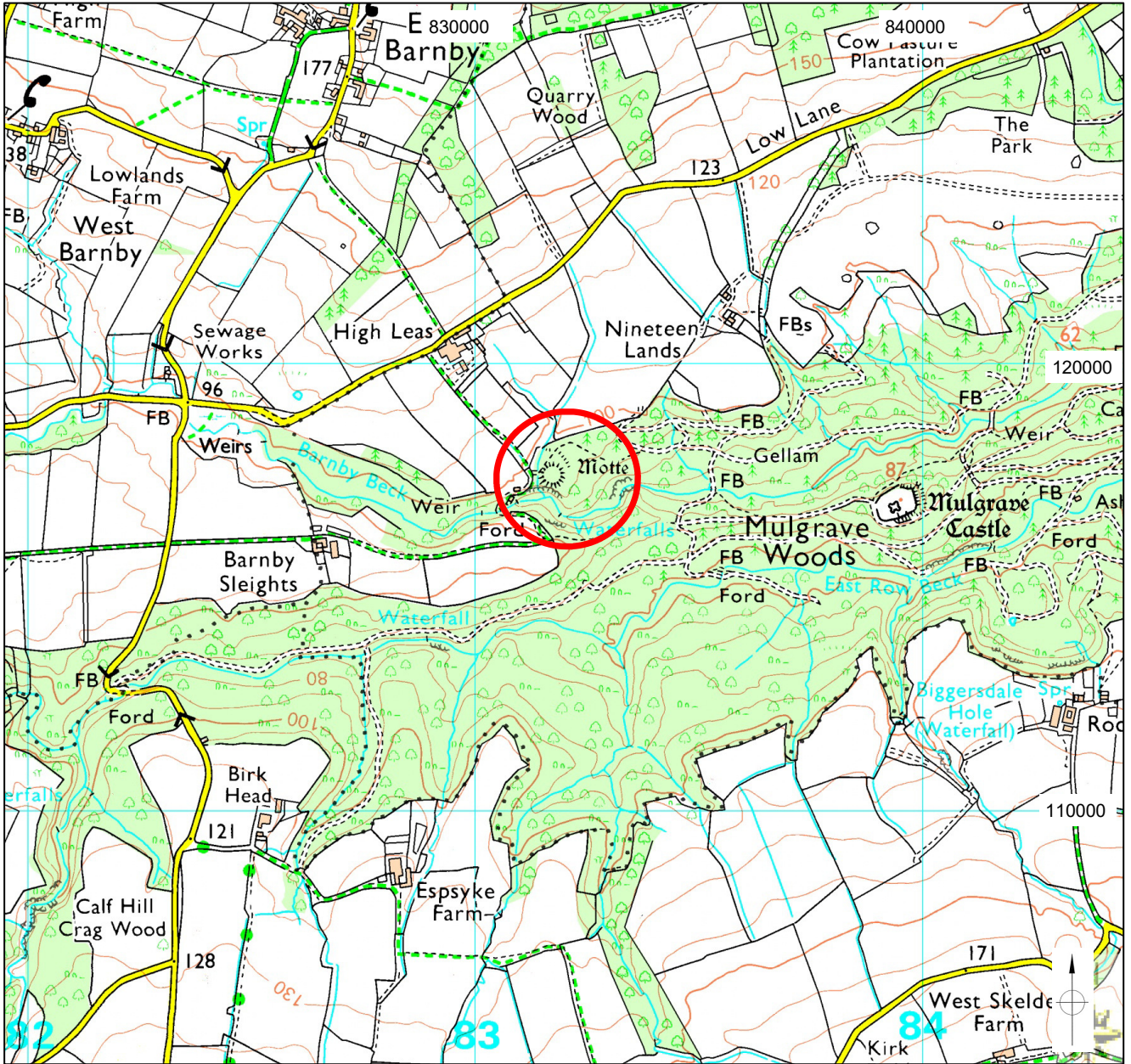
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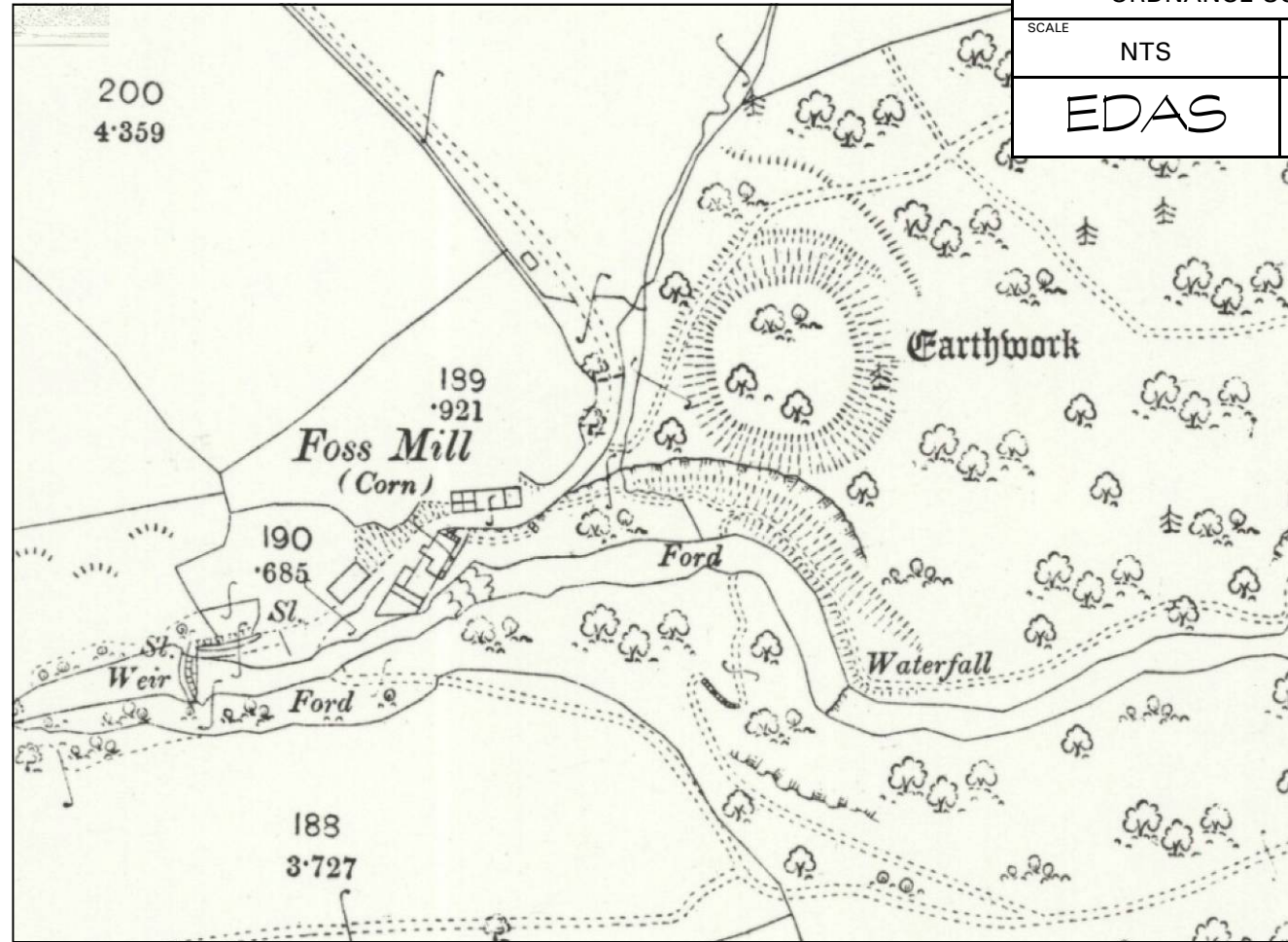
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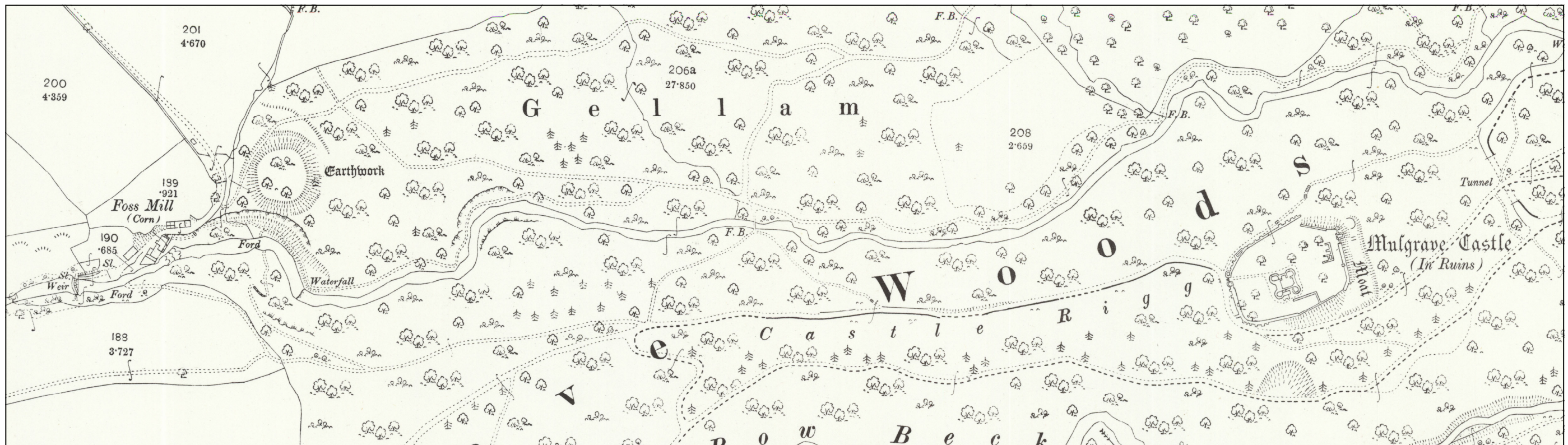
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EDAS		FIGURE	2

PROJECT	FOSS CASTLE, LYTHE	
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		3

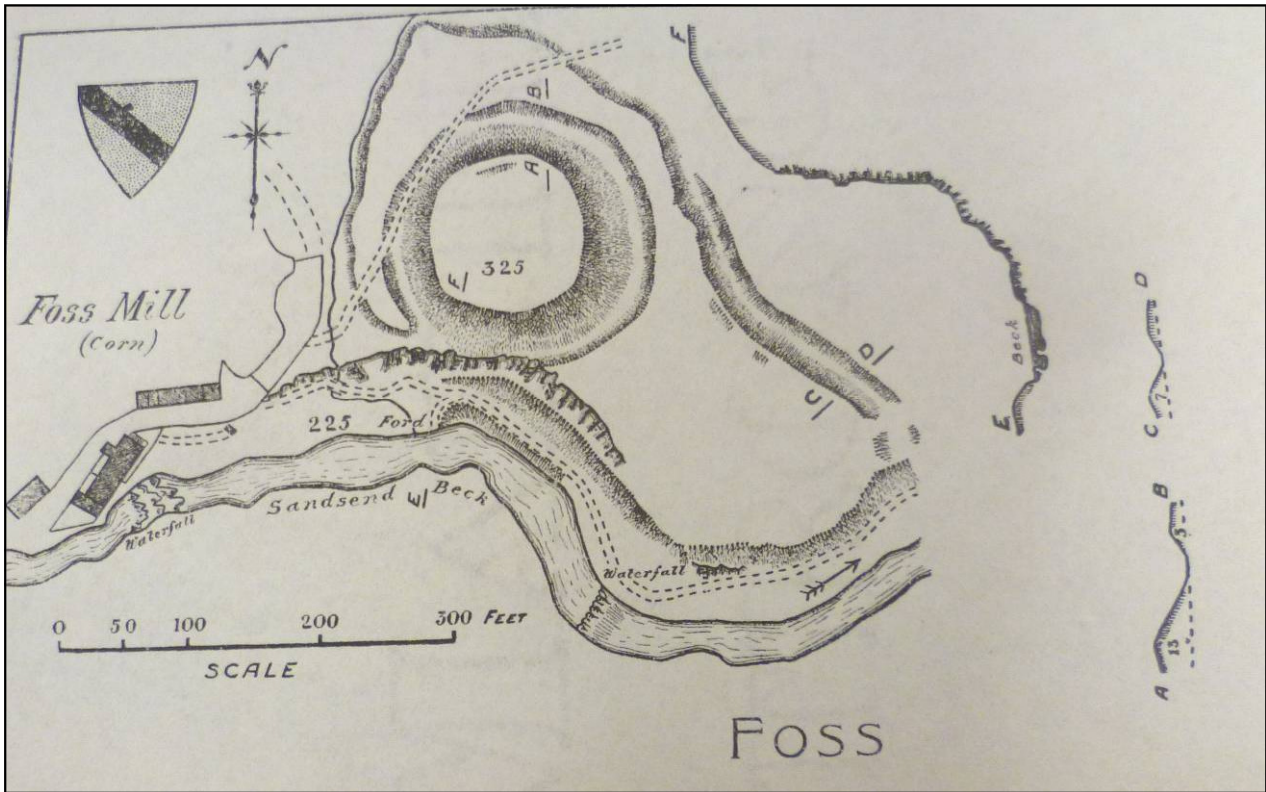


A) 1853 Ordnance Survey 6" to 1 mile map Yorkshire sheet 31 (surveyed 1849).

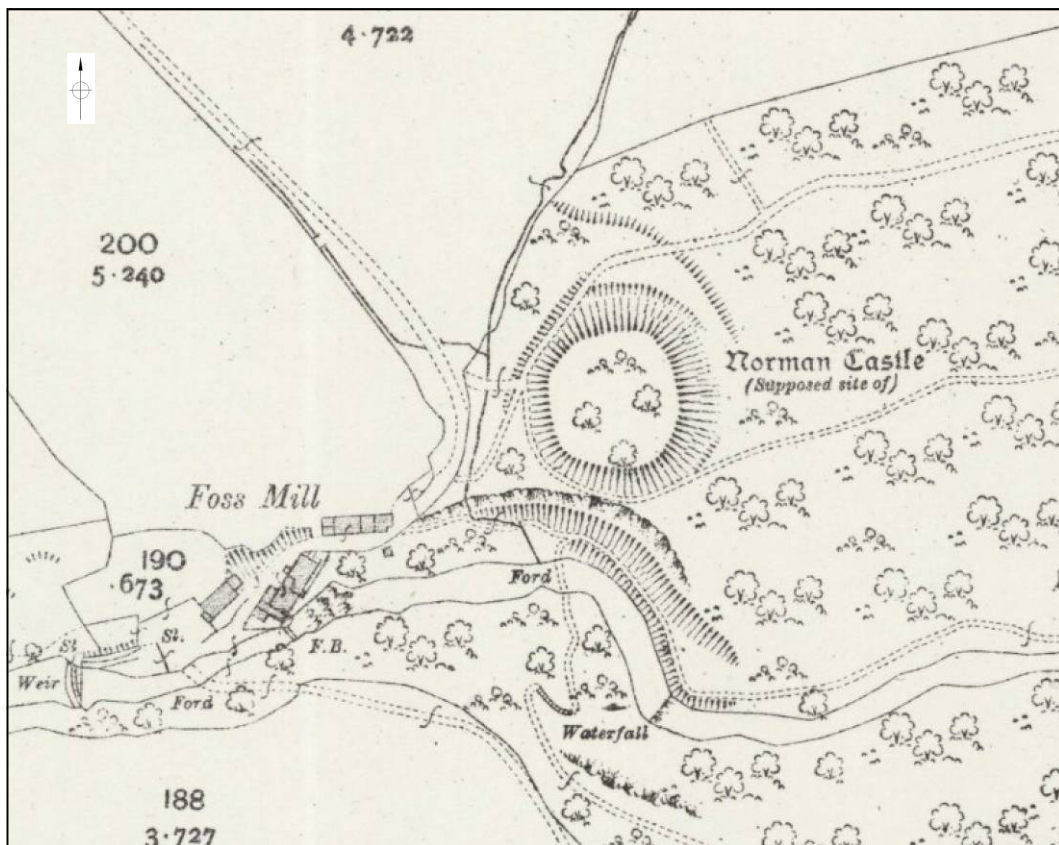
B) 1894 Ordnance Survey 25" to 1 mile map sheet 31/4 (surveyed 1893).



C) 1894 Ordnance Survey 25" to 1 mile map sheet 31/4 (surveyed 1893), showing relationship between the two castles.



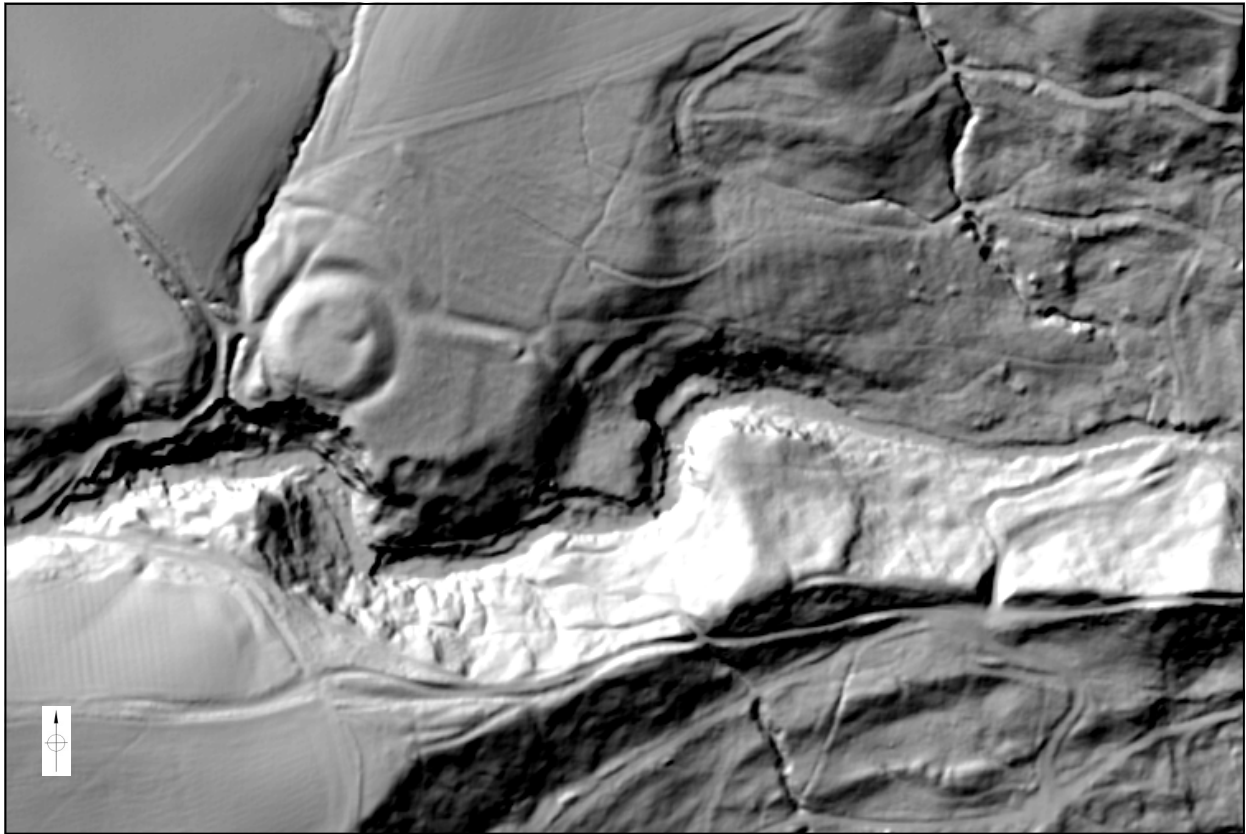
A) Foss Castle as depicted by l'Anson (source: l'Anson, W 1913 'The Castles of the North Riding'. Yorkshire Archaeological Journal vol 22, facing p.358.



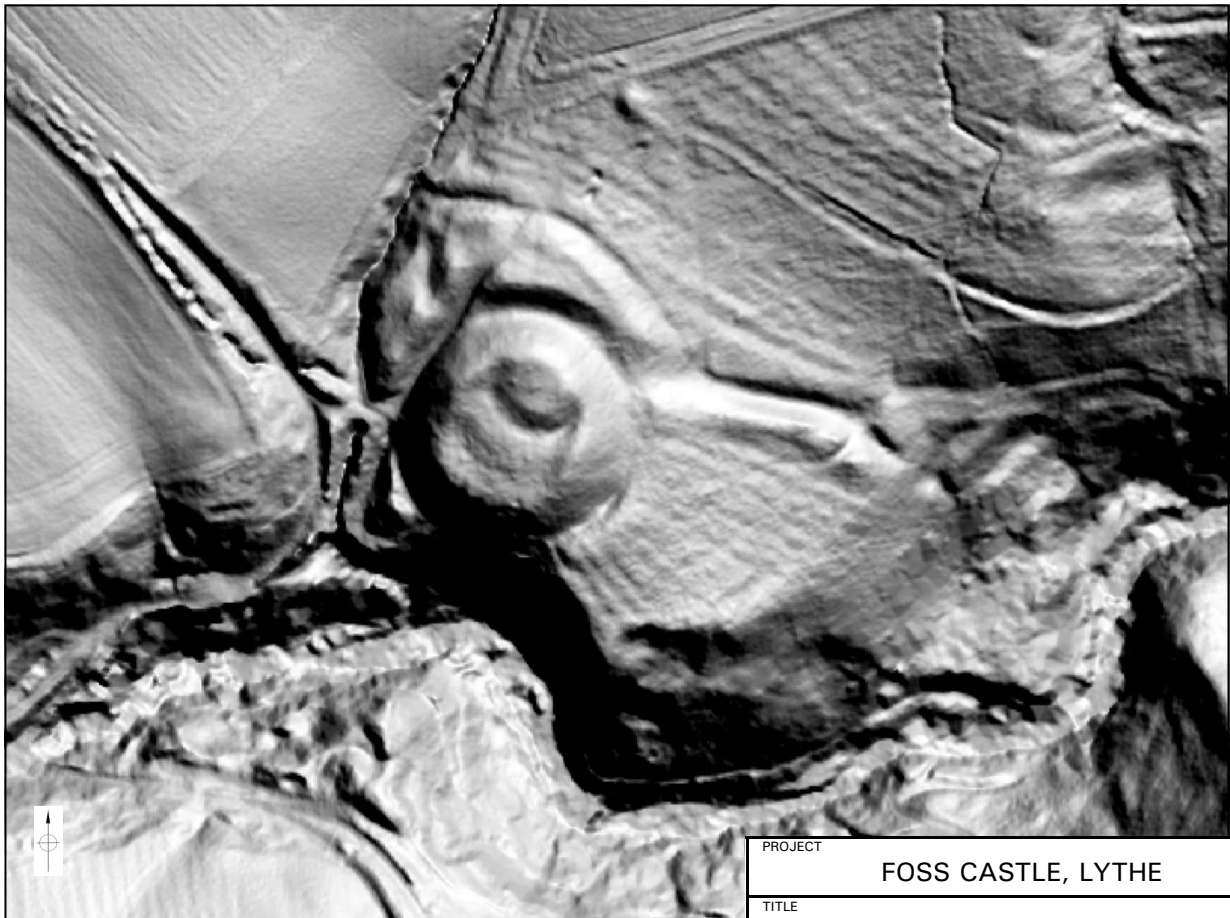
B) 1914 Ordnance Survey 25" to 1 mile map sheet 31/4 (surveyed 1911).

PROJECT		FOSS CASTLE, LYTHE	
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	EDAS	FIGURE	4





A) 2020 LiDAR image (reproduced from the Environmental Agency LiDAR Composite DTM 2020 1m data, contains public sector information licensed under the Open Government Licence v3.0).



B) 2021 LiDAR image (supplied by North York Moors National Park Authority, contains public sector information licensed under the Open Government Licence v3.0).

PROJECT		FOSS CASTLE, LYTHE	
TITLE			
LiDAR IMAGERY			
SCALE	NTS	DATE	JAN 2023
EDAS		FIGURE	5

PROJECT		FOSS CASTLE, LYTHE	
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# FOSS CASTLE

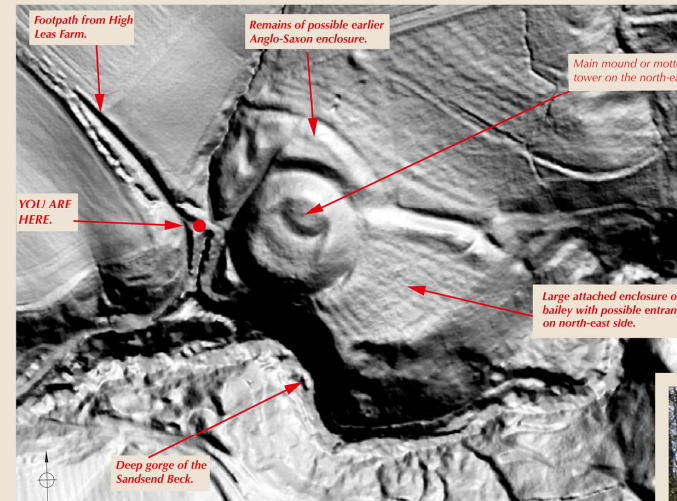
In front of you lie the prominent earthworks of Foss Castle. Sometimes known as Lythe Castle, it is usually called Foss Castle due to the nearby, now ruined, Foss Mill. The castle lies at the head of the Sandsend Beck valley, overlooking a precipitous gorge on its south side. Although now surrounded by woods, the site would have been in a more open landscape when first built. It became disused in the early 13th century when Old Mulgrave Castle was built on the other side of the valley.



View of the motte from the south-east.

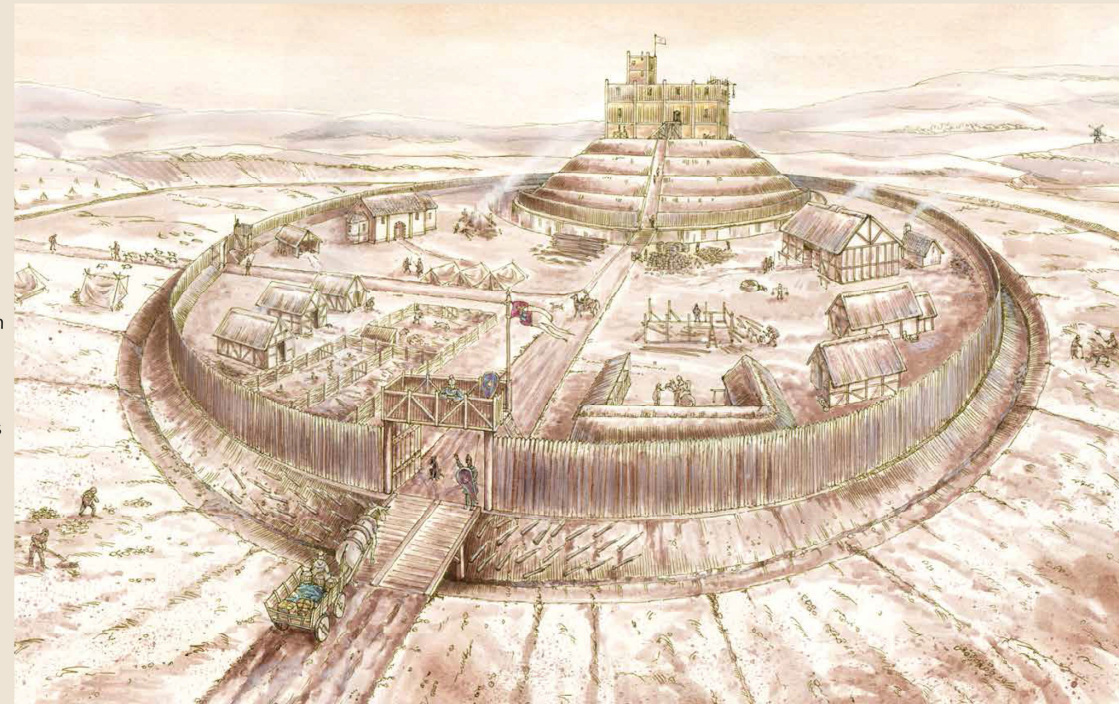
The earthworks are likely to have developed in a number of different phases. The area has long-standing Anglo-Saxon associations, and Lythe church contains an important collection of Anglo-Scandinavian stone 'hogback' grave markers dating to the 8th-10th centuries. This, and other folklore evidence, has prompted suggestions that the site may have originated at the same time as a small, possibly defended, enclosure.

Foss Castle was built in the early 1070s, soon after the Norman Conquest, by Nigel Fossard. He was a major Norman landowner with extensive estates and several castles throughout Yorkshire and elsewhere - Foss Castle would have been his administrative centre for this region. He died in around 1091, and his lands passed through several subsequent generations of the family. Little is known about the castle during this period, but it may be referred to in documents of 1133 as the 'Castrum de Mulgreit' (the castle of Mulgrave). In 1195 Joan Fossard assumed ownership of the estates, and she married Robert de Turnham, a seasoned soldier with royal connections. He, or more likely his successor Peter de Mauley, built a stone castle in the early 13th century on a new site further to the east. This provided greater protection and room to expand, and is now known as Old Mulgrave Castle.



LIDAR survey of Foss Castle earthworks (supplied by North York Moors National Park Authority, contains public sector information licensed under the Open Government Licence v3.0).

A LIDAR (light detection and ranging) survey, which enables the ground to be mapped beneath woodland, has revealed the possible traces of the early, sub-circular and perhaps defensive, enclosure beneath the later castle mound. This enclosure lies between the deep gorge of the Sandsend Beck in the south and a minor stream to the north-west. Construction here would have provided a natural defence along two sides, although it would still have been vulnerable from the higher ground to the north. The precise date of this earlier enclosure, or for how long it might have been used, is presently unknown.



Artist's reconstruction of the small motte and bailey castle at Driffield (East Yorkshire), which would have been very similar to Foss Castle (© Chris Rock Historic and Military Illustration).

The site is a 'motte and bailey' castle, a man-made circular mound or motte with one or more attached enclosures or baileys. The motte is the most prominent feature, measuring some 50m in diameter and standing up to 5m high, with a deep surrounding ditch that has become partly infilled over time. Initially, all the structures would have been of timber but some may have been replaced in stone. The flattened top of the mound has a bank around the edge representing the remains of a palisade or fence, while a sub-circular raised area on the north-east side marks the site of a tower. This would have housed the main accommodation, while other slight earthworks on the mound suggest one or more detached buildings, perhaps a hall and kitchen. Some of the earthworks might also result from excavations said to have been dug before 1817, although it is not known what, if anything, was discovered.

Two baileys forming enclosed courtyards lie next to the motte, although they may not necessarily have been laid out at the same time. They would have contained additional structures and service buildings such as stables, perhaps a chapel, workshops and a brewhouse. The smaller bailey to the north-west is curiously triangular in plan, and may represent the re-use of the earlier Anglo-Saxon enclosure. The bailey to the south-east is larger and horseshoe-shaped, and is surrounded by a prominent bank and ditch on the north and east sides. This bank would have been topped by a tall palisade, and a gap in the north-east corner might be an entrance. The

south-west side of this bailey lies directly above the very steep gorge of the Sandsend Beck valley where no defences would have been needed.



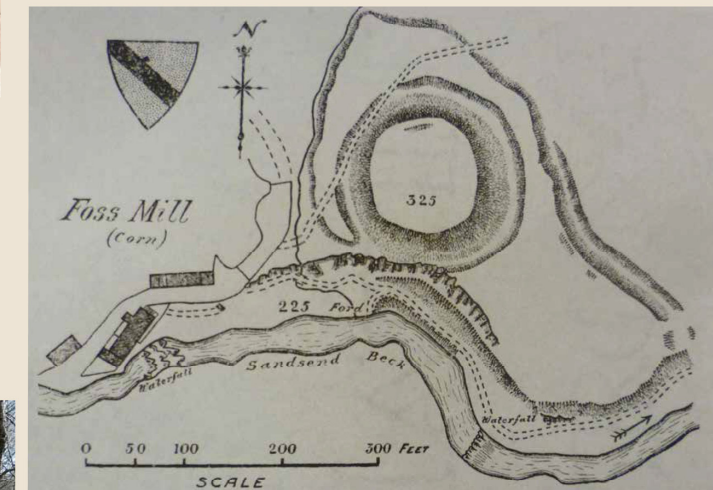
South side of the motte, showing the bank around the top of the mound, before recent tree thinning.

Text and graphics by Ed Dennison Archaeological Services Ltd, design by Tina Antcliffe.



View of the raised area on the north-east side of the motte, probably representing the site of a tower.

As Foss Castle was replaced by Old Mulgrave Castle to the east, the surviving remains are important because they have not been disturbed by later activity. However, no modern archaeological survey or excavation has taken place, although some selective woodland thinning has been done.



A 1913 survey of the earthworks.

The castle now sits within semi-natural ancient woodland, meaning there has been some woodland cover since the 1600s. The trees include oak, ash, beech, sycamore and European larch, some being planted in the 1950s. Recent and continued woodland management, through the Forestry Commission's Higher Tier Countryside Stewardship scheme, will allow the hardwoods to reach maturity. Natural plant life growing on and around the castle mound includes the square-stemmed figwort, known for its medicinal properties. Birds that thrive in this valley woodland include the greater spotted woodpecker, spotted flycatcher and a variety of warblers in the summer months.

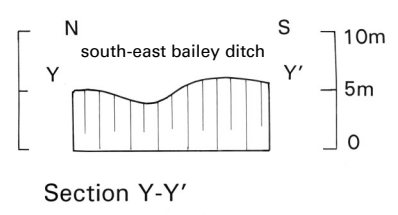
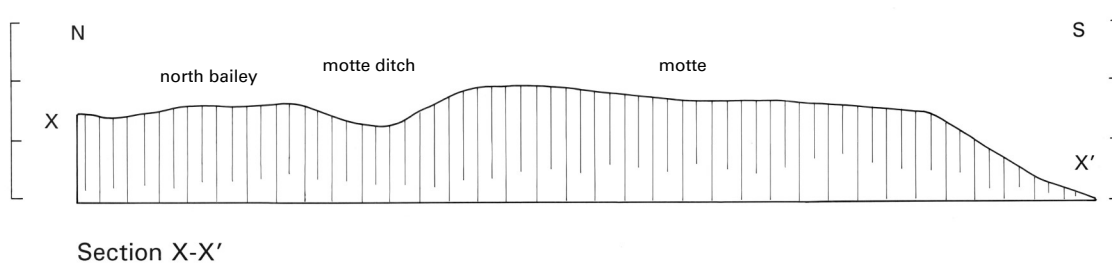
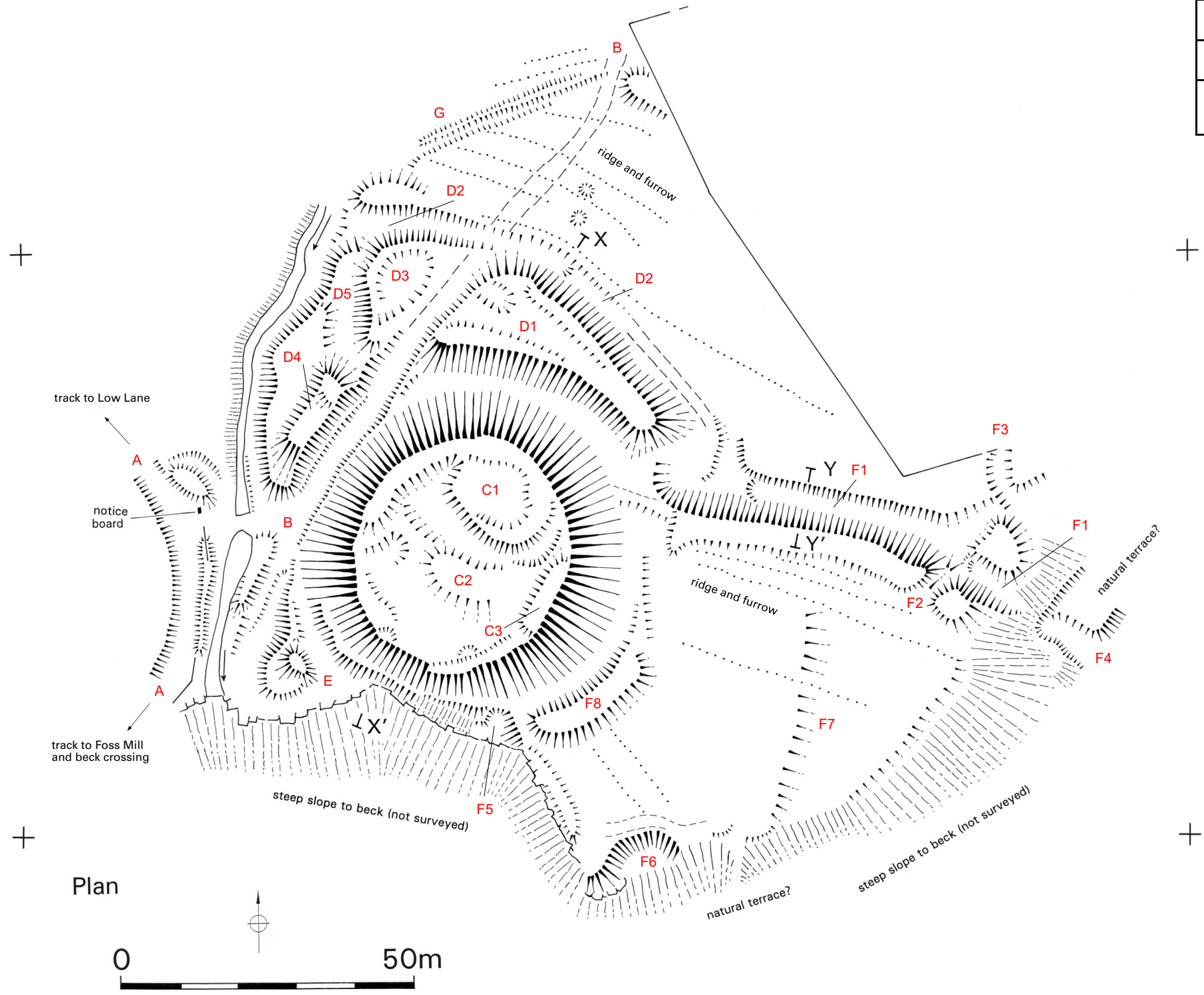
Foss Castle is protected as a Scheduled Monument and forms part of the Mulgrave Estate.

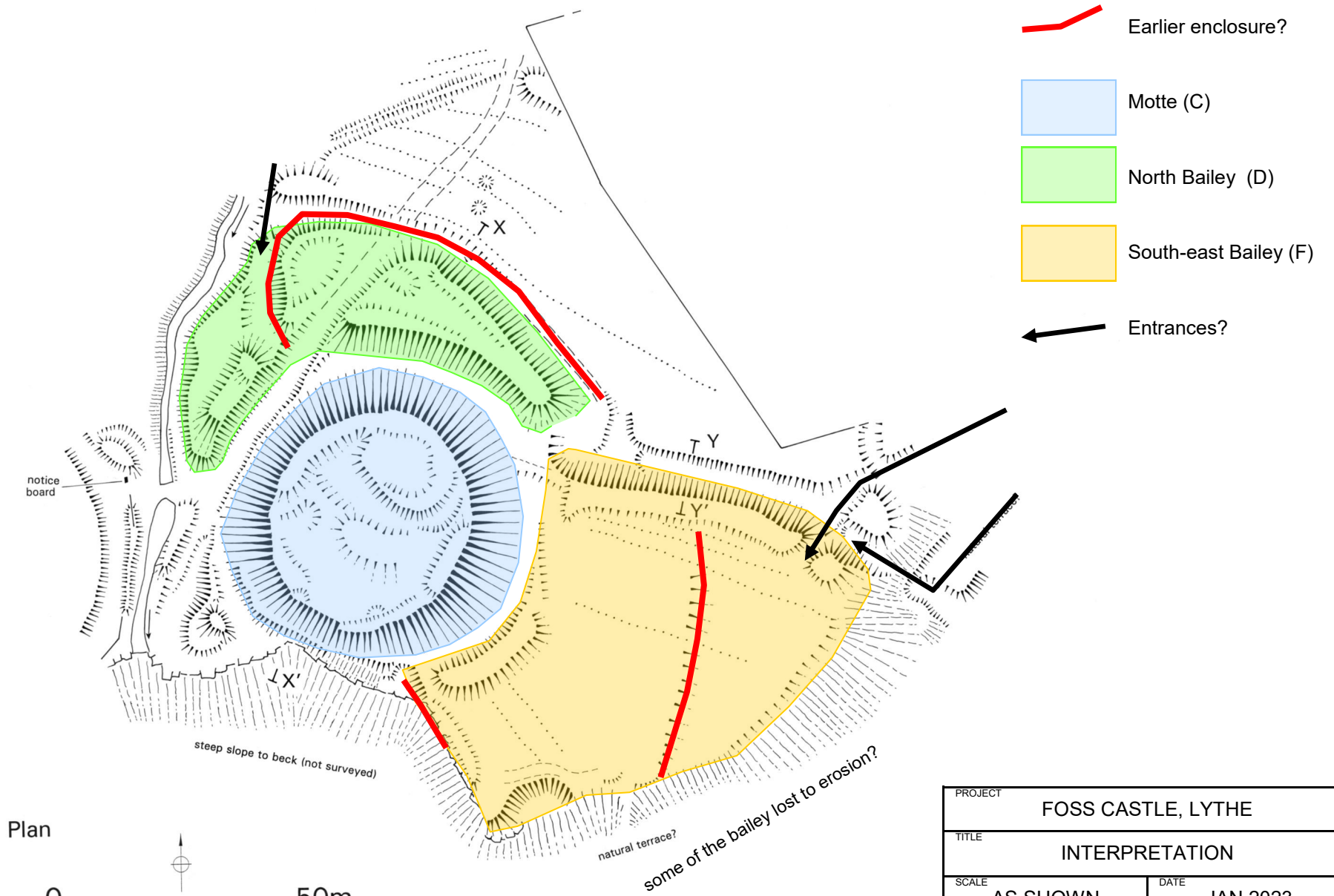
**MULGRAVE**  
ESTATE



This project has been funded through Countryside Stewardship

PROJECT	FOSS CASTLE, LYTHE	
TITLE	EARTHWORK SURVEY	
SCALE	AS SHOWN	DATE JAN 2023
	EDAS	FIGURE 7





PROJECT	FOSS CASTLE, LYTHE	
TITLE	INTERPRETATION	
SCALE	AS SHOWN	DATE JAN 2023
	EDAS	FIGURE 8



Plate 1: Hollow way (A), looking S (photo 3/661, March 2022).



Plate 2: Bridge over tributary stream (north side), looking S (photo 1/481, April 2020).



Plate 3: Trackway (B), central part, looking SW (photo 3/663, March 2022).



Plate 4: General view of motte (C), from north bailey (D1), looking SE (photo 3/669, March 2022).



Plate 5: Motte (C), west side, looking S (photo 2/347, October 2021).



Plate 6: General view across top of motte (C), looking SE (photo 3/677, March 2022).



Plate 7: Motte summit, platform (C1), looking NW (photo 3/681, March 2022).



Plate 8: Motte ditch, north-east side, looking NW (photo 3/624, March 2022).





Plate 9: Motte ditch, north side, looking SE (photo 3/625, March 2022).



Plate 10: North bailey, east part (D1), looking NE (photo 2/350, October 2021).



Plate 11: North bailey, outer ditch (D2), west of trackway (B), looking W (photo 3/670, March 2022).



Plate 12: North bailey, linear depression (D5), looking S (photo 3/666, March 2022).



Plate 13: Mound (E), looking S (photo 3/654, March 2022).



Plate 14: South-east bailey, north ditch and bank (F1), looking E (photo 3/634, March 2022).



Plate 15: South-east bailey, gap (F2) in north ditch and bank (F1), looking W (photo 1/503, April 2020).



Plate 16: South-east bailey, north ditch (F1), east continuation across terrace (F4), looking SE (photo 3/643, March 2022).



Plate 17: South-east bailey, quarry to south-west corner (F6),  
looking W (photo 3/648, March 2022).



Plate 18: South-east bailey, showing ridge and furrow inside bank of north ditch (F1),  
looking NW (photo 3/645, March 2022).



Plate 19: South-east bailey, faint scarp (F7) crossing interior, looking N (photo 3/647, March 2022).



Plate 20: Boundary bank (G), looking SW (photo 3/673, March 2022).

APPENDIX 1  
EDAS SURVEY PROPOSAL

# **FOSS CASTLE, LYTHE, NORTH YORKSHIRE: EDAS ARCHAEOLOGICAL SURVEY PROPOSAL**

## **Introduction**

This proposal sets out a programme of detailed measured earthwork survey to be carried out at Foss Castle, Lythe, North Yorkshire (NGR NZ 83120 11752 centred). The site is a Scheduled Monument, first scheduled on 11th March 1974 (SM 20536; NHLE 1018286). It also lies within the North York Moors National Park, and is recorded on the NYMNPA HER (site 4283). This survey proposal has been produced by Ed Dennison Archaeological Services Ltd (EDAS), in conjunction with advice from Mr Miles Johnson, Head of Historic Environment at the North York Moors National Park Authority (NYMNPA), and supports a NYMNPA grant application for the fieldwork elements of the project.

## **Background Information**

The prominent earthworks of Foss Castle (sometimes known as Lythe Castle) overlook a precipitous gorge on their south side. Although now surrounded by woods, the site would have been in a more open landscape when first built. The site is likely to have developed in a number of different phases. The area has long-standing Anglo-Saxon associations, and it is possible that the castle may have originated at this time as a small, possibly defended, enclosure.

The medieval motte and bailey castle was established in the early 1070s by Nigel Fossard. Little is known about his ownership, and subsequent generations of his family, but it may be referred to in documents of 1133 as the 'Castrum de Mulgreit' (the castle of Mulgrave). In 1195 Joan Fossard assumed ownership of the estates, and she married Robert de Turnham, a seasoned soldier with royal connections. He, or more likely his successor Peter de Mauley, built a new stone castle in the early 13th century on a site further to the east (Old Mulgrave Castle), and the earlier motte and bailey was abandoned.

The most prominent earthwork on the site is the motte, which measures some 50m in diameter and up to 5m high, with a deep surrounding ditch that has become partly infilled over time. The flattened top of the mound has a bank around the edge representing the remains of a palisade or fence, while a sub-circular raised area on the north-east side marks the site of a tower. This would have housed the main accommodation, while other slight earthworks on the mound suggest one or more detached buildings, perhaps a hall and kitchen; initially, all the structures would have been of timber but some may have been later rebuilt in stone. The site is known to have been excavated before 1817, although it is not known what, if anything, was discovered.

Two baileys forming enclosed courtyards lie next to the motte, although they may not necessarily have been laid out at the same time. They would have contained additional structures and service buildings such as stables, perhaps a chapel, workshops and a brewhouse. The smaller bailey to the north-west is curiously triangular in plan, and may represent the re-use of a potentially earlier Anglo-Saxon enclosure. The bailey to the south-east is larger and horseshoe-shaped, and is surrounded by a prominent bank and ditch on the north and east sides. This bank would have been topped by a tall palisade, and a gap in the north-east corner might be an entrance. There are no defences on the south side of this bailey as it lies directly above the very steep gorge of the beck.

Apart from the pre-1817 excavations noted above, and despite being a Scheduled Monument, the site has not been subject to any modern archaeological investigation, apart from a previous survey by l'Anson in 1931. As the castle was replaced by Old Mulgrave Castle to the east, the surviving remains are especially important as they have not been



disturbed by later activity, although some woodland planting (and subsequent thinning) has taken place. An interpretation board has recently been erected on a public footpath at the entrance to the site (funded by the Mulgrave Estate), and public access is allowed onto the site on Wednesdays and at weekends.

## **Proposed Works**

EDAS have extensive experience of undertaking detailed measured earthwork survey of multi-period sites and landscapes, including those within the North York Moors National Park. The proposed survey work at Foss Castle will comprise a total station EDM survey, subsequently enhanced by hand, the production of an illustrated survey report, the deposition of the site archive with the NYMNPA, and the preparation of a suitable publication for a regional or national archaeological journal.

### *Collation of Existing Documentary Material*

All readily-available documentary material will be collected and collated relating to the history and development of the site. This will extend to antiquarian sources, details of the site held by the NYMNPA (e.g. LiDAR images), and records held in local museums, archives and record offices. At this stage, it is not envisaged that original research on medieval documents will be undertaken.

### *Topographical Survey*

The topographical survey will cover the full extent of the motte and bailey castle, estimated to extend to approximately 75m NE-SW by 125m NW-SE, but adjacent earthworks outside of this area may be recorded if they can be positively identified. It is proposed to access the survey area by parking at High Lees Farm to the north (owned by the Mulgrave Estate) and walking down the public footpath to the site.

The survey work will be undertaken at a scale of 1:500 using EDM total station equipment. Sufficient information will be gathered to allow the survey area to be readily located through the use of surviving structures, fences, walls, water courses, trackways and other topographical features. The survey will record the position at ground level of all structures, wall remnants and revetments, earthworks, water courses, leats, paths, stone and rubble scatters, ironwork, fences, walls and other boundary features, and any other features considered to be of archaeological or historic interest. The survey will also record any differences in the exposed surface detritus, such as sorted stone and/or rubble scatters, as well as differences in coarse vegetation, which may aid the functional differentiation and interpretation of the site. The detailed site survey will pay particular attention to any structural remains, and also record areas of erosion (both natural, animal and man-made) or other damage.

The site survey will be integrated into the Ordnance Survey national grid by resection to points of known co-ordinates, using the LiDAR survey information (provided by NYMNPA) and a hand-held GPS. The site survey will not be tied into any existing Ordnance Survey bench marks, but one of the survey stations will be given a nominal height (obtained from the GPS and LiDAR data) and then heights plotted across the survey area in relation to this. Survey points will be taken from fixed survey stations on a closed traverse around and through the site. The locations, descriptions and values of the control points will be stated in the final survey data.

On completion of the total station survey, the field data will be plotted and re-checked on site in a separate operation. Any amendments or additions will be surveyed by hand measurement. The resulting site survey will be produced at a scale of 1:500 and presented

as an interpretative hachure plan(s) using conventions analogous to those used by Historic England. The survey work will equate to a Level 3 archaeological survey as defined by Historic England (English Heritage 2007, 23-24).

### *Photographic Survey*

General photographic recording of the survey area, together with close-up photography of significant details, will be undertaken using an SLR digital camera with 12 mega-pixel resolution. Given the vegetation cover, it is envisaged that only a limited number of photographs will be taken, as the earthworks are unlikely to be anything more than poorly visible on photographs taken at ground level. The photographic guidelines produced by Historic England (2015) will be followed and each photograph will normally be provided with a scale where appropriate.

All photographs will be in colour, and clearly numbered and labelled with the subject, orientation, date taken and photographer's name, and cross referenced to film and frame numbers. A photographic register detailing (as a minimum) the location and direction of each shot will be completed. Digital copies of the photographs will be provided in high resolution jpeg format.

### *Written Accounts*

Sufficient notes will be taken on site in order for a detailed description of the survey area to be prepared, in combination with the drawn and photographic records.

## **Reporting and Archiving**

An EDAS archive archaeological survey report will be produced, based on the results of the documentary collation and the information obtained during the fieldwork. This report will assemble and summarise the available evidence for the survey area in an ordered form, synthesise the data, comment on the quality and reliability of the evidence, and how it might need to be supplemented by further field work or desk-based research. The report will also be illustrated by reduced versions of the field plots, historic maps and plans, and a selection of photographic plates. The report will also contain various appendices, including photographic registers and catalogues. One hard copy and a pdf version of the final report will be supplied, for distribution to the NYMNPA Historic Environment Record. Another copy will also be included within the site archive. Other pdf copies will be distributed to other interested parties, such as the Mulgrave Estate.

An appropriate entry will be submitted to the OASIS (On-line Access to the Index of Archaeological Investigations) project, including the deposition of a digital copy of the report with the Archaeology Data Service, via the OASIS form, upon completion of the project.

A fully indexed and ordered field archive will be prepared, following the guidelines produced by the Chartered Institute for Archaeologists (CIfA 2020). The archive will comprise primary written documents, plans, sections and photographs, and an index to the archive. The site archive will be deposited with the NYMNPA at the end of the project.

## **Publication**

The results of the survey work are almost certain to be of significance, and so an appropriate academic paper will be prepared, to be submitted for publication in a regional or national archaeological journal (e.g. *Medieval Archaeology*, *Landscapes*, etc). This publication will include details of the survey, supported by appropriate illustrations and photographs, including a reduced version of the hachured survey plan.

## REFERENCES

CIfA (Chartered Institute for Archaeologists) 2020 *Standard and guidance for the Creation, Compilation, Transfer and Deposition of Archaeological Archives*

English Heritage 2007 *Understanding the Archaeology of Landscapes: A Guide to Good Recording Practice*

Historic England 2015 *Digital Image Capture and File Storage: Guidelines for Best Practice*

l'Anson, W M 1913 'The Castles of the North Riding'. *Yorkshire Archaeological Journal* vol 22, 303-399

Ed Dennison, EDAS  
21st December 2021