

BURTON CONSTABLE DESERTED MEDIEVAL VILLAGE,
BURTON CONSTABLE HALL,
EAST YORKSHIRE

LEVEL 3 ARCHAEOLOGICAL AND
HISTORICAL SURVEY



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EXECUTIVE SUMMARY

In December 2009, Ed Dennison Archaeological Services Ltd (EDAS) were commissioned by the Burton Constable Foundation to undertake a Level 3 archaeological survey (as defined by English Heritage) of the deserted medieval village scheduled monument area at Burton Constable Hall, East Yorkshire (NGR TA188 370 centred). The area of the scheduled monument covers c.10.5 hectares and the work was required to provide background information and details of the archaeological monument, to increase knowledge and to assist with future management strategies and proposals for the site, as part of a Higher Level Stewardship Scheme Agreement. The work was funded by the Burton Constable Foundation and English Nature.

The survey work included the production of an archaeological gazetteer compiled from detailed non-intrusive field investigation, an examination of documentary sources, and the preparation of management recommendations for the conservation and enhancement of the historic source. Additional information was also collected on the Hall and the wider estate, in order to better place the scheduled monument within its proper archaeological, historical and landscape context. The project has revealed that the scheduled monument area has a complex developmental history, which has a significant bearing on the development and form of the existing Hall.

Within the survey area, the former east-west extent of the deserted medieval settlement is fairly clearly delineated by an area which is free from ridge and furrow. Within this area, a portion of a main north-south aligned street through the village may be represented, with possible tenement plots extending to the east and west. A subsidiary street ran east-west towards the north of the survey area, again associated with possible tenements and tofts. The village may well have extended beyond the northern and southern limits of the survey area, and there could have been a moated manorial/administrative complex, recorded in 1293-94 as a capital messuage, located towards the south end. It is not clear why and when the village became deserted. In the latter half of the 14th century, land values were falling and rents were rising, and the village is reported as having a 33% tax relief in 1348 implying a substantial fall in population at this time. However, other factors such as changes in agricultural regime, the rise of individualism, landowner intervention and deteriorating climatic conditions all probably contributed to the decline of the village. A crucial reference published elsewhere which suggests it had already been abandoned by the late 15th century and that the former open fields were enclosed by 1517 appears to be erroneous. The moated manorial complex may have been expanded and remodelled in the late 15th century, with perhaps a tall brick solar tower with an attached range of more than one storey to the east, and possibly a further attached structure to the south.

A complex of garden earthworks has been identified to the north of the house by the new archaeological survey work, beyond the original moated precinct and perhaps within part of the area formerly occupied by the medieval village. These earthworks, which form part of a wider designed landscape, comprise a c.140m long canal-like feature, a rectangular pond with an island, a pair of linked ponds and a ditched enclosure, with a series of shallow terraces and possibly an enclosed orchard to the north. It is possible that these features date to the late 15th century, and may be associated with the relocation of the Constable family to Burton Constable and the above rebuilding of the house. However, it is considered more likely that they are late 16th century in date, and are associated with Sir John Constable's (1531-1579) attainment of the Lordship of Holderness which also saw a major phase of building at the hall. Many of these earthworks are on the same slight north-east/south-west alignment which may reflect earlier boundaries established within the medieval settlement.

Other changes also took place to the gardens in the late 17th and early 18th centuries. Although the earlier features were retained, a new geometric layout of beds depicted to the north-west of the moat on a plan of 1755 probably originated in 1715. Documents record the levelling of

ground for a new garden at this time, and it may represent an unfinished scheme by William Constable (1653-1718). Only the faintest traces of these gardens now survive, but of greater significance is the fact that there was a deliberate, if not wholly successful, attempt to remove the medieval ridge and furrow to create the garden, a forerunner of 'Capability' Brown's similar works carried out around the lakes elsewhere in the park during the late 18th century. A linear embanked track on the east side of the survey area may also belong to this phase of activity, although it could have earlier origins. Between c.1772 and 1775 the majority of the earlier field boundaries and other features to the north of the house were removed or abandoned as part of Brown's landscaping works, although some elements, such as significant trees, were retained. The earlier moat was altered and a ha-ha created, and a drive was laid out linking the stables to the walled garden. Several clumps or grouping of trees within the survey area may also have been created at this time.

Further study of these landscape elements, coupled with other works such as a detailed architectural survey of the north tower and north wing of the Hall, has the potential to provide a far greater understanding of the early development of Burton Constable. Previous studies have concentrated on the effects of the late 18th century landscaping works, whereas the new survey work has been most useful in shedding light on Burton Constable before Brown.

1 INTRODUCTION

Reasons and Circumstances for the Project

- 1.1 In December 2009, Ed Dennison Archaeological Services Ltd (EDAS) were commissioned by Natural England and the Burton Constable Foundation to undertake an archaeological survey of the deserted medieval village (DMV) scheduled monument site at Burton Constable Hall in East Yorkshire (NGR TA188 370 centred) (see figure 1). The area of the scheduled monument covers c.10.5 hectares (c.350m by c.300m) and the work was required to provide background information and details of the archaeological monument, to increase knowledge and to assist with future management strategies and proposals for the site, as part of a Higher Level Stewardship Scheme Agreement.
- 1.2 The survey work included the production of an archaeological gazetteer compiled from detailed non-intrusive field investigation, an examination of documentary sources, and the preparation of management recommendations for the conservation and enhancement of the historic source. Additional information was also collected on the Hall and the wider estate, in order to better place the survey area within its proper archaeological, historical and landscape context. The scope of the work was defined by a Natural England project brief (see Appendix 3) and an EDAS methods statement (see Appendix 4).

Site Location and Designations

- 1.3 The survey area comprised the c.10.5 hectare extent of the designated Scheduled Monument which lies on the north side of Burton Constable Hall, between the Hall and the minor unclassified east-west aligned road running between Old Ellerby and West Newton (at NGR TA188 370 centred) (for the purposes of this project, this is called the Woodhall and Ellerby road) (see figure 2). At the time of the survey, the whole of the area was under pasture, grazed by cattle, with isolated parkland trees and several small bodies of water. The boundaries of the Scheduled Monument are only partially followed on the ground by existing field boundaries (see figure 16); the eastern angled boundary of the protected area follows a fence line depicted on the 1910 Ordnance Survey maps but this has since been removed.
- 1.4 The earthworks of the medieval settlement were designated as a Scheduled Ancient Monument in the mid 1950s, and it was included in the Humberside County list of Scheduled Monuments in 1994 (NMR TA13NE20); it is listed as number ER152. The deserted village is included on the National Monuments Record (site TA13NE20) as well as the Humber Sites and Monuments Record (HSMR) (site 730), which also records a windmill (2780), a dovecote (2781) and a moated site (2782). The site also lies within the area of the Grade II* registered historic park and garden of Burton Constable (site PG1918), which was designated in November 1984.

Aims and Objectives

- 1.5 The primary aim of the project was to produce an archaeological and historical survey of Burton Constable DMV to aid understanding and inform any future management works.

Survey Methodologies

- 1.6 As noted above, the scope of the archaeological project was defined by a Natural England brief and an EDAS methods statement (see Appendices 3 and 4). The project equates to a Level 3 survey as defined by English Heritage (2007, 23-24).

Phase 1 Desk-top Survey

- 1.7 A desk-top survey was carried out to collate information relating to the known archaeological and historical heritage of the scheduled monument area. Information was obtained from the Humber Archaeology Partnership's Sites and Monument Record (HSMR - the equivalent of the County Historic Environment Record) and English Heritage's National Monuments Record (EH NMR). This information comprised records of any previous historic research and archaeological activity, aerial photographs, past management and land ownership records, and historic maps and plans. A number of aerial photographs held by the HSMR and EH NMR were consulted, but the most suitable for this study were those dating to 1946.
- 1.8 The East Riding Archive Office (ERAO), based in Beverley, holds the bulk of the Burton Constable estate records and these were consulted for information relating to the estate, park and former village area. This material principally comprised historic maps and plans, although some had been re-catalogued since a previous report (UOY 1999; see below), and so were difficult to locate. Liaison was also undertaken with Dr David Connell of the Burton Constable Foundation (BFC), who supplied information relevant to the study area held by the Foundation and from his own private research. Maps, plans and other documents held in the Burton Constable Muniments Room (BCMR) were also consulted.
- 1.9 A certain amount of additional research into the wider archaeological, historical and landscape contexts of the scheduled monument area was also carried out, in order that it could be properly considered in relation to the development of the Hall and surrounding landscape. Wherever possible, the desk-top survey was completed in advance of the field survey, so that it might inform and enhance the subsequent field work.
- 1.10 The desk-top research benefited from previous historical and archaeological work undertaken on the Burton Constable estate, although it is noticeable that the pre-1600 development of the Hall and its associated landscape has received far less attention (and is therefore much less well understood) than the developments that took place during the 18th century. The manorial history of Burton Constable township, formerly part of Swine parish, has been researched and published in some detail (Kent 2002a; Poulson 1841, 224-249), while Beresford included the village of Burton in his regional and national studies of deserted medieval villages (Beresford 1952, 59; Beresford 1969, 58-59, 141, 169 & 294). The involvement of Capability Brown at Burton Constable has been examined in some detail (e.g. Hall 1995), as has the later history of the park and house (e.g. Hall & Hall 1991; Credland 1998). A Park and Garden Management Plan for the Hall was produced by the University of York's Department of Archaeology (UOY) in 1999 for the Burton Constable Foundation. This included an outline sketch plan and summary descriptions of the earthworks within the estate carried out by the Debois Landscape Survey Group, again with an emphasis on post-1700 developments; it was acknowledged that the record was not comprehensive and that areas of the estate contained extensive fragmentary field archaeology which was not dealt with

by the survey (UOY 1999, Appendix H). Wherever possible, the original documentary material referenced by these sources has been reviewed.

- 1.11 Whilst the current EDAS project was being undertaken, a Landscape Management Plan for Burton Constable was being prepared by Janette Ray Associates and others (JRA 2010); a draft report was kindly made available to EDAS. The scheduled monument area was deliberately excluded from the Landscape Management Plan because of the current work. The Landscape Management Plan does however include a brief assessment of the archaeology within the inner park area, based almost wholly on the information held by the HSMR (JRA 2010, 17-24). No further walkover survey or more detailed assessment of the surviving archaeological remains or earthworks within the park area was undertaken as part of the Landscape Management Plan.

Phase 2 Detailed Site Survey

- 1.12 A detailed Level 3 survey of the whole of the area of the Scheduled Monument was carried out to record the position and form of all features considered to be of archaeological and/or historical interest. The main area of survey comprised the c.10.5 hectare extent of the Scheduled Monument on the north side of Burton Constable Hall, although the area was extended slightly, by c.50m to the east and west, to include adjacent areas of earthworks (primarily ridge and furrow). At the time of survey, the whole of the Scheduled Monument area was under pasture, grazed by cattle, with isolated parkland trees and several small bodies of water. As noted above, the boundaries of the Scheduled Monument are not accurately depicted on the ground.
- 1.13 The survey was undertaken using EDM total station equipment, as a divorced survey. Sufficient information was gathered to allow the survey area to be readily located through the use of surviving structures, fences, walls, water courses and other topographical features. The survey recorded the position at ground level of all structures, wall remnants and revetments, earthworks, water courses, paths, stone and rubble scatters, ironwork, fences, hedges and other boundary features, and any other features considered to be of archaeological or historical interest. The survey also recorded the position of individual trees within the survey area, together with an indication of their canopies. The survey was then integrated into the Ordnance Survey national grid by resection to points of known co-ordinates. Heights AOD were obtained by reference to the nearest OS benchmark on the Hall, and contours were plotted across the site.
- 1.14 On completion of the total station survey, the field data were plotted at a scale of 1:500 and re-checked on site in a separate operation. Any amendments or additions were surveyed by hand measurement, and the results digitised back into the electronic survey data. The resulting plan of the core area survey was produced at a scale of 1:500 and presented as a wet-ink interpretative hachure plan using conventions established by English Heritage (1999; 2007, 31-35). Larger scale plans, at 1:10,000 and 1:2,500 scale, were used to put the survey area into context. The areas immediately adjacent to the core survey area were subject to a Level 2 overview survey. This mapped the alignment and extent of any earthworks at a larger scale, rather than showing full details of form. As noted above, this Level 2 survey extended over an area of c.50m east and west of the scheduled monument. Both the machine survey and subsequent hand-enhancement were undertaken in March and April 2010, in generally fine weather conditions. Additional survey work around the periphery of the Scheduled

Monument was carried out in February 2011, to put the main survey area into context.

- 1.15 Each identified component within the survey area was given a unique number, using pro forma record sheets compiled from an Access database. The pro forma record sheet includes a summary description and preliminary interpretation of extant remains (e.g. dimensions, plan, form, function, date, sequence of development), locational information (including ten figure grid references obtained from an OS map base or a hand-held GPS system), mention of relevant documentary, cartographic or other evidence, and management details such as an assessment of current condition and threats (see Appendix 1). Each identified component was also photographically recorded using a digital camera with 10 mega pixel resolution. English Heritage photographic guidelines were followed (English Heritage 2007, 14) and each photograph was provided with a scale. More general digital photographs were also taken showing the landscape context of the area and of specific sites. All photographs were clearly numbered and labelled with the subject, orientation, date taken and photographer's name, and were cross referenced to digital files etc.

Survey Products

- 1.16 An archive survey report has been produced, based on the structured gazetteer of identified numbered components. 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 survey report also contain various appendices, including the structured gazetteer of components, photographic registers and catalogues, and a copy of the EDAS methods statement, together with the details of any departures from that design.
- 1.17 A properly ordered and indexed archive, comprising paper, magnetic and plastic media, relating to the project has been ordered and indexed according to the standards set by the National Archaeological Record (EDAS site code BCH 10). This was deposited with the Burton Constable Foundation at the end of the project.

2 ARCHAEOLOGICAL AND HISTORICAL BACKGROUND

Introduction

- 2.1 The area of survey forming the subject of this report lies within a rich archaeological and historical landscape, dating from the prehistoric period to the present day. However, in terms of the Scheduled Monument area, the medieval and post-medieval periods are of most relevance, and so only these are considered in the following discussion. It is also important that the area of survey is placed within its wider landscape context, and so the general development of the estate is considered.

Geology, Soils and Hydrology

- 2.2 The geology of the Burton Constable estate area was laid down in the Cretaceous period and comprises chalk overlain with boulder clay, with some sand and gravel deposits. The boulder clay has always made drainage a problem in this area, and is particularly an issue for the establishment of trees (JRA 2010 Part 1).

Burton Constable in the Medieval Period (1066-1540 AD)

- 2.3 The common Anglian name *Burton*, meaning a fortified settlement, was qualified in 1086 with the prefix '*Santri*', the significance of which is unknown. In 1190 the name of its previous tenant, Erneburga, was used as the prefix, whereas from the mid 13th century it was known as Burton Constable after the later landowning family (Smith 1937, 61).
- 2.4 The township of Burton Constable was originally part of the ancient parish of Swine, the largest parish in Holderness, which also included the townships of Marton, Ellerby, Thirtleby, Wyton, Bilton, Ganstead, Swine, Benningholme, part of Arnold, and North and South Skirlaugh. Apart from Swine village, the ancient parish included almost 20 villages or hamlets, half a dozen of which are now only represented by single farmsteads. Burton Constable township, containing 1,277 acres (517ha), was subsequently combined with West Newton township in Aldbrough parish to form West Newton parish, and it is so named on the 1855 1st edition Ordnance Survey map. In 1935 the parish of West Newton with Burton Constable and Marton were united to become Burton Constable parish, and in 1991 the parish contained 2,978 acres (1,205ha) (Kent 2002a, 129). This juxtaposition explains why some of the medieval records combine Burton Constable and West Newton villages.

Medieval Landownership

- 2.5 In 1086, the Archbishops of York held five carucates of land at 'Santriburtone' as well as three carucates in West Newton. The counts of Aumale later held six carucates in both places as military tenants of the archbishops until their holding passed to the Crown with the honor of Aumale on the death of Aveline de Forz, countess of Aumale, in 1274.
- 2.6 A knight occupying land at 'Santriburtone' in 1086 was evidently succeeded by Erneburga of Barton, who married the count of Aumale's first recorded constable, Ulbert (English 1979, 90). Their eldest son, Robert Constable I, had land at 'Erneburgh Burton' before 1190, and his nephew Richard II increased the family lands and added holdings in West Newton, Marton and Flinton (English 1979, 90). In the 13th century the Constable family was recorded as holding all six carucates

of the count's estate, comprising three carucates in each of the two settlements, then called Burton Constable and Newton Constable. In 1231 William Constable and William de Forz, count of Aumale, were in dispute about hunting over the estate (Kent 2002a, 129).

- 2.7 The Inquisition *post mortem* of Simon le Constable, taken in 1293-94, records that he held a capital messuage, with a dove-house, ditches (perhaps a moat) and gardens worth 20 shillings and 16 bovates of land in demesne, five bovates in bondage, a wood, a windmill and 15 cottages in Constable Burton from the crown, together with 13 bovates of land, their tofts and three cottages in Newton Constable, as well as other lands in Marton, Paull, Tharlesthorpe, Halsham and elsewhere (Brown 1898, 160-162; Poulson 1841, 225). Robert Constable, son of Simon le Constable, was named as lord of Burton Constable in 1316, and at his death in 1336 the demesne (land retained by the lord for his own use) there and at West Newton comprised one carucate and almost 100 acres; three carucates and one bovat and other land were then held by bond tenants, cottars and a free tenant. Robert's son, John Constable (d.1349), bought one carucate and rents at Burton Constable, and more land had been purchased there by the mid 15th century. By the 16th century, the estate evidently also included land previously held by the archbishop (Kent 2002a, 129). At this time, around the end of the 15th century, the Constables made Burton Constable their main residence, having moved from West Halsham; Sir John Constable styled himself 'of Halsham' in 1482 but Ralph Constable was 'of Burton Constable' in 1498 (Kent 1984 33). Poulson provides the pedigree of the extensive Constable family (Poulson 1841, 227-238).

The Medieval Landscape of Burton Constable

- 2.8 In addition to the medieval village and its constituent elements (which are discussed in Chapter 3 below), aerial photographs dating from the 1940s depict large areas of ridge and furrow throughout the township; much has now been ploughed out although there are some areas surviving in the inner park. The ridge and furrow earthworks represent the remnants of former arable cultivation, and the 11th century Domesday Survey records that there were five carucates (ploughlands) in the manor but that only one was worked, on the demesne. As with many Holderness villages (English 1979, 194-195), there appear to have been at least two medieval open fields, with an East Field being mentioned at Burton Constable in 1447 as well as a western field or fields (ERAO DDCC 18/6). The ploughlands had probably been converted to pasture by the 1560s, when evidence from tithe disputes suggests that grassland and pastoral farming were the dominant agricultural regimes (Kent 2002a, 136); Beresford reports that the open fields were enclosed by 1517 (Beresford 1952, 59). The area of the East Field probably covered c.368 acres, and is likely to be represented by fields known in 1621 as East Close, Paddock, Mill Field, Pailer Field and Brick Field, while West Field probably corresponded to c.400 acres in Plumpton Field, Backhouse Field, the Frith, the Brooms and the Leys (see figure 3) (Kent 2002a, 136). In 1447 grazing and meadow land was also provided by North, West and White Carrs (ERAO DDCC 18/6).
- 2.9 It is likely that there would have been some administrative/manorial centre within or adjacent to the village, which may also have formed the residence of the owner and/or major tenant. As noted above, Simon le Constable held a capital messuage in the manor in 1293-94 (Brown 1898, 160-162). Although the location of this complex remains to be confirmed, it has been suggested that the 'first house' established the position of the existing Hall and its orientation within the landscape

setting; there are remnants of early structural elements within the surviving fabric of the Hall today, notably at the base of the north tower, 'where there is evidence of the 12th century tower' (JRA 2010, 26). The brick-built north tower is generally stated to be late medieval in origin, as is at least part of the projecting north wing. The north tower has a base built at least partly in stone (see plate 14), a brick vaulted ceiling to the ground floor, and a projecting staircase turret (Pevsner & Neave 1995, 373; Neave & Neave 2010, 208-209); this early structure is discussed in more detail in Chapter 4 below. It has been suggested that the late 13th century capital messuage was surrounded by a moat (Le Patourel 1973, 16-17), although this has not yet been confirmed. It has also been reported elsewhere that the medieval house had a residential licence to crenellate obtained by Geoffrey le Scrope in 1338 (Emery 1996, 421), although this actually relates to Constable Burton in North Yorkshire (Davis 2006-07, 239).

2.10 Elsewhere within the medieval township, a wood was recorded from 1294, and in 1336 it covered 49 acres which, together with 11 acres of pasture, was inclosed by a ditch (Kent 2002a, 136). This probably represents what was called North Wood or Norwood from the 15th century, when the lord's fisheries are also mentioned (ERAO DDCC 18/1). Other woodland, then named Westwood, was probably the later Yaud (or Old) Wood in the south-west corner of the township.

2.11 Sir Simon Constable was granted the right of free warren (the right to hunt small game) at Burton Constable and West Newton in 1285, but the earliest known reference to a park at Burton Constable occurs in 1367 (Poulson 1841, 130; Kent 2002a, 131). This may only have been relatively small, perhaps as little as 35 acres as this is the area named as 'Old Park' in an 1621 survey and which is shown some distance to the west of the house on the Ellerby boundary (ERAO DDCC 155/1; Neave 1991, 26; see below).

Burton Constable in the Post-medieval Period (1540-1800)

The Sixteenth Century

2.12 The ownership of the manor of Burton Constable continued to descend with the Constable family and their heirs, the Tunstalls, Sheldons, Cliffords and Chichesters, all of whom substituted or added the name 'Constable' to their own (Kent 2002a, 129-130). As has been noted above, the Constables made Burton Constable their main residence from the late 15th century, and in c.1560 Sir John Constable attained the Lordship of Holderness (Pevsner & Neave 1995, 373).

2.13 A 1578 survey of the manor of Burton Constable undertaken for Sir John Constable (1531-79) provides a valuable description of the then manor house complex, as well as ancillary features within and around the manorial precinct: "*To thys mannor of Burton Constable belongeth ane [one] goodle mannor house of antisunt buildynge [ancient building] and repaired by this Sir John Constable withe a newe addvcion [addition] of a greater beautye on the northe parte therof wharin standes ane turret of ane good hyght, with hautte Courtinges Great Chawmer Parler and many gootlye loginges, Buttrie, Pantrie, Wyneseller and common Seller, Brewhousse or Bakehousse, Stables, divers Barnes, Lardenors, Gardnors, Orchetts, Gardinges and a Fare chapel*" (ERAO DDCC 141/68 p16).

2.14 It is generally stated that Sir John Constable had rebuilt and added to a medieval building, described as a 'goodly mansion house of ancient building' in the 1578 survey, presumably to reflect his improved status and importance as Lord of Holderness. This rebuilding comprised the addition of a one-room deep wing

south of the late medieval north tower, which terminated in a south tower approximately similar to the first (Hall & Hall 1991, 16). Interestingly, the earliest known depiction of Burton Constable, a small sketch on Lord Burghley's chart of the River Humber of c.1560 appears to show a building comprising two towers, perhaps crenellated, with a range running between them (see plate 1). Kent suggests that the late 16th century wing to the south of the north tower replaced an earlier building here, from which a disused fireplace survives on the south wall of the north tower (Kent 2002a, 130), although this is not mentioned by Pevsner and Neave (1995, 373). Hall and Hall (1991, 16) state that the projecting east wings were then added to the east faces of both towers at a slightly later date, although Pevsner and Neave (1995, 373) suggest that the projecting south wing is contemporary with the south tower, while the projecting north wing probably represents a lengthening and re-facing of part of the medieval structure. If this is the case, then by the late 16th century the house had assumed a symmetrical plan form which may well have influenced the form of its surrounding landscape (see Chapter 4 below). It needs to be stressed however, that the early structural development of the Hall is not, as yet, fully understood.

- 2.15 By the time of the 1578 survey, a larger deer park had been created, covering just over 385 acres and containing both red and fallow deer (ERAO DDCC 141/68 p17). This park lay to the west of the manorial complex, and may have comprised the areas named in 1621 as Old Park, the Frith, and the Leas, Broom and Backhouse Fields (see figure 3); deer are shown in this general area on a late 17th century painting (Neave 1991, 26).

The Seventeenth Century

- 2.16 Although evidently schematic, the sketch on the Humber river plan noted above (see plate 1) bears some relationship to what is known about the form of the house at the beginning of the 17th century. In June 1610, an indenture was drawn up between Sir Henry Constable and his mother Dame Margaret Constable, widow of the earlier Sir Henry, son of Sir John Constable. This indenture was concerned with the creation of a suite of rooms within the house complex that were to be used by Dame Margaret, and these comprised: "*All those the roomes and chambers in his mansion or mannor house of Burton Constable aforesaid and lyeing and being under the southe ende of the great gallerie towards the park together with a closet adioyninge to the side of the said gallerie with free libertie to her at all times forthe of the said closett or otherwise to have accesse into the said great gallerie to walk at her pleasure; and also all those chambers and rooms which are in the same house between the two Towers over the hall and the great chamber; and also all those chambers & roomes in the Southe newe Tower which are above one wainscott door upon the stairs of the said tower; and also all those chambers & roomes in the Northe Tower of the same house wch are over & above the Evidence house with the Iron doore in the said Tower, Together with two little gardens adioyning upon and lieing neare unto the said Northe Tower and one parcel of ground called North garth adioyn upon the aforesaid gardens ...*" (Chichester-Constable private collection, provided by David Connell, BCF).
- 2.17 Shortly after this indenture was made, in 1621 a plan of Burton Constable was produced by William Senior of Hull (ERAO DDCC 155/1) (redrawn and reproduced in Kent 2002a, 132 and UOY 1999, figure 3; unfortunately, both reproductions omit a few vital elements). Senior lived in Hull and was described as a surveyor and a 'professor' of mathematics with a knowledge of navigation. He also undertook surveys of the Chatsworth Estate in 1617 and Welbeck Abbey in 1629. The surviving version of the Burton Constable plan is actually a copy, made by William

Constable's steward, John Raines, during the 1770s (UOY 1999, 7). The survey shows a series of small conjoined enclosures, courts and yards of varying form around the house (see figure 3). The house occupies the central southern sub-square enclosure, and is flanked to the east, west and south-west by other small enclosures of a similar size (although drawn as approximately the same size, there are discrepancies in the acreages depicted). The enclosure to the east of the house almost certainly represents the forecourt shown on the anonymous c.1690 view of Burton Constable (see below), with the double line at its east end presumably representing a moat across which is a bridge leading into a long narrow enclosure extending for some distance to the east. It has been suggested that this enclosure is a 'walk' and implies either that the formal approach was then from this direction, or that there was an area for recreation here, sited between enclosed fields; no roads, tracks or paths are shown on the plan. In addition, the linear walk is close to the approximate line of a lost east avenue, planted in the early years of the 18th century but subsequently felled as part of the naturalisation of the landscape between 1770 and 1785 (see below) (JRA 2010, 27-28 & 53-54). To the north of the house, the 1621 plan depicts three more irregularly shaped enclosures, their north sides defined by the angled line of the moat; the west boundary of the middle enclosure appears to line up with the existing bridge over the moat/ha-ha adjacent to the survey area. The western part of the survey area is depicted on the 1621 plan as being divided into three sub-rectangular enclosures, larger than those around the house; the western of the three is that shown to contain the remnants of a geometric layout on later maps (see below). It has two sub-rectangular east-west aligned enclosures on its east side, running east as far as the curving boundary with Pailer Field. To their north, there is a very irregularly shaped enclosure of over six acres, which has a curiously shaped eastern boundary with Pailer Field; this six acre enclosure corresponds to the site of the deserted village (see below).

- 2.18 An anonymous c.1690 view of Burton Constable (BCF; see plate 2) provides some interesting detail to enhance the bare lines of the 1621 survey, although unfortunately little is shown of the survey area. The square enclosure shown to the east of the house in 1621 forms a walled forecourt. The surrounding high brick walls are surmounted by urns at regular intervals and on the outer east side, there is a gateway, flanked by tall stone piers; a road runs along the outside of the wall which is assumed to be the route to Sproatley, in the position of the moat depicted in 1621. A track also runs directly across the forecourt from the outer gateway towards a small four turreted gatehouse, through which entry could be gained to the enclosed courtyard immediately in front of the house. On the north side of the forecourt there is a smaller walled yard containing the stables and associated buildings. To the north of this, corresponding to the southern edge of the survey area, fairly dense woodland appears to run right up to the stable yard. The wood appears somewhat scrubby and less well managed than that depicted to the immediate south of the forecourt, which Hall (1995, 146) suggests is an avenue, and there are no signs of the smaller enclosure named as 'Stable Hill' on Senior's 1621 plan. To the west of the house are a pond and canal, with deer grazing on a virtually open landscape with perhaps ridge and furrow depicted. The lack of an elaborate series of formal garden courts in the painting, which are typical of other houses of the period, implies that the gardens were beyond the areas depicted in the painting (JRA 2010, 28).

The Eighteenth Century

- 2.19 John Warburton's plan of Yorkshire, dated 1720 (reproduced in Neave 1991, 26) shows an oval enclosure surrounded by a pale or fence named as 'Burton Park' to

the west of the house, with two parallel lines of trees running south from either end of the house and a slightly curvilinear east-west widely spaced line to the north. These avenues appear to have been planted in the very early years of the 18th century and, along with others to the east, south-west and west, may have been the work of either William Constable, 4th Viscount Dunbar (1654-1718) (who inherited the estate in 1714), or his nephew Cuthbert Tunstall (Constable) (c.1680-1747) who succeeded him in 1718. As a Catholic family associated with the Jacobites, the Constable family were debarred from public office during this period, and the avenues may have been planted to project a political message of power, status and wealth; other families with known Jacobite sympathies, such as the Grahams at Nunnington Hall, also created avenues during this period. In addition to any intended political message, the avenues worked to draw the eye out into the wider landscape and created a structural landscape framework for the house; parts of this have endured into the present day (JRA 2010, 29-30). It is suggested by Kent (2002, 132) that these avenues formed part of a wider landscaping scheme, which also involved the creation of a water garden to the north of the house and a small formal garden to the west. Various bills and other documents dating to 1715 indicate that some, if not all, of these gardens were laid out at that date; at least 11 workmen were employed at various times between 2nd May and 22nd August for "*levelling of ye ground for ye new garden*" (ERAO DDCC 140/74). Other bills of the same date detail some of the work undertaken, for example Dorothy Harrison was paid for 18 days "*weeding in ye gardings at Burton*", and Robert Allen was paid for 36½ days "*working in the gardings*", while in March 1714 14 shillings was paid for 24 holensmattes for Burton Gardens - these are thought to be mats placed on tender plants to prevent frost damage (ERAO DDCC 140/74).

- 2.20 The work on the surrounding landscape was accompanied, and to some extent was pre-dated, by works to the Hall. As early as the early 17th century, additions had been made to the west front, but these were not completed until the 1770s - these works essentially doubled the depth of the main range by adding a suite of rooms parallel to the late 16th century part between the towers (Hall & Hall 1991, 16-17; Pevsner & Neave 1995, 373-374). Buck's c.1720s illustration of the Hall shows the south wing and the south half of the main elevation before these works; this illustration is also important in that it depicts the wall of the courtyard in front of the house as well as the turreted gatehouse depicted in the previous c.1690 painting (Wakefield Historical Publications 1979, 359) (see plate 3).
- 2.21 Some idea of the state of the park in the 1740s can be gained from a letter written by Cuthbert Constable's son William (1721-91) to his half-brother Marmaduke Tunstall in 1784: "*My park 40 years ago was 400 or 500 acres a Wilderness of Old Thorns, old decayed forest trees, whins or gorse higher than a man on horseback, rushes, hillocks, deep ridge and furrow, rivers and swamps and full of all kinds of game. Now all are removed and at great expense. The vast quondam wilderness rushes upon [one] at first light and appears of extent is nothing*" (quoted in UOY 1999, 9; Hall 1995, 145; Turnbull 1998, 10).
- 2.22 When William Constable inherited the estate in 1746, he began an extensive programme of modernisation which intermittently occupied periods throughout his whole life. The architectural projects were largely the work of York architects including Timothy Lightoler, John Carr and Thomas Atkinson, in consultation with Constable himself and his steward John Raines. William Constable also undertook extensive changes to the interior of the Hall between c.1755 and 1785 (Pevsner & Neave 1995, 373), and had the exterior painted with an Italian yellow ochre (Hall & Hall 1991, 17) which would have created a light-coloured house floating within a green landscape setting; it was later removed.

- 2.23 A contemporary landscape scheme was required to complement these works on the building, and between 1755 and c.1772, William Constable commissioned a series of designs to improve the park landscape around his house (JRA 2010, 30-31). However, as Hall (1995, 146) has noted, it is often difficult to be sure whether the designs show an intention or an existing situation. For example, Hall interprets the earliest surviving plan of 1755 (see below) as a proposal, whereas the University of York (UOY 1999, 9) take it to show the park 'as existing'; it may of course be a combination of both. The implications of either view for the survey area are discussed more fully in Chapter 3 below, but for now only a description of the relevant parts is given, highlighting any differences with the earlier 1621 survey.
- 2.24 The unsigned colour 1755 plan (BCMR; see figure 4) shows the stable yard and buildings depicted in the c.1690 painting clearly visible to the north-east of the house. The stable yard is bounded on the north side by the moat, and a narrow north-south aligned walk or path crosses the moat on a bridge on the line of the boundary of one of the small enclosures shown here in 1621. To the west of the bridge, the moat curves around sharply to the south-west. To the north of this section of the moat, two of the smaller enclosures marked in 1621 have been amalgamated to form a single area, filled with a layout of geometric beds separated by paths and indicated by dashed lines; these details and the moat are not shown on some redrawings of the plan (e.g. UOY 1999, figure 5). The beds are arranged into three blocks, separated and bounded on some sides by further paths; the patterns form interlinked diagonals and semi-circles. The paths would have been gravelled, and there may have been stone ornaments at the points of intersection (Hadfield 1960, 127). East of the moat bridge, the southernmost of the two narrow sub-rectangular enclosures of 1621 contains a rectangular pond with a central island, and a small square building at the south-east corner. There are also two small square ponds to the east and south-east. To the north of this, the arrangement of enclosures is quite different to that shown in 1621, with an irregularly shaped enclosure having a narrow gap beyond, possibly a trackway, linking what were Plumpton Field and Pailer Field in 1621; a small rectangular building is shown within this gap. To the north and west, the fields called Paddocks and Backhouse Field in 1621 have changed in terms of their internal arrangements, although their overall boundaries have remained the same. To the south of the rectangular pond, the linear moat has a much more sinuous and altered line, and there is no return to the south as indicated in 1621. All the boundaries within the survey area are shown as hedged on the 1755 plan and in a few areas, such as on the east side of Backhouse Field, lines of trees suggestive of deliberate planting are shown just inside the hedged boundaries. A double north-south line crossing the central part of the walk on the east side of the house might represent the line of the Marton to Sproatley road, which would suggest that this road had been realigned further to east and away from the house by this date.
- 2.25 In 1757-58 a stove-garden was created to the north-west of the house by the gardener Thomas Knowlton, possibly within a pre-existing early 18th century garden (UOY 1999, 9; Kent 2002a, 132; Turnbull 1998, 11). This does not appear to have impinged on the survey area, although it did cover the west part of the geometric layout shown here in 1755.
- 2.26 Slightly later, William Constable also sought the advice of the gardener and plantsman Thomas Kyle (Neave & Turnbull 1992, 22). A second detailed plan of the park with proposals shows the stove-garden created by Knowlton to the north-west of the house. Hall states that this plan post-dates 1763 and is in the same hand as the 1755 plan described above, and that their author may have been

Timothy Lightoler (Hall 1995, 146-148). The University of York include a copy of the same plan as their figure 6, but the accompanying text appears to refer to a plan of the park in pencil (also reproduced by Hall 1995, 149) which dates to 1767. The 1767 plan (BCMR) shows all of the enclosures to the north of the house with dotted lines, indicating that they were to be removed, whereas on the coloured post-1763 plan none are indicated in this area. It would therefore seem that this work did indeed take place during this period, as the enclosures do not appear on surveys made to ten to 15 years later (see below). The post-1763 plan also shows the moat as having the same sinuous form as in 1755.

- 2.27 From c.1767 onwards, the noted landscape gardener Lancelot 'Capability' Brown became involved with proposals for the landscaping of the park at Burton Constable. Hall reproduces an undated pencil sketch attributed by William Constable to Brown (Hall 1995, figure 5) showing a landscaping design, while in 1768 Thomas White also produced a large coloured drawing for improvements to the park (Hall 1995, figure 6; UOY 1999, 11). Although the schemes had some shared elements (in terms of the survey area, both show a proposal to create a curving ha-ha to the north of the moat on the north side of the house), Brown's scheme was more ambitious and was probably rejected by William Constable as being too expensive. However, all those who contributed designs were of the opinion that Thomas Knowlton's 1758 stove-garden should be removed, and this duly took place even though it had been created barely more than ten years before (UOY 1999, 11). A new walled garden was created well away from the house in 1772, while construction of new Palladian stables to the south-east of the house to replace the earlier stable block to the north-east had also begun at the end of the 1760s (UOY 1999, 12; JRA 2010, 34-35).
- 2.28 Thomas Jeffreys' plan of Yorkshire (see figure 6) is at too large a scale to depict any useful detail of the survey area, although it does depict the almost square park as being fenced, and the straight line of the north side of the park is shown, corresponding to the 'High Road' although no road is depicted. Although published in 1772, Jeffreys undertook his survey work between 1768 and 1770, and so provides a view of the park before later alterations.
- 2.29 William Constable returned from a grand tour of Europe in July 1772, and again consulted Brown about improvements to the park (UOY 1999, 12). Brown then produced a plan for improvements in the area immediately around the house and the new stable block (BCMR, reproduced by Turnbull 1998, 15). This shows that to the north of the house, the 'sunk fence' or ha-ha was to incorporate the majority of the older moat into its line. The scheme included for the establishment of graduated shrubberies on the north side of the house as an approach to Miss Constable's gardens (JRA 2010, 35). It is suggested that Brown referred to Miss Constable's gardens as being reached by a bridge across the moat in the 1770s, and so they would have been located in the area shown containing a geometric layout and rectangular moat on the 1755 plan (JRA 2010, 63).
- 2.30 Between 1772 and 1782, Brown made a total of eight visits to Burton Constable, and his suggestions were carefully noted by William Constable's steward, John Raines. These notes are reproduced in full by Hall (1995, 154-161) and are summarised by the University of York (UOY 1999, 13-16); only those sections relevant to the survey area are detailed below. It should be noted that in Raines' notes, the area immediately surrounding the house to the north and east was referred to as 'the Lawn' (UOY 1999, 13), although Hall (1995, 162) locates this somewhat further to the west, with the curving section of ha-ha north of the moat

marked as the 'West Lawn ha-ha'. Finally, in Raines' notes, the moat is referred to either as the 'pond' or 'old pond'.

- 2.31 On 8th September 1772, Raines recorded that they were to '*Make a Sunk Fence from the Pond (the moat), round the West Front and South end of the House up to the Stables*' (note 8) and included a measured section of the said sunk fence. On 4th September 1773, it was noted that '*End of Sunk Fence next Old Bridge to be made as wider as the remains of the Pond to humour the width of the old Pond (the moat), and save Earth leading –*' (note 8). The same minutes record '*Level all the Ground in view of the house, humouring the Ground, and drain into the Sunk Fence – Keep all in view very neat*' (note 21) and '*Lawn before the house to be eaten with Sheep*' (note 22) (Hall 1995, 154-156). It is also likely that the western edge of the survey area is included under the minute of 30 September 1775 which notes '*Level the fences between Plumpton Field & Paddock; between Paddock & Little Brick Field; between Plumpton Field & Wood Gate close – Make drains or sunk fences & separate the above Ground*' (note 13) (Hall 1995, 157). After 1775, the main focus of works moved away from the area immediately surrounding the house to more distant parts, and there appear to be no further relevant references to the survey area. Hall also supplements Raines' notes with information from documentation concerning contractors. For example, in September 1772, Messrs Nutt and Harker made an agreement to dig the West Lawn sunk fence at 1d ³/₄ per cubic yard; the fence was 16 feet wide at the top, six feet wide at the bottom and five feet deep, somewhat smaller than Brown's instructions. Nutt and Harker also created clumps on the East Lawn, surrounded by trenches two feet deep (Hall 1995, 168-169).
- 2.32 The results of some of Brown's work were recorded in a series of three paintings by the landscape artist George Barret (1732?-84). These were commissioned by William Constable in 1776, and a few details of the area to the north of the house can be discerned on Barret's view of the east front of Burton Constable (Hall 1995, 170; JRA 2010, 38) (see plate 4). In this painting, a clump of trees close to the east end of the north wing obscures the area to the immediate north of the house. There is another small clump of four or five trees to the north of this, and in the middle distance, a circular clump to the east, with a larger (more linear?) clump to the western part of the Lawn; animals are shown between the clumps but their depiction is so small that it is difficult to be certain what they are. On the edge of this area, trees along the northern boundary of the survey area may be visible.
- 2.33 However, several plans drawn in 1774 (ERAO DDCC 141/71), possibly to accompany a survey of the Burton Constable estate in 1779 (ERAO DDCC 153/8/17), are more useful; there is a general plan of the park and a more detailed one showing the house and ha-has (see figure 5). The oval ha-ha with a ditch on the outer side is shown as being complete around the house, and this incorporates the moat to the north in its circuit between two bridges. A second ha-ha with a ditch on the south side leaves the north-west curve of the first ha-ha and runs west for some distance towards the walled kitchen garden. No features are marked within the area of the Lawn to the north of the house in the majority of the survey area, apart from a dead straight, almost north-south aligned, track which runs south along the east side of the survey area from the 'High Road' (see below) to the stables. Another ditch runs east from the centre of this alignment, across the Sproatley road, while further to the south another track runs east to the road. Although not relevant to the study area, it is interesting to note that while the Sproatley road runs outside the eastern walled boundary of the park, there is another slightly more sinuous route parallel to it inside the park. A further 1774

estate plan (ERAO DDCC 155/15) has been reproduced elsewhere (UOY 1999, figure 13).

- 2.34 As well as relocating the Marton to Sproatley road away from the house during this period, a straight lane known as the 'High Road' to Woodhall and Ellerby appears to have been driven off the west side of the Sproatley road, across earlier enclosures, perhaps as part of a new square park depicted on the post-1763 and 1767 plans (UOY 1999, 10). However, the first proper depiction (as opposed to an inference) of the 'High Road' occurs on the 1774 plan (ERAO DDCC 141/71) (see figure 5); the creation of this road might be referred to in Raines' minutes (no. 12) of 4th September 1773 which notes "*Carriage Road to Garden to lead off from the Marton Road on this side Ruth Jackson's to the Avenue in Bacchus Field & from thence up to the Garden leading to the Orchard*" (Hall 1995, 155). Tuke's map of Holderness, published in 1786 (ERAO DDCC 152/1), depicts the landscape around the house as much the same as Jeffreys' had done in 1772, although the 'High Road' to Woodhall and Ellerby is now shown along the north side of the park (see figure 6).
- 2.35 When William Constable died in 1791, his nephew and successor Edward Sheldon Constable (1750-1803) (together with his brother Francis, 1751-1821) commissioned several designs for improvements to the north area of the park, including an ambitious plan to extend the park proposed by Thomas White in 1797 (Turnbull 1998, 23). This does not seem to have been completed (and perhaps never started), although he felled Norwood and a race course with a grandstand was later established there (Kent 2002a, 134). The Jeffreys plan included in the UOY report (1999, figure 7) has to be a later edition than 1772 as the owner is shown to be Edward Constable, and so it must be dated to after 1791 - this plan depicts the 'High Road', as well as an avenue running south-west from Norwood.

Burton Constable in the Modern Period (1800 to present)

The Nineteenth Century

- 2.36 At some point before 1818, and possibly as part of Edward Constable's works, a drive was set out across the Lawn, crossing the western part of the survey area. This drive linked the stables to the walled garden, and may have served a dual purpose; the transport of manure and providing access to the avenue to Norwood, which in turn led to the racecourse (UOY 1999, 18). The drive is clearly shown on an estate map of 1818 (BCF; UOY 1999, figure 14), together with the previously noted drive along the eastern edge of the survey area which runs directly from the 'High Road' to the stables, as well as the eastern branch which runs to the Sproatley road. The Lawn is shown as being rather sparsely planted, with a few very small clumps to the south of the drive leading to the walled garden, and two further small copses adjoining the boundary with the east-west aligned Ellerby and Woodhall lane.
- 2.37 Sir Thomas Aston Clifford Constable (1808-70) succeeded to the estate in 1823, and he and his son Frederick (1828-94) made considerable alterations, especially new plantations and shelter belts; between 1842 and 1846 some 40,000 trees were purchased from the Blackhouse Nursery in York (Turnbull 1998, 25). The result of this planting is shown on the 1855 Ordnance Survey map (sheet 212, surveyed 1852), which shows extensive shelter belts around the northern part of the estate. More trees are shown on the central part of the Lawn, with a single balloon-shaped clump on the very eastern edge of the survey area (see figure 7). Within the immediate area of the house, Sir Thomas decided that the principal

approach to the house should be from the Marton to Sproatley road (slightly to the south of the track shown in 1779 and 1818) and the design was reformalised by adding about 25 small clumps on the east side of the park, just west of the Sproatley road; these clumps were angled to produce directed views towards the house front. The gardens to the west of the house were also altered, removing the west lawn and replacing it with a formal layout with gravel paths, statuary and clipped yews (JRA 2010, 41; UOY 1999, 18), described in glowing terms by Poulson (1841, 243). An estate plan of 1871 (BCMR; see figure 7) shows no trees in the central part of the survey area, although the drive to the walled garden and the branch to Norwood can still be seen.

The Twentieth Century

- 2.38 The 1910 Ordnance Survey 25" to 1 mile map shows a very similar arrangement of individual trees within the survey areas as was shown earlier in 1855 (see figure 8). The main difference is that a new angled field boundary had been added, subdividing the Lawn area, running north-east from the eastern end of the moat towards the clump on the east side of the survey area, and then north to the east-west aligned Ellerby and Woodhall lane. This lane is also depicted, with 'Brickfield Gate' shown at the east end.
- 2.39 A series of aerial photographs are available showing the Burton Constable estate from the 1940s onwards. The photographs taken immediately after the Second World War (e.g. September 1946) are particularly useful (see figure 9), in that they show earthworks within the survey area which have since lost some of their definition; these are discussed further in Chapter 3 below.
- 2.40 It is believed that since the Second World War, the survey area has been given over largely to grazing for sheep and cattle. The Cayley brothers share the management of the grazed areas within the North Park (which includes the Scheduled Monument), with stock divided between sheep and cattle; cattle graze the inner North Park during the summer months. To assist the grazing regime, the inner park is usually mown once in a dry period in the summer, as arranged by the Burton Constable Foundation staff. This ensures all excess growth of the sward and the taller weeds are topped off. The thistles are controlled by weed wiping, and the taller weeds which abut and invade the tree shelters are strimmed, but this has increased the risk of bark damage to young trees which are already stressed, some of which have now failed through moisture competition (JRA 2010, 9-10).
- 2.41 In 1992 the Chichester-Constable family, in association with the National Heritage Memorial Fund and Leeds City Council, set up the Burton Constable Foundation and endowed it with the Hall, stable block, other outbuildings and 320 acres of parkland (Kent 2002a, 130).

3 DESCRIPTION OF THE SURVEY AREA

Introduction

- 3.1 The following text provides a background account of the Scheduled Monument survey area, with a summary description of the surviving earthwork remains based on the more detailed site descriptions contained within the survey gazetteer (see Appendix 1). The Scheduled Monument area contains many complex and discrete earthworks, likely to belong to many different phases of development, and with some almost certainly re-used in different periods for different purposes. It is sometimes difficult (and indeed might be considered erroneous) without further research and investigation to place the earthworks within anything other than a broad chronological framework, e.g. medieval, pre-18th century and post-18th century, and it should be stressed that the assignment of particular earthworks to one of these periods is based on a combination of available documentary sources, the earthworks' plan form and relationship to each other, and professional judgement.

The Medieval Village

Documentary and Other Sources

- 3.2 Unfortunately, published documentary sources to the deserted medieval village of Burton are few and far between, and a detailed examination of original documents was beyond the scope of the survey project; there appear to be very few 'grass roots' documents relating to the village, possibly because of the longevity of a single landowning family. The documents that have been examined by Beresford (1952, 59; 1969, 294) relate only to national surveys and inquisitions, and these sources have been re-checked as far as has been possible. The site would repay further research so that the documentary history of the village could be established, as has been done, for example, at Wharram Percy on the Yorkshire Wolds (Beresford 1979).
- 3.3 In 1293, Simon le Constable's inquisition *post mortem* notes that there was a windmill and dovehouse in the village, and that it contained 15 cottagers and 21 villeins (bovate holders) with ploughlands, and an enclosed and ditched woodland of 49 acres in the manor (Brown 1898, 160-162). The 1297 Lay Subsidy returns list ten tax payers in 'Neutona et Burtona Constable', including Radulpho Carpentario, Beatrice Neboud and Simone Storme; the total tax paid by the township amounts to 14s 8d (Brown 1894, 122). This part of East Yorkshire is not covered by the 1301 Lay Subsidy, but the village is mentioned in the 1317 Nomina Villarum, when Robert le Constable was lord of the manor (Skaife 1867, 304). In 1326, Beresford notes that there were 15 bondmen, 22 cottagers and one free tenant in the village (Beresford 1952, 59), although he later refines the date and totals to 1336 when there were 23 villeins, 22 cottagers and one free tenant (Beresford 1969, 294).
- 3.4 Constable Burton and Neuton (West Newton) were assessed together at £1 10s in the 1334 Lay Subsidy (Glasscock 1975, 359), which was at the lower end of values for Holderness townships and is comparable to, for example, Marton, Long Riston and Aldbrough; this sum places it at the lower end of values when compared to other Holderness villages, although slightly higher than the 'to-be-lost' villis (Beresford 1952, 52). In 1336 and 1348 there were 11 acres of pasture in a clearing made within the wood, and 14 acres of meadow lying down by the river. The windmill was worth 13s 4d a year to its owner in 1348, half the previous value

in 1336 when the dovehouse was not valued. The value of a bovat of land had also fallen between 1336 and 1348, from nine shillings to five shillings (Beresford 1969, 294-295). There was a chapel in the manor house, which might have served as a parish church for the villagers (Beresford 1969, 295). One hundred and five taxpayers were noted in the 1377 poll tax (Kent 2002a, 129). However, as has been noted above, many of the nationally-collected documentary records couple Burton Constable village with West Newton village (in Aldbrough parish and named as Newton Constable between the 13th and 16th centuries), and so the reliability of data specifically referring to Burton Constable in the medieval period, e.g. the 1297 Lay Subsidy and the 1377 Poll Tax, is open to question.

- 3.5 The Black Death may also have had an effect on the resident population, for Burton and West Newton villages had a relief of 33% from their tax quota (Beresford 1952, 59; the other reference given by Beresford for this fact is erroneous). Beresford (1952, 59) also notes that houses and tenants still stood in 1428 but this again is erroneous, as his published reference relates to Constable Burton in North Yorkshire (Brown 1922, 12). Crucially, Beresford states that the village was enclosed in 1517 and that the village was said to have been depopulated since 1488 (Beresford 1952, 59; Beresford 1969, 169). The unreferenced source for this statement presumably comes from the commissions of inquiry that were set up in May 1517 after the anti-enclosure acts of 1489 and 1515. Unfortunately, only a summary of the returns for Yorkshire survive and, although other Holderness villages such as Thirkleby, Atwick, Ottringham and Sproatley are mentioned, Burton Constable is not specifically listed (Leadam 1893, 219-253); it is also surely significant that these desertion and enclosure dates are not recorded by the Victoria County History (Kent 2002a), whereas they are for Sproatley (Kent 2002b, 100). Unless Beresford had access to other documents or an unpublished part of the 1517 account, it cannot therefore be confirmed when the village was deserted. Isolated references to 'ten messuages and ten cottages with lands in Burton Constable' in 1597, and '20 messuages and lands in Burton Constable' in 1607 might imply that the village was not completely deserted until the early 17th century, although it is equally possible that these are referring to Constable Burton in North Yorkshire (Collins 1890, 79; Brigg 1914, 78).
- 3.6 The ploughlands had probably been converted to pasture by at least the 1560s, when evidence from tithe disputes suggest that grassland and pastoral farming were the dominant agricultural regimes (Kent 2002a, 136), and it is thought that the field boundaries shown on the 1621 plan represent most, if not all, of the earlier enclosures. There is no entry for the township in the Hearth Tax returns of the 1670s (Purdy 1991, 60). It was reported in 1999 that the villagers were evicted by the Constables, in order to turn the area into a larger park or for sheep grazing (UOY 1999, 7), although there is, as yet, no evidence to confirm this.
- 3.7 Unfortunately, historic maps and surveys provide little in the way of additional information. The earliest known survey of Burton Constable township, dating to 1621 (ERAO DDCC 155/1), shows the Scheduled Monument survey area to be contained within two narrow enclosures, with a much larger, irregularly-shaped enclosure on their north side; all three are unnamed (see figure 3). The 1755 plan (BCMR) shows there had been some sub-division and amalgamation of the enclosures shown in 1621 (see figure 4), while after the late 18th century and until the present day, the survey area has largely been completely open, with sparse tree planting. No earthworks associated with the deserted village are shown on the 1st edition Ordnance Survey 1855 6" map (sheet 212), unlike several other examples in the former East Riding (Beresford 1992, 66).

- 3.8 However, aerial photographs are more useful when considering the earthworks of the survey area. The September 1946 vertical aerial photographs show a series of complex earthworks within the survey area (see figure 9). The extensive areas of ridge and furrow to the east and west are very clearly visible, but the survey area itself is noticeably free of any such earthworks. Instead, there are many linear depressions, some conjoined, some crossing others, which form a complicated 'grid-like' pattern. It is likely that these earthworks date from many different phases of activity, and some may be no more than relatively recent drainage works. Nevertheless, within the earthworks, there is a general trend for boundaries to have a shallow north-east/south-west alignment, approximately the same as the ridge and furrow to the east. The north and south wings of the Hall follow this same general alignment, but it is noticeable that the moat does not, and indeed runs counter to almost everything else. Within the survey area, there also appears to be a c.5m wide feature suggestive of a road or trackway, flanked by ditches on either side. The central part of this feature has a prominent north-east/south-west alignment, but at the north and south ends of this section, it changes direction to assume a more north-south orientation. At the north end, the ditch on the west side of the earthwork appears to cross the line of the late 18th century road to Woodhall and Ellerby and then continue north-eastwards as a cropmark/earthwork following the western boundary of Brick Field shown in 1621. To the east of this earthwork/cropmark, there is a block of north-south aligned ridge and furrow, and to the west, another feature running roughly parallel. More recent oblique aerial photographs are generally less informative than the early vertical photographs, as the earthworks are not so well defined, although they show a similar arrangement as described above.

The Scheduled Monument

- 3.9 Correspondence held by the Burton Constable Foundation (BCF) between John Chichester-Constable and various archaeologists dating to the 1950s and 1960s sheds much interesting light on the original scheduling process and subsequent attempts to excavate the village. The first batch of correspondence dates to 1954 and is between John Chichester-Constable and the Ministry of Works. In November 1954, John Chichester-Constable requested further information before the site of the deserted village was included on a list of Scheduled Monuments, noting that: "*There are no signs whatsoever of any foundations nor were any discovered when I undertook some fairly extensive drainage of the area a few years ago.*" A Mr G H Lejeune replied on behalf of the Ministry of Works on the 12th November: "*This site is probably the best example in the country of a medieval village which was depopulated to make way for a large country house. The remains of the village can be traced, particularly by means of aerial photography, presumably because, as the area was made into a Park, it has not been disturbed or ploughed since the 18th century. Throughout the Park, the buried remains of the medieval ridges and furrows of the open field system can be seen, and in that part of the Park which we enclosed in red on the map now in your possession, the depressions of the sunken streets and the rectangular platforms on which stood the medieval cottages, are all visible ... and a windmill which can still be seen as a mound and ditch in the Park ...*".
- 3.10 Scheduling as an Ancient Monument duly went ahead, but enquiries about the site continued, as in January 1963 Mr D M Pryor wrote from the Ministry of Works to John Chichester-Constable regarding aerial photographs of the village. There were photographs taken both by the Royal Air Force (a stereo pair CPE/UK/1748 prints 2149 & 2150) and Cambridge University; on the former 'the rectangular enclosures of the village (were) clearly visible to the north of the house'.

- 3.11 In 1963, John Chichester-Constable tried to raise interest in having the village excavated, as a number of letters from prominent archaeologists testify. On the 1st March 1963, Dr D M Wilson, Secretary of the Society for Medieval Archaeology replied: "*Mr Peter Locke has written to me with reference to your kind offer to allow a group of archaeologists to excavate the deserted medieval village near your house. We appreciate your kindness, but we cannot at the moment undertake such an expensive programme of research. Burton Constable is a classic site and it is obviously desirable that it should be excavated in the future*". Wilson forward the request to the Deserted Medieval Village Research Group, who answered (in the person of John G Hurst) on the 9th March, that they were completely unable to excavate at Burton Constable due to the lack of available funds, estimating that: "*..it would cost in the region of £1,000, spread over 6 months, to excavate each house site of which there might be perhaps twenty in the village. The remains uncovered would also be very slight and I doubt if they would be suitable for consolidation and exhibition to the public*".
- 3.12 The correspondence on the matter then lapses for three years, before resuming again in 1966. In March of that year, Jean le Patourel replied to a letter from John Chichester-Constable, stating that the excavation of villages was difficult, and help should perhaps be sought from either John Hurst of the Ministry of Public Building and Works or J Bartlett of Hull Museum. In July, another letter was received from John Hurst in his capacity as secretary of the Deserted Medieval Village Research Group, and also J K St Joseph, who stated that he had photographed the site from the air on several occasions since 1951 and that the village earthworks were visible on the photographs. The final letter held by the BCF dates to August 1963, from the Ministry of Public Building and Works: "*I am very sorry about the loss of your earlier letter on this subject, but I understand Mr Hurst has since visited the site with you, and has also discussed the problems with Mr Bartlett of the Hull Museum. Although the site shows up very well on the air photographs, the earthworks are in fact very slight and there will be some difficulty in laying them out for the public to see. However, I believe you are arranging with the help of Hull University for a survey and better air photographs*". The letter concluded by warning that the Ministry would require information that sufficient funds and supervision had been arranged before any excavation could take place. It is not known if any survey work by Hull University ever did take place, but it appears that there were no further attempts made to either excavate the site of the village or to display the existing earthworks to the public.
- 3.13 The Scheduled Monument description of October 1979 notes that "*ridge and furrow with headlands [are] clearly visible to E and W of [the] occupation area. Occupation area marked by a hollow way and house platforms though these are not too easy to see. There appears to have been [a] relatively large occupation site. Towards the SW corner of the scheduled area, amongst the ridge and furrow, is an almost circular feature about 100ft in diam, consisting of an area very slightly raised from the surrounding land and being clearly defined by an encircling ditch*". A later description of August 1985 states "*all that remains of the village which probably disappeared during C18th landscaping are hollow ways running approximately N-S and E-W. Between these hollow ways are house platforms and outlines of tofts and a shallower hollow way possibly marking a 'back lane', Close to a circular pond (modern) are two roughly rectangular depressions, possibly fishponds. The whole area has a undulating surface so it is difficult to tell the layout of the village from ground level. On either side of the village site, ridge and furrow of the medieval fields can be seen clearly*" (information from HSMR, site 730).

Description of the Earthworks

The Medieval Village of Burton and its Field System (Sites 1, 6, 7 and 11)

- 3.14 As noted above, vertical aerial photographs taken in September 1946 clearly show complex earthworks concentrated within an area located between two extensive blocks of ridge and furrow which extend to the east and west (see figure 9). In 1954, John Chichester-Constable wrote: "*There are no signs whatsoever of any foundations nor were any discovered when I undertook some fairly extensive drainage of the area a few years ago*", and the reply from the Ministry of Works noted that "*the buried remains of the medieval ridges and furrows of the open field system can be seen [throughout the park], and in that part of the Park which we enclosed in red on the map [i.e. the scheduled area], the depressions of the sunken streets and the rectangular platforms on which stood the medieval cottages, are all visible and a windmill which can still be seen as a mound and ditch...*". Interestingly however, in later correspondence dating to 1963, it was acknowledged by the Ministry that although the site showed up very well on air photographs, the earthworks were in fact 'very slight'. Similarly, the Scheduled Monument description of August 1985 notes that it was difficult to tell the layout of the village from ground level. Later oblique aerial photographs continue to depict complex earthworks within this area right up until the 1990s, although with considerably less clarity than in 1946.
- 3.15 The 1621 plan (ERAO DDCC 155/1) shows that the area thought to correspond with the deserted village (Sites 6 and 7) was contained within a large unnamed enclosure with a somewhat irregular boundary (see figures 3 and 13). The presumed settlement earthworks within this enclosure cover an area measuring c.250m east-west by c.130m north-south (maximum), and they are effectively defined by the ridge and furrow to the east and west. The western limit of the village earthworks appears to be defined by a shallow ditch, 2m-3m wide and up to 0.5m deep, which forms the east side of a wide flattened strip of land, slightly curvilinear and funnel-shaped in plan (Site 15 - see below). The east edge of the village is defined by a boundary ditch which runs on a general north-south alignment through a number of right-angles; this ditch is mostly utilised as a boundary on the 1621 plan.
- 3.16 Towards its northern end, the western ditch, and indeed the flattened strip as a whole, is crossed by a north-facing scarp which is a later field boundary (Site 7a - see below). Some 30m to the north of this scarp is an east-west aligned linear depression (**Site 7b**) which can be seen extending either side of a later pond (Site 8 - see below). Although this depression appears as a field boundary in 1755, it appears to represent an earlier holloway associated with the village. The earthwork is 3m-4m wide and 0.7m deep on the west side of the pond but further to the east it is somewhat wider and shallower. There are a number of shallow oval or sub-rectangular depressions, up to 8m long (north-south), almost equally spaced and at right angles to the north side of the holloway, and two rectangular platforms at the east end aligned parallel to the holloway; that on the south side of the street measures 13m long by 5m wide (**Site 7c**). All these features are likely to represent building platforms, together with some boundaries and/or yards. The east end of the holloway seems to be cut by a more prominent, deeper, north-south aligned ditch, which incorporated standing water in a triangular central widening (**Site 7d**) at the time of the survey; this ditch is shown as a boundary in 1621 and 1755, and the triangular area appears to coincide with a rectangular building depicted in 1755 and 1774 (BCMR; ERAO DDCC 141/71). The ditch may

be disturbed towards its southern end by a pair of structures, represented by sub-rectangular depressions measuring 7m by 4m (**Site 7e**).

- 3.17 There is also a north-east/south-west aligned earthwork running across the area which resembles a trackway (**Site 7f**). It is difficult to decide whether this route is represented by a very shallow linear depression, c.3m wide, or whether it is a slightly flattened poorly defined linear strip, c.4m-5m wide, which runs parallel to the east side; on balance, it is thought that the depression represents a holloway. The southern part of the earthwork has an approximate length of 80m, beyond which it assumes a more north-south alignment for a further c.55m. It gradually becomes wider the further north it runs, eventually reaching a width of between 5m-6m. Towards its northern end, on the east side, there are a pair of sub-rectangular depressions (**Site 7h**), each measuring 14m long by 6m wide, set at approximate right-angles to one another and possibly representing a pair of buildings. Beyond here, the earthwork may link with the east-west holloway (Site 7b), although it is difficult to be certain.
- 3.18 To the south, on the east side of the holloway, is an enclosure measuring c.45m wide by 80m long. The west side is formed by an irregularly-shaped depression up to 1m deep (**Site 7g**), on the east side of which are a pair of sub-rectangular platforms, c.14m long by 7m wide, separated by a ditch placed approximately equidistantly between them. There is another rectangular depression further to the east, and two other sunken platforms either side of a possible entrance on the south side of the depression. The east side of this enclosure is defined by a right-angled ditch which separates it from the adjacent ridge and furrow to the east (see Site 11 below), and which is also marked as a curving boundary in 1621. It is possible that this enclosure represents a former croft, which has been modified at a later date, with a number of buildings placed on platforms around the depression, parallel to but a little distance away from the street frontage.
- 3.19 To the south again, and still on the east side of the holloway/track, other ditches run east to define one or two narrow parallel enclosures measuring 150m long by 60m wide overall, on an east-west alignment (**Site 6a**). The ditch defining the northern side of these enclosures appears to have been deepened so that it cuts across some of the earthworks to the north, including a right-angled ditch leading into the irregularly-shaped depression (Site 7g). The east ends of the enclosures are marked by another right-angled ditch which separates them from the ridge and furrow earthworks to the east (see Site 11 below), and there are several spread banks and north-facing scarps which may define at least two sub-rectangular platforms (**Site 6b**). Once again, these enclosures are likely to represent one or two crofts (possibly separated by the slightly more prominent east-west bank, which have been modified at a later date - there are no obvious earthworks of any occupation near the street frontage, and it is noticeable that they extend 30m further to the east than the croft to the north. It is also possible that the similarly-aligned and sized enclosure to the south (Site 5 below) may have originated as another medieval tenement.
- 3.20 On the west side of the north-south holloway (Site 7f), there are further shallow scarps set on approximate east-west alignments, perhaps once delineating further crofts or plots here; these scarps run west as far as a shallow west-facing scarp above the above-mentioned flattened strip defining the west side of this area (see Site 15). To their south, a very shallow sub-circular depression (**Site 7i**), 14m in diameter, marks the position of a tree shown on the 1946 aerial photographs which has since been removed.

- 3.21 It is unclear from the surviving earthworks whether the north-south holloway originally extended further to the south. The area through which it might have run has been disturbed by later activity (see below), although it is possible that the alignment might be represented by a north-south section of a later canal (Site 4d below) and two parallel east-facing banks on the south side of a much later drive (Site 4i below). The possibility of the holloway continuing further to the north across the Woodhall and Ellerby road is discussed in Chapter 4 below.
- 3.22 The 1946 vertical aerial photographs show that, at that date, the remains of the open field system associated with the former settlement of Burton were extensive (see figure 9). From the area of earthworks described above, the ridge and furrow extended east and south-east beyond the Sproatley to Marton road as far as Brick Plantation. To the west, they ran up to and beyond Ice House Plantation. To the north, large areas of arable land and woodland have destroyed any ridge and furrow that might have been present, although to the immediate north of the Woodhall and Ellerby road, a block on an approximate north-south alignment is visible. It has been suggested that the park was once largely covered with ridge and furrow, and that while there is evidence of reverse 'S' furrows of up to 8m in width, many of these have been split to around 4m, indicating post-medieval working as well (JRA 2010, 18).
- 3.23 The most extensive block of ridge and furrow earthworks (Site 1) in the survey area lies to the west of the medieval settlement. The area of the surveyed block measures 250m (north-west/south-east) by c.200m (north-east/south-west), and this is likely to have formed part of the former c.400 acre medieval West Field (Kent 2002a, 136). In 1621, the area to the east of a boundary (Site 14 below) is shown as being divided into three enclosures, but by 1755 the division between the northern and central enclosure had been removed and the interior of the southern enclosure was filled with beds laid out on a geometric pattern, indicated as dashed lines (see Site 16 below) (see figures 3 and 4); the latter features and other associated boundaries were removed in the 1770s. The ridge and furrow to the west of the boundary formed part of the large 29 acre 'Backhouse Field'.
- 3.24 The surveyed ridge and furrow is crossed by a shallow north-west/south-east aligned flat-topped bank (Site 14 below), which overlies the ridge and furrow and initially formed a field boundary in the early 17th century but was later converted into a drive to Norwood, apparently between 1818 and 1845; this earthwork forms the western edge of the Scheduled Monument. The east side of ridge and furrow is separated from the village earthworks by a flattened funnel-shaped area of ground (Site 15 below), although it is likely to have extended across it as far as the village boundary ditch; a number of very faint ridges are visible within the flattened area which probably originally formed part of a headland. Within the surveyed area, all the ridge and furrow is aligned north-east/south-west, and the ridges stand up to 0.40m high with an average ridge to ridge measurement of between 6.50m-7.50m; the ridges are on average 2m wide. Slightly wider and deeper depressions divide the block into the three enclosures shown in 1621. The ridge and furrow in the two northern enclosures (**Sites 1a and 1b**) survives well, but that in the southern part (**Site 1c**) is fragmentary, suggesting that it was at least partly levelled to make way for the geometric layout of gardens shown here in 1755 (see below). To the west of the flat-topped bank, the ridge and furrow is well preserved (**Site 1d**), and it is overlain by a later drive (Site 2 below) and a copse. It should be noted that the ridge and furrow continues for some distance to the west beyond the survey area.

- 3.25 Another area of ridge and furrow lies in the north-east and east part of the survey area (Site 11). This area probably represents part of the former c.368 medieval East Field (Kent 2002a, 136), and it was later part of the 54 acre Pailer Field in 1621 (see figure 3). The west side of this area was partly delineated by field boundaries in 1621 and 1755, but these were also removed during the 1770s, although the right-angled ditch survives. Within the survey area, one area of ridge and furrow covers an area of 120m (east-west) and a maximum width of 150m (north-south) (**Site 11a**). This area is defined on its west side by a prominent bank (Site 7d above) and to the east by a terraced trackway (Site 9 below). The west ends of these ridges all angle gently towards the south, with the flattened area between the ends of the ridges and the boundary ditch (Site 7d) to the west representing the headland. A modern drain, aligned north-south, runs across the west end of the earthworks. The ridge and furrow in the southern part of this area is fragmentary, being overlain by various platforms (Site 10c below) and plantation earthworks (Sites 10a and 10b below). On the east side of the terraced trackway, the ridge and furrow (**Site 11b**) continues further to the east and is relatively undisturbed, apart from where it has been disturbed by shallow drains associated with a pond. All the ridge and furrow is set on a very slight north-east/south-west alignment, and the ridges stand up to 0.40m high and have an average ridge to ridge measurement of between 7.0m-8.0m (see plates 5 and 6). The ridges are on average 2m wide, but occasionally there is a slightly wider ridge of 2.50m.

The Pre-late 18th Century Landscape (Sites 4, 5, 7a and 16)

- 3.26 To the south of the main area of the deserted village, there are further earthworks which are set out on approximately the same major alignments, and which almost certainly pre-date the late 18th century landscape here. However, the difficulty in interpreting them lies in deciding whether these major alignments were dictated by the layout of the medieval settlement which then moved south to influence later landscape development nearer to the Hall, or whether they radiated out from the Hall itself and obscured the medieval settlement. This aspect of their form is discussed more fully in Chapter 4 below.
- 3.27 As has been noted above, the 1621 map depicts the area of the deserted village earthworks as lying within a large unnamed enclosure covering just over six acres (see figure 3). This enclosure, and the other fields shown on the 1621 plan, seem to have been established in 1517 (Beresford 1952, 59), and the arable land had probably been converted to pasture by the 1560s (Kent 2002a, 136). The southern boundary of the 'village' enclosure ran along the north side of a narrow east-west aligned enclosure (Site 5 below) and then turned north-west in a series of shallow steps along the east side of three further smaller enclosures which represent divisions within the former medieval open field system (Site 1 above). It then turned to the north-east to run along the approximate line that would later be followed by the late 18th century Woodhall and Ellerby road, with a small square extension at the north-east corner projecting beyond this line. Running south again, the boundary incorporated a curious quarter circle feature at the point where it returned to the east for a short distance. Beyond here, it re-assumed a southerly course and met the east-west aligned narrow enclosure to its south. This southern enclosure covered just over one acre, and there was another east-west enclosure over two acres to the south of this. By 1755, the large 'village' enclosure had been sub-divided and the boundary much simplified (see figure 4). A north-west/south-east aligned boundary ran across the central part, with a rather narrow enclosure, perhaps linking two larger fields, situated to the north; the narrow enclosure contained a long rectangular building set against an angled return in its north side. The east-west aligned sub-rectangular enclosure shown in 1621 to the south of the

'village' enclosure was partially removed by 1755 and was completely removed during the 1770s.

- 3.28 The 1755 plan (BCMR) is also important in that it depicts a number of garden features in the enclosure to the north of the moat and house (see figures 4 and 14). These have been described in detail in Chapter 2 above, but in summary they comprise a rectangular pond with an island, a small building and two other ponds in the eastern part of the enclosure, and an arrangement of three blocks of geometric beds and paths to the west. There is also a bridge across the moat into this enclosure. Kent suggests that the water gardens may have been created in this area in 1715, and the documentary record confirms that some gardens were indeed being constructed at this time.
- 3.29 Many of these features are still visible as earthworks in the survey area. Within the main 'village' enclosure, the north-west/south-east aligned boundary shown in 1755 can still be seen as a discontinuous earthwork (**Site 7a**), while the position of the long rectangular building to the north corresponds to a wider part of the north-south boundary ditch (Site 7d) (see figure 14). The other boundaries of this enclosure shown in 1621 can be seen as bank and ditches throughout the survey area, for example those dividing the areas of ridge and furrow to the west (see Site 1 above) and the various right-angled returns on the east side, although the quarter-circle boundary feature is not particularly evident.
- 3.30 The boundaries of the east-west aligned narrow enclosure shown in 1621 to the south of the 'village' enclosure are still visible as linear depressions, and they define an almost rectangular area measuring c.155m long by c.50m wide (Site 5). The south side of the enclosure is formed by a large linear canal-like depression (Site 4d below). On the north side of its western end, in the angle of the canal return, there are two shallow oval or sub-rectangular depressions. The eastern 0.40m deep oval-shaped depression is shown as holding water in 1946, and it may represent a former pond or waterlogged area created by cattle poaching; it measures 18m long (north-south) by 6m (east-west) wide. The depression to the west (**Site 5b**), at 20m long by 15m wide, is larger and more sub-rectangular, although hardly regular in plan. There appears to be an opening into it from the south, and there may be a small sub-square platform set above the north-west corner, together with other platforms either side of the southern entrance. The central part of the southern half of the enclosure, which faces towards the linear canal-like depression, rises gently in at least two shallow and rather spread south-facing scarps, barely 0.50m high but with a consistent width of c.6m; they may represent denuded terraces (**Site 5a**). The lower terrace may have a rectangular platform (**Site 5c**) at its west end measuring 15m by 7m. Above the upper terrace, the ground surface continues to rise gently towards a pair of parallel shallow linear ditches. The northern of these is shown as a boundary in 1621. At their eastern end, the two ditches converge, where there may be a number of irregular D-shaped or sub-rectangular platforms (**Site 5d**) of uncertain function.
- 3.31 It is noticeable that both enclosures 6 and 5 have the same orientation and roughly the same size. It was previously suggested that enclosure 6 originated as one or more medieval crofts (see above), but the internal earthworks are very similar to the possible terraces seen in the enclosure to the south (Site 5a), and the northern ditch appears to have been deepened (and perhaps widened) with the result that it cuts across what appear to be medieval platforms to the north (Site 7g). It could therefore represent a re-working of an earlier feature, to form another stepped viewing area associated with the garden features to the south.

- 3.32 The enclosure nearest the moat and hall contain a series of earthworks representing the remains of the garden features depicted on the plan of 1755 (see figures 4 and 14). The core of the complex covers an area measuring c.260m east-west by a maximum of 70m north-south. Within this area the earthworks are generally set on a very shallow north-east/south-west alignment; they are also relatively shallow, with few banks or scarps rising more than 1.0m in height and most measuring far less. Associated areas may once have extended further north into the adjacent enclosure (see Site 5 above) and they clearly extended south-east beyond the survey area, where further earthworks are visible. The eastern side of the whole complex appears to be defined by a prominent linear bank and ditch (see Site 9 below), or at least to extend no further east beyond it.
- 3.33 Adjacent to the north-south aligned bank to the east (see Site 9 below), in the north-east corner of the complex, there is a well-defined rectangular platform (**Site 4a**), measuring 45m long by 22m wide and defined by a shallow ditch 3.0m-4.0m wide and up to 0.50m deep. There is single sub-square indentation near the centre of the west side of the platform, and two similar features on the south side; one of the latter retains a tree stump. As noted above, the west and south sides of this platform form part of a boundary shown in 1621 and 1755. To the south of this platform, there is another sub-rectangular area containing earthworks. On the east side, there are two shallow rectangular depressions (**Site 4b**) representing the pair of small square ponds shown here in 1755. The northern one measures c.18.0m long by c.10.0m wide and up to 0.50m deep, and a faint linear east-facing scarp runs south from its south-west corner to connect with another pond to the south. This measures c.21.0m long by 8.0m wide, and is very slightly longer than the northern pond and may be sub-divided internally into three parts of unequal size by very spread cross banks, separating slightly marshy areas. To the west of the ponds, there is a shallow west-facing scarp which becomes a spread depression as it moves south, with several parallel east-facing scarps laid out on an angular plan. At their north end, there is a possible building platform (**Site 4c**), 10.0m long by 5.0m wide.
- 3.34 To the east of these earthworks is the rectangular pond and island shown in 1755 (**Site 4e**). The pond has maximum overall dimensions of 57.0m long by 31.0m wide, and the flat topped island is c.34m long by 9m wide. The moat ditch is on average 10m wide, with sides of varying steepness but up to 1.0m deep (see plate 7). There is a linear depression of similar dimensions at the south-east corner, which might represent a southward continuation of the east side of the pond. Three shallow sub-square depressions, measuring 2.50m across and 0.40m deep, are visible on the northern edge of the moat, perhaps the position of former trees or other garden ornaments. The island is crossed by at least three very shallow scarps on a north-east/south-west alignment; similar scarps on the same alignment can be seen to the immediate south of the pond, and it may be that these represent earlier features which were disturbed by the moat construction. Adjacent to the extended eastern arm of the pond are the remains of the structure marked in 1755, formed by (chalk and flint?) footings 2.50m square (**Site 4f**), set within a shallow sub-circular depression 10m in diameter.
- 3.35 The northern edge of this part of the earthwork complex is defined by a canal-like linear depression (**Site 4d**), aligned almost east-west and continuous with the ditch that defines the north side of the rectangular platform (Site 4a) described above. The depression is almost 140m long (190m if the north side of platform 4a is included) and up to 6m wide across the top, with a flat-bottom some 4.0m across; the depression widens slightly towards the western end. At 1.0m in height, the north-facing scarp defining the south side of the linear earthwork is markedly more

prominent than the scarp defining the north side, which measures only 0.30m high or less; the southern scarp is shown as a boundary in 1621 but by 1755 it has a walk or a footpath running along it. There appears to be a 12m long break in the linear depression, positioned opposite the approximate centre of the rectangular pond (Site 4e) to the south. The west end of the canal-like depression appears to return to the north for a distance of c.22m before petering out; as noted above, this northern return (if this is what it is) might also represent part of a medieval holloway (Site 7f).

- 3.36 Some 30m to the west of the rectangular pond, on the south side of the canal-like linear depression, is a possible small sub-square structure, with a further sub-rectangular platform measuring 22m long by 7m wide further to the west (**Site 4g**). On the west side of the canal's northern return, there is also a flat-bottomed rectangular depression (**Site 4h**) measuring 39m north-south by 17m east-west, which appears to have been dug out of the adjacent area of ridge and furrow (Site 1c); it might represent one of the paths around the east side of the northern block of geometric planting shown in 1775 or an earlier former pond or garden feature. Just to the west of this is a very faint linear earthwork (**Site 16a**), c.5.0m wide on a north-east/south-west alignment, which could be part of the geometric pattern of paths in the northern block, while a similar more east-west line might be the remains of the division between the north and central block. However, almost nothing of the geometric arrangement shown in 1775 can be seen as earthworks (see plate 8), apart from a horse-shoe shaped depression (**Site 16b**) which might be associated; the area of the southern block of gardens was disturbed by the construction of a later ha-ha and lawn (see Site 3 below). To the south-west, on the south side of a later drive (Site 2 below), there are various slight linear earthworks set on parallel or perpendicular alignments (**Site 4i**) to the canal which might represent further garden features or perhaps the remains of the medieval holloway (Site 7f).

The Post-late 18th Century Landscape (Sites 2, 3, 9, 10c, 14 and 15)

- 3.37 Most of the earthworks described above are discrete and spread, the majority less than 0.50m in height. This is probably partly the result of landscaping undertaken by William Constable under the direction of Capability Brown after c.1770. As early as 1767, a plan of the park was produced which showed all of the enclosures and associated features to the north of the house using dotted lines, indicating that they were to be removed (Hall 1995, 149). According to the notes kept by William Raines, work within the survey area probably started in 1772 on the linear moat to the north of the Hall. In September 1772, Raines (Minute no. 8) recorded that they were to "*Make a Sunk Fence from the Pond (the moat), round the West Front and South end of the House up to the Stables*" and included a measured section of said sunk fence. In September 1773, it was noted (Minute no. 8) that "*End of Sunk Fence next Old Bridge to be made as wider as the remains of the Pond to humour the width of the old Pond (the moat), and save Earth leading –*" (Hall 1995, 154-156). It has been suggested that the fences/hedges within the area to the north of the house are referred to in Minute no. 13 of Raines' 1773 notes (UOY 1999, (F.111) Appendix H) but this is not clear. However, they may well have been included in Minute no. 21 of the same year, which notes "*Level all the Ground in view of the house, humouring the Ground, and drain into the Sunk Fence – Keep all in view very neat*" and also Minute no. 22 "*Lawn before the house to be eaten with Sheep*" (Hall 1995, 156). It is also likely that the western edge of the survey area is included under Minute no. 13 of 1775: "*Level the fences between Plumpton Field & Paddock; between Paddock & Little Brick Field; between Plumpton Field & Wood Gate close – Make drains or sunk fences & separate the above Ground*"

(Hall 1995, 157). Hall supplemented Raines' notes with information from documentation concerning contractors. In September 1772, Messrs Nutt and Harker made an agreement to dig the West Lawn sunk fence at $1\frac{3}{4}$ d per cubic yard; the fence was 16 feet wide at the top, six feet wide at the bottom and five feet deep, somewhat smaller than Brown's instructions. Nutt and Harker also created clumps on the East Lawn, surrounded by trenches two feet deep (Hall 1995, 168-169).

- 3.38 There are several surviving features within the survey area which are either definitely or which may be associated with the works of the mid 1770s. A bridge has been positioned across the moat (**Site 3**) to the immediate north-west of the Hall since at least 1755 (see figure 4), but it is likely that the existing structure was heavily altered or even rebuilt during the 1770s. The west side of the surviving structure, facing into the survey area, is in a poor state of repair, and in some areas the face has collapsed completely. It stands a maximum of 1.40m high and is built largely of handmade buff bricks (average dimensions 0.24m by 0.10m by 0.09m), some laid in a variation of English Garden Wall bond (two stretcher courses to each header course) and set with a lime mortar. There may be evidence for difference phases of construction, such as a ragged joint at a low level towards the south of centre.
- 3.39 To the west of the bridge, there is a south-east facing scarp up to 1.20m high and 5m wide (Site 3). There is a partly grassed spread of stone rubble and brick at the east end, possibly from the bridge, and the scarp appears to have either spread or to have slumped, as it is far less well defined than to the west. It is assumed that this scarp represents either the curving north-west section of moat shown here in 1755, or perhaps more likely the ha-ha widened after 1773 on Brown's instructions to match the pond to the east of the bridge (see figures 4 and 5). The flat base of the feature here is 4m wide, while the brick wall forming the south side stands 1.10m high. This has been subject to recent repair (specified within the 1999 Park Management Plan (JRA 2010, 15)), but the lower part is built of handmade buff bricks (average dimensions 0.24m by 0.10m by 0.09m) laid in English Garden Wall bond (three stretcher courses to each header course) and set with a lime mortar. The scarp then turns sharply to the north-west, where it adopts a curvilinear course. At this point, there is further disturbance, suggestive of either vehicle or cattle damage, although it might relate to an east-west boundary shown running off the moat here in 1621. Beyond this point, the feature is formed by the ha-ha/sunken fence referred to in Raines' Minute no. 18 of September 1773. The earthwork is well defined, comprising a steep south-facing scarp standing up to 1.20m high. Within the survey area, the flat base is 1m wide, and it is split into two parts by a modern post and wire fence which defines the southern boundary of the survey area (see plate 9). South of the fence, the south side of the ha-ha is formed by a scarp of similar height to the north side, but markedly wider and less steep.
- 3.40 The bridge leading over the moat/ha-ha also currently gives access to a drive (**Site 2**) running to the north-west. This drive first appears on a map in 1818 (BCMR), and is suggested to have linked the stables and walled garden, being useful both for the transport of manure but also passing through the avenue to Norwood, thus providing a link to the private racecourse which operated there during the early to mid 19th century (UOY 1999, 18). However, the drive may have its origins in the late 18th century, as discussion notes made by William Constable in 1769 prior to his first meeting with Brown include 'High Roads from the Stables to the Kitchen Garden' (Hall 1995, 153). The drive is on a very slight north-west/south-east alignment, and runs for a total length of 250m within the survey area. Where it

leaves the modern gravelled vehicle trackway to the north of the moat, the drive is well defined and represented by a raised flat-topped bank, steeply scarped to either side; the bank is 3m wide across the top, 6m wide across the base and stands a maximum of 0.70m high (see plate 10). As it moves north-west, it clearly overlies the earthwork representing the track that formerly led to Norwood (Site 14), confirming 1946 aerial photographic evidence that it remained in use for a longer period. Beyond this track, the drive becomes more prominent, up to 0.5m high and 3.5-4.0m across the flat top.

- 3.41 The northern track or drive (**Site 14**) to Norwood is depicted on the Ordnance Survey 1855 map (sheet 212) (see figure 7). The earthwork overlies the adjacent ridge and furrow (see Site 1 above) and initially formed a field boundary on the 1621 and 1755 plans, but was later converted into a drive to Norwood, apparently between 1818 and 1845; this track forms the western edge of the Scheduled Monument and the survey area. The earthwork has a shallow north-west/south-east alignment and, at its southern end, is represented by a very faint linear flat-bottomed depression, barely 0.30m deep and 4.50m wide. There is a spread bank of approximately half the width running parallel to the east side of this linear depression, and possibly a further faint depression on the east side of this. This section represents the field boundary depicted in 1621 and 1755, but beyond the stable/walled garden drive (Site 2), the earthwork takes the form of a flat-topped bank with a ditch on the east side and this is the track to Norwood. Part of the alignment has disappeared for c.25m, but to the north of this it is well preserved with both bank and ditch being up to 0.50m high/deep; the flat-topped bank measures 2.50m wide. This part of the earthwork is somewhat straighter and more regular than that to the south (as might be expected given its more recent use), and it continues as far as the Woodhall and Ellerby road (see plate 11). The northern section has a similar form of construction as noted in a terraced trackway (Site 9 below) to the east, in that material removed from either side of the earthwork has been used to infill the former furrows of the open field; in the correct light, the former ridges remain visible within the earthwork. At the point where the track meets the northern edge of the survey area, the ditch flanking the Woodhall and Ellerby road is infilled, so that it can be crossed. On the west side of the crossing, the ditch has a quite different profile to that to the east, being c.2 to 3m wide and 0.60m deep, with a shallow concave profile. This may represent its original or at least earlier form, as to the east it is much deeper and steep sided, and may well have been re-cut in the 20th century using a machine.
- 3.42 The eastern side of the survey area is crossed by another route, a terraced track surviving as a prominent raised earthwork (**Site 9**) (see plate 12). In 1999 it was considered to be an earlier road to the house, perhaps the Brown period approach (UOY 1999, (F.110) Appendix H). On the c.1690 *Prospect of Burton Constable Hall and Deer Park from the East*, what might be the road to Sproatley passes directly in front of the outer court to the east of the Hall (see plate 2), possibly on this approximate alignment, and so it may be that the earthwork originates in the 17th century or earlier. However, even if this were to be the case, it must have surely have been heavily modified during the late 18th century. The track appears on a plan of 1774 (ERAO DDCC 141/71) (see figure 5) with a dead straight, almost north-south alignment, running south from the 'High Road' to the stables. In 1818 (BCMR) it is indicated as a dashed line, suggesting it was to be removed. It is clearly visible on vertical aerial photographs taken in 1946 (see figure 9), which show it to form an approximate right-angle with a similar feature running east (i.e. parallel and north of the present main access) as far as the present Sproatley to Marton road; this east-west track is also depicted in 1774, and the two earthworks appear to be contemporary. There is a second linear parallel bank running along

the south side of the present access, and these two earthworks probably represent the walk depicted running east here in 1621 (see figure 3).

- 3.43 The raised trackway is represented by a north-south aligned bank, which is visible for over 170m along the eastern edge of the survey area. The south end of this trackway is clearly continuous with another earthwork shown on the 1946 aerial photograph running east towards the present Sproatley Road (see figure 9). At its south end, the raised trackway is flanked by ditches, visible as shallow linear depressions. The east ditch continues slightly further south than the west ditch, which is crossed by a spread bank at the point where it curves around to the east. The west ditch may once have continued further south as well, as there is a shallow sub-oval depression some 5m south of its south end that may once have been continuous with it. The trackway becomes more prominent as it runs north, and at the point where it is crossed by a post and wire fence, the raised bank is 12m wide overall and 8m wide across the flattened top. Within a strip c.10m either side of a modern post and wire fence, the top of the bank is sub-divided into two parts, a wider west part and a slightly narrower east part, separated by a shallow depression; to the north of this, the trackway becomes flat-topped again. The sides are steeply and regularly scarped, and stand up to 0.75m high. At this point, the west ditch is up to c.7m wide, but the east ditch has been partly disturbed by a shallow drain running towards a pond, vehicle rutting and stock poaching associated a modern metal water trough here. The west ditch may be continuous with the eastern limit of an area of garden earthworks (Site 4a above). As it moves north, the flat top of the bank splays outwards slightly, increasing in width, whilst the ditch to the west narrows slightly in proportion and becomes shallower.
- 3.44 At a point 90m to the north of the post and wire fence, there is a 4m wide gap in the west ditch, beyond which it resumes as a shallow linear depression of similar dimensions as those seen to the south of the break; by the same point, the east ditch has almost completely disappeared. The top of the bank then begins to splay inward again slightly, both bank and ditch becoming fainter and less well defined. The west ditch cannot be traced beyond a clump of trees (Sites 10a and 10b below), although the west scarp of the bank continues as a spread feature though the eastern edge of the clump. The east scarp almost completely disappears, but some 20m north of the clump, the bank begins to become more visible once more, although it never attains the prominence that it has at the south end of the survey area. It may have a very spread bank set at a right angle to its west side.
- 3.45 The bank can be traced north as far as the northern boundary of the survey area. This section is flanked by slight parallel depressions, but they are not really ditches as seen to the south, but have been created by digging out soil to infill the furrows between the ridges. In the correct light, this form of construction is very apparent, with the former ridges of the open field system still faintly visible within the bank itself. This construction is not so clear in the southern section of the trackway, perhaps suggesting that additional soil was heaped over the ridges to form the bank in addition to that gained from excavating the ditches to either side. Where the raised trackway meets the northern edge of the survey area, the ditch flanking the Woodhall and Ellerby road has been infilled, using seven or eight header rows of light-coloured bricks stacked on top of one another, with soil heaped over them.
- 3.46 There are two other identified sites within the survey area which are thought to be post-late 18th century in date, although it is not certain and they could in fact be related to the pre-late 18th century period landscape. One of these sites is represented by a collection of three or possibly four shallow sub-rectangular earthwork platforms (**Site 10c**), covering an area of c.45m east-west by c.35m

north-south which is defined by boundary ditches. There are three platforms on the north side of the area, the central one measuring 15m by 7m and the smaller one to the east being 8m by 3m, and there is another platform measuring 17m by 10m in the south-west corner. All the platforms are aligned north-south and have the same orientation as the garden earthworks to the south and south-west (Sites 4 and 5), and so they could represent an outlying part of the pre-late 18th century garden landscape, although what function they served is unclear; they may also represent other areas of proposed or abandoned planting, similar to those immediately to the east (Sites 10a and 10b below). Whatever their date, it is clear that the platforms overlie the adjacent medieval ridge and furrow (Site 11a), and the complex is shown as being bisected by boundaries in both 1621 and 1755.

- 3.47 The other site is represented by a wide flattened strip of land (**Site 15**), slightly curvilinear and funnel-shaped in plan, located between the earthworks of the deserted village (Site 7) and the field system to the west (Site 1). The flattened strip narrows from 25m across at the wider north end to 10m at the south end, and it has a total length of c.125m and appears to be truncated by the Woodhall and Ellerby road at its north end. Both sides of the flattened strip are marked by shallow ditches. The ditch on the west side is poorly defined, and has been partly eroded by old vehicle rutting at its north end. It appears to have cut through or disturbed the eastern edge of a block of ridge and furrow (Site 1a) as some ridges extend across it. By contrast, the east ditch is better defined, and survives as a linear depression 2m-3m wide and up to 0.50m deep. This can be traced for a further 40m to the south, beyond the nominal end of the flattened strip (around or near an oak tree), where again it may disturb ridge and furrow (Site 1c). As previously noted, a field boundary depicted in 1755 (Site 7a) crosses the strip at an angle towards the north end. Once again, the date and function of this flattened strip is unclear. It might represent an aborted attempt at levelling some of the earlier earthworks, for example Raines' minutes (no. 21) of 4th September 1773 notes "*Level all the Ground in view of the house, homouring the Ground, and drain into the Sunk Fence*" (Hall 1995, 156).

Late 18th and Early 19th Century Tree Planting (Sites 10a, 10b, 12 and 13)

- 3.48 There is a single but large clump of trees (Sites 10a and 10b) within the survey area, situated on its eastern edge, that might have originated as part of Brown's late 18th century works, although it is unlikely that any of the existing trees are 18th century survivors. Barret's 1776 *The East Front of Burton Constable* might be read as showing a clump in this approximate position (see plate 4), but this is not certain. However, both parts of the clump are surrounded by shallow ditches (see below). Brown insisted on trenching around all clumps and plantations at Burton Constable, due to the flatness and wetness of the ground (Hall 1995, 163) and so even though the clump does not appear on a map before 1855, the ditches may be further evidence that it originates at least in part in the late 18th century. Alternatively, the clump may be associated with the creation of twenty-five clumps on the East Lawn by Sir Thomas Aston Clifford-Constable or his son Frederick after 1829 (JRA 2010, 41).
- 3.49 The clump consists of two distinct parts, both present by 1855. The southern part (**Site 10a**) is represented by a slightly raised sub-rectangular platform, surrounded by a shallow ditch; the platform measures c.15m north-south by c.10m east-west, although the northern edge is no longer clearly visible. There are remnants of a hawthorn hedge along the west and south inner sides of the ditch. The platform contains four trees which appear to have been deliberately planted to form a rectangle. All trees measure 0.90m in diameter; the northern pair are oaks and the

southern pair black poplars, one dead. In the 1946 aerial photograph, the clump seems slightly longer in plan. The northern part of the clump (**Site 10b**) is formed by a slightly raised incomplete sub-oval mound, measuring c.32m east-west by at least 22m north-south. There are seven trees distributed unevenly around the outer edge of the platform, six mature oaks and a sycamore. A shallow ditch runs around the north side of the platform, cutting through the ridge and furrow earthworks of the former medieval open field system (Site 11). Between the two parts of the clump, there are further mature oaks with a diameter of 0.90m, which do not have any associated earthwork. As noted above, it is also possible that the group of rectangular platforms immediately to the west (Site 10c) represent other areas of proposed or abandoned planting.

- 3.50 There are two further tree groupings (**Sites 12 and 13**) on the very northern edge of the survey area. Both are situated immediately to the south of the Woodhall and Ellerby road. This road appears to have been created after the late 1760s, perhaps as part of a new square park (UOY 1999, 10), although it first appears on a 1774 plan (ERAO DDCC 141/71) (see figure 5); a straight lane known as the 'High Road' was driven off the west side of the newly realigned Sproatley to Marton road in the direction of Woodhall and Ellerby, across earlier enclosures. It is suggested that the sunk fence on the south side of the road is mentioned in Raines' notes of 1774 and 1775 (UOY 1999, (F.108) Appendix H). Both tree groupings consist largely of mature oaks but lack any surrounding earthworks that might be convincingly interpreted as surrounding ditches, perhaps suggesting that they do not belong to Brown's late 18th century works, but might have been planted as part of Edward and Francis Constable's planting schemes after 1791; both groupings are shown on an estate plan of 1818 (BCMR) and the Ordnance Survey 1855 map, although not on the 1871 estate plan (see figure 7).

Other Earthworks (Site 8)

- 3.51 A single pond (**Site 8**) survives on the north side of the survey area. This pond first appears on a map in 1855, and is clearly visible on vertical aerial photographs taken in 1946 (see figure 9). It is interesting to note that in descriptions of the medieval village earthworks made in the 1950s and 1960s, reference is sometimes made to a windmill which can be seen as a mound and ditch on aerial photographs, and it is possible that the pond was being mistakenly identified as such. The pond is represented by a sub-circular depression, 22m in diameter and up to 1m deep (see plate 13). The sides are steeply scarped, and the base of the pond held water at the time of the survey. There is a slight platform on the south side of the bottom of the pond, probably created by either slippage or cattle poaching, and a spread penannular bank of spoil, 3m wide and 0.50m high, around the northern half. As noted above, the pond cuts/disturbs an earlier north-west/south-east aligned linear depression (Site 7b), perhaps a medieval holloway and latterly a mid 18th century enclosure boundary.

Trees

- 3.52 Although a detailed tree survey was not required as part of the archaeological survey of the Scheduled Monument area, the position, diameter and canopy of existing trees and stumps were recorded. A very detailed survey of the trees within the inner park area has been undertaken as part of the Burton Constable Landscape Management Plan (Whitehead Associates 2010). The following section summarises the relevant results of this work in relation to the survey area, and includes cartographic information where necessary.

- 3.53 The vast majority of trees within the Scheduled Monument survey area were defined as either 'mature' (i.e. c.50 years of age) or 'veterans' (i.e. over 250 years old). However, the high number (33) of veteran trees identified within the inner park area was treated with some caution, as veterans had been identified as being more than 1m in diameter. In the case of the oak veterans, it was thought that the majority had grown particularly well and fast, rather than being of great age. Nevertheless, some dendrochronological work was recommended in order to try to establish the true age of a selection of the veteran trees (Whitehead Associates 2010, 3 & 5).
- 3.54 Six trees within the Scheduled Monument area were classed as 'veterans', all English Oaks. From east to west, these were tree 505, a 1.2m diameter oak to the west of Site 10b; tree 515, a 1m diameter 'impressive healthy pasture oak' within Site 6; tree 516, a 1m diameter oak within Site 12; tree 521, a 1.3m diameter oak on the line of a 1755 boundary (Site 7a); tree 529, a 1m diameter oak also at the south end of the flattened strip (Site 15), and tree 551, a 1m diameter oak within Site 1c (Whitehead 2010, 47-49, 50 & 52). Of these, the largest in diameter (no. 521) stands on the line of a field boundary known to have existed in 1755, while no. 515 is also located on a north-facing scarp. Given that tree 521 is located on a known mid 18th century boundary which was removed in the later 18th century and never reinstated, and has a stump of similar diameter on the same line to the north, it seems likely that it is a 'genuine' veteran oak.
- 3.55 Of the mature trees identified within the Scheduled Monument area, almost all are English oaks, with some sycamores, a few black poplars and a horse chestnut. Given that 'young' mature deciduous trees were classed by the tree survey as being c.50 years in age, it can be inferred that all mature trees within the survey area must have been planted before c.1960.

4 DISCUSSION AND CONCLUSIONS

- 4.1 The detailed measured survey work undertaken at Burton Constable has raised several issues meriting further discussion, and these are outlined below. Quite obviously, it would be impossible to consider the earthworks within the Scheduled Monument area without reference to the wider landscape of which they form only a small part. This is particularly the case for the organisation and layout of the medieval settlement of Burton, and the relationship between the house and any surrounding ornamental designed landscape in the period prior to 1700. The following chapter therefore also includes material relevant to these questions.

The Medieval Village of Burton

- 4.2 Interpreting the remains at Burton Constable, particularly with regard to the relationship of the former settlement to the Hall and any associated gardens which it may have had from the late medieval period onwards, is made more difficult by a number of factors. Firstly, as has already been noted, almost all the earthworks within the Scheduled Monument area are rather slight. This may be due in the first instance to the use of impermanent building materials such as mud for the majority of the medieval structures (see below), and subsequently by attempts to remove earlier features from the immediate landscape of the Hall during the later 18th century. Secondly, as Everson (1997, 3) has noted in respect of post-medieval gardens, some earthworks can relate to very short lived one-period gardens while others may represent long lived multi-period gardens. Thirdly, some features of formal garden design, such as terracing, walkways, extensive waterworks (e.g. formal ponds and canals) and multi-walled or embanked enclosures, were in use over an extended period, and might originate at any time between the late 16th century and the early 18th century (Everson 1997, 4); in the light of more recent works on the suggested designed landscapes surrounding late medieval residences (see below), some of the same features could even date from the late 14th century or earlier. Fourthly, there is a common association of deserted or shrunken villages with post-medieval formal gardens, and it is also relatively common to see the continued existence of the manorial centre into the post-village desertion period; as a result, such a survival sometimes led to gardens being laid out across former village properties, as at Quarrendon in Buckinghamshire (Everson 2001) (to name just one example).

Topography and Settlement

- 4.3 Holderness is often mistakenly characterised as flat and rather featureless. In actuality, the slight rises and falls in the local topography around Burton Constable Hall formed an important consideration in the creation of the late 18th century landscape, and it is highly likely that this played a significant part in the way the area was occupied and laid out during much earlier periods. It is noticeable that the Hall, including the earliest surviving parts within the north tower and north wing, is set several metres higher than the moat to the north, with the ground surface sloping gently but noticeably downwards from south to north. On the north side of the moat, the ground surface drops slightly to the immediate north of the present gravelled trackway, but it is generally level within the survey area until it reaches the south side of the canal-like feature (Site 4d) defining the north side of the possibly early ornamental gardens. Here, the ground surface drops by up to 1m, runs level across the canal-like feature and then begins to rise gently for a distance of c.30m, possibly incorporating several 'steps' or denuded terraces (Site 5a), and reaching approximately the same height as the possible early ornamental garden area (Site 4). The ground level then continues north at the same height for c.35m,

and then begins to slope gently downwards again from south to north, across further linear earthworks (Site 6a). Beyond this point, the ground surface is relatively level as far as the north boundary of the survey and Scheduled Monument areas. These subtle rises and falls within the survey area are of relevance when discussing the possible form of the medieval settlement and the presence of any manorial/administrative centre.

The Form of the Village

- 4.4 Documentary evidence indicates that a settlement was present at Burton Constable by the 11th century, and perhaps slightly before this. Unfortunately, the Domesday entry is only a summary, and no indication of the size of the village is given. A capital messuage with a dovecote, fish ponds and gardens was present by 1293-94 (Brown 1898, 160-162), and in the mid 14th century there was a chapel in the manor house which Beresford (1969, 295) suggests might have served as a church for the villagers. Beresford also notes that the Black Death may have had an effect on the resident population, as both Burton and West Newton villages had a relief of 33% from their tax quota at this time, and there were more than ten households in 1428 but in 1517, when the area was enclosed, the village was said to have been depopulated since 1488; however, as has been noted in Chapter 3 above, none of these statements can as yet be verified.
- 4.5 Later landscaping has done much to obscure, but not completely remove, the plan form and organisation of the settlement, a not uncommon result of 17th and 18th century emparkment (Muir 1985, 211-212; Williamson 2010). The surviving earthworks also appear highly irregular at first glance, although again, the medieval settlement should not necessarily be expected to have a planned, regular layout, particularly if it has expanded and contracted over time; there is no evidence (as yet) to suggest that the village was a wholly or partially planned settlement, as can be seen in many other Holderness villages (e.g. Eske, Long Riston, Preston, Roos and Elstronwick), although it is possible that the longer crofts (Sites 5 and 6) on the east side of the central holloway might be later additions (see below). In addition, it should be noted that the survey area may not contain the whole of the deserted village, and this will make any examination, interpretation and understanding of the surveyed remains more difficult - the village could, for example, extend to the north of the Woodhall and Ellerby road (where some features are visible on early aerial photographs), or even further to the south beyond the Hall into the area now occupied by the stables (see below). This means that it is difficult to offer any detailed interpretation of the village plan as a whole, for example by examining its morphology or by assigning areas of specific earthworks to features mentioned in the documentary record, as has been done most successfully on other nearby deserted village sites (e.g. Eske, Wawne and Rotsea - English & Miller 1991; Hayfield 1984; Cocroft *et al* 1989). Nevertheless, a combination of careful recording and comparison with other contemporary settlements allows some interpretation of the surviving earthworks within the survey area to be proposed (see figure 12).
- 4.6 Within the survey area, the former east-west extent of the occupied area is fairly clearly delineated by that part which is free from ridge and furrow. Although it is known that in other parts of the park, such as on the west side of the lake, Capability Brown gave specific instructions for the ridge and furrow to be 'smoothed out' (Hall 1995, 165), there is evidence to suggest that this was only done in two specific parts of the survey area, presumably as part of 18th century landscaping works. Attempts were made to level the ground in the southern part of the western block of ridge and furrow (Site 1c) to create a geometric layout of

paths shown on the 1755 plan (see Site 16 below), and in an area of ground on the west side of the village earthworks (Site 15); the fact that this activity was not entirely successful can be seen in the denuded ridge and furrow which remains partially visible.

- 4.7 It is therefore suggested that the absence of ridge and furrow in the central part of the survey area almost certainly represents part of the area covered by the former medieval village. Within this area, a section of one of the main thoroughfares or streets through the village may be represented by the generally north-south aligned depression (Site 7f) which is visible on the 1946 aerial photographs (see figure 9) but less so in the field (see figure 12). At the south end of its east side, linear ditches running east define at least three narrow parallel enclosures (Sites 5 and 6), with average dimensions of between 30m to 40m wide and 150m long. Another shorter ditched enclosure lies to the north (Site 7g), and there are faint traces of others on the west side of the street which extend back to the village boundary ditch on the east side of the tapering flattened strip (Site 15); ridge and furrow almost certainly once extended across this flattened strip. These enclosures could be interpreted as tenement plots, comprising the toft (the site of the house and any outbuildings) on the street frontage and a croft (small enclosures used as gardens or for animals) to the rear. There was no standard area for a toft in Holderness, and examples covering areas of between a half and four acres are mentioned in the documentary record; tofts were also sub-divided and amalgamated over time (English 1979, 192) and this may explain the linear earthworks which appear to subdivide one of the enclosures (Site 6). Unfortunately, there appears to be a dearth of medieval documentation relating to specific holdings at Burton, although tenements, tofts and crofts are mentioned at Newton Constable (West Newton), for example in 1304 and 1440 (ERAO DDCC 111/5-6). There is also no real above-ground evidence for any street frontage dwellings in these longer tofts (Sites 5 and 6), which might suggest that the features were modified at a later date (see below).
- 4.8 A further holloway (Site 7b), aligned east-west, is visible in the northern part of the survey area. It appears that the north-south street ran into this, although the earthworks at the junction are confused. A series of shallow sub-rectangular depressions and ditches on the north side of this holloway might represent plot divisions running to the north, possibly truncated by the later 'High Road' to Woodhall and Ellerby, although some deserted villages only have narrow tofts on the street frontage with no crofts behind (e.g. at Eske, East Yorkshire; English & Miller 1991). It may be that dwellings were positioned on the street frontage between these divisions, although only a few are represented by definite earthworks (e.g. Site 7c). The east end of this holloway appears to terminate rather abruptly in a north-south boundary, but the west end may have continued further beyond the area of survey.
- 4.9 It is difficult to try and interpret how these two streets might fit into a typical Holderness medieval village plan. The Scheduled Monument description notes that there is a 'back lane' to the village, visible as a shallower holloway. This might be represented by part of the prominent north-south ditch at the east end of the east-west holloway (Site 7b), although its stepped and right-angled alignment to the south makes it more likely that this is a boundary ditch, separating the village from the surrounding ridge and furrow. It is also possible that the north-south holloway continues to the north, beyond the Woodhall and Ellerby road and beyond the survey area. A curving feature is visible here on the 1946 aerial photographs (see figure 9), which follows the western boundary of the 1621 Brick Field. This alignment appears to continue to curve north-east to join with the main east-west road through West Newton, and it is also respected by adjacent ridge and furrow

alignments. It is therefore possible that this line represents the original route connecting the medieval settlements of Newton Constable (West Newton) and Burton Constable. If this is correct, there may well have been additional settlement remains to the north of the survey area, now ploughed out; there seem to be relatively few building platforms within the survey area (see below and figure 12). At present therefore, without further detailed research and possible ground investigation, it is only possible to suggest that the north-south route (Site 7f) probably represents the main route through the village, and that the east-west holloway (Site 7b) is a subsidiary track. Of course, this assumes that both holloways are contemporary, and it is quite possible that they are not.

- 4.10 Only a few firm indications of specific buildings within the plots and/or along the street frontages were identified by the survey. However, it should be remembered that, prior to the mid 18th century, mud and thatch housing without significant foundations was the norm for lower class structures in Holderness and the Hull valley (Pevsner & Neave 1995, 26; English & Miller 1991, 18-19). For example, archaeological recording undertaken during the destruction of medieval village earthworks at Wawne (East Yorkshire) revealed four types of houses which could be dated from their associated pottery. The earliest smallest single cell buildings dated to the 12th-13th century and were of wattle and daub construction, and were followed by wooden framed buildings supported on corner stones (13th-15th century). These were replaced with larger 'long-houses' constructed from wooden frames set on stone foundations (14th-16th century), with brick buildings (17th-18th century) being the last in the sequence (Hayfield 1984, 47-50). The method of construction used in pre-15th century rural buildings in this region therefore means that little survives of demolished structures in terms of earthworks, apart from house platforms adjacent to holloways or tracks; it is noticeable that the only clear building foundation on the site (Site 4f) relates to a small structure that was in existence in the mid 18th century. It may therefore be that the apparent lack (but not total absence) of actual building remains within the medieval village is due to their original form of construction, rather than reflecting a 'real' distribution of structures.
- 4.11 Nevertheless, a number of rectangular or sub-rectangular building platforms or depressions have been identified (e.g. Sites 7c, 7e, 7g and 7h), most on or near the street frontages (see figure 12), and many are associated with ditches or larger depressions leading off from the streets - this is a characteristic of low-lying clay land settlements. In some cases, these depressions represent 'crewyards' where animals were held, and at Wawne many of the larger long-houses were accompanied by sunken cobbled yards to their rear, which were accessed from the street frontages (English & Miller 1991, 17 & 20; Hayfield 1984, 46 & 49). The various potential building platforms identified within Site 7g are confusing, as they are all aligned with each other and with the street frontage but a little way from it - they may represent a different phase of activity, a separate medieval holding, or are perhaps not even associated with the medieval village at all. The number of identified building platforms within the deserted medieval village is small, given the potential size of the population, which reinforces the suggestion noted above that not all the village lies within the survey area. But it is also quite likely that there are additional structural remains within the survey area, especially along the street frontages, which are not visible as surveyable earthworks.
- 4.12 The southern limit of the medieval settlement is equally difficult to assess. To the south of the possible tenement plots on the east side of the 'main' street (Sites 5 and 6), there are further ditched boundaries and linear earthworks (Site 4) which follow the same general alignment as the possible tenements. However, they are

situated on slightly higher ground, which might have been artificially raised, and there are good reasons to believe that they form part of an ornamental garden landscape created after the abandonment or depopulation of the village (see below). Nevertheless, it is possible that the area of settlement once continued south beyond these features, and a continuation of the 'main' street might be represented by slight parallel north-south banks (parts of Sites 4d and 4i) either side of a later drive (Site 2).

The Manorial Complex and its Immediate Landscape

- 4.13 It is possible that the village originally extended south as far as the surviving moat lying on the north side of the hall. As has been noted above, topographically this area is raised above the general ground level of the village. The 1293-94 Inquisition *post mortem* of Simon le Constable records that he held a capital messuage, with a dove-house, ditches and gardens (Brown 1898, 160-162), and the reference to 'ditches' might imply that the capital messuage was moated (Le Patourel 1973, 16-17). If so, the moat shown in 1621 quite possibly represents a remnant of this, and is likely to have formed only a part of the original circuit. This may have had a roughly circular or ovate form, and could have contained the whole of the capital messuage, including any residence and its attendant precinct. Although such a moated area might seem to be rather large, it is interesting to note that there is a similarly large moated enclosure to the west of Burton Constable, at Woodhall. Indeed, the area enclosed by the moat at Woodhall covers c.5.5 acres, and is directly comparable to the area enclosed by the ha-ha around the hall as depicted in 1774 (ERAO DDCC 141/71). This raises the possibility that the late 18th century landscaping works may have been partly utilising the remains of a former ditch or moat.
- 4.14 The presence of a moated capital messuage at the south end of the village could have had long term implications for the development of the immediate landscape. The area enclosed by the moat, rather than the position of any actual residence itself, may well have determined not only the siting and form of the late 15th century structure at the core of the existing Hall (see below), but also the form and placement of any accompanying yards, courts and gardens.
- 4.15 An important question when considering the development of the landscape to the north of the Hall prior to c.1700 is to identify what Everson (1997, 6) refers to as the boundary between the enclosed managed garden and the wider landscape. The form and position of such a boundary may obviously change over time, and it is also important to acknowledge that how such boundaries were understood by contemporaries would also have changed through time; this may also be very different to how we might mistakenly perceive them today. For example, the original boundary between the enclosed area and the wider landscape was provided by the moat. The enclosed area may well have contained gardens associated with the residence, but the moat was far more than a boundary between only gardens and the wider landscape. Initially it may have formed a barrier to expansion beyond the original moated area, but at a later date there could have been a need to incorporate parts of it into yards, courts and gardens which were no longer constrained by it (see below). The expansion of the latter beyond the moat may only have taken place after the late 16th century; for example, the gardens, orchards and dove-house as well as the ancillary service buildings, such as the stables, barns and brewhouse mentioned in the 1578 survey (ERAO DDCC 141/68 p16), could easily have been contained within a moated area of around the c.5.5 acres suggested above. The lack of any evidence for a contemporary church within the settlement indicates that Burton may not have

been an example of the deliberate creation of a 'magnate core' within or adjacent to a pre-existing settlement (Creighton 2002, 11); comparison with other possible such magnate cores of early 12th century date, such as at Sheriff Hutton, North Yorkshire (Dennison 2005, 93; Richardson & Dennison 2007-8, 175-179) suggests that any church would have been located close to the manorial/administrative centre, and is unlikely to have been demolished by an expansion or re-modelling of such.

The Changing Landscape of the Township

- 4.16 It is proposed above that the settlement of Burton took a linear or curvilinear form, laid out on an approximate north-south alignment between the two open fields, with a manorial/administrative centre probably located at its southern end. The open fields extended for a considerable distance to both east and west (Sites 1 and 11) and, with further documentary research and fieldwork, it might be possible to place the woodland, pasture and other elements only occasionally mentioned in late medieval documentation within the estate landscape, thus beginning to reconstruct the organisation of the township. This would, in turn, almost certainly lead to a greater understanding of the form of the associated settlement.
- 4.17 Of course, the settlement and the surrounding area farmed/administered from it would not have remained static, and it would have changed in response to both internal and external stimuli. Changes in resident population may have caused the settlement to temporarily or permanently reduce in size, leading to the abandonment of some tenements and perhaps the amalgamation of others. However, none of the tenements within the survey area appear to have been abandoned and then ploughed, as occurs in many other deserted villages (e.g. Stallingborough, north-east Lincolnshire; Everson 1981); it is not thought that the linear earthworks within the large enclosures (Sites 5 and 6) on the east side of the 'main' street represent ridge and furrow.
- 4.18 Without further detailed documentary research, for example an examination of the original Lay Subsidy rolls, and perhaps some archaeological investigation, it is not known exactly how and why the village became depopulated. Nationally, most deserted medieval villages became deserted in the period 1350-1700, and of the 85 datable desertions in the East Riding, 37 occurred between c.1450-1550, 16 were lost before 1334, and 32 probably before 1450 (Beresford 1969, 170). The reasons for desertion are many and include the enclosure of open fields, a transference from an arable to a pastoral agricultural regime, a decline in population due to plague, the rise of individualism, landowner policy, deteriorating climatic conditions and animal diseases; in many cases, it was a combination of several of these factors which led to desertion (Dyer 2010, 29). It was probably a similar combination which caused the eventual demise of Burton.
- 4.19 The 11th century Domesday survey records that Burton Constable was taxed for five carucates of land which might have supported c.40 families, on the assumption that one bovate (an eighth of a carucate) could have supported one peasant family at this time (English & Miller 1991, 10). Subsequent documents record that the village contained 15 cottagers and 21 villeins in 1293, and 15 bondmen, 22 cottagers and one free tenant in 1326/36; this suggests a fairly static population during this period. However, between 1336 and 1348 the value of the village mill fell by a half, the value of a bovate of land fell from nine shillings to five shillings, and the total rents had risen slightly from £22 8s 10d to £26 13s 4d (Beresford 1969, 294). The later date coincides with one of the main outbreaks of the Black Death, when both Burton and West Newton are reported to have had a

relief of 33% from their tax quota, implying a substantial reduction in the number of residents. It therefore appears that the village was already suffering from decay when the Constables expanded their residential complex in the late 15th century (see below). It may be that they forced any remaining residents out, perhaps relocating them to some of their other manors (e.g. West Newton), to then enclose the former open fields, presumably for sheep farming, in the early 16th century. Beresford (1969, 294) suggests that the village was abandoned by 1488 because of the early 16th century enclosures, but this appears to be incorrect; it maybe that it was deserted before enclosure, which had occurred some time before the 1560s (Kent 2002a, 136). Another source suggests that the village was removed to make way for an enlarged park (UOY 1999, 7), and this is repeated on an information board at the site, but there currently appears to be no evidence for this.

The Early Form of the House at Burton Constable and an Associated Ornamental Landscape

- 4.20 In his November 1954 reply on behalf of the Ministry of Works to John Chichester-Constable regarding the scheduling of the deserted village at Burton Constable, G H Lejeune stated that ‘the site is probably the best example in the country of a medieval village which was depopulated to make way for a large country house’. The following section examines this statement with reference both to the earthworks within the survey area and the Hall itself.

The Early Form of the House

- 4.21 As has already been noted, the early development of Burton Constable Hall prior to the late 16th century is not well understood. As far as is known, the standing medieval fabric within the north tower and north wing of the Hall has never been subject to any detailed architectural or archaeological recording or analysis. As Emery (1996, 276-277) has remarked, in contrast with other parts of Yorkshire, the comparatively bleak landscapes of the Wolds and Holderness, their distance from court and major lines of communication, and the lack of any good quality building materials, meant that the area did not appeal to many leading landowners. Even houses that were built on a comparatively large scale have left few traces, although later surviving residential elements of former religious houses such as at Watton show how extensive and stylish such houses might have been. As such, it is important that the standing medieval fabric at Burton Constable is subject to detailed recording and analysis at a future date. For example, the mention of the ‘evidence house’ with the iron door in the north tower in the 1610 indenture is reminiscent of some of Steane’s recent descriptions of medieval muniment rooms (Steane 2010, 35-50); architectural recording might further an understanding of such features, as many of Steane’s examples are from collegiate or ecclesiastical, rather than secular, contexts. Of course, such work lies well beyond the scope of the current survey, but a basic description of the relevant parts of the house (based on an external viewing only) are given, in order to inform a discussion of the earthworks recorded within the Scheduled Monument area.
- 4.22 The north tower of the Hall is c.7m square externally, and it appears to comprise four storeys internally, although whether this reflects the original arrangement is not known. Externally, the tower’s north elevation is the most instructive, as this preserves the most evidence for architectural phasing (see plate 14). The lower c.2m of the elevation is built of a coursed squared cream-coloured fine limestone, rising from a chamfered plinth of the same material. This chamfered plinth is carried eastwards beyond the north-east corner of the tower, but rather roughly and in brick and tile, rather than limestone. At the north-west corner, the

chamfered plinth has an original end, but it can be seen again in the adjacent wall of the Hall, presumably once running south along the base of the tower's west elevation. There appears to be no re-used masonry within the original stone part of the north elevation; those re-used pieces that are visible were inserted as part of recent repairs (David Connell, BCF, *pers. comm.*). From the top of the masonry, the elevation rises in pale orange brickwork, quite shallow, and with two to four stretcher courses to each header course, although the coursing pattern is not regular. There is a chamfered inset to the elevation c.0.75m above the top of the masonry, and the same brickwork can be seen to be about the same level as the sill of an inserted 24-pane (12 over 12) sash window; there appears to be an earlier blocked opening below this window. Above this level, the brickwork changes to a slightly deeper and more reddish brick, laid in a more regular English Bond (alternate stretcher and header courses). At approximately the same height as the middle of the 24-pane sash noted above, the north elevation of the tower is contemporary with the brickwork of the north wing to the east, and there is a fragment of chamfered brick inset of similar form to those seen on the tower itself. In addition, there are no limestone quoins within this part of the north-east corner of the tower, and this may be the original form, the quoins being a later 16th century insertion (David Connell, BCF, *pers. comm.*). There is a second chamfered inset at approximately the same height as the head of the 24-pane sash. Above, over a second inserted window, the north elevation steps outward, carried on a moulded brick corbel. It then rises again before being corbelled out for a second time, more elaborately incorporating both coggled and dentilated brickwork. The crenellated parapet of the tower is a later addition, perhaps originally dating to the 18th century (David Connell, BCF, *pers. comm.*), although the existing form is a modern repair; the c.1690 painting clearly shows the parapet wall to be flat (see plate 2). The projecting staircase turret to the north-east corner of the tower is depicted as ogee-capped in c.1690, rather like the much smaller turrets of the Jacobean gatehouse to the courtyard on the east side of the house. Pevsner and Neave (1995, 373) state that, at the base of the clock tower on the courtyard side of the north wing, there are the remains of a similar late medieval staircase turret, and there are further medieval remains visible internally (David Connell, BCF, *pers. comm.*). In addition, the north wall of the north wing (as shown by Pevsner & Neave) is much thicker than the south wall, and one of the projections from the north side of the north wing may incorporate a further stair turret of possible early date (David Connell, BCF, *pers. comm.*).

- 4.23 The main body of the early structure formed by those parts of the Hall described above is, on balance, most likely to date to the late 15th century. Brick has a long history as a building material within the East Yorkshire, and particularly within the Hull/Holderness area where there was a plentiful supply of clay. For example, the transepts and lower crossing tower of Holy Trinity Church in Hull (built c.1300-20) are generally cited as being the earliest major use of brick in a church in England, and they were closely followed by the brick chancel (built 1320-70) and the nave (built c.1389-1425) (Pevsner & Neave 1995, 505-506). Other early ecclesiastical uses of brick have been noted at Sutton-on-Hull, Wawne and Roos churches, and also at Haltemprice Priory near Cottingham (Dennison & Richardson 2006). Turning to secular examples, Hull's town walls were built of some 4.7 million bricks between c.1321 and c.1400 (Pevsner & Neave 1995, 27), whilst Beverley's North Bar was built in brick between 1409-10 (Lloyd 1925, 17-21 & 108). The brick solar tower at Paull Holme, a structure which bears some comparison with the north tower of Burton Constable, is suggested to date to the mid to late 15th century (Emery 1996, 384; Dennison 1992), while brick-built castles incorporating elaborate brick decoration were erected in several parts of eastern England during the late 15th century (Thompson 1987, 83-102).

- 4.24 It appears that in its most basic form, the late 15th century structure at Burton Constable comprised a tall brick solar tower with an attached range of more than one storey to the east, possibly accommodating a hall, and, if Kent (2002, 130) is correct, perhaps also once a further attached structure to the south. If a late 15th century date is accepted for the medieval house, then this has a number of implications for the earthworks recorded within the survey area. Firstly, assuming that they are not re-used from elsewhere, the stone and lower brickwork at the base of the tower's north elevation may be the remains of an earlier medieval building, which must pre-date the late 15th century. Although it is tempting to see these remains as a remnant of the earlier manorial/administrative complex recorded from the late 13th century onwards, this is not certain and some care should be exercised in making assumptions without a detailed structural survey.
- 4.25 Secondly, it is tempting to associate the enlargement of an existing manorial centre or residence in the late 15th century with the yet-to-be confirmed early 16th century statement that the settlement of Burton had been depopulated since 1488, and so assume that the latter gives a date for the solar tower. There may well be a connection between the two events, but again, to link them too firmly is probably an oversimplification. Nevertheless, if this was the case, then it is unlikely that any remodelling of the residence had a physical effect on the form of the village in terms of a contemporary re-arrangement. For example, at Sheriff Hutton, the construction of the second castle at the west end of the existing village in the late 14th century required the realignment of roads, the shortening of crofts and the creation of a market place (Richardson & Dennison 2007-8, 174), possibly as part of a 'package' of seigneurial privileges (Dennison & Richardson 2005a, 55). It would also be interesting to establish if the park at Burton Constable, first recorded in 1367 (Poulson 1841, 130), underwent any modification or expansion during the late 15th century, allied with the building of the late 15th century residence; the park was certainly enlarged considerably by 1578 but this appears to be largely to the west of the Hall (Neave 1991, 26). Finally, the building of a late 15th century residence supports Kent's statement (2002, 130) that Burton Constable became the main residence of the Constable family from around this date, and Emery (1996, 280) notes that the Halsham residence was ruinous by 1570; the 1578 Survey of Holderness records that at "*Halsham ys the ancisunte house of the Constablis wharto belongs an mancion house all in Rewine and decay*" (ERAO DDCC 141/68 p18).

An Associated Medieval Designed or Ornamental Landscape?

- 4.26 As has already been suggested above, it is possible that the 15th century house at Burton Constable may have been placed within a precinct defined by an earlier moat, and that this moat would have accommodated the ancillary structures needed to service and support the household, such as stables, stores, brew and bakehouses, and agricultural buildings such as granaries and barns. It is also likely that such a precinct would have contained gardens. Emery notes that well into the early 16th century, Lay Subsidy returns demonstrate that the annual incomes of the leading gentry, including Sir John Constable of Halsham, remained comparatively modest in comparison to other major Yorkshire families such as the Percys and the Cliffords, and it was not until the later 16th century that any substantial new building works took place (Emery 1996, 276-277).
- 4.27 Nevertheless, in the light of developments in castle and medieval residence studies over the past 20 years, some of the earthworks (Site 4) to the immediate north of the moat could be interpreted as the remains of an ornamental designed landscape contemporary with the late medieval house. Revisionist work, based

initially on increasingly detailed field survey, has revealed that medieval buildings previously interpreted wholly in a military light appear to be set within landscapes designed for pleasure, not war (e.g. Everson 1998; Taylor 2000). Probably the best known example of this revisionist work is Bodiam Castle in East Sussex, where Coulson suggested that all of the supposedly military features, such as gunloops and moats, were essentially created for the purposes of display, and symbolic and social statement (Coulson 1990; Coulson 1992), while the surrounding landscape, which incorporated water features, elaborate drives, planting schemes and viewing areas, were deliberately created to impress visitors, friends and enemies alike (Everson 1996). This rejection of an overtly 'military' analysis of many medieval residences has been accompanied, and to some extent preceded, by more detailed study of their social context, for example, the symbolism involved in the grant of a licence to crenellate (Coulson 1979). However, there are also dangers in over-emphasising the display and status elements of medieval residences (Dixon 2002, 10-11), and more recently published works have stressed the complex nature of their structures, both in terms of their landscape settings and/or their social interaction with wider medieval society (Creighton 2002; Coulson 2003). Most recently, the revisionist arguments have come in for some sustained criticism (for example, Platt 2007; Liddiard & Williamson 2008) and it is likely that the debate will continue for some time.

- 4.28 The area inside the moat at Burton Constable has understandably been subject to much alteration since the late 15th century and, based on a brief assessment, there appears to be little or no earthwork remains that might be ascribed to the medieval period. However, there are several earthworks to the north of the moat that could represent early ornamental or garden features dating to the late 15th century (see figure 15). For example, the 140m long linear depression (Site 4d) may well be a canal-like feature, either defining the northern limit of a garden area or forming part of it. To the north, a pair of possible shallow terraces (Site 5a) face onto this garden area, and it is possible that the ditched enclosure to the north (Site 6a), although perhaps originating as a medieval tenement, might also be an orchard or other garden feature. On the east side of this enclosure are a number of banks and scarps (Site 6b) which might represent further garden earthworks. To the south of the canal, a rectangular pond surrounds a narrow island (Site 4e) and this had regularly spaced features along the north side, perhaps for statuary or more likely trees. A small structure stood at the south-east corner (Site 4f), and beyond this there were a pair of linked ponds (Site 4b) with another enclosure surrounded by a ditch to the north (Site 4a). Other structures may be represented by rectangular platforms on either side of the canal (Sites 4g and 5c). Similar examples of all these types of earthworks are known from previously surveyed late medieval garden complexes. For example, canal-like features occur at Whorlton, Topcliffe and Sheriff Hutton (all North Yorkshire); these canals can be very large - two parallel examples at Sheriff Hutton are each over 350m long and 11m wide (Richardson & Dennison 2007-8, 184-186). The probable late 14th century gardens at Ravensworth Castle (North Yorkshire) are laid out across a series of shallow terraces (Dennison, Holloway & Richardson 2006; Richardson & Dennison, *in prep*), while moats of varying form and scale, enclosing both gardens and orchards, are well known from late 12th to late 15th century residences (e.g. Creighton 2009, 90-95), as are ponds. The ditched enclosure (Site 4a) to the east of the rectangular pond may well be a former formal garden area while another flattened area at the west end of the canal could represent another pond or garden feature (Site 4h). Finally, it is also possible that the rectangular platforms (Site 10c) to the north of the main garden complex and overlying the medieval ridge and furrow might represent early garden features, although they are not on the same general alignment.

- 4.29 There would have been a strictly controlled and possibly quite elaborate access route to the gardens from the house, and they may have either been contained wholly within the precinct, as appears to have been the case at Harlsey Castle, or outside it as at Ayton Castle (both North Yorkshire) (Matthews & Richardson 2007; Dennison 1996). There would quite likely also have been a visual relationship between any garden area and the house, although viewing in the later medieval period was a subtle and nuanced matter, and not always as straightforward as an apparent relationship between a window, a wall-walk and a view might suggest (Richardson, in press). The very flat nature of the landscape around Burton Constable forms an interesting contrast with medieval gardens and ornamental landscapes laid out across sloping sites or within hilly terrain, and further consideration might provide useful comparisons with other regional 'flat' medieval ornamental landscapes which have yet to be recorded in detail, such as that surviving at Wressle Castle (East Yorkshire).
- 4.30 The presence of ornamental features in the area to the north of the moat in the late 15th century would imply either that the boundary between an enclosed managed garden and the wider landscape referred to above had shifted beyond the moat itself by this period, or indeed that the gardens lay outside the precinct. The giving-over of a relatively large area of ground (Site 4) to garden or ornamental usage in an area perhaps formerly occupied by the village would further imply that the village was either already largely moribund or had been cleared by the time the gardens were laid out. One would assume (although one is not shown in this position in 1621) that a bridge was needed across the moat so that any gardens positioned here could be reached from the house. In addition, the moat was perhaps also functioning as something akin to a ha-ha, providing an uninterrupted view from the space to the immediate north side of the house, as seen at Sheriff Hutton Castle (North Yorkshire) (Richardson & Dennison 2007-8, 184-186), although the higher ground level around the house might render such a requirement unnecessary.

Early Post-medieval Developments

An Early Post-medieval Designed Landscape, not a Medieval One?

- 4.31 It is equally possible that the garden features described above (Sites 4 and 5, and possibly 6) could belong to the early post-medieval period (i.e. the late 16th century), either originating wholly within it or being heavily modified during it (see figure 15). It is clear from the 1578 survey that orchards and gardens ('orchetts and gardings') were present at that time. Furthermore, the 1610 indenture between Sir Henry Constable and his mother Dame Margaret Constable states that there were two little gardens adjoining upon and lying near to the north tower, together with a parcel of land called North Garth adjoining the gardens. It is possible that the two little gardens were located in the court shown to the immediate north of the north wing on the 1621 survey (see figure 3), and that the enclosure beyond the moat containing the garden earthworks formed the North Garth. There must also have been at least one service court to accommodate the brewhouse, bakehouse, stables and other ancillary structures listed in 1578, and this is perhaps represented by the square enclosure to the west or south-west of the house in 1621. Although William Senior's original 1621 survey now exists only as a late 18th century copy, a similar estate map made by Senior of Chatsworth in 1617 still survives (Henderson 2005, 6-7). Like Burton Constable, Chatsworth had been completed in the middle of the second half of the 16th century, and the layout of the courts and gardens around the house bears some comparison with the pattern of enclosure at Burton Constable indicated in 1621, although at Chatsworth

the proximity of the river Derwent allowed the construction of a magnificent series of interconnected ponds. Other near contemporary estate surveys also form useful comparisons. For example, at Theobalds in Hertfordshire, redesigned by William Cecil after 1564, a 1611 park survey shows an angled court to the west of the house and a walk or avenue to the south resembling a reversed version of what appears at Burton Constable in 1621 (Henderson 2005, 27-28). Another similar example is that of Welbeck Abbey, drawn by Senior in 1629, where the house was surrounded by enclosed rectangular gardens and orchards defined by canals and bisected by a water course (Henderson 2005, 129).

- 4.32 Given the scale of investment that Sir John Constable (1531-1579) had made in his new house, it should be expected that he would also have wished to endow it with gardens and an immediate surrounding landscape laid out in a fashionable contemporary style; it might be useful in this respect to make a detailed study of what remains of the family's earlier seat at Halsham, to see whether this house was provided with any kind of ornamental/garden landscape and so begin to assess the Constables' longer term interest in such matters. Even if the garden features described above do belong wholly to the late 16th century rather than to the late medieval period, their overall alignment and orientations remain important. With the exception of the moat, both the earliest surviving parts of the house and the majority of the earthworks within the central part of the survey area (Sites 4, 5 and 6) are set on a similar (but not identical) slight north-east/south-west alignment. Writing in 1999, the Debois Landscape Survey Group made the important observation that: "*We suppose that a house which is itself symmetrical will always tend to generate symmetries in the landscape that is composed around it. This process provided a simple framework for the laying out of a large-scale and complex landscape such as Burton Constable.*" (UOY 1999, Appendix H).
- 4.33 That the remodelled house of c.1570 was generating symmetries in the landscape to the east, south and west is clear on the 1621 survey plan (see figure 3). If the garden earthworks to the north are of the late 16th century and contemporary, then the house was also extending a symmetrical framework northwards, perhaps disregarding the earlier 'framework' for development provided by the moat. Given the similarity of alignment, this framework might have extended beyond Site 4, and encompassed Sites 5 and 6 as well. But symmetries may also have been generated in the opposite chronological direction. If the earthworks within Sites 5 and 6 did originate as tenements within the medieval settlement (as has been suggested above), and there was a manorial/administrative centre at the south end of the village, the subsequent development of the late 15th century house, and of the c.1570 house and its attendant courts and enclosures, may have been influenced by a pre-existing medieval framework. In this regard, there are some parallels with Beningbrough Hall (North Yorkshire). Here, field survey suggested that earthworks previously thought to represent the remains of early 18th century gardens contemporary with the newly built Hall, including a canal-like linear depression and illustrated by Samuel Buck in c.1720, may in fact have been associated with an earlier 16th century house erected by the Bouchier family. If this was the case, then it had very significant implications for the early 18th century Hall, as it implied that the orientation and siting of the latter was dependent in part on a pre-existing ornamental landscape (Dennison & Richardson 2005b, 49-50).

The Continual Development of the Landscape Setting of the House

- 4.34 Whether what remained of the settlement of Burton had been deliberately depopulated in the late 15th century or not, it had most certainly ceased to exist as a community by the time that Sir John Constable remodelled the Hall and

surrounding landscape in the late 16th century. However, the landscape setting of the house continued to change and to develop, and evidence for this can be seen within the survey area.

- 4.35 Substantial changes also took place in the late 17th and early 18th centuries. The geometric layout of beds (Site 16) shown to the north-west of the moat in 1755 (see figures 4 and 14) may well be the remnant of an Anglo-Dutch style scheme, dating either to the very end of the 17th century (Jackson-Stops 1992, 28-30; Henderson 2005, 6-7) or perhaps more likely to the beginning of the 18th century. The overall form of the area around the house as shown in 1755 bears some resemblance to the design for a garden of 20 acres published in John James' 1712 *The Theory and Practice of Gardening*, an English translation of the 1709 French work of the same name by d'Argenville (Hadfield 1960, 158-163). There is good documentary evidence describing the levelling of ground to create new gardens at Burton Constable in 1715 (ERAO DDCC 140/74), and it is also surely no coincidence that William Constable (1648-1718) inherited the estate just the year before. There is currently little evidence for the other features that might be associated with such a scheme, for example *broderie* parterres centred on the house, and it is possible that these once existed and were subsequently removed; perhaps more likely is that the scheme was never finished as William Constable died a few years later. A bridge would have been need to access this newly developed area, and it is no coincidence that the existing bridge across the north part of the moat is first shown on the plan of 1755.
- 4.36 It is feasible that some of the garden earthworks (Sites 4 and 5) described above were modified again during the early 18th century or perhaps even largely created during this period; the canal-like linear earthwork (Site 4d) bears some resemblance to the 'fine channel' forming part of the early 18th century gardens laid out in association with the building of the aforementioned Beningbrough Hall (Dennison & Richardson 2005b). Kent (2002, 130) suggests that the rectangular pond and other ponds within the survey area formed a water garden created in 1715. However, comparison with other similar gardens shown in contemporary paintings and plans suggest that the rectangular pond in particular is unlikely to be of this period, and is most probably an earlier feature that was retained; perhaps it was planned to remove or remodel this feature but the scheme was abandoned after the death of William Constable in 1718. Unfortunately, only the faintest traces of the geometric layout shown in 1755 now survive on the ground (Site 16) (see figure 14), but of greater significance is the fact that there was a deliberate, if not wholly successful, attempt to remove the ridge and furrow within the enclosure containing the paths, a forerunner of Brown's similar works carried out around the lakes during the late 18th century. Interestingly, a terraced track (Site 9, see below) and another linear earthwork (Site 14, see below) were created by digging out material from either side and then filling in the furrows, although in both cases, in the correct light the truncated ridges are still clearly visible. It is not known if this constructional technique is of any dating significance, other than the fact that both features clearly post-date the open field system.
- 4.37 On the east side of the survey area, the raised trackway (Site 9) could relate to early 18th century or possibly earlier works. A walk formed by two boundaries is shown running east from the house in 1621, and in the early 18th century avenues were planted along this walk, which were subsequently felled as part of Brown's late 18th century works; the earthworks are clearly visible on the 1946 vertical aerial photographs. The west end of the north boundary is continuous with that of the terraced track (Site 9) which runs north along the eastern edge of the survey area, and the two are almost certainly contemporary. The origins of the terraced

track within the survey area may be even earlier - it is noticeable that it forms a definite end to the east side of the potentially late 16th century garden features, and it could have originated as an earlier boundary, perhaps even the line of the earlier Sproatley road which could be shown passing the forecourt of the Hall in the c.1690 painting. It is also noticeable on the 1946 aerial photographs that the terraced track does not continue further north than the line of the late 18th century Woodhall and Ellerby road. Indeed, at its north end, it appears to curve into the line of the latter, although the existing brick and earth structure which carries the track over the ditch adjacent to the Woodhall and Ellerby road appears to be a relatively recent construction. Whatever the origins of this north-south track, it is first depicted in 1774 (ERAO DDCC 141/71) and is shown to have been removed by 1818 (BCMR).

- 4.38 The way in which the Hall and park was accessed during the 16th and 17th century would clearly repay further study. For example, although the outline of the forecourt shown in the c.1690 painting to the east of the house was present by 1621, its internal layout and usage may have changed during the course of the 17th century. For example, Cornforth (2000, 116-121), using late 17th century paintings, illustrates several houses where it was not possible for a coach and horses to drive into the forecourt, but where the approach was through a stable court to one side. At Burton Constable in c.1690, the main approach for coaches appears to have been through the gates at the west end of the forecourt's south wall. They were presumably run through the opposing gates in the north wall into the stable court, where the coach was turned around and the horses dealt with. The only access into the courtyard immediately east of the house, and to the principal access doorway at the south end of the central range, was by foot.

Late Eighteenth Century Landscaping and After

- 4.39 The 1755 plan (BCMR) (see figure 4) clearly demonstrates that gardens remained in use to the north of the house into the mid 18th century, and if some of the features contained within them did originate during the late medieval period, they displayed remarkable longevity. However, the layout of the enclosures to the north of the garden area had changed considerably since 1621, with sub-division and also removal of earlier boundaries. The overall impression is one of convenience for agricultural use, and if a designed landscape had ever extended into this area, it had been removed by the mid 18th century.
- 4.40 There were apparently still gardens in the area to the north of the house as late as c.1770, when Brown referred to Miss Constable's gardens as being reached by a bridge across the moat. However, they did not endure for much longer. Between c.1772 and 1775, almost all of the pre-existing boundaries and other features to the north of the house were removed, although not everything disappeared. The outlines of some features, such as the rectangular pond, were probably blurred by attempts to level the ground but they were too substantial to be obscured completely, whereas others may have been deliberately retained. For example, the 1.30m diameter veteran oak tree (no. 521) in the central north part of the survey area is located on a known mid 18th century boundary which was removed by Brown but never reinstated. It is highly likely that the tree was either deliberately planted or established itself on the boundary prior to 1755, and it does not form a part of any late 18th century planting scheme. Brown had a dislike of losing mature trees (Hall 1995, 163), and the tree may therefore have been deliberately retained when the area to the north of the house was opened out during the 1770s. During the same period, the moat and ha-ha sections (Site 3) within the survey area were created or altered, and a drive (Site 2) laid out linking the stables to the

walled garden. A clump of trees (Site 10) and two other tree groupings (Sites 12 and 13) on the eastern and northern edges of the survey area may also have been created during Brown's period at Burton Constable, but they could alternatively belong to the late 18th century works of Edward and Francis Constable, or those undertaken on the East Lawn after 1829.

- 4.41 After the early 19th century, the survey area appears to have remained largely unaffected by any of the subsequent changes which took place to the park and wider estate. A pond (Site 8) was dug in the north-west corner before 1855, and the number of trees has since slowly declined from those that are shown in the mid 19th century, although many new specimens have been planted across the survey area in the last ten years.

Conclusions

- 4.42 The survey work undertaken within the Scheduled Monument area has revealed a complex developmental history, which has a significant bearing on the development and form of the existing Hall. Within the survey area, the east-west extent of the former medieval settlement is fairly clearly delineated by an area devoid of ridge and furrow. Within this area, a portion of the main north-south thoroughfare or street through the settlement may be represented, with possible tenement plots extending to the east and west, as well as a secondary street aligned east-west. The settlement is likely to have extended beyond the northern and southern limits of the survey area, and there may have been a manorial/administrative complex located towards the south end, enclosed by a moat. This latter complex may have been re-modelled or wholly replaced in the late 15th century, to the extent that it obscured the former southern part of the settlement. Alignments and boundaries established within the medieval settlement, including the moat of the manorial complex, almost certainly continued to influence the layout of the landscape around the Hall well into the post-medieval period. Alternatively, symmetry and alignments established by the late medieval and 16th century houses may have radiated outwards into the immediate landscape, obscuring parts of the medieval settlement.

- 4.43 Within the survey area, a series of gardens, forming part of a wider designed landscape, existed to the north of the house (see figure 15). These earthworks belong to the category of long-lived multi-period gardens proposed by Everson (1997). The initially confusing layout of faint boundaries, enclosures and platforms recorded by the survey are somewhat reminiscent of those at Stainfield (Lincolnshire), where a medieval monastery and deserted village were overlain by a post-Dissolution house and gardens, which were themselves re-orientated in c.1700 (Everson, Taylor & Dunn 1991, 175-177). On balance, it is probably more likely that the earliest surviving garden features, such as the rectangular moat and paired ponds, are late 16th century rather than late medieval in date, and are associated with the arrival of the Constables, Sir John Constable's (1531-79) remodelling of the house and his elevation to the Lordship of Holderness. This could imply that the main enclosing moat had begun to lose its significance; if it ever had completely surrounded a residence here, then the 1621 survey indicates that almost two thirds of it had been removed by the early 17th century. The series of courts or yards around the house may have spread beyond the original confines of the precinct moat, but is likely that ancillary service buildings were still located very close to the house, and indeed that this close association persisted until at least c.1700, if not into the late 18th century. There was another phase of remodelling in the early 18th century, probably in c.1715, which affected both the immediate area of the house and the wider estate landscape. This attempted to

remove some pre-existing medieval elements of the landscape, such as ridge and furrow, but incorporated some of the late 16th century ornamental features. The landscape setting produced by the early 18th century remodelling was relatively short-lived, and might even have been in decline by the middle of the same century. Both it, and the earlier elements it incorporated, were swept away by Brown and Constable's work of the 1770s.

- 4.44 Further study of these landscape elements, coupled with other works such as a detailed architectural survey of the north tower and north wing of the Hall, has the potential to provide a far greater understanding of the early development of Burton Constable. Previous studies have concentrated upon the effects of the late 18th century landscaping works, whereas the new survey work has been most useful in shedding light on Burton Constable before Brown.

5 MANAGEMENT ISSUES AND RECOMMENDATIONS

Introduction

- 5.1 The archaeological survey has allowed the historic resource within the survey area to be identified and assessed, within the confines of the survey methodology. With this information, it is also possible to provide an informed opinion on any management issues which have been identified.
- 5.2 At the time of the archaeological site work (March/April 2010-May 2011), the whole of the survey area was under pasture, grazed periodically by cattle, with isolated parkland trees and several small ponds. However, the grass remained relatively long in many areas and this, coupled with relatively poor lighting conditions (frequently overcast with no shadows), meant that conditions for earthwork recognition were not ideal. Therefore, whilst it is considered likely that all major sites and features have been recorded by the survey, it is possible that some other remains, for example very discrete or subtle earthworks, remain unidentified. It was also noted in Chapter 4 above that the remains of some of the former medieval dwellings, if present, may not have left surveyable earthworks.

Designated Protection

Scheduled Monument

- 5.3 As has been noted in Chapter 1 above, the deserted medieval village site and other associated earthworks are a Scheduled Monument (ER152), which was designated in the 1950s. A Scheduled Monument is an archaeological site designated as being of National Importance and is included on a list, or Schedule, maintained by the Secretary of State for Culture, Media and Sport. It is protected by the primary, current, ancient monuments legislation, The Ancient Monuments and Archaeological Areas Act (1979), as amended by the National Heritage Act (1983). By law, any proposed works affecting sites on the Schedule require a grant of Scheduled Monument Consent (SMC) by the Secretary of State in the Department of Culture, Media and Sport, his decision usually being based on the advice of the relevant English Heritage Inspector. Metal detecting on a Scheduled Monument is also illegal.
- 5.4 The boundary of the Scheduled Monument is shown on figure 16. Only the southern part of the area is actually defined by fences on the ground, although the west side coincides with a relatively prominent earthwork. The angled eastern boundary is not defined by any physical feature, although it did follow a former fence line which is shown on the Ordnance Survey 1910 map (see figure 8). It can be seen from figure 16 that some of the garden earthworks (Site 4) and other surveyed features lie outside the boundary. It would be more logical if the east side of the Scheduled Monument was redrawn to follow the prominent north-south terraced track (Site 9).

Registered Park and Garden

- 5.5 The earthwork complex also lies within the area of the Grade II* registered historic park and garden of Burton Constable (PG1918), which was designated in November 1984. Although the inclusion of an historic park or garden on the Register in itself brings no statutory controls, registration is a material consideration in planning terms and so local planning authorities must take into account the

historic interest of the site when determining applications which would affect a registered park and garden.

Listed Buildings

- 5.6 Under the Town and Country Planning Act 1971, the Secretary of State for the Department of Culture, Media and Sport is required to compile a list of buildings of special Architectural or Historical Interest, for the guidance of Local Planning Authorities in the exercise of their planning functions. There are three grades of listed building, namely:

- Grade I Buildings of exceptional interest (c.1% of the total)
- Grade II* Important buildings (c.4%)
- Grade II Other buildings of special interest

Listed Building Consent (LBC) is required by anyone who wishes to demolish, extend or alter a listed building (or affect its curtilage) in any significant way that affects its character. Consent must be obtained from the planning department of the local County or District Councils.

- 5.7 Although there are numerous Listed Buildings within the park, including the Hall and the stable/carriage house (both Grade I) and the Menagerie and Orangerie (both Grade II*), only one lies within the survey area. This is the ha-ha, the northern end of which forms part of the southern boundary of the survey. The ha-ha was listed on 24th September 1987 as Grade II.

Assessment of Importance, Condition and Vulnerability

Importance

- 5.8 All the identified sites within the survey area have been assessed in terms of their importance. A five point scale was used, namely Local importance, District importance, Regional importance or National importance; sites previously destroyed or no longer extant are afforded a No grade of importance (see Appendix 1). This assessment is based on a combination of professional judgement and the criteria used by English Heritage when designating Scheduled Monuments and in their Monuments Protection Programme (i.e. period, rarity, documentation, group value, survival/condition, fragility/vulnerability, diversity and potential).
- 5.9 It could be argued that, as most of the identified sites lie within a Scheduled Monument, they should be assigned a National level of importance. However, it is considered that some parts of the site are more important than others, and so different levels of importance can be assigned. It is considered that the garden earthworks (Site 4) to the north of the moat are of National importance - these types of earthworks are rare in East Yorkshire and those at Burton Constable are well preserved if rather slight, are accompanied by a good level of documentation, and form part of the designed landscape associated with the Hall and its predecessors. Five sites are considered to be of Regional importance, namely the former moat with ha-ha and bridge (Site 3), the two enclosures (Sites 5 and 6), the medieval village earthworks (Site 7) and the terraced track (Site 9). The earthworks of the moat, as well as the structural elements of the ha-ha and bridge, are not especially rare, and there are better preserved and more understandable examples of a deserted village in the area. However, it may be that further research and investigation, for example of the deserted village site (see below), may lead to a higher designation in due course. The other identified sites are a combination of District and Local importance (see table below).

Condition

- 5.10 The current agricultural regime within the survey area is in keeping with the preservation of the archaeological resource. As previously noted, the majority of the area was in pasture which was periodically grazed by cattle. Overstocking can result in some damage to archaeological earthworks, for example through poaching around water troughs and/or feeders, especially in wet weather, although this is not considered to be a significant issue at present. All of the identified archaeological sites are thought to have reached a state of equilibrium, and there is no real evidence of active erosion.
- 5.11 A five tier descriptive grade of condition was used to classify the identified sites (see Appendix 1). The majority were considered to have a 'medium' or 'above average' grade, i.e. earthworks and other features surviving to between 25% and 50% of their estimated original height, although some major elements and features will be lacking. Five sites were considered to be 'below average' (i.e. only the basic form or outline of the site or feature was discernible), but this is primarily due to their rounded and denuded appearance which might be a reflection of previous landscaping works. Only one site (the geometric ornamental gardens, Site 16) was graded as being 'poor' in terms of condition, as almost nothing of this site survives above ground. The west face of the bridge across the former moat (part of Site 3) is however starting to deteriorate, and this would benefit from appropriate and sympathetic restoration or consolidation.

Vulnerability

- 5.12 As previously stated, all of the identified archaeological sites are thought to have reached a state of equilibrium, and there is little active erosion or degradation. Most of the sites are considered to have a 'below average' or 'medium' grade of vulnerability, i.e. are unlikely to suffer from erosion or damage, or are potentially at future risk (see Appendix 1 for a fuller explanation of terms). Only one site (the geometric ornamental gardens, Site 16) was graded as being 'above average', as this site would be at risk from almost any action. The main threats to the sites are considered to be overstocking, vehicular damage, and the planting or renewal of trees, although these were not considered to be issues at the present time.

Summary of Assessments

<i>Site</i>	<i>Site name</i>	<i>Importance</i>	<i>Condition</i>	<i>Vulnerability</i>
001	Ridge and furrow earthworks, west side of survey area	Local	Medium	Below average
002	Drive, south-west part of survey area	District	Above average	Medium
003	Former moat with ha-ha and bridge, south-west part of survey area	Regional	Above average	Medium
004	Ornamental garden earthworks, south part of survey area	National	Below average	Below average
005	Enclosure, central part of survey area	Regional	Below average	Below average
006	Enclosure, central part of survey area	Regional	Below average	Below average
007	Medieval village and other earthworks, central north part of survey area	Regional	Below average	Below average
008	Pond, north side of survey area	Local	Above average	Below average
009	Terraced track, east side of survey area	Regional	Above average	Below average
010	Earthworks and clump of trees, eastern edge of survey area	District	Below average	Medium

011	Ridge and furrow earthworks, north-east part of survey area	Local	Medium	Below average
012	Tree grouping, north edge of survey area	Local	Medium	Above average
013	Tree grouping, north edge of survey area	Local	Medium	Above average
014	Field boundary and track, west part of survey area	Local	Above average	Below average
015	Flattened area of earthworks, west of the deserted village	Local	Medium	Medium
016	Ornamental garden earthworks, south-west corner of survey area	District	Poor	Above average

Potential Management Issues

- 5.13 It is worth noting that there are no signs of the usual management issues which affect rural archaeological sites within agricultural land, namely vehicular damage, erosion or damage due to natural weathering or overstocking, dumping, agricultural improvement, drainage works etc. However, a change of agricultural land use or cropping regime could easily and quickly change the vulnerability of many sites, and an appropriate assessment should be made if any changes to the existing practices are proposed.
- 5.14 The main threat to archaeological sites in the countryside is considered to be agricultural improvement (Darvill & Fulton 1998). This can involve the ploughing and re-seeding of grassland, the conversion to alternative crop regimes or land uses, or the abandonment of farmland and field boundaries. Sub-soiling and deep ploughing is considered to be the most destructive of all agricultural operations to archaeological features, both in terms of degradation and loss of definition to above-ground field monuments and disturbance or even destruction of the more shallow below-ground stratified deposits. In the case of the above-ground earthworks, each individual action may not necessarily appear to be particularly damaging, but the cumulative effect over several years is often significant; this is especially the case with areas of ridge and furrow which can cover large areas of landscape. In addition to archaeological impacts, re-seeding and the frequent application of manure reduce ground flora, while sub-soiling can cause root damage to adjacent trees. Other management issues, generally associated with predominantly pasture environments, are overstocking, overgrazing and stock erosion.
- 5.15 While it may be difficult to reconcile the potentially conflicting issues of positive archaeological management and maximised agricultural productivity, there are various mechanisms available to achieve this or to mitigate the effects of lost agricultural potential. In some cases, for example, it is possible to identify specific areas within a large site which are less sensitive and where ploughing or other improvements may not detract from the overall importance, potential and setting of the site. In others, it may be possible to reduce the effects of continued improvement by ensuring that ground movement is confined to the depth of already ploughed or disturbed soil. The option of taking areas out of arable cultivation and maintaining a managed, permanent grass cover is, of course, the most appropriate land use for the continued preservation of most archaeological sites and monuments.
- 5.16 Within the existing pastoral regime, the main potential threats to the survival of the identified sites are overstocking or stock erosion, inappropriate replanting or new planting on archaeological sites, or vehicle movement across or along linear earthworks (e.g. Sites 9 and 14). The former can be prevented by moving feeding

stations around the site, while the latter can be avoided by ensuring vehicles do not travel the same route on every occasion, especially in wet weather. It would also be appropriate to move the existing post and wire fence from the south-east corner of the survey area, where it cuts across a number of archaeological features (Sites 4b and 9); it might be more suitable placed on a north-south alignment to the east of the raised trackway (Site 9).

Recommendations for Further Research

- 5.17 The recommendations for further research can be considered under two headings, those which would aid the understanding and interpretation of the sites and features which have already been recorded by this survey, and those which would help to place this survey into a wider landscape context.

Understanding and Interpretation

- 5.18 The former would cover site specific work. It would be beneficial to extend the area of the current survey further to the east, so that the whole of the terraced track (Site 9) is included, as well as to the south-east so that the outlying parts of the garden earthworks (Site 4) can be recorded. It would also be beneficial to include the surviving moat within the survey area, to provide a base when comparing the site to the historic maps. Other non-intrusive archaeological work could include some geophysical survey, for example within the deserted village complex (Site 7), within the main garden complex (Sites 4 and 5) and over the area of geometric planting (Site 16), to try and identify any additional remains. Intrusive archaeological investigations are not recommended, given the protected nature of the site, although some limited excavations (e.g. test pits) might be useful to try and answer specific queries or issues. One of the most important areas of additional work would involve further documentary research, from original documents held nationally and locally - this could help in the understanding of the history and development of the medieval village, and the reasons for its decline, as has been done for other deserted village sites e.g. Eske and Wharram Percy (English & Miller 1991; Beresford 1979), as well as the examination of any records relating to the construction and maintenance of the gardens.
- 5.19 There is currently one information board positioned at the south-eastern edge of the survey area, summarising the history of the village with a reconstruction view. The information on this board could be amended in the light of the research and findings of this project, and new boards could be erected to explain, for example, the garden earthworks. Information in current guidebooks purchased at the Hall could also be updated to include the results of the current survey. Additional interpretation could be carried out if public access was permitted to the survey area, for example a guided walk leaflet explaining some of the earthworks.

Wider Landscape Context

- 5.20 Further general landscape survey work, to enable better understanding of the context of the current survey area, could also be carried out. This could include a detailed walkover survey of the adjacent parts of the park, for example to map the extent of visible and former ridge and furrow, so as to try and determine other elements of the medieval landscape of the township/manor. Other work could also include a detailed architectural survey of the north tower and north wing of the Hall, to try and locate any of the earlier structures associated with the medieval manorial complex.

6 BIBLIOGRAPHY

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BCMR = Burton Constable Muniments Room

ERAO = East Riding Archives Office, Beverley

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- 1433-38 Court Roll for Burton Constable (ERAO DDCC 18/1)
- 1436-38 Account Roll for Burton Constable (ERAO DDCC 18/6)
- 1440 Gift in exchange of land at Newton Constable (ERAO DDCC 111/16)
- 1578 Survey of Sir John Constable's Estate in Holderness (ERAO DDCC 141/68)
- 1610 An Indenture between Sir Henry Constable of Burton Constable and his mother Dame Margaret Constable dated 20 June 1610 (Chichester-Constable private collection)
- 1621 Plan of Burton Constable by William Senior (1770's copy made by John Raines) (ERAO DDCC 155/1) (redrawn/reproduced in Kent 2002, 132; UOY 1999, fig. 3)
- 1690 Anon. *Prospect of Burton Constable Hall and Deer Park from the east* (painting at Burton Constable Hall) (reproduced by Hall & Hall 1991 (cover); Hall 1995, fig. 1; Neave & Turnbull 1992, 44)
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- 1954-66 Correspondence between John Chichester-Constable, the Ministry of Works and various archaeologists (BCF)
- 1989-91 Black and white oblique aerial photographs (HSMR HAP 89/4/2 dated 21st February 1989 & HSMR HAP 91/3/10 dated 15th January 1991)

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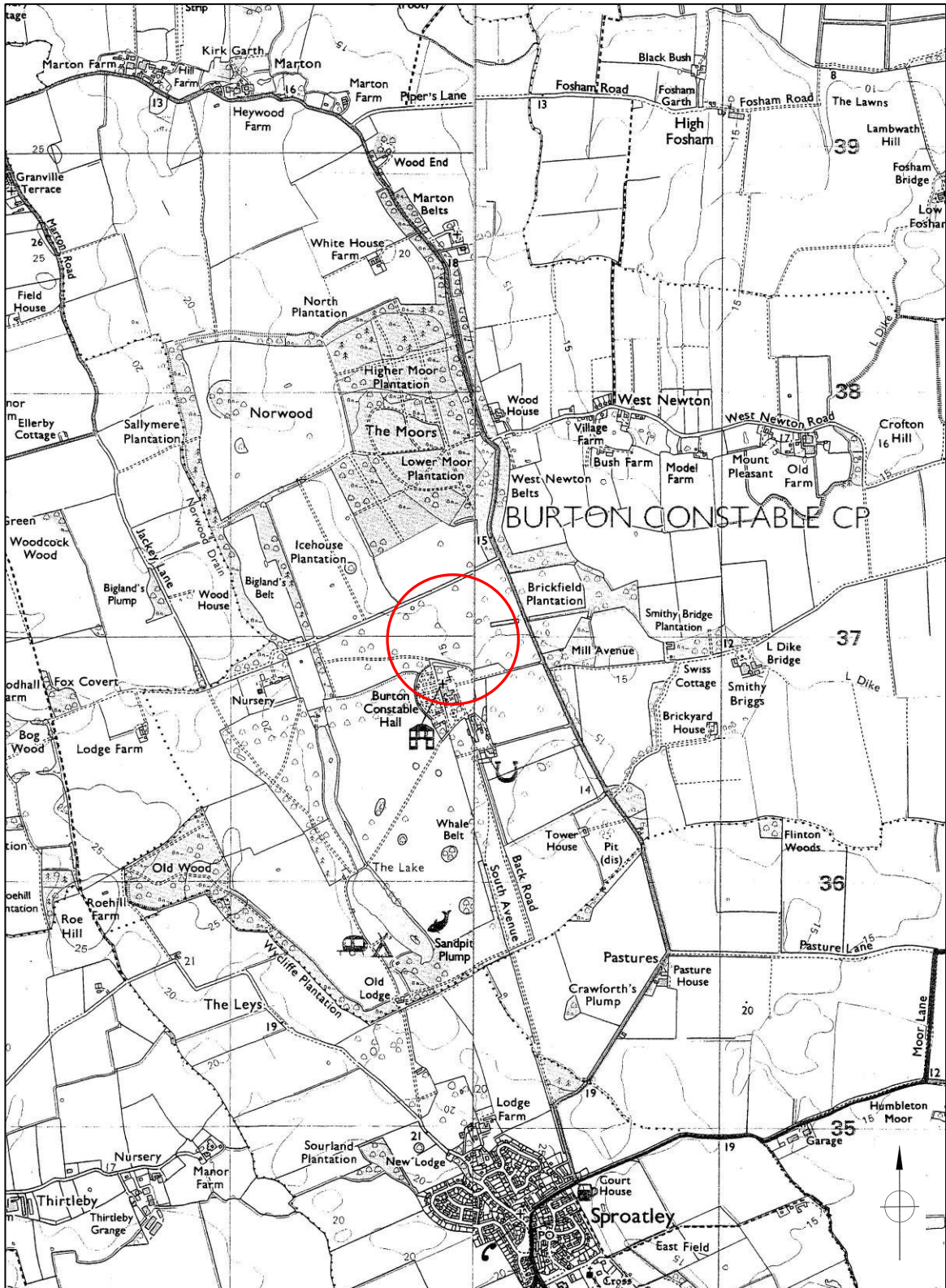
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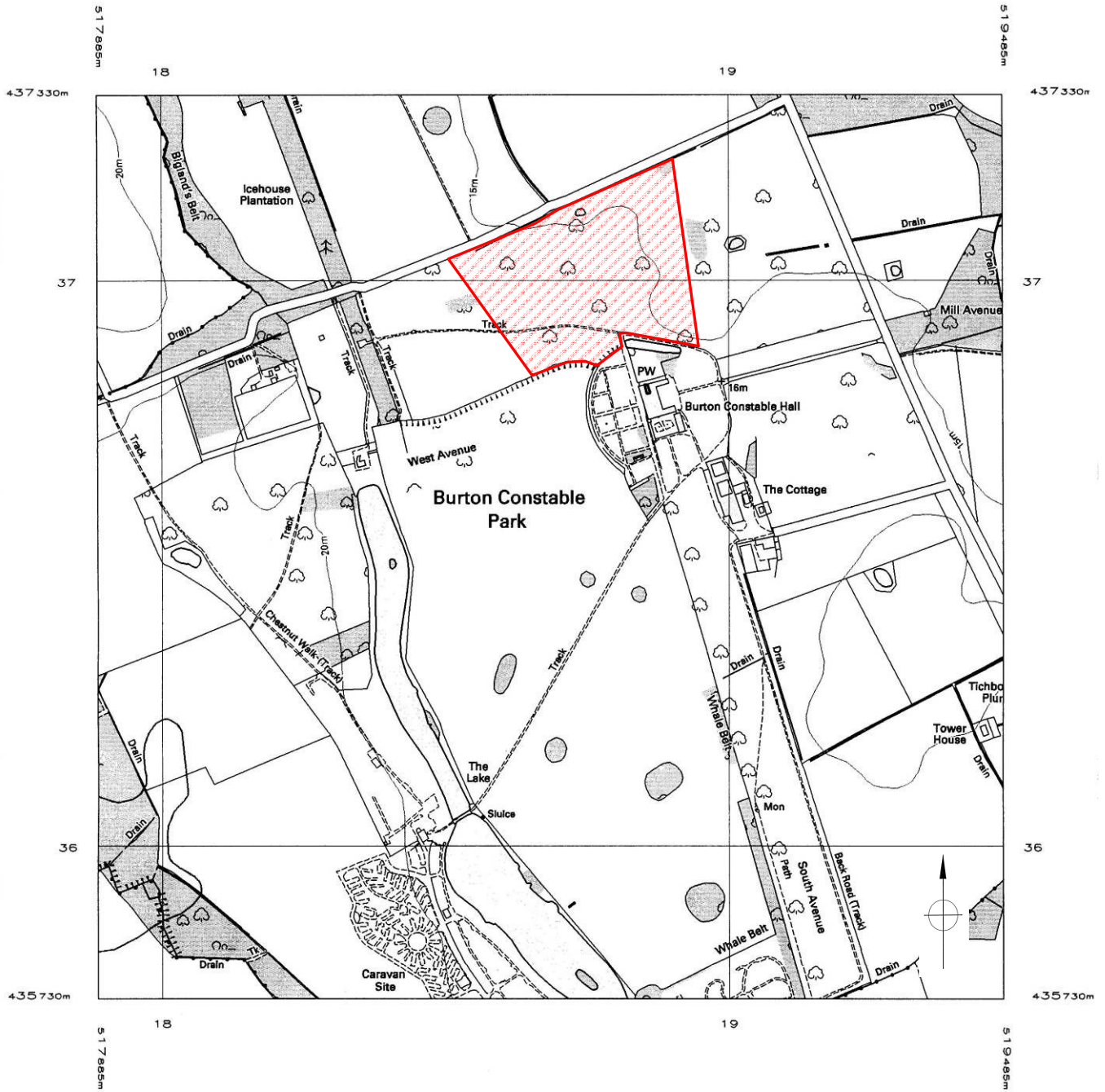
7 ACKNOWLEDGEMENTS

- 7.1 The archaeological survey at Burton Constable was commissioned by Dr David Connell of the Burton Constable Foundation (BCF), and was funded by Natural England and the BCF. EDAS would like to thank Dr Connell and Margaret Nieke of Natural England for their assistance and co-operation in carrying out the survey work, the former particularly for providing access to the plans and documents in the Burton Constable Muniments Room and for showing us around the site. Thanks are also due to Janette Ray of Janette Ray Associates for allowing us to see a draft copy of their Parkland Landscape Management Plan. The additional earthwork survey done in February 2011 around the periphery of the site was funded by EDAS.
- 7.2 The topographical earthwork survey was undertaken by Shaun Richardson (EDAS) and Dave Kempley (Benchmark Surveys), with the resulting data being hand-enhanced by Shaun Richardson. Shaun Richardson produced the fieldwork records and photographs, and a draft report, and Ed Dennison completed the survey drawings. Ed Dennison undertook the research in the East Riding archive office. The final report was produced by Ed Dennison, with whom the responsibility for any errors remains.



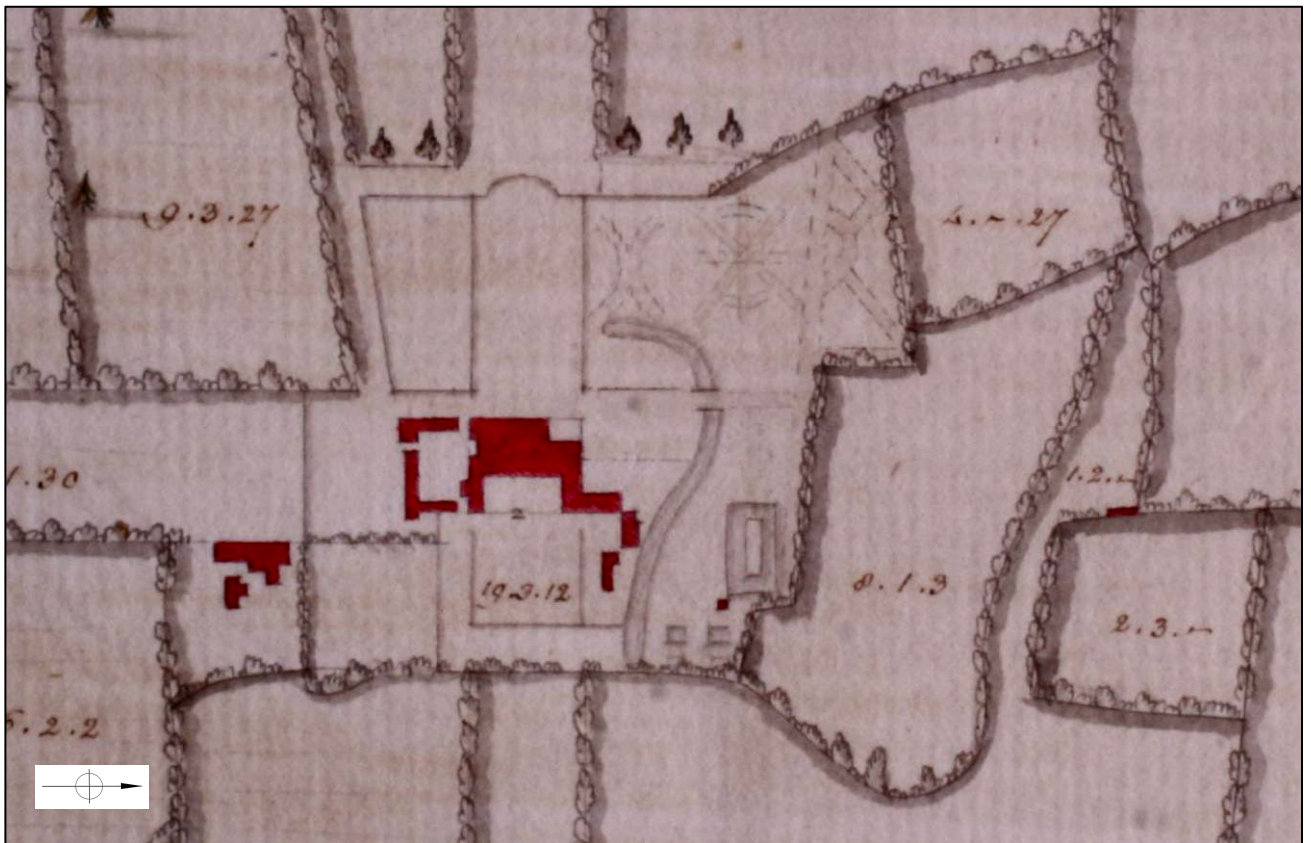
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PROJECT		BURTON CONSTABLE DMV	
TITLE		GENERAL LOCATION	
SCALE	DATE	NTS	MAY 2011
EDAS		FIGURE	1



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PROJECT		BURTON CONSTABLE DMV	
TITLE		AREA OF SURVEY	
SCALE	NTS	DATE	MAY 2011
EDAS		FIGURE	2



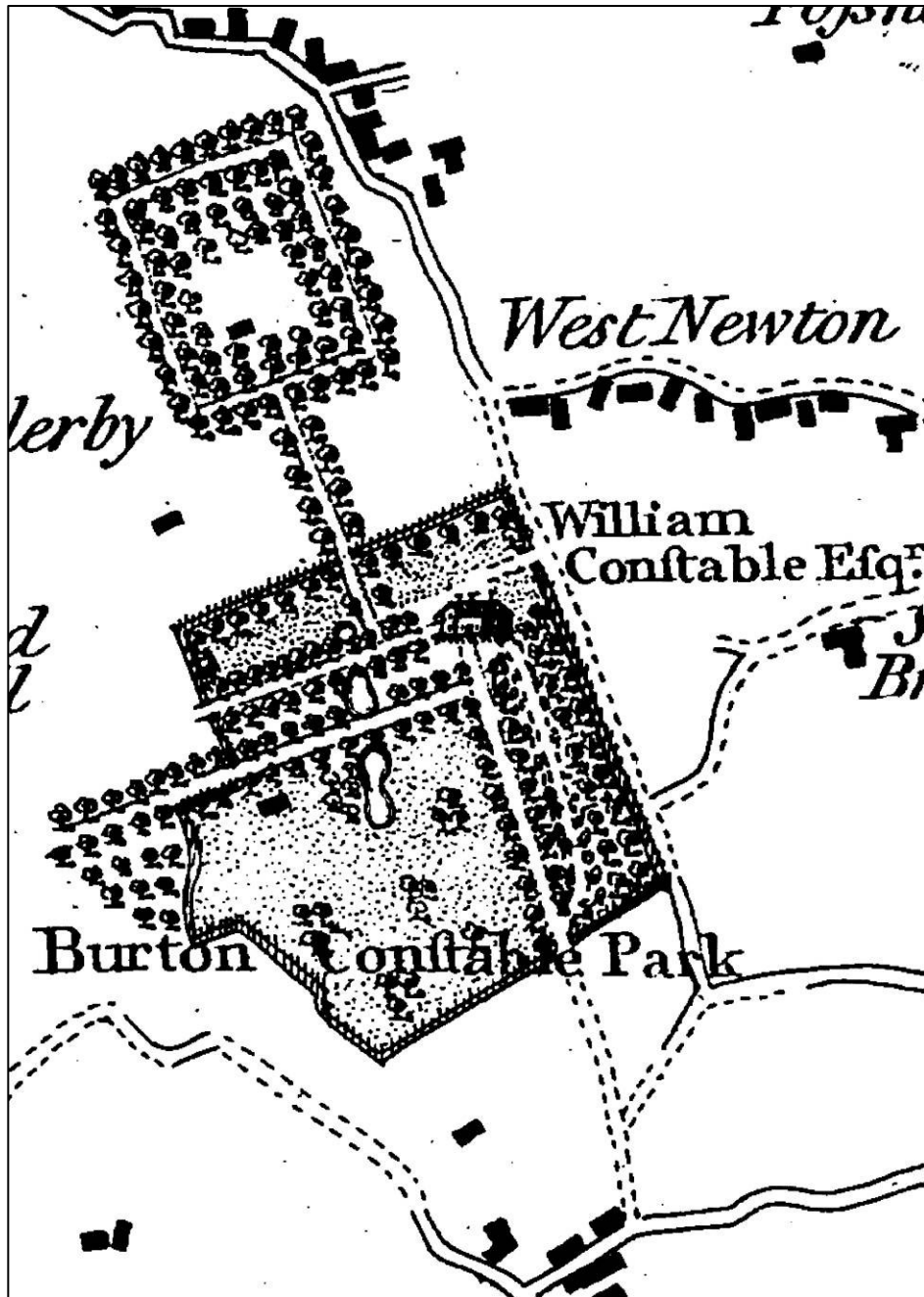
Source: Burton Constable Foundation.

PROJECT		BURTON CONSTABLE DMV	
TITLE		1755 ESTATE PLAN	
SCALE	NTS	DATE	MAY 2011
EDAS		FIGURE	4

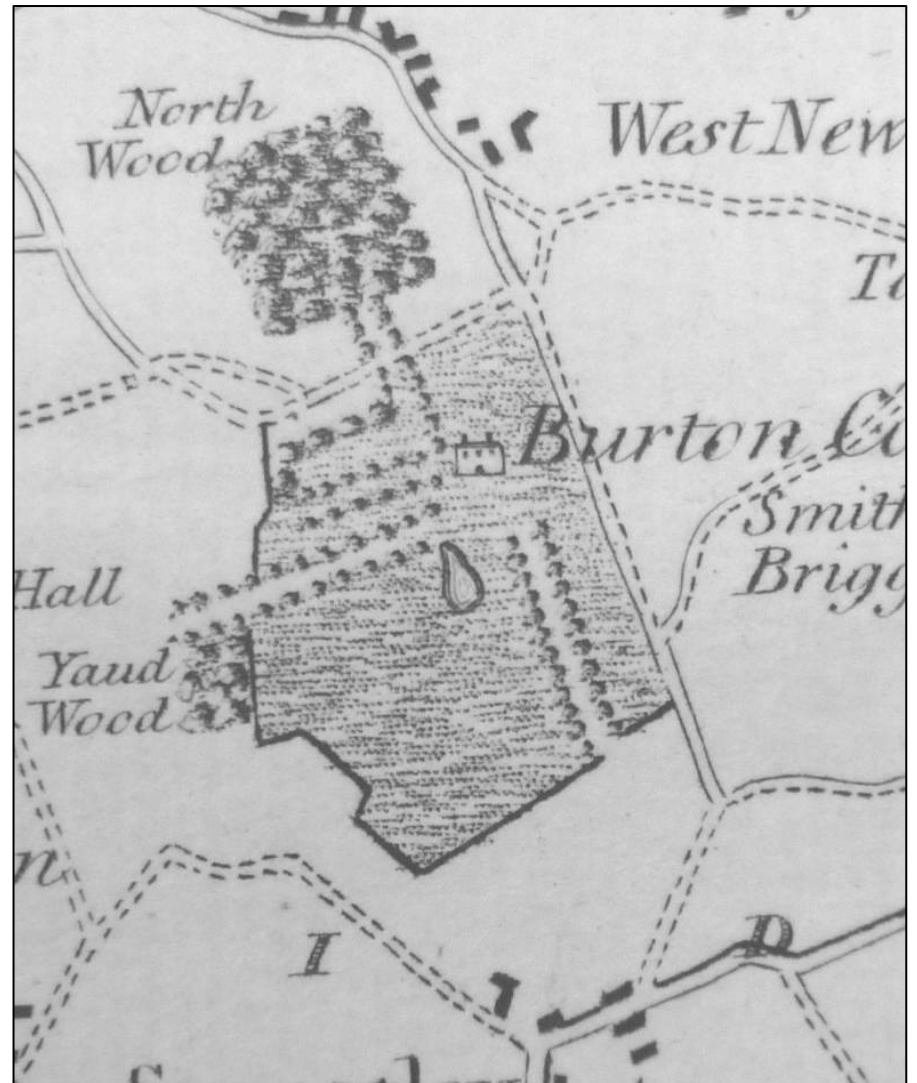


Source: ERAO DDCC 141/71.

PROJECT		BURTON CONSTABLE DMV	
TITLE		1774 ESTATE PLAN	
SCALE	NTS	DATE	MAY 2011
EDAS		FIGURE	5



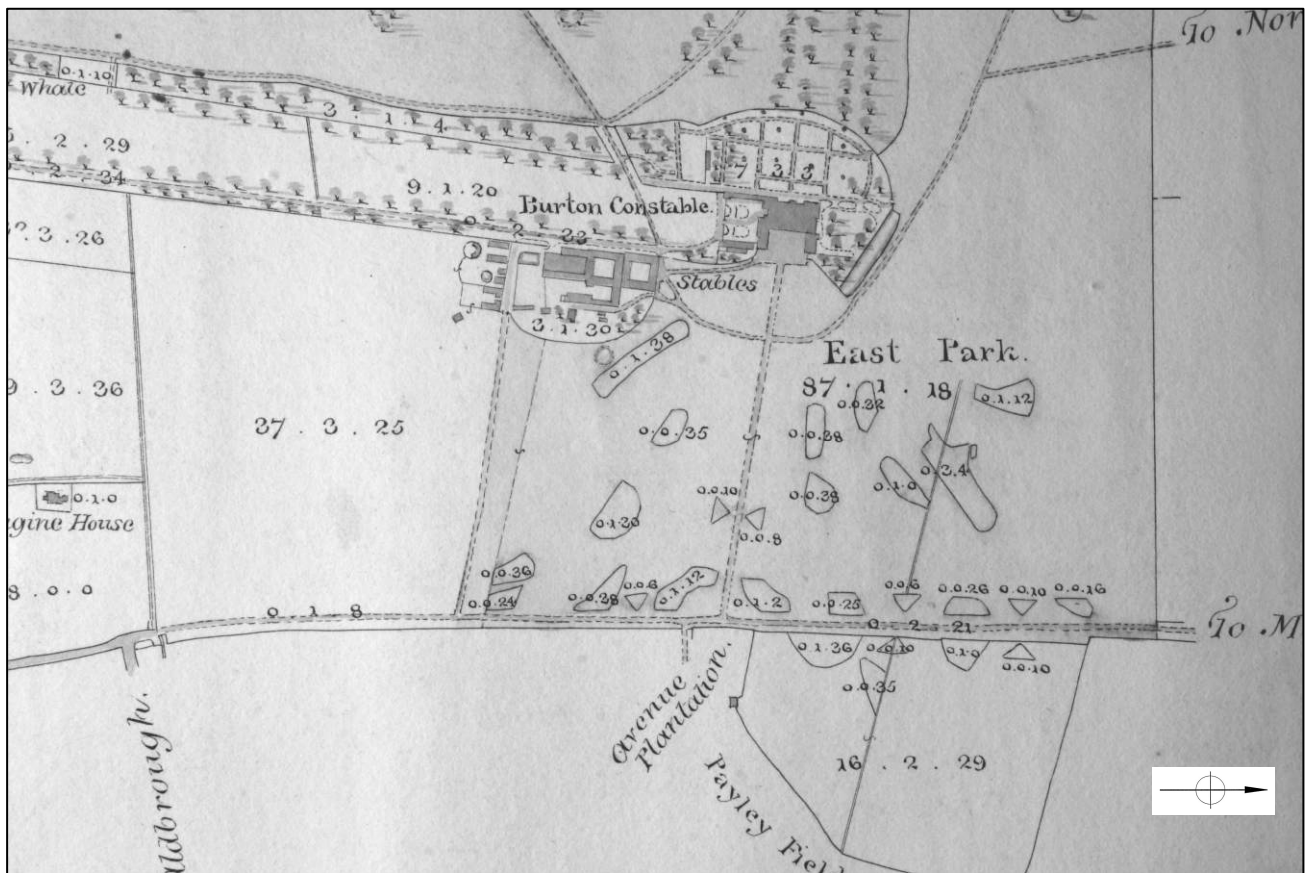
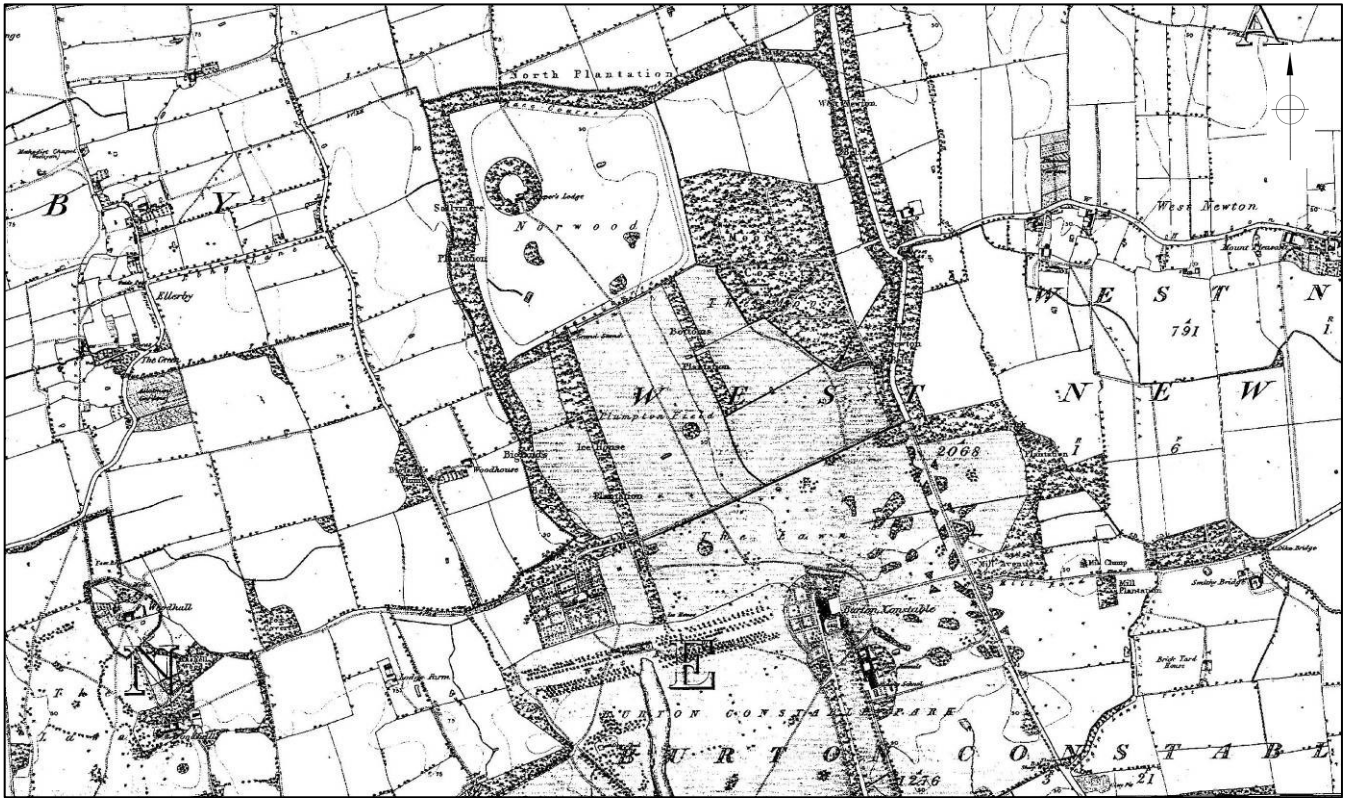
Jeffreys' 1772 plan (plate 15).



Tuke's map of Holderness
1786 (ERAO DDCC
152/1).

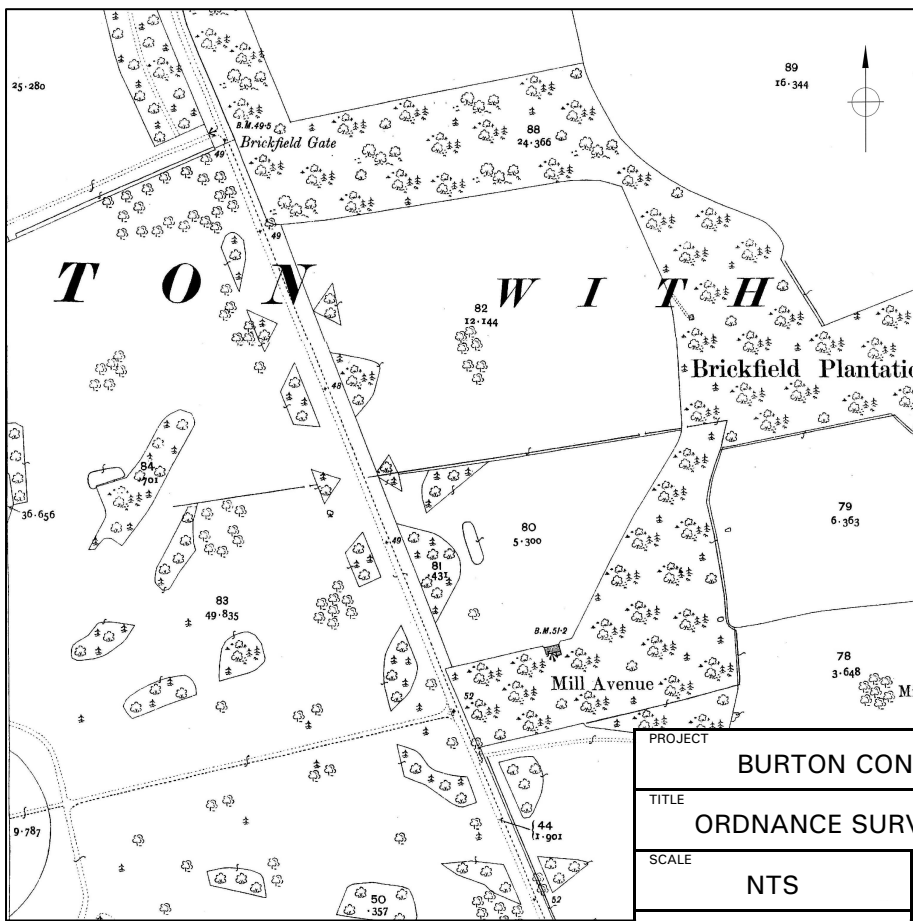
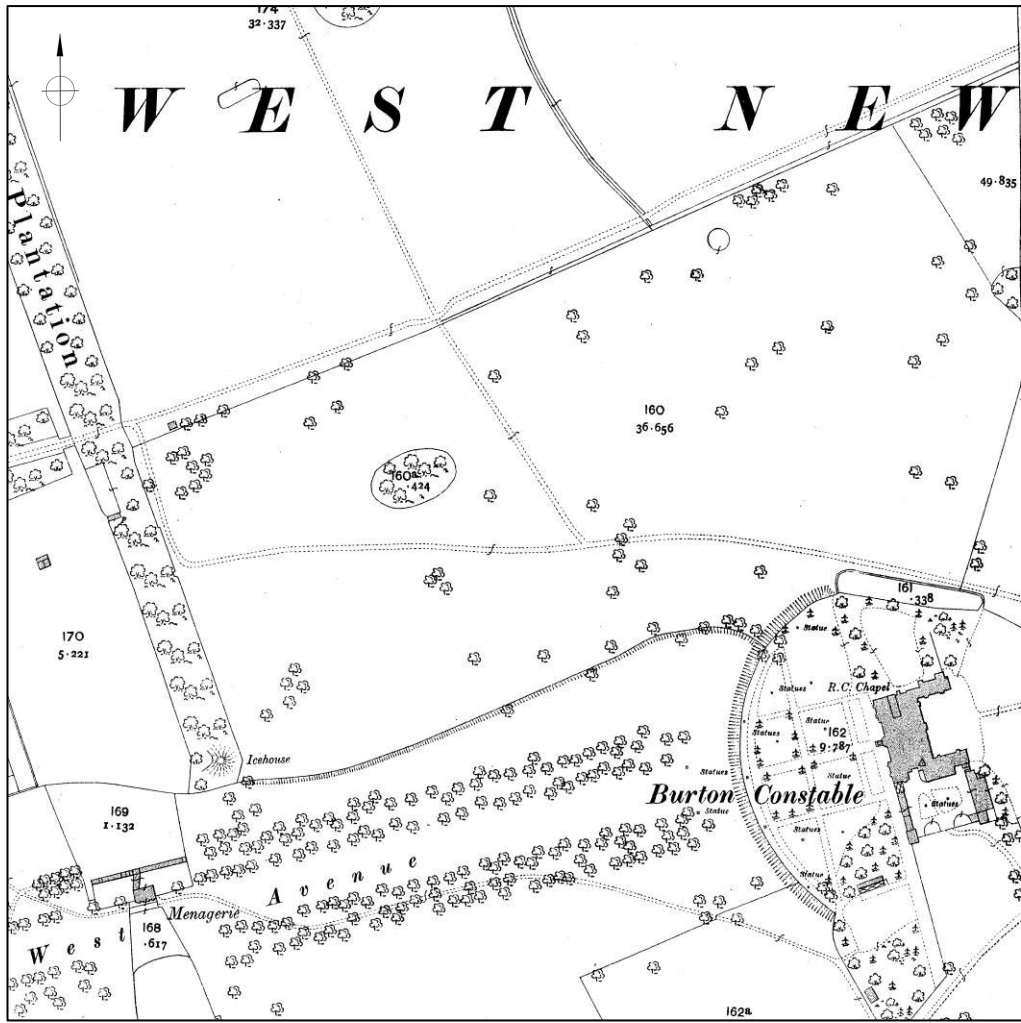


PROJECT		BURTON CONSTABLE DMV	
TITLE			
		COUNTY PLANS 1772 & 1786	
SCALE	NTS	DATE	MAY 2011
EDAS		FIGURE	6



Top: Section of 1855 Ordnance Survey map (sheet 212).
 Bottom: Section of 1871 Estate plan (Burton Constable Foundation) (original in colour).

PROJECT		BURTON CONSTABLE DMV	
TITLE		MID 19TH CENTURY PLANS	
SCALE	NTS	DATE	MAY 2011
EDAS		FIGURE	7



PROJECT		BURTON CONSTABLE DMV	
TITLE		ORDNANCE SURVEY 1910 MAPS	
SCALE	NTS	DATE	MAY 2011
EDAS		FIGURE	8



Source: CPE/UK/1748, frame 2149 dated 21st September 1946.

PROJECT		BURTON CONSTABLE DMV	
TITLE		1946 AERIAL PHOTOGRAPH	
SCALE	NTS	DATE	MAY 2011
EDAS		FIGURE	9



Top: 1945 aerial photograph (JRA 2010, fig. 18).
 Bottom: February 1989 aerial photograph (HAP 89/4/2).

PROJECT		BURTON CONSTABLE DMV	
TITLE			
AERIAL PHOTOGRAPHS			
SCALE		DATE	
NTS		MAY 2011	
EDAS		FIGURE	
		10	

PROJECT	BURTON CONSTABLE DMV
TITLE	SURVEYED EARTHWORKS
SCALE	AS SHOWN
DATE	MAY 2011
FIGURE	11
EDAS	



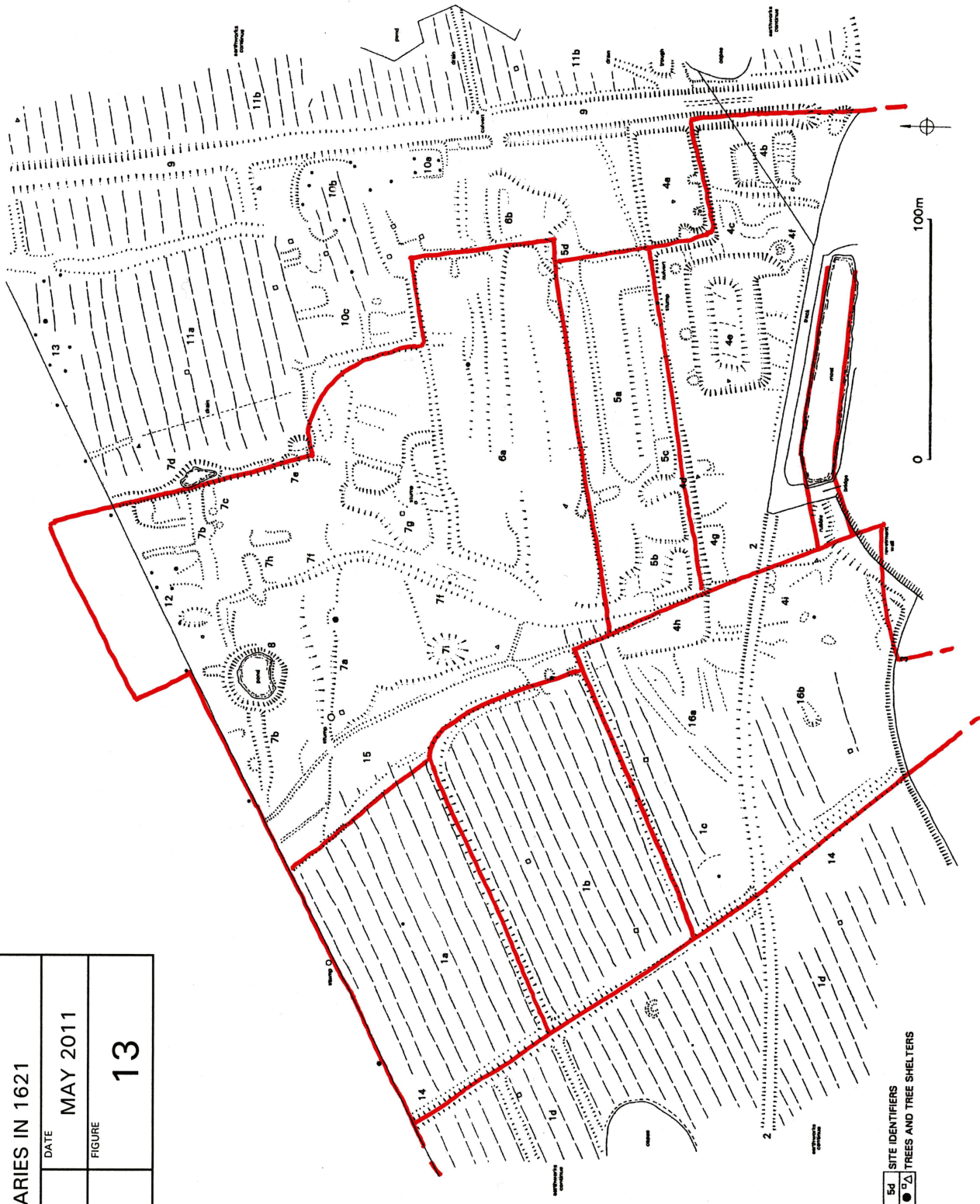
5d	SITE IDENTIFIERS
●	TREES AND TREE SHELTERS

PROJECT	BURTON CONSTABLE DMV		
TITLE	MIEVEAL VILLAGE INTERPRETATION		
SCALE	AS SHOWN	DATE	MAY 2011
	EDAS	FIGURE	12

Ridge and furrow excluded

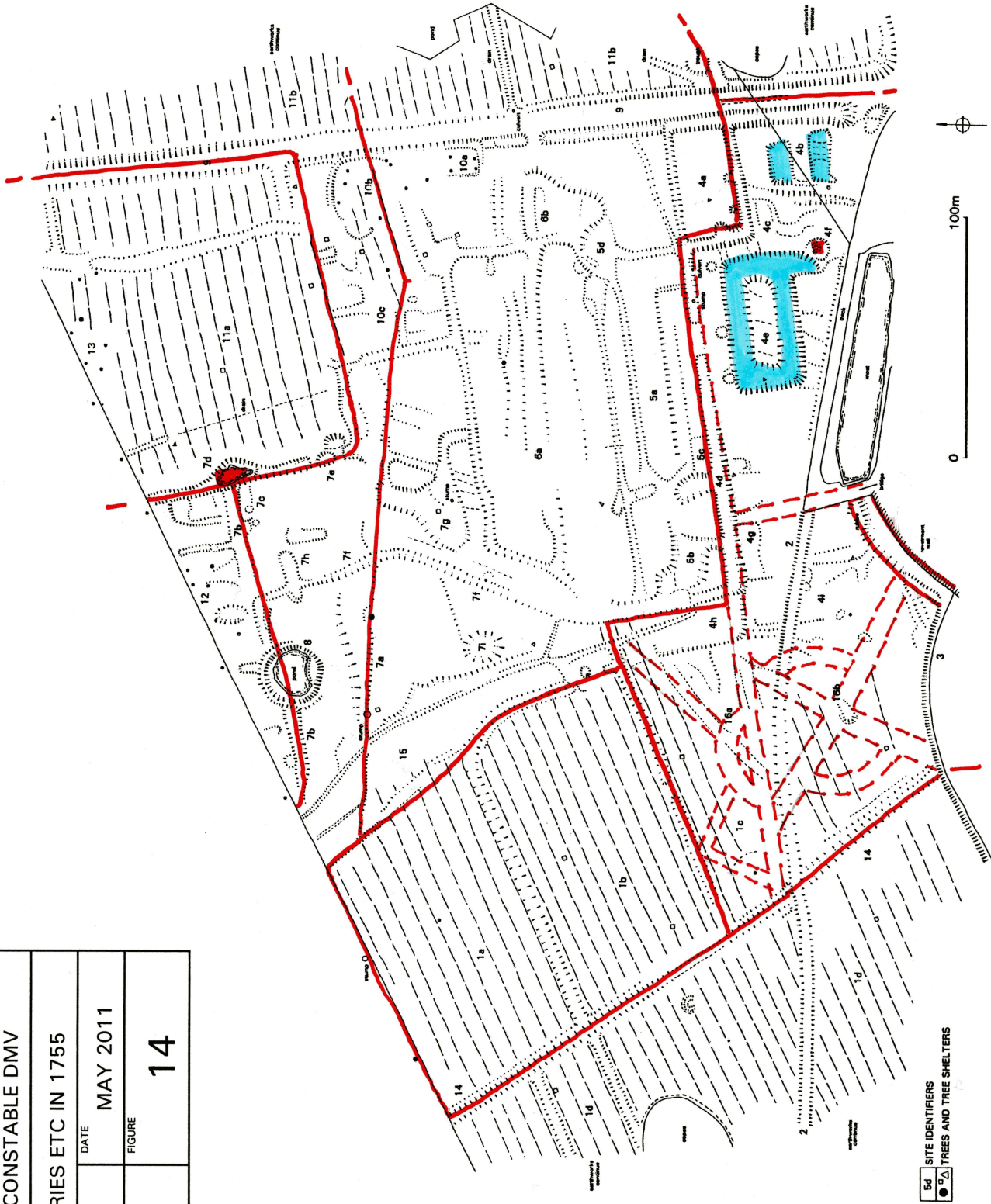


PROJECT	BURTON CONSTABLE DMV		
TITLE	BOUNDARIES IN 1621		
SCALE	AS SHOWN	DATE	MAY 2011
	EDAS	FIGURE	13



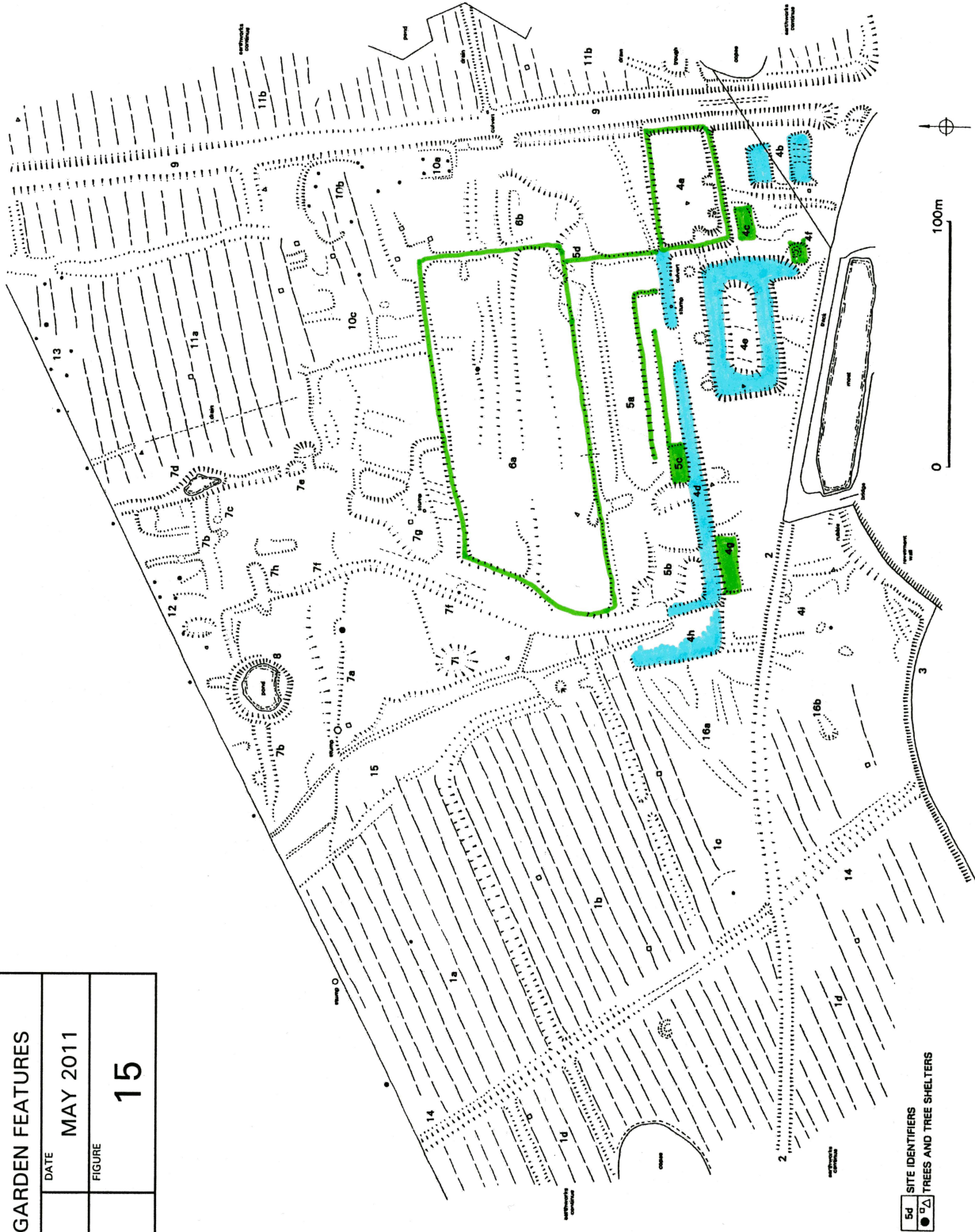
5d SITE IDENTIFIERS
 ● □ TREES AND TREE SHELTERS

PROJECT	BURTON CONSTABLE DMV		
TITLE	BOUNDARIES ETC IN 1755		
SCALE	AS SHOWN	DATE	MAY 2011
	EDAS	FIGURE	14



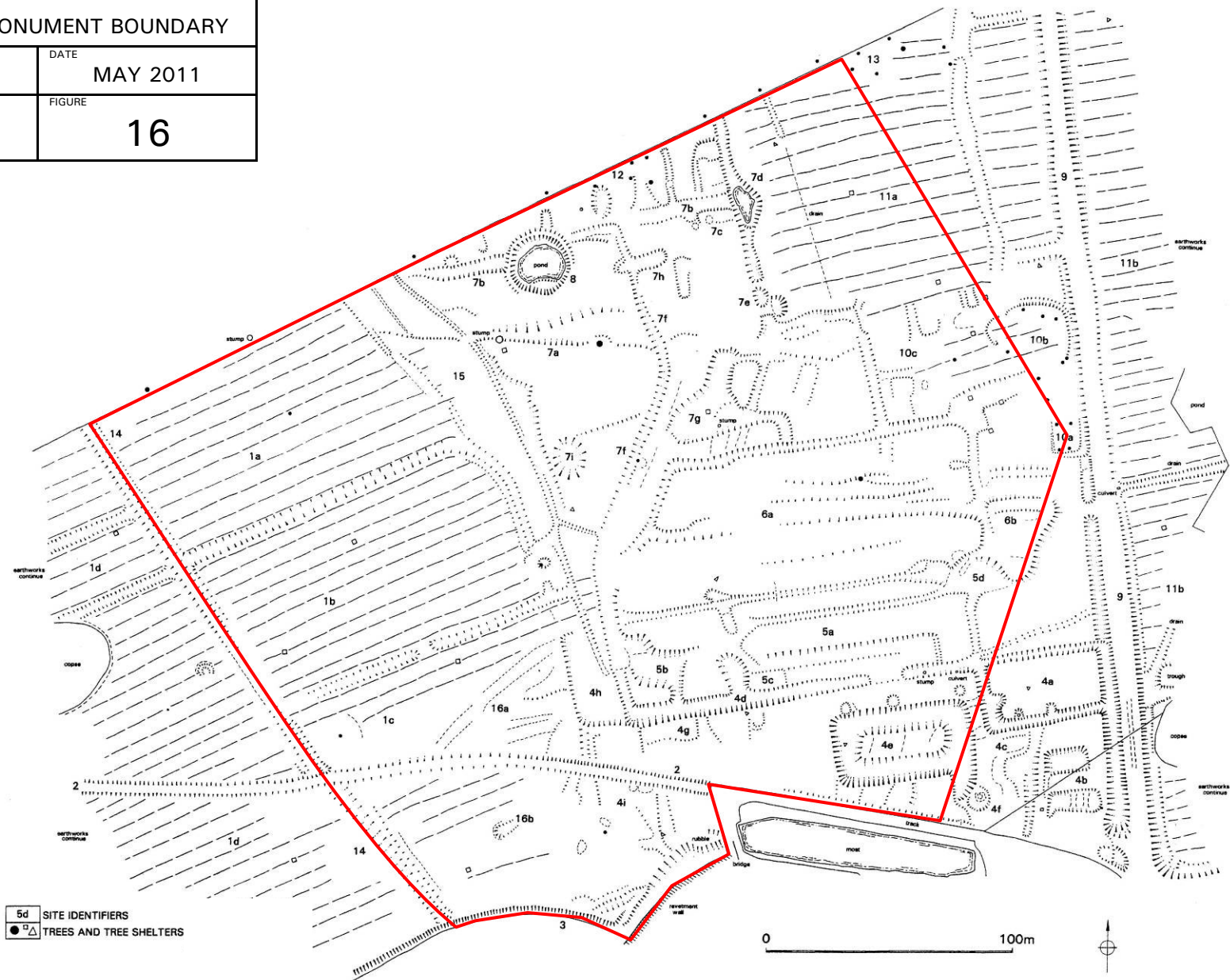
5d SITE IDENTIFIERS
 ● TRES AND TREE SHELTERS

PROJECT	BURTON CONSTABLE DMV		
TITLE	POTENTIAL GARDEN FEATURES		
SCALE	AS SHOWN	DATE	MAY 2011
	EDAS	FIGURE	15



5d SITE IDENTIFIERS
● TREES AND TREE SHELTERS

PROJECT BURTON CONSTABLE DMV	
TITLE SCHEDULED MONUMENT BOUNDARY	
SCALE AS SHOWN	DATE MAY 2011
EDAS	FIGURE 16



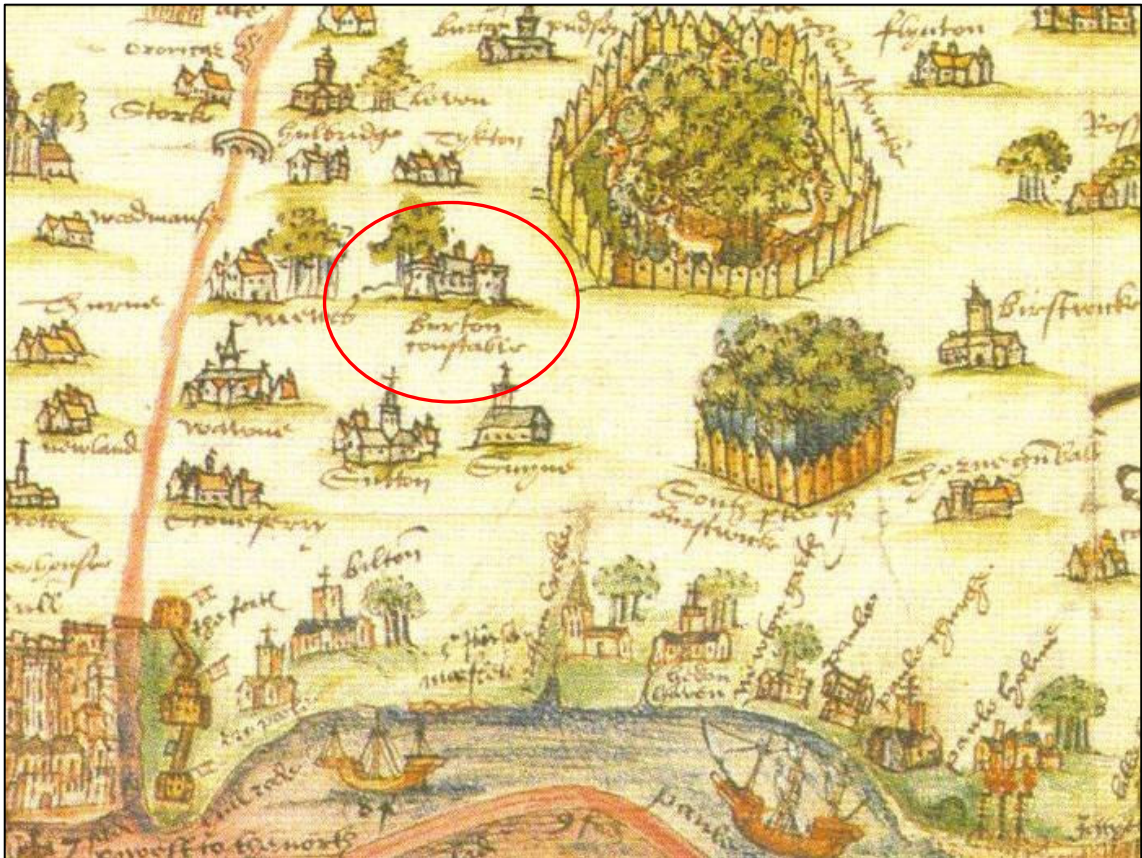


Plate 1: Burton Constable house (circled) as depicted on Lord Burghley's chart of the River Humber of c.1560.



Plate 2: *Prospect of Burton Constable Hall and Deer Park from the East* (Anon, c.1690) (Burton Constable Foundation).

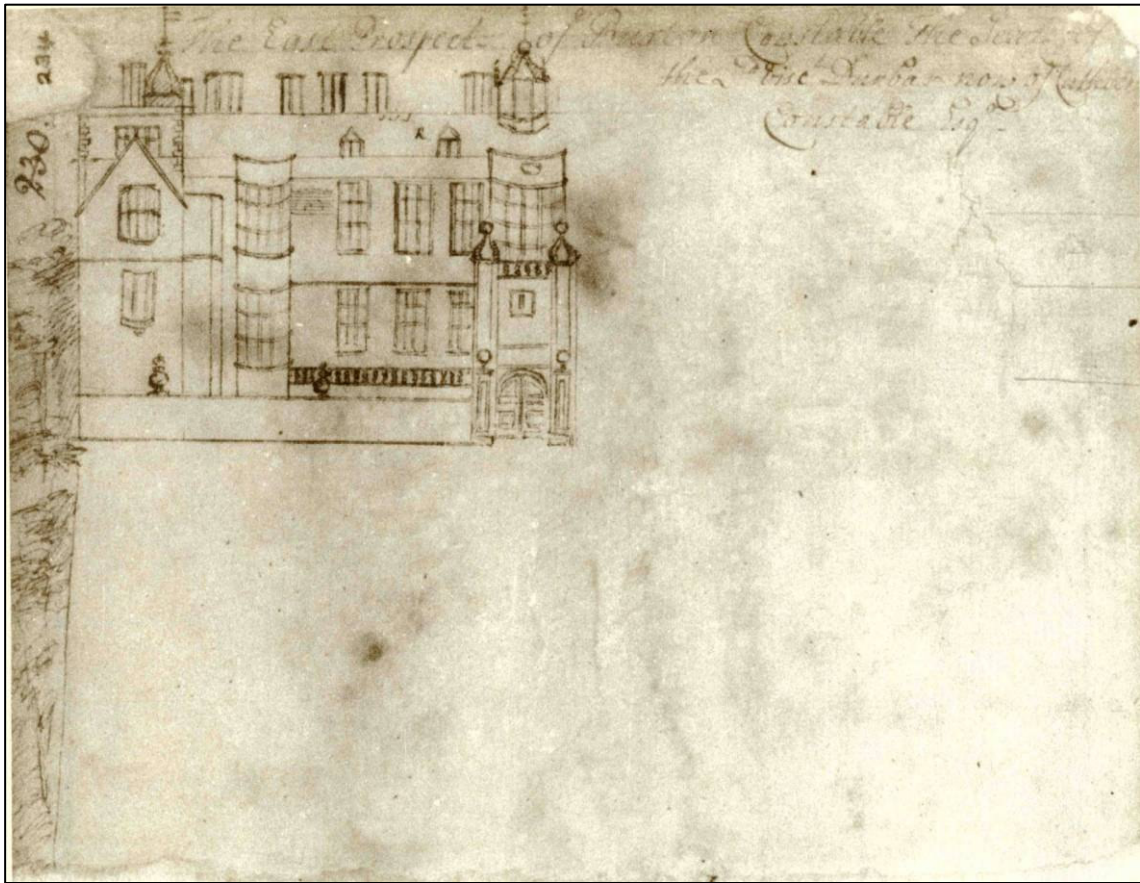


Plate 3: Burton Constable hall as drawn by Buck c.1720s (Wakefield Historical Publications 1979, 359).



Plate 4: *The East Front of Burton Constable* (G Barret, 1776) (Burton Constable Foundation).



Plate 5: Ridge and furrow earthworks (Site 11a), looking NW (photo 2/414).



Plate 6: Ridge and furrow earthworks (Site 11b), looking SW (photo 2/417).



Plate 7: Garden earthworks (Site 4e), looking NW (photo 2/410).



Plate 8: Area of early 18th century gardens (Site 16), looking SE (photo 2/423).



Plate 9: Ha-ha and sunken fence (Site 3), looking E (photo 1/989).



Plate 10: East end of drive (Site 2), looking E (photo 1/993).



Plate 11: North end of track to Norwood (Site 14), looking N (photo 2/422).



Plate 12: South end of terraced track (Site 9), looking S (photo 2/411).



Plate 13: Pond (Site 8), looking E (photo 1/982).



Plate 14: Base of north elevation of north tower of Burton Constable Hall, showing potentially early stonework.