

English Heritage

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MR AND MRS K GILKES
Old Hall Cottage
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Hempstead
Saffron Walden
Essex
CB10 2PJ

Ref. : MPP16/ AA 44236/1

Date : 25th October 1993

MONUMENT NAME : Wincelow Hall moated site
DISTRICT : UTTLESFORD
COUNTY : ESSEX
MONUMENT NUMBER : 20716

Dear Mr and Mrs Gilkes

ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979, AS AMENDED

I refer to our earlier letter which outlined a proposal to include the above-named monument in the Schedule compiled and maintained by the Secretary of State under Section 1 of the Ancient Monuments and Archaeological Areas Act 1979, as amended.

I can now report that the Secretary of State, having considered the proposal in consultation with English Heritage, has decided that the monument should be scheduled.

Accordingly I am requested by the Secretary of State to inform you that he has included the monument in the Schedule. A copy of the schedule entry is enclosed. The area of the monument is shown outlined in black and highlighted in red on the enclosed 'Scheduled Monument' map extract.

The entry in the Schedule relating to the monument will be registered as a local land charge. As an additional precaution, however, we should be grateful if you would be good enough to draw the attention of any future owner, tenant or occupier to the existence of the monument and to its inclusion in the Schedule.

The monument will in due course be added to the published list of the monuments which have been included in the Schedule.

ACKNOWLEDGEMENT OF RECEIPT OF SCHEDULE ENTRY

I should be grateful if you would complete and return the enclosed acknowledgement of receipt form. If you have not already supplied the information, would you please confirm on the form your ownership/occupation of the monument and, if your interest is confined to part of the monument, would you please return the map extract attached to the form indicating the extent of your interest. Where appropriate would you also be kind enough to let me know the name and address of anyone whom you know, or believe, to own or occupy a part of the monument, so that we may inform them of the scheduling also.

I enclose a guide covering the main provisions of the Act. You will note that it is an offence under Section 2 of the Act to carry out, or to cause or permit anyone else to carry out, any of the following works:

- a. any works resulting in the demolition or destruction of, or any damage to, a scheduled monument;
- b. any works for the purpose of removing, repairing, or making any alteration or addition to a scheduled monument or any part of it;
- c. any flooding or tipping operations on land in, on or under which there is a scheduled monument;

except in accordance with the consent of the Secretary of State. Failure to obtain such consent before works start can lead to prosecution, rendering the offender liable to a fine or, in extreme circumstances, to imprisonment. However, works which are urgently necessary for reasons of safety or health may be carried out without prior consent, provided that notice in writing of the need for the works is given to the Secretary of State, as soon as is reasonably practicable.

A form of 'standing consent' has been granted for, among other things, the continuation of agricultural, horticultural or forestry works of the same kind as those carried out in the same place within the period of five years prior to 9th October 1981. This consent does not include subsoiling, drainage works, the planting or uprooting of trees, hedges or shrubs or any other works likely to disturb the soil below normal ploughing depths. From time to time this consent may be revised or cancelled, and if there is any doubt over whether or not proposed works require specific Scheduled Monument Consent, advice may be obtained from English Heritage.

Full details explaining how to apply for Scheduled Monument Consent are available from this office. You should note that the granting of planning or any other permission (including permitted development rights) for any development on the site of the monument does not remove the need to obtain Scheduled Monument Consent for any works or operations affecting the monument: nor may archaeological investigation be carried out on the site of the monument (unless it is undertaken by or on behalf of the Secretary of State) until such consent has been obtained.


Your attention is also drawn to Section 42 of the Act which prohibits the use of a metal detector on the site of a scheduled monument and the removal from such a site of any object of archaeological or historical interest which has been discovered by the use of a metal detector, without the written consent of English Heritage. Your co-operation would be welcome in ensuring that anyone who asks your permission to use a metal detector on your land is aware of these provisions of the Act and of the fact that the monument has been scheduled. In addition, it would be appreciated if you could warn anyone entering your land for such a purpose of the existence of the monument, pointing out the site on the ground as it is shown on the map extract attached to the enclosed copy of the entry in the Schedule.

Finally, I should explain that English Heritage has at its disposal a number of architects, archaeologists and other experts trained in the execution of works on all types of monuments. Subject to the availability of staff and resources, English Heritage is willing to give whatever help and advice it can concerning the condition and beneficial management of scheduled monuments to their owners and occupiers. Such advice may also be available from a number of other sources, including private consultants, universities, and county

councils. By their nature and protected status, scheduled monuments need special care when proposals for works are being considered, or even during routine maintenance, and we would therefore encourage you to seek professional advice at as early a stage as possible.

Please do not hesitate to contact me if I can be of any assistance.

Yours faithfully

A handwritten signature in cursive script that reads "Susan Dilious".

Scheduling Section
English Heritage

Encs: Schedule entry, 'Scheduled Monument' map extract, Guide for owners and occupiers, receipt/ownership form, pre-paid envelope

GUIDE FOR OWNERS AND OCCUPIERS OF SCHEDULED MONUMENTS

1. The monument on your land is scheduled under Section 1 of the Ancient Monuments and Archaeological Areas Act 1979, as amended, and is protected as part of this country's heritage. This guide attempts to summarise the main provisions of that Act as it may affect you: it is not a comprehensive interpretation of the Act, and is for guidance only. If you are unsure about any aspect of scheduled monument controls then it would always be prudent to consult English Heritage or to seek other professional advice.

2. Under the Act, you are required to submit an application to the Secretary of State for National Heritage for Scheduled Monument Consent before you carry out any work which will have the effect of:-

- demolishing
- destroying
- damaging
- removing
- repairing
- altering
- adding to
- flooding, or
- tipping material onto the monument

3. Consent is also required for archaeological excavation. Application forms for Scheduled Monument Consent are obtainable from either English Heritage or the Department of National Heritage at the addresses given below. Applicants are also required to complete a certificate of ownership, or notify part owners, and in some cases an Inspector of monuments will visit to discuss the application. The Secretary of State may advertise the application in any way he thinks fit and may hold a public inquiry into it.

4. If you farm the area of the monument you need not apply for consent if the agricultural work involved is the same as has been carried out in that location for five years or more prior to 9 October 1981. However, you do need consent for ploughing at a greater depth, subsoiling, drainage, the planting and uprooting of trees and other works below the previous plough depth. Extending the area of agricultural activity beyond that used in the five years prior to 9 October 1981 would require scheduled monument consent.

5. Normal gardening activities of a kind previously carried out in the same location for five years or more prior to 9 October 1981 may be carried out without consent but prior written consent IS required for such gardening and horticultural activities as the planting and uprooting of trees, hedges and shrubs, landscaping, drainage, terracing and the creation of swimming pools, ponds, tennis courts and the construction of garden buildings, fencing etc which would disturb the subsoil. The felling of trees does not require consent provided it does not cause ground disturbance or other damage to the monument (eg the grubbing out of roots).

6. Consent is not needed for works urgently necessary in the interests of health and safety, provided you advise the Department of National Heritage as soon as possible that you intend carrying out the works or, in cases of particular urgency, that you have carried them out. Advice on applications for Scheduled Monument Consent is available from the addresses given at the end of this guide.

7. The obtaining of planning permission to develop land or any other consent or authorisation does not remove the need to obtain Scheduled Monument Consent when it is required.

8. In some cases compensation may be available if consent is refused, or granted subject to onerous conditions.

HELP FOR CARE AND MAINTENANCE

9. You are not required to undertake any additional maintenance of the monument, but if you should choose to do so English Heritage may be able to offer some advice and assistance.

10. You are not obliged to give the public access to the monument. Accredited representatives of English Heritage have the authority to obtain entry, but your permission will normally be sought first.

11. Regular visits are made to scheduled monuments by locally based Field Monument Wardens, who will seek permission from owners and occupiers first. The wardens will be able to advise about the history and answer questions on the management of scheduled monuments.

PROTECTION AND PENALTIES

12. The carrying out of any unauthorised works to a scheduled monument is a criminal offence. In addition it is an offence for anyone to use a metal detector on a monument without English Heritage's consent. A further, more serious offence is to remove, without permission, an object found by a metal detector on a monument. Any damage caused to a monument in removing a 'find' may also constitute a further offence. If you encounter trespassers with metal detectors on the monument, please do what you can to obtain their names, addresses or car numbers, and let the police know.

13. Enquiries should be addressed to:

English Heritage
Fortress House
23 Savile Row
London W1X 1AB

Application forms for Scheduled Monument Consent are available from:

Scheduled Monument Consent Branch
The Department of National Heritage
Heritage 3
3rd Floor
2-4 Cockspur Street
London SW1Y 5DH

Issued by
English Heritage

SCHEDULE ENTRY COPY

ENTRY IN THE SCHEDULE OF MONUMENTS COMPILED AND MAINTAINED BY THE SECRETARY OF STATE UNDER SECTION 1 OF THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979 AS AMENDED.

MONUMENT: Wincelow Hall moated site

PARISH: HEMPSTEAD

COUNTY: ESSEX

DISTRICT: UTTLESFORD

NATIONAL MONUMENT NO: 20716

NATIONAL GRID REFERENCE(S): TL62953837

DESCRIPTION OF THE MONUMENT

Wincelow Hall moated site is situated on high ground 500m north-west of Hempstead Church. The monument includes a square-shaped moat, which measures 94m square and is orientated NE-SW, and an adjoining pond. The arms of the moat are all waterfilled and measure between 9m and 12m in width. There are two causeways which give access to the island; one is situated on the northern arm, is 3m wide and is considered to be the original entrance to the site. The other is situated on the western arm, is 6m wide and is currently used as the main entrance. The present house dates from the late 19th century and is a Grade II Listed Building. The previous house was demolished in 1886 and the foundations and drainage system of that house were discovered during the recent renovation of the present house. A pond situated 7m south-east of the moat joins it through a small leat, 2m wide. The pond is seasonally waterfilled, and measures 21m NW-SE by a maximum of 8m NE-SW. The monument is that associated with the family of John Wynselowe in the late 13th century and in 1630 was the home of William Harvey, who discovered the circulation of the blood. The house, garage and septic tank are all excluded from the scheduling, though the ground beneath the house and garage is included.

ASSESSMENT OF IMPORTANCE

Around 6,000 moated sites are known in England. They consist of wide ditches, often or seasonally water-filled, partly or completely enclosing one or more islands of dry ground on which stood domestic or religious buildings. In some cases the islands were used for horticulture. The majority of moated sites served as prestigious aristocratic and seigneurial residences with the provision of a moat intended as a status symbol rather than a practical military defence. The peak period during which moated sites were built was between about 1250 and 1350 and by far the greatest concentration lies in central and eastern parts of England. However, moated sites were built throughout the medieval period, are widely scattered throughout England and exhibit a high level of diversity in their forms and sizes. They form a significant class of medieval monument and are important for the understanding of the distribution of wealth and status in the countryside. Many examples provide conditions favourable to the survival of organic remains.

(Continued ..)

SIGNED BY: C Edwards

On behalf of the Secretary of State for National Heritage.

Continued from previous page ..

ASSESSMENT OF IMPORTANCE (Continued)

The moated site at Wincelow Hall survives relatively well and will retain archaeological information pertaining to its occupation and development. The waterfilled ditches will also contain environmental evidence relating to the economy of its inhabitants and the landscape in which they lived.

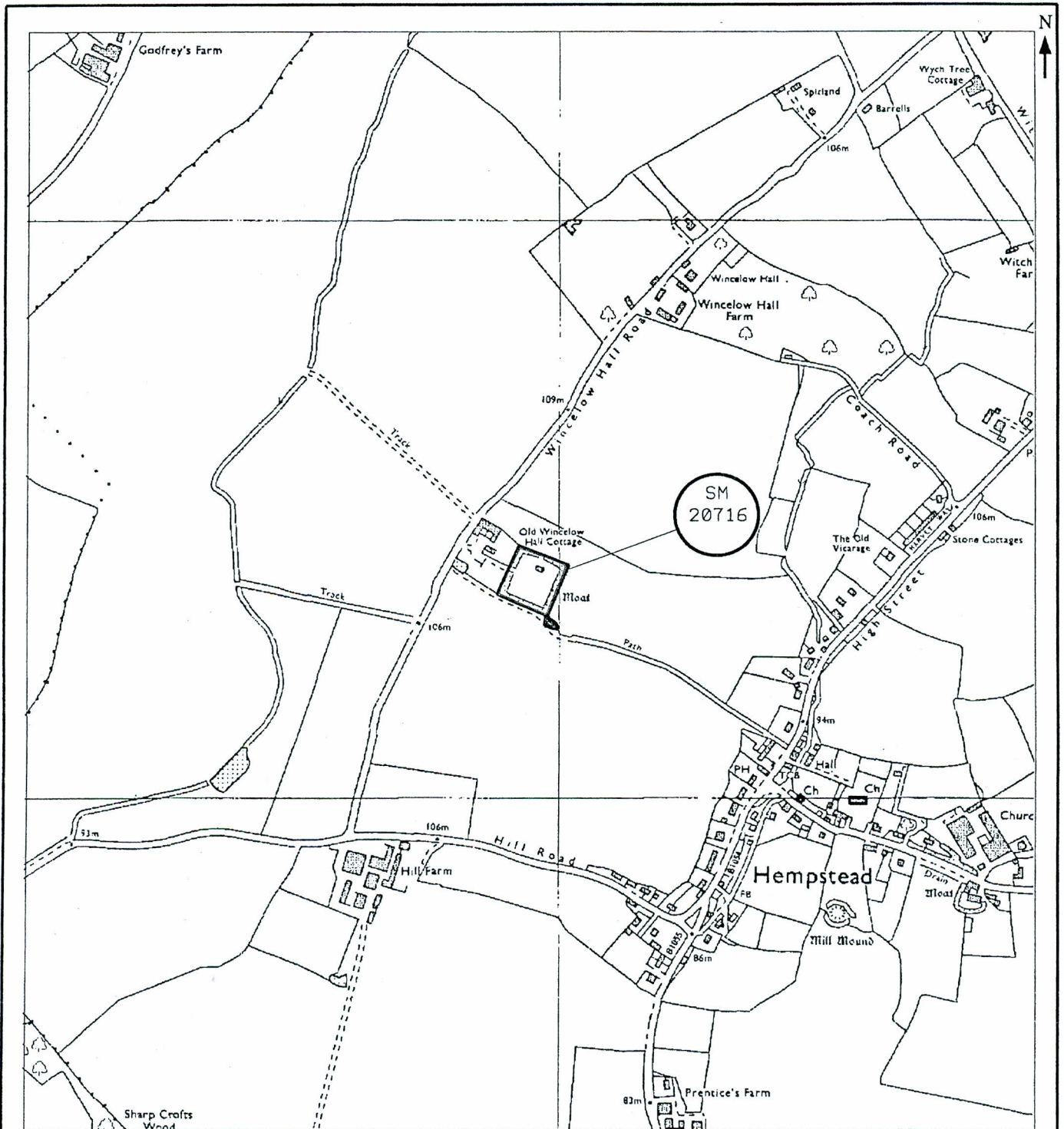
MAP EXTRACT

The site of the monument is shown on the attached map extract outlined in black and highlighted in red. It includes a 2 metre boundary around the archaeological features, considered to be essential for the monument's support and preservation.

MONUMENT INCLUDED IN THE SCHEDULE ON 21st September 1993

SIGNED BY: C Edwards
On behalf of the Secretary of State for National Heritage.

Scheduled Monument



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For identification purposes only

Site Name: Wincelov Hall moated site

County: Essex

District: Uttlesford

Parish: Hempstead

Notes:

For exclusions - see text record
Site contains listed building grade II

Key: Monument No. Location/extent of site



Scale: 1:10000

Derived from: 1:10000

Centred on NGR: TL62953837

Extract from OS sheet: TL63NW

Date: 7.5.93

Monument No: SM20716

English Heritage

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