AP PLANNING & DESIGN

ARCHITECTURAL DESIGN & PLANNING CONSULTANCY

HERITAGE & ARCHAEOLOGICAL STATEMENT

PROPOSED CHANGE OF USE OF APPROXIMATELY 2 ACRES OF AGRICULTURAL LAND TO PRIVATE EQUESTRIAN USE, ERECTION OF AN L-SHAPED STABLE BLOCK, CONSTRUCTION OF A 20M X 40M OUTDOOR RIDING ARENA (MANÈGE) AND ASSOCIATED ACCESS, HARDSTANDING, FENCING AND LANDSCAPING

Site: Agricultural Land, Fritchley, Derbyshire
Local Planning Authority: Amber Valley Borough Council
Applicant:
Prepared by: AP Planning & Design
Date: August 2026

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1. INTRODUCTION

1.1

This Heritage and Archaeological Statement has been prepared in support of a full planning application for the change of use of approximately 2 acres of an existing agricultural holding at Fritchley, Derbyshire to private equestrian use, together with the erection of an L-shaped stable block, construction of a 20m x 40m outdoor riding arena (manège), and associated access track, hardstanding, fencing and landscaping.

1.2

The wider holding extends to approximately 10.51 acres and comprises predominantly open agricultural grassland.

1.3

An important consideration in the development of the proposals is the presence of the nationally designated Butterley Gangroad and Fritchley Tunnel Scheduled Monument, National Heritage List for England reference 1422984, part of which crosses the wider landholding.

1.4

The presence of the Scheduled Monument has been recognised as a primary constraint from the outset and has directly informed the location, scale and arrangement of the proposed development.

1.5

The purpose of this Statement is to:

- identify the heritage asset potentially affected by the proposal;
- describe its significance;
- consider the archaeological potential of the site;

- assess the contribution made by the application site to the setting and significance of the Scheduled Monument;
- identify the potential effects of the proposed development;
- explain the alternative siting considerations which have informed the scheme;
- demonstrate the measures incorporated to avoid and minimise heritage harm; and
- assess the proposal against relevant national and local planning policy.

1.6

The assessment concludes that the development has been designed around an avoidance-led heritage strategy.

The principal equestrian development would be concentrated towards the western side of the site and away from the Scheduled Monument. The majority of the wider holding would remain open and undeveloped.

1.7

The proposal would not require the stable block, outdoor riding arena or principal operational infrastructure to be constructed upon the Scheduled Monument and would preserve the ability to understand the historic route of the Butterley Gangroad through the landscape.

Subject to any proportionate archaeological safeguards considered necessary by the Local Planning Authority and relevant heritage consultees, the development is considered capable of being accommodated without unacceptable harm to the significance of the Scheduled Monument.

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2. SITE LOCATION AND EXISTING CHARACTER

2.1

The application site comprises agricultural land at Fritchley, Derbyshire.

The wider holding extends to approximately 10.51 acres.

2.2

The site is predominantly open grassland and retains a distinctly rural character.

Its present character is derived principally from:

- open agricultural fields;
- grassland;
- established field boundaries;
- hedgerows and trees;
- the surrounding rural road network;
- nearby residential and agricultural development; and
- the historic route of the Butterley Gangroad.

2.3

Although rural in character, the land is not located within an entirely isolated landscape.

Existing development associated with Fritchley is present to the west and north-west of the site.

2.4

This relationship has influenced the siting of the proposed stable block and outdoor riding arena.

Rather than introducing new built development into the centre or eastern part of the field, the proposed stable block, arena and associated equestrian infrastructure would be concentrated towards the western side of the landholding.

2.5

This provides a logical relationship with existing development whilst retaining a substantial area of open countryside between the proposed stable facilities and the Scheduled Monument.

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3. IDENTIFICATION OF THE DESIGNATED HERITAGE ASSET

3.1 Butterley Gangroad and Fritchley Tunnel

The principal designated heritage asset relevant to this proposal is:

Butterley Gangroad and Fritchley Tunnel
Heritage Category: Scheduled Monument
National Heritage List for England Reference: 1422984
First Scheduled: 26 February 2015
Most Recent Amendment: 29 March 2021.

3.2

The designation extends considerably beyond the application site.

The Butterley Gangroad runs between the former Hilts and Warner quarries near Crich and the former Amber Wharf associated with the Cromford Canal at Bull Bridge.

3.3

A section of this historic transport route crosses the wider application holding approximately north to south.

3.4

The Scheduled Monument therefore forms an important archaeological and historic landscape feature which requires careful consideration in the determination of this application.

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4. HISTORICAL DEVELOPMENT OF THE BUTTERLEY GANGROAD

4.1

The Butterley Gangroad represents an exceptionally important surviving element of Britain's early railway history.

4.2

The gangroad was developed in 1793 by the pioneering engineer and surveyor Benjamin Outram.

4.3

Its original purpose was to transport limestone from quarries near Crich to the lime kilns and wharf facilities associated with the Cromford Canal at Bull Bridge.

4.4

The original railway was a horse-drawn plateway.

Wheeled wagons ran upon L-shaped cast-iron rails secured to stone sleeper blocks.

4.5

The gangroad therefore predates the conventional railway age and illustrates an important stage in the technological transition between wagonways and the modern railway.

4.6

The historic route was subsequently altered and developed.

Parts of the gangroad were realigned during the nineteenth century and it was ultimately converted for steam railway operation.

4.7

The railway eventually closed in 1933.

Despite its closure, substantial archaeological evidence survives along its route, including both standing and buried remains.

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5. FRITCHLEY TUNNEL

5.1

The Scheduled Monument also incorporates Fritchley Tunnel.

5.2

The tunnel is particularly significant because it is understood to have originated in 1793 and is recognised as the earliest surviving railway tunnel in the world.

5.3

The tunnel is constructed from coursed sandstone blocks and historically carried the Butterley Gangroad beneath the road junction within Fritchley.

5.4

Although the tunnel itself does not lie within the proposed stable development area, its association with the gangroad substantially contributes to the significance of the wider designated asset.

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6. SIGNIFICANCE OF THE SCHEDULED MONUMENT

6.1

Historic England identifies several principal reasons for the national designation of the Butterley Gangroad and Fritchley Tunnel.

These can be summarised as follows.

Rarity

6.2

The monument represents a rare surviving example of a late eighteenth and early nineteenth-century gangroad.

It therefore provides important evidence of the formative stages of railway development.

Survival

6.3

The gangroad survives in a substantially legible form along much of its historic route.

Surviving features include:

- buried trackbed remains;
- boundary walls;
- embankments;
- cuttings;
- bridges;
- crossings;
- gateposts;
- an incline;
- associated enclosures; and
- Fritchley Tunnel.

Historic Period

6.4

The early date of the gangroad gives it particular importance in understanding the development of Britain's railway transport network.

Historic Association

6.5

The monument has a direct association with Benjamin Outram, an important figure in the early development of railway engineering.

Diversity of Surviving Features

6.6

The range of standing and buried archaeological features surviving along the route allows the development, construction and operation of the gangroad to be understood as part of a wider industrial landscape.

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7. ARCHAEOLOGICAL SIGNIFICANCE

7.1

The significance of the monument is not limited to visible surface features.

A substantial component of its importance derives from below-ground archaeological remains.

7.2

These may include evidence relating to:

- former trackbeds;
- sleeper blocks;
- rail fixings;
- construction layers;
- drainage;
- boundary structures;
- earlier route alignments;
- occupation crossings; and
- associated industrial activity.

7.3

Historic investigation of the wider gangroad has demonstrated that archaeological remains can survive below ground even where the former railway is no longer readily apparent at surface level.

7.4

This is particularly relevant when considering new development because seemingly modest excavation, foundation construction, drainage works or service trenches could potentially disturb archaeological remains if undertaken within sensitive areas.

7.5

The development strategy has therefore sought to avoid such disturbance rather than relying upon excavation and recording as the primary response.

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8. EXTENT OF THE SCHEDULED AREA

8.1

The formal Scheduled Monument designation follows the historic gangroad route and incorporates surviving and projected archaeological features.

8.2

Historic England confirms that the protected area includes the gangroad trackbed together with associated:

- boundary walling;
- embankments;
- cuttings;
- bridges;
- crossings;
- gateposts;
- Fritchley Tunnel;
- enclosures; and
- incline structures.

8.3

The precise width of the scheduled area varies along the route according to the archaeological features present.

8.4

Historic England also confirms that the scheduling incorporates an additional 1 metre margin on either side of the gangroad, considered necessary for the support and preservation of the monument.

8.5

For planning purposes, however, protection of the monument cannot be approached solely by reference to the precise statutory boundary.

Development outside that boundary may still affect the significance of the monument through changes within its setting.

8.6

The application has therefore deliberately adopted a considerably more cautious approach than merely positioning development immediately outside the scheduled boundary.

A substantial physical and visual separation would be maintained.

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9. SETTING OF THE SCHEDULED MONUMENT

9.1

The setting of a heritage asset comprises the surroundings within which that heritage asset is experienced.

Setting is not itself a heritage asset, but elements of setting can make an important contribution to significance.

9.2

In this case, the surrounding agricultural landscape assists in understanding the gangroad as a historic linear transport route through the Derbyshire landscape.

9.3

The open character of the application land permits an appreciation of the broad north-south alignment of the historic route.

9.4

However, the setting is not wholly unchanged from the eighteenth and nineteenth centuries.

The surrounding landscape has continued to evolve through:

- agricultural activity;
- road development;
- residential development;
- changes to field boundaries;
- alterations to the gangroad itself; and
- subsequent land management.

9.5

The heritage value of the application site therefore principally arises from its relationship with the route of the gangroad and from the relatively open landscape surrounding it.

9.6

It does not follow that all land visible from or surrounding the monument must remain entirely free from development.

The relevant consideration is whether development would adversely affect those elements of the setting which contribute to the monument's significance.

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10. DESCRIPTION OF THE PROPOSED DEVELOPMENT

10.1

The application seeks planning permission for the change of use of part of the agricultural land to private equestrian use together with associated operational development.

10.2

The proposal comprises principally:

- private equestrian use of the land;
- an L-shaped purpose-built stable block comprising three 3.6m x 3.6m stables, one 5.0m x 3.6m corner stable and one 1.8m x 3.6m tack room, with a 1.2m canopy;
- a 20m x 40m outdoor riding arena (manège);
- an internal stone access track;
- limited associated hardstanding;
- vehicle turning/manoeuvring provision;
- fencing where necessary; and
- additional native landscaping.

- The proposed purpose-built stable accommodation would be arranged as an L-shaped block based on the Colt Stables drawing dated 11 September 2026. The accommodation comprises three 3.6m x 3.6m stables, one 5.0m x 3.6m corner stable and one 1.8m x 3.6m tack room, together with an additional 1.2m canopy. The walls are proposed in pressure-impregnated shiplap exterior cladding, with a 15-degree pitched roof finished in black Onduline roof sheeting and galvanised fittings.

- A 20m x 40m outdoor riding arena (manège) is also proposed as an integral part of the private equestrian use. The arena would provide a purpose-designed area for the safe schooling and exercising of horses and would be grouped with the principal equestrian infrastructure towards the western part of the site. It would incorporate an appropriate free-draining construction and surface-water drainage arrangement, with changes to existing ground levels and excavation kept to the minimum practicable. No arena floodlighting is proposed.

10.3

The proposal does not involve intensive development of the 10.51-acre holding.

The overwhelming majority of the site would remain open grassland.

10.4

The equestrian use itself would primarily involve grazing and turnout and would therefore retain a landscape character broadly comparable with the present agricultural use.

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11. HERITAGE-LED DESIGN DEVELOPMENT

11.1

The location of the stable block and arena has not been selected arbitrarily.

The relationship with the Scheduled Monument has been a central consideration in determining the most appropriate part of the site for development.

11.2

A number of fundamental design objectives were adopted:

1. avoid physical development upon the Scheduled Monument;
2. avoid crossing the Scheduled Monument with the principal access;
3. avoid positioning buildings immediately alongside the scheduled boundary;
4. maintain a substantial undeveloped buffer;
5. retain the majority of the wider site as open land;
6. concentrate development towards the existing developed western edge;
7. minimise excavation and ground disturbance;
8. minimise the visual effect upon the historic route; and
9. retain the legibility of the gangroad through the landscape.

11.3

These objectives have resulted in the proposed stable facilities and arena being concentrated towards the western side of the application site.

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12. ASSESSMENT OF ALTERNATIVE LOCATIONS

12.1 Central Site Location

Locating the stable building and arena centrally within the field was considered inappropriate.

12.2

Such an arrangement would introduce a building into the open central landscape and potentially bring operational development significantly closer to the Scheduled Monument.

12.3

It would also increase the potential for associated access, drainage, services and hardstanding to interact with archaeologically sensitive areas.

12.4

A central position would therefore result in greater landscape and heritage effects than the proposed western location.

Eastern Site Location

12.5

Development east of the Scheduled Monument would require development substantially deeper into the open countryside.

12.6

It could also create the need for an access route crossing or passing close to the Scheduled Monument.

12.7

That option would unnecessarily increase both archaeological risk and the amount of infrastructure within the open landscape.

It has therefore been rejected.

Development Immediately Adjacent to the Monument

12.8

A location immediately outside the statutory scheduled boundary has also deliberately been avoided.

12.9

While such a location might technically avoid direct construction within the designated area, it would provide an unnecessarily poor response to the significance and setting of an asset of the highest heritage importance.

12.10

The development instead maintains a substantially greater separation.

Western Location

12.11

The western part of the site represents the most appropriate location because it:

- maximises separation from the Scheduled Monument;
- avoids development crossing the monument;
- reduces archaeological risk;
- relates more closely to existing development;
- keeps built development towards the edge of the field;
- reduces visual fragmentation;
- permits effective landscaping;
- provides practical access; and
- leaves the majority of the site open.

12.12

The proposed location therefore represents the least harmful reasonable location within the landholding.

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13. DIRECT PHYSICAL EFFECTS

13.1

The principal concern associated with development affecting a Scheduled Monument is the possibility of direct physical damage to archaeological remains.

13.2

The proposed development has been designed to avoid such effects.

13.3

The stable building and outdoor riding arena would not be constructed upon the Scheduled Monument.

13.4

The associated stable yard, arena construction and principal hardstanding would similarly remain outside the scheduled area.

13.5

The proposed western access arrangement has been selected specifically so that it does not need to cross the Scheduled Monument.

13.6

Consequently, no direct loss of the known designated archaeological resource is anticipated from the principal development.

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14. INDIRECT EFFECTS UPON SETTING

14.1

The proposal would introduce new built development into part of the wider landscape surrounding the Scheduled Monument.

That change requires consideration even though the building would be physically separate from the monument.

14.2

The magnitude of this change is limited for several reasons.

14.3

Firstly, the stable block and arena would occupy a limited proportion of the wider approximately 10.51-acre holding, with the majority remaining open grassland.

14.4

Secondly, it would be located towards the western edge rather than adjacent to the historic route.

14.5

Thirdly, the majority of the intervening land would remain open.

14.6

Fourthly, the L-shaped stable block would be of a simple timber agricultural/equestrian character and the arena would remain an open, low-profile feature without floodlighting.

14.7

Fifthly, additional native landscaping would assist in visually integrating the development.

14.8

The proposal would therefore not obscure the historic route, interrupt its linear form or prevent an appreciation of its passage through the landscape.

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15. LANDSCAPING AND HERITAGE MITIGATION

15.1

Additional native planting is proposed as part of the development.

15.2

The landscaping would principally be used to integrate the stable facilities into the western landscape rather than attempting to screen or obscure the Scheduled Monument itself.

15.3

Planting should be concentrated around the stable development and appropriate site boundaries.

15.4

Care should be exercised to ensure that new deep-rooting trees are not planted within or immediately adjacent to the Scheduled Monument where root growth could potentially affect archaeological remains.

15.5

Any detailed landscaping scheme should therefore recognise the scheduled boundary as a constraint.

15.6

The resulting arrangement would allow the historic gangroad corridor to remain open and legible whilst the equestrian development becomes assimilated into the western edge of the site.

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16. CONSTRUCTION SAFEGUARDS

16.1

The protection of the Scheduled Monument should continue throughout the construction phase.

16.2

Prior to commencement, the precise protected area should be clearly identified to contractors.

16.3

No construction compound, material storage, spoil storage or vehicle parking should occur within the Scheduled Monument unless specifically agreed with the appropriate heritage authority.

16.4

Construction vehicles should not use the Scheduled Monument as an informal crossing point.

16.5

No excavation, service trench, drainage connection or other intrusive groundworks should be undertaken within the protected area without the necessary heritage advice and, where applicable, statutory consent.

16.6

Temporary protective fencing could be installed for the duration of construction if requested by the Local Planning Authority or Historic England.

16.7

These straightforward measures would provide a high degree of protection against accidental construction-related disturbance.

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17. ARCHAEOLOGICAL POTENTIAL OUTSIDE THE SCHEDULED AREA

17.1

The fact that the stable building lies outside the Scheduled Monument does not automatically establish that land elsewhere on the site has no archaeological potential.

17.2

The long history of the gangroad and its associated activity means that archaeological features could potentially survive beyond the formal scheduled boundary.

17.3

No intrusive archaeological investigation of the proposed stable or arena footprints has been relied upon in preparing this Statement.

Accordingly, this assessment does not seek to state that previously unidentified archaeology is absent.

17.4

Instead, a proportionate precautionary approach is recommended.

17.5

Should the Derbyshire County Council archaeological adviser consider further work necessary, this could include, depending upon their professional assessment:

- archaeological desk-based assessment;
- targeted evaluation;
- archaeological watching brief during groundworks; or
- an appropriate written scheme of investigation.

17.6

The applicant would engage positively with any proportionate archaeological requirement.

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18. SCHEDULED MONUMENT CONSENT

18.1

Scheduled Monument Consent is a separate statutory process from planning permission.

18.2

Works which demolish, destroy, damage, remove, repair, alter or add to a Scheduled Monument, or certain works which disturb the ground within it, can require Scheduled Monument Consent.

18.3

The present scheme has specifically been designed to avoid the need for intrusive works within the Scheduled Monument.

18.4

However, the definitive scheduled boundary should be checked against the final detailed layout before works commence.

18.5

Should any element of the final proposal subsequently require works within the Scheduled Monument, appropriate advice should be obtained from Historic England before those works are undertaken and any necessary Scheduled Monument Consent secured separately.

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19. NATIONAL PLANNING POLICY

19.1

The National Planning Policy Framework places considerable importance upon the conservation of the historic environment.

19.2

Scheduled Monuments are designated heritage assets of the highest significance.

Accordingly, their conservation must be afforded great weight in the planning balance.

19.3

Applicants are expected to describe the significance of heritage assets affected by a proposal, including any contribution made by their setting, in a manner proportionate to the asset's importance and sufficient to understand the potential impact.

19.4

This Statement has therefore considered:

- the history of the Butterley Gangroad;
- the reasons for its designation;
- its archaeological interest;
- its setting;
- the contribution of the application site;
- direct effects;
- indirect effects; and
- appropriate avoidance and mitigation.

19.5

National policy establishes a high threshold for development resulting in harm to assets of the highest significance.

This reinforces the importance of avoiding harm wherever possible.

19.6

The present scheme responds to this requirement by locating the principal development away from the Scheduled Monument rather than seeking to justify development directly affecting it.

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20. AMBER VALLEY BOROUGH LOCAL PLAN 2022–2040

20.1

The Amber Valley Borough Local Plan 2022–2040 was adopted in March 2026 and forms the principal local development plan against which this proposal should be assessed.

20.2 Policy EN4 – Heritage Assets

Policy EN4 seeks to ensure that development preserves or enhances the significance of the Borough's heritage assets.

The significance of an asset includes the contribution made by its setting.

20.3

The proposed development accords with the objectives of Policy EN4 because:

- the significance of the Scheduled Monument has been identified;
- its setting has been considered;
- the development has been positioned away from the monument;
- substantial open land is retained;
- the historic route remains legible;
- the majority of the wider site remains undeveloped; and
- mitigation is incorporated through siting and landscaping.

20.4 Policy EN6 – Archaeology

The Local Plan also seeks to protect archaeological heritage.

Preservation in situ represents the preferred approach for archaeological remains of national importance.

20.5

The proposed development follows this principle.

Rather than disturbing the designated archaeological resource and subsequently attempting to mitigate that loss through recording, the development has been designed to avoid the Scheduled Monument.

20.6

The proposal therefore represents a heritage-led response consistent with the objectives of the development plan.

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21. EQUESTRIAN DEVELOPMENT AND HERITAGE

21.1

Policy IN10 of the Amber Valley Borough Local Plan specifically addresses equestrian development.

21.2

Among other considerations, equestrian proposals are required to appropriately address their relationship with heritage assets and their settings.

21.3

This application performs particularly well in this regard.

21.4

The existence of the Scheduled Monument has not been regarded as an afterthought.

It has directly determined where development should and should not take place.

21.5

The resulting proposal provides a clear spatial hierarchy:

Western site area: principal equestrian development.

Central/eastern landscape: predominantly open land.

Scheduled Monument corridor: protected from principal development and ground disturbance.

21.6

This arrangement represents a logical reconciliation of equestrian requirements with heritage conservation.

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22. ASSESSMENT OF HERITAGE HARM

22.1

The proposed development would not result in the physical removal or destruction of the known Scheduled Monument.

22.2

No stable building or outdoor riding arena is proposed upon the designated route.

22.3

The access arrangement has been designed to avoid crossing the monument.

22.4

The development would therefore avoid direct physical harm to the designated archaeological resource on the basis of the proposed layout.

22.5

There would be a change within the wider setting arising from the introduction of an L-shaped stable building, 20m x 40m outdoor riding arena and associated equestrian infrastructure.

22.6

However, this change would be spatially limited and concentrated towards the western edge of a much larger field.

22.7

A substantial area of open land would remain between the development and the Scheduled Monument.

22.8

The development would neither sever the historic route nor materially prevent an appreciation of its linear form through the landscape.

22.9

The stable block would be an inherently rural form of development and the arena would be a low-profile, open equestrian feature rather than an urban or visually dominant use. No arena floodlighting is proposed.

22.10

On the information presently available and subject to confirmation through the final detailed layout and any comments from the archaeological adviser/Historic England, the proposal is considered capable of being delivered without direct harm to the Scheduled Monument and without unacceptable harm arising from development within its setting.

22.11

This conclusion should not be interpreted as predetermining the statutory consultee's assessment. Rather, it reflects the avoidance-led design strategy demonstrated by the submitted scheme.

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23. HERITAGE BENEFITS OF THE DESIGN APPROACH

23.1

Although the application does not rely upon heritage benefits to justify harm, the design approach provides positive heritage safeguards.

23.2

These include:

- maintaining the monument free from new principal built development;
- maintaining open land around the historic route;
- avoiding a new vehicular crossing;
- avoiding unnecessary excavation within the protected area;
- concentrating development towards an existing developed edge;
- establishing a clear heritage buffer;
- managing construction activity around the monument; and
- providing an opportunity for the historic importance of the route to inform future land management.

23.3

If considered appropriate, a small interpretation feature could potentially be incorporated elsewhere on the holding to explain the history of the Butterley Gangroad.

This is not necessary to make the development acceptable but could represent a modest voluntary enhancement.

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24. HERITAGE PLANNING BALANCE

24.1

The Butterley Gangroad and Fritchley Tunnel is unquestionably a heritage asset of the highest significance.

That significance demands a correspondingly careful approach to development within its surroundings.

24.2

The proposed development demonstrates that such an approach has been taken.

24.3

Rather than positioning the stables and arena according solely to operational convenience, the layout has responded directly to the heritage constraint.

24.4

The western location is materially preferable to development within the central or eastern parts of the holding.

24.5

It maximises physical separation, avoids crossing the Scheduled Monument and retains the majority of the open landscape.

24.6

The development would remain proportionate to the wider approximately 10.51-acre holding. The timber stable block and open, unlit arena would have a simple rural/equestrian character.

24.7

The Scheduled Monument would remain physically protected and its broad route through the landscape would remain understandable.

24.8

The proposal therefore represents an appropriate balance between:

- conservation of a nationally important archaeological asset; and
- the reasonable use of surrounding land for an appropriate countryside-based equestrian activity.

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25. RECOMMENDED HERITAGE SAFEGUARDS

25.1

To provide additional certainty, the following safeguards could be incorporated into the development or secured by appropriately worded planning conditions where necessary:

1. confirmation of the Scheduled Monument boundary against the final site layout;
2. no building or hardstanding within the Scheduled Monument;
3. no new vehicular crossing of the monument;
4. no storage of construction materials or spoil within the protected corridor;

5. no contractor parking or construction compound within the Scheduled Monument;
6. no new services or drainage trenches through the scheduled area without prior heritage approval;
7. temporary protective fencing during construction where required;
8. archaeological monitoring or investigation where reasonably required by the County Archaeologist;
9. landscaping designed to avoid potentially damaging deep-rooting planting within the monument; and
10. retention of the proposed open separation between the stable/arena development and the historic route.

25.2

These measures would provide a robust mechanism for protecting the heritage asset throughout both construction and subsequent occupation.

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26. CONCLUSION

26.1

The Butterley Gangroad and Fritchley Tunnel Scheduled Monument is an archaeological and historic asset of exceptional importance.

26.2

Its significance derives from its rarity, early date, historic associations, archaeological survival, diversity of features and contribution to understanding the development of railway transport.

26.3

The importance of the asset has been fully recognised in the evolution of the proposed equestrian scheme.

26.4

The L-shaped stable block, 20m x 40m outdoor riding arena and associated operational infrastructure have been deliberately concentrated towards the western side of the approximately 10.51-acre holding.

26.5

This location provides substantial separation from the Scheduled Monument and avoids the need for the principal access to cross the designated route.

26.6

The majority of the site would remain open grassland, preserving the predominantly rural landscape through which the gangroad passes.

26.7

The proposal would not physically sever or obscure the historic route and would maintain the ability to understand its north-south passage through the landscape.

26.8

The proposal follows the fundamental archaeological principle of preservation in situ.

Avoidance of archaeological disturbance has been prioritised over reliance upon excavation and recording.

26.9

The proposal therefore responds positively to the requirements of national heritage policy and Policies EN4 and EN6 of the Amber Valley Borough Local Plan 2022–2040.

26.10

Subject to the final detailed site layout, confirmation of the scheduled boundary and any proportionate archaeological safeguards requested by the relevant heritage consultees, it is considered that the proposed equestrian development can be accommodated without unacceptable harm to the significance of the Butterley Gangroad and Fritchley Tunnel Scheduled Monument.

26.11

The development represents a considered and heritage-led solution which allows an appropriate rural equestrian use to take place whilst safeguarding an archaeological asset of national importance for future generations.

Accordingly, there are considered to be no overriding heritage or archaeological reasons why planning permission should be withheld.