
F/YR23/0376/F

**Applicant: Mr Jamie McGarvie
Ashewell Developments**

**Agent : Mr Ian Gowler
Gowler Architectural**

**Land East Of The Walnuts Flaggrass Hill Road Accessed From, Creek Fen, March,
Cambridgeshire**

**Change of use of agricultural land to equestrian use and the formation of an
access road (part-retrospective)**

Officer recommendation: Grant

**Reason for Committee: Number of representations received contrary to Officer
recommendation**

Government Planning Guarantee

Statutory Target Date For Determination: 27 June 2023

EOT in Place: Yes

EOT Expiry: 07 August 2024

Application Fee: £462

Risk Statement:

**This application must be determined by 07 August 2024 otherwise it will be out of
time and therefore negatively affect the performance figures.**

1 EXECUTIVE SUMMARY

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| <p>1.1 This is a full application for the change of use of agricultural land to equestrian use and the formation of an access road (part-retrospective).</p> <p>1.2 The proposed development is not considered to introduce any significant impacts upon the character of the surrounding area. The scheme is also not considered to have any detrimental impacts upon surrounding residential amenity.</p> <p>1.3 A number of objections have been received with regard to the proposed new access and the use of the access track off Creek Fen. CCC Highways have raised no objection to the scheme and on balance, considering the use is non-commercial, it's not considered that the scheme would result in significant highway impact.</p> <p>1.4 The scheme is therefore considered to be compliant with the relevant policies of the Fenland Local Plan 2014.</p> <p>1.5 As such, the application is recommended for approval.</p> |
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2 SITE DESCRIPTION

- 2.1 The application site is situated to the east of The Walnuts, within countryside outside the settlement of March.
- 2.2 The application site would be accessed via an existing access track off Creek Fen, which runs northwards to the east of Creek Fen Lodge.
- 2.3 The proposed access into the site is already partially constructed.
- 2.4 The application site is situated within Flood Zone 1.

3 PROPOSAL

- 3.1 This is a full application for the part-retrospective change of use of agricultural land to equestrian use and the formation of an access road.
- 3.2 The access road has already been partially constructed. The submitted plan shows the first 10 metres of the access is to be a sealed surface to be constructed with Cambridgeshire County Council Approved construction.
- 3.3 The site will be enclosed by a 1.2m high post and rail fence.
- 3.4 Full plans and associated documents for this application can be found at: [F/YR23/0376/F | Change of use of agricultural land to equestrian use and the formation of an access road \(part-retrospective\) | Land East Of The Walnuts Flaggrass Hill Road Accessed From Creek Fen March Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR23/0376/F)

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR21/0659/F	Conversion of a grain store to 2no dwellings (2-storey, 4-bed) involving demolition of existing sheds (Land North Of The Walnuts, Flaggrass Hill Road, March, Cambridgeshire)	Refused 19/05/2023

5 CONSULTATIONS

5.1 March Town Council (03/10/2023)

Recommendation: Unable to make recommendation/determination based on lack of information/clarity from the applicant.

5.2 March Town Council (23/04/2024)

Recommendation; Approval - subject to all advised conditions and applicant's agreements and the robust enforcement thereof.

5.3 Cllr Steve Count (25/08/2023)

I must object to this application until all matters are resolved. On highways there is a clear request "The applicant will need to clarify if the proposed equestrian use is for private use or a commercial venture. Due to the restrictive width along the unnamed access road to the east and Creek Fen, the location is ill suited for commercial activities." Despite additional information supplied by the applicant this has not been answered therefore we must assume it is a commercial activity.

I am led to believe that there are ponies that are there already, that are not the applicants, therefore it suggests this is a commercial set up already. The Highways response goes on to say "In any case, a material traffic intensification along the access is unlikely to be acceptable in terms of highway safety implications, in absence of suitable mitigation, due to restrictive opportunity for vehicle passing. The applicant will need to confirm the forecast levels of use for the land." This has been supplied but seems somewhat too low. The paddock is large enough for two to three horses. I suggest that FDC or Highways form an independent view of what level of car and trailer usage would be normal. I believe potentially two feeds a day, one to three owners in attendance each day, a check on water and vet visits etc. would suggest a much higher figure.

The revised drawing does not show the passing point required for car and horsebox at the entrance to the site, that my understanding of highways comments state is required. I therefore believe that the application should be refused on highways grounds, mainly too large an increase in vehicle numbers, no safe passing provided and unsuitable for commercial activity. Furthermore with no passing place on Creek fen there is no potential to pull over. With a car and horsebox, potentially one in both directions at the same time this could be an acute issue.

5.4 Cllr Steve Count (25/09/2023)

I have reviewed the letter attached. My understanding is the fact the land is rented out means that this is a commercial operation and therefore a business use.

The applicant has confirmed here that the land is NOT being used for 'Personal Use'. However, the applicant is receiving a rent for what is known as a DIY type Livery and is therefore already effectively running as a livery business. The below link and even HMRC states that DIY livery (and in fact all forms of livery) are classed as 'keeping horses commercially' so this is evidence that this is a 'commercial' set up. The response from Highways was clear that the track joining Creek Fen is unsuitable for commercial usage.

<https://www.gov.uk/guidance/keeping-horses-commercially>

It is very clear that the applicant is attempting to play down the reality of the situation here especially because the track is unsuitable for any traffic intensification. It is disappointing to see that the response is titled confirmation of 'No Business Use' when it is confirmation that it is.

5.5 FDC Environmental Health (25/05/2023)

I refer to the above application for consideration and make the following observations.

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal, as it is unlikely to have a detrimental effect on the local air quality, the noise climate, or be affected by ground contamination.

5.6 FDC Housing Strategy (18/05/2023)

As the application has no affordable housing impact, we have no comment to make.

5.7 CCC Highways (06/06/2023)

CCC Highways requested additional information regarding the proposed use of the site, whether it be a private or commercial venture and also the forecasted vehicle activity. They noted that the location is *ill suited for commercial activities*.

The applicant was also requested to demonstrate suitable inter-vehicular visibility splays and that the access would be surfaced to CCC requirements.

5.8 CCC Highways (04/09/2023)

CCC Highways note that a personal use is unlikely to result in a material highway impact.

A condition was suggested to ensure visibility splays are maintained free from obstruction from at least a height of 600mm.

The Highways officer also requested that the surface treatment to the access be applied to the first 10m.

It was noted that the access is only suitable for low-level personal use. *Any commercial activity or sub-division of the site will necessitate a widening on the access to 5m for the first 10m length.*

5.9 CCC Highways (26/09/2023)

On the basis of the site use you've described below, and in light of the sealed surface, I wouldn't raise an objection to the proposals as the highway impacts will be negligible.

5.10 CCC Highways (29/09/2023)

Suggested that conditions restricting the number of horses on site would result in traffic that would not materially differ from the associated with the equivalent agricultural use of the site and noted that if the planning application were refused solely on highway grounds, it would likely be overturned at appeal.

It was also noted by the Highways officer that Creek Fen is not suitable for substantial intensification in its current configuration and should further intensification be proposed, carriageway widening or passing places would be required.

5.11 CCC Highways (14/12/2023)

The Highways officer noted that there is likely to be traffic intensification which would be difficult to mitigate, it was acknowledged that the level of intensification will be relatively modest and naturally limited by the size of the site itself.

The Highways officer noted their reservations, however also noted that it would be difficult to defend an objection to the application on highway safety grounds and therefore confirmed that they would not seek to object.

The Highways officer also suggested conditions to require a passing place to be provided on Creek Road.

5.12 CCC Highways (09/05/2024)

Following supplementary information which I've been provided with, I would like to confirm that the proposed access as shown on the latest block plan is only suitable for access i.e., paddock use, and it is not suitable for through traffic. On this basis, I recommend that the length be curtailed to align with the field access (as per the below); in the context of this application, there is no need to extent the 4m hardcore access to the blue line boundary.

If the access length cannot be curtailed, can it be conditioned such that it is used for paddock access only?

For awareness, this would only be acceptable for through traffic if there were regular passing places (5-6m wide) along the access and along School Grounds.

5.13 CCC Archaeology (15/05/2023)

I am writing to you concerning the archaeological implications of the above referenced planning application. The proposed development is in an area of extremely high archaeological potential. It lies just to the north of the major Roman routeway of the Fen Causeway, surviving here as a shallow earthwork visible from lidar as well as sub- surface remains (Cambridgeshire Historic Environment record CB15033). The entire redline is covered by a much larger area of extensive complex cropmarks (CHER 09376) of very high quality and representing Roman and possibly Iron Age settlement.

Due to the quality of the known potential for the site, it is likely that the National Planning Policy Framework paragraph 200b footnote 68 is applicable. We would request that the applicant provide further information about the proposals, including depths and construction methods of the access road, as well as details for the fencing around the paddock, and any other subsurface elements of the proposal. This information will allow us to make further recommendations.

5.14 CCC Archaeology (25/05/2023)

Thank you for forwarding the extra information. In view of this and considering the previously issued advice regarding the archaeological potential of the area I recommend that whilst we have no objections to the development we consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

- a) the statement of significance and research objectives;*
- b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;*
- c) The timetable for the field investigation as part of the development programme;*
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.*

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2019).

Informatives: Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development. Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI. A brief for the recommended programme of archaeological works is available from this office upon request. Please see our website for CHET service charges.

5.15 CCC Archaeology (21/09/2023)

Thank you for the photos. The proposed works are covered by an area of significant known non designated archaeology. The cropmarks in this area are extensive and cover the trackway. By asking for a condition this allows us to have a look at the depth of the archaeology by way of archaeological evaluation. This would likely be a light touch programme of trenching or possibly in this case test pits. If the archaeological deposits are of a depth that could withstand the track without damage, we could discharge the condition at this point.

5.16 CCC Ecology (19/04/2024)

A draft Water Vole report (Cambridge Ecology, 2024) has been submitted as part of the planning application. We recommend that a final version of this report is submitted to the LPA prior to determination, to ensure the most up-to-date information has been reviewed.

The proposal is acceptable on ecology grounds, providing that the following water vole mitigation is secured through a suitable worded condition to ensure compliance with Fenland Local Plan 2014 policies LP16 and LP19 that seek to conserve, enhance and protect biodiversity through the planning process:

- No construction works will be undertaken within 5m from the top of the ditch bank for ditches D1, D2 and D3*
- Water vole mitigation measures set out in section 5 of the Water Vole report will be implemented in full*

- Should no development commence within 12 months of approval of the planning permission, the water vole survey and mitigation shall be updated and submitted to & approved by the LPA prior to the commencement of works.

Please find further details below:

The Water Vole report (Cambridge Ecology 2024) confirms that no evidence of water vole. However, it was undertaken outside of the water vole survey period and therefore, the findings cannot be considered conclusive. We agree with Cambridge Ecologist's approach to assume that water vole may be present, given that the ditch(es) are capable of supporting water vole during their lifecycle.

However, it is considered that the suite of mitigation measures set out within section 5 of the report will adequately protect any water voles present. These measures should be secured through a compliance condition.

5.17 CCC Ecology (17/05/2024)

Previous concerns have been address and therefore, we remove our recommendation for refusal. The proposal is acceptable on ecology grounds, providing that the biodiversity mitigation measures recommended section 5 of the Water Vole Assessment are secured through a suitable worded condition(s) to ensure compliance with Fenland Local Plan 2014 policies LP16 and LP19 that seek to conserve, enhance and protect biodiversity through the planning process:

1. Compliance condition - scheme should comply with water vole mitigation measures set out at out in Water Vole Assessment: a. no excavations within 5m of the ditch b. porous material to be utilised to create the access track c. no run-off from access track to run directing int the ditch d. no engineering modifications to the ditch. No works shall be completed within 5m of the ditch, unless a water vole survey has been completed within 24-48 hours of the commencement of works and confirmed no water vole are present. If water vole are present, a water vole mitigation strategy shall be submitted to and approved by the LPA prior to the commencement of works within 5m of the ditch.

2. Time limit until update ecological surveys required

5.18 Local Residents/Interested Parties

Objectors

7 letters of objection were received with regard to this application (6 from address points at Creek Fen and 1 from Estover Road).

A further 2 letters of objection were also received with regard to this application which were requested to be kept as anonymous. This was agreed by the Head of Planning.

The reasons for objection are summarised as follows:

- No objection to change of use of land
- Little information regarding access road
- Existing established accesses from Flaggrasshill Road
- Drainage
- Existing track narrow and need of repair

- No designated passing places
- Archaeological significance
- Commercial use
- Conditioning horses on site
- Traffic movement statistics not consistent with expected levels
- Who measures visibility splays?
- Specification of the road proposed required given existing contaminated materials on site
- Concerns over future development of the remainder of the field
- Damage to track from retrospective access construction, who is responsible for repairs
- 200% traffic intensification
- Biodiversity
- Pollution to dyke
- Number of owners to horses and number of vehicle movements would be unlimited and unmanaged

Supporters

1 letter of support was received with regard to this application from an address point along Creek Fen. The reasons for support are summarised as follows:

- The area to be developed backs on to the rear of my property. My family and I fully support the application.

Representations

1 letter of representation was received with regard to this application on behalf of Moy Park Ltd who operate the poultry farm. The letter noted the following:

- Where responsibility lies in terms of maintenance of the drainage ditch, and any further damage caused to it as a result of the increase in traffic

6 STATUTORY DUTY

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted March Neighbourhood Plan 2017 and Fenland Local Plan (2014).

7 POLICY FRAMEWORK

- 7.1 **National Planning Policy Framework (NPPF)**
- 7.2 **National Planning Practice Guidance (NPPG)**
Determining a Planning Application
- 7.3 **National Design Guide 2021**
Context
Identity
- 7.4 **Fenland Local Plan 2014**

- LP1 – A Presumption in Favour of Sustainable Development
- LP2 – Facilitating Health and Wellbeing of Fenland Residents
- LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP12 – Rural Areas Development Policy
- LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
- LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
- LP16 – Delivering and Protecting High Quality Environments across the District
- LP19 – The Natural Environment

7.5 **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP5: Health and Wellbeing
- LP7: Design
- LP18: Development in the Countryside
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP32: Flood and Water Management

7.6 **March Neighbourhood Plan 2017**

There are no specific policies relating to developments such as this, however the visions, aims and objectives of the Plan is that the quality of the built and natural environment is improved along with the level of provision and quality of recreational land facilities.

8 **KEY ISSUES**

- **Principle of Development**
- **Character and Visual Amenity**
- **Residential Amenity**
- **Highways**
- **Flood Risk**
- **Ecology**
- **Other Matters**

9 **ASSESSMENT**

Principle of Development

- 9.1 This application seeks full planning permission for the change of use of agricultural land to equestrian use and the formation of an access road. The access road is partially in situ and is therefore part-retrospective.

- 9.2 The application notes that the paddock land is owned by the applicant but rented out as a whole to someone else and this will remain as is. There is no intention for the site to be used as a livery yard. It is not considered that the renting out of the field constitutes a commercial operation. Should permission be granted, a condition can be secured to ensure that the field is used for non-commercial purposes only.
- 9.3 The application site is located outside of the built-up settlement of March and is therefore classed as a countryside location. The use of the land for equestrian use is commonplace within countryside locations and as such, the principle of such development on site is considered acceptable subject to further policy consideration set out below.

Character and Visual Amenity

- 9.4 Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area. Policy LP12 Part A(c) states that development will not have an adverse impact on the character and appearance of the surrounding countryside and farmland.
- 9.5 The use of the land for equestrian use is commonplace within countryside settings and also will not introduce any adverse visual impacts upon the character of the surrounding area and is therefore considered to be acceptable.
- 9.6 The proposed access track would be finished in hardcore which again is commonplace in agricultural settings. As such, the scheme is considered to be compliant with Policy LP16 in this regard.

Residential Amenity

- 9.7 Neighbouring properties are situated to the west of the site (The Walnuts) and the south of the site (12 Creek Fen and Creek Fen Lodge). Given the existing agricultural use of the site, it is unlikely that the use of the land for equestrian purposes would introduce any additional adverse impacts upon neighbouring property, especially considering as no stables or buildings are proposed.
- 9.8 The agent has confirmed that the use of the land would be rented out to an individual and thus 'domestic' in the scale of use. A condition can be secured should permission be granted to ensure that the site is used on a private basis only.

Highways

- 9.9 The proposed development would be served by a new access (partially constructed) onto an access track off of Creek Fen. It is acknowledged that a number of objections have been received with regard to vehicles utilising this track to access the application site.
- 9.10 With regard to the use of the site, CCC Highways have confirmed that a personal use is unlikely to result in a material highway impact which would be unsafe. It is

acknowledged that a number of letters of objection raised concern with regard to additional traffic utilising the track, however it would be unreasonable to refuse a personal equestrian use on site given that the existing site has an agricultural use which could result in similar vehicle movements. For reference, the definition of agriculture within the Town and Country Planning Act 1990 is as follows:

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly

- 9.11 All of the above uses could be undertaken on site without additional planning permission. It should also be noted that solely grazing of horses on the land would fall within the definitions of agriculture, albeit this is not the case for this application.
- 9.12 The potential to condition the number of horses on site was considered, however this is not considered to be a reasonable condition. Notwithstanding this, the number of horses that can be grazed on a certain hectare of land will be regulated by the separate legislation on how many horses can be grazed on a certain hectare of land in accordance with The Animal Welfare Act 2006.
- 9.13 Upon liaising with CCC Highways with regard to being unable to implement such restriction conditions, it was confirmed that no objections have been raised from a highways perspective in the absence of restrictive conditions. It was suggested by the highways officer whether a 5.5m passing place could be implemented along Creek Road. This area is without the red line of the application site and given the proposed of the site, would be considered unreasonable to request.
- 9.14 CCC Highways have also requested that the proposed hardcore track be curtailed to align with the field access as they consider it is not necessary for the hardcore track to extend to the blue lined land, also within the applicant's ownership. It would be unreasonable to require such curtailment given that this land is also within the same ownership as the application site and the lack of harm arising from this.
- 9.15 The Highways officer also suggested that if the track could not be curtailed, then a condition could be imposed to ensure the track is used for paddock access only. This is considered to be an unreasonable approach given the issues outlined above, as well as also raising issues as to the enforceability of such restrictions.
- 9.16 A number of the letters received have also raised concern regarding damage to the access track off of Creek Fen and who would be responsible for such repairs. It is CCC's responsibility to ensure the road (formally recorded as 'School Grounds') is maintained to a passable standard as defined in the Highway Operational Standard; this duty cannot be delegated to a third-party developer. Should the embankment fail, it would be a matter for either CCC or the owner of the watercourse to repair.
- 9.17 Concerns were also raised regarding the use of contaminated materials within the construction of the access currently in situ. It appears that the material used is typical road planings, which are often used as a sub-base in construction, in particular farm tracks/minor roads. As to hazardous waste some of the planings will

consist of aggregate bound by coal tar and can be affected by rainwater when stored which can pick up contaminants unless covered. Irrespective of this, it is for the developer to ensure that they have constructed the access to CCC approved construction, as detailed within the submitted drawings. The applicant is also responsible for ensuring the proposed visibility splays can be achieved on site.

- 9.18 It is acknowledged that a number of the representations received queried why existing accesses off of Flaggrass Hill Road are not being utilised to serve the site. An application has to be considered on its merits and what has been submitted.
- 9.19 The concerns regarding the use of the track off of Creek Fen are acknowledged, however on balance, subject to a condition to ensure the site is used for domestic purposes, it is not considered that the proposed scheme would introduce significant highway impacts and is thus considered to be compliant with Policy LP15.

Flood Risk

- 9.20 The application site is situated within Flood Zone 1 (low risk) and as such the proposal is considered to be appropriate development and does not require the submission of a flood risk assessment or inclusion of mitigation measures

Ecology

- 9.21 A Water Vole Assessment has been submitted as part of this application due to the proximity of ditches to the applications site. The survey notes that the site does not appear to be of high conservation value and no signs of water vole or other protected species were found. However, certain measures will be taken to ensure legal compliance pertaining to wildlife. Upon consultation with CCC Ecology, the proposal is considered to be acceptable on ecology grounds providing water vole mitigation is secured, which can be done through conditions.
- 9.22 The concerns raised by objectors with regard to contamination of the ditches from the materials used to construct the access are acknowledged, however the materials used are considered to be typical road planings and thus not waste. Irrespective of this, pollution discharging into ditches and watercourses should be reported to the Environment Agency.

Other Matters

- 9.23 The letters of objection received raised concern over the archaeological significance of the site. Should permission be granted, a condition can be secured to ensure that no further work can be carried out on site until a programme of archaeological work has been secured and approved by the LPA prior to development on site.
- 9.24 Concerns were also raised over the future development of the remainder of the field. As aforementioned, the application has to be considered on its merits. Potential future development cannot be considered as a reason to refuse an application.

10 CONCLUSIONS

10.1 The change of use of agricultural land to equestrian use and the formation of an access road is not considered to introduce any significant impacts upon the character of the surrounding area. The scheme is also not considered to have any detrimental impacts upon surrounding residential amenity. The objections received are acknowledged however these have been addressed within the report above. On balance, the scheme is considered to be acceptable with regard to highways impacts subject to conditions. No further policy issues have been raised with regard to flood risk or ecology. As such, the scheme is considered to be broadly compliant with the development plan when taken as a whole.

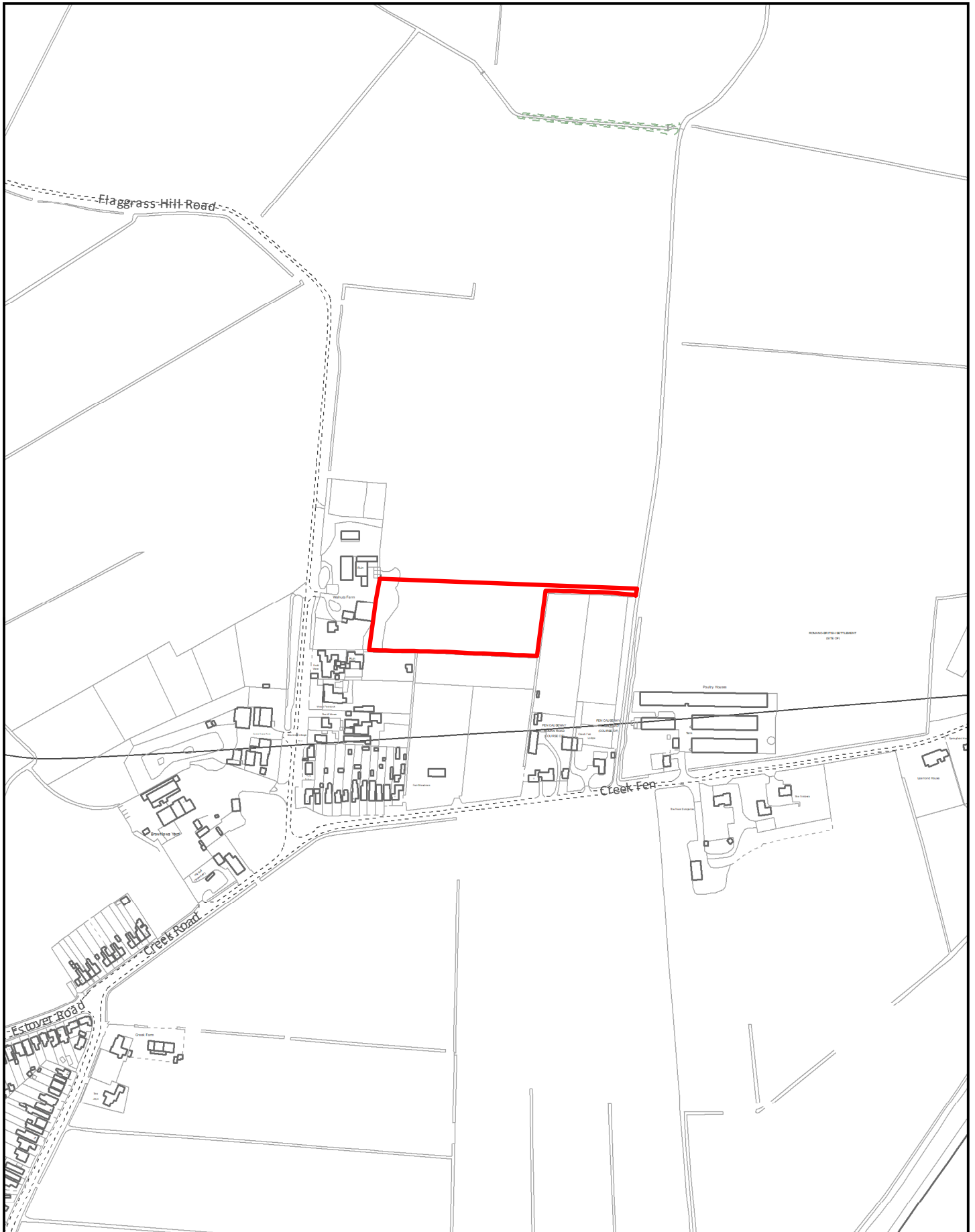
11 RECOMMENDATION

11.1 **Grant**, subject to the following conditions;

1	<p>The development hereby approved shall be used for private recreation only and shall not be used for commercial purposes.</p> <p>Reason - The site is within an area where commercial activity would not normally be permitted in view of the need to safeguard visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
2	<p>No further works to the access road and track as detailed on plan reference 425-P10 revision B shall proceed until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <ul style="list-style-type: none"> a) the statement of significance and research objectives; b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; c) The timetable for the field investigation as part of the development programme; d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives. <p>Reason - To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2019).</p>
3	<p>Prior to first use of the development hereby approved visibility splays shall be provided as detailed within drawing reference 425-P10 Revision B and</p>

	<p>maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.</p> <p>Reason - In the interest of highway safety in compliance with Policy LP15.</p>
4	<p>Prior to the first use of the development, the vehicular access where it crosses the public highway shall be laid out and constructed as detailed on plan reference 425-P10 revision B, and thereafter retained in perpetuity.</p> <p>Reason - In the interests of highway safety and to ensure satisfactory access into the site in compliance with Policy LP15.</p>
5	<p>The development hereby approved shall comply with the water vole mitigation set out within the Cambridge Ecology Water Vole Assessment accompanying the planning application.</p> <p>No works shall be completed within 5m of the ditch, unless a water vole survey has been completed within 24-48 hours of the commencement of works and confirmed no water vole are present. If water vole are present, a water vole mitigation strategy shall be submitted to and approved by the LPA prior to the commencement of works within 5m of the ditch.</p> <p>Reason - In order to ensure that compliance with the Conservation of Habitats and Species Regulations 2017 and to provide biodiversity mitigation/compensation in line with the aims of the National Planning Policy Framework and Policy LP19 of the Fenland Local Plan 2014</p>
6	<p>If no further works occur within 12 months from the date of this planning permission, the approved ecological measures secured through other conditions shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of species (e.g. water vole) and ii) identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of further development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.</p> <p>Reason – To protect biodiversity in compliance with Policy LP16 and LP19 of the Fenland Local Plan 2014.</p>
7	<p>No external lights shall be erected within the site (either freestanding or building/pole-mounted) until a lighting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. Any lighting works shall then be carried out as approved and retained thereafter.</p> <p>Reason: To safeguard the amenities currently enjoyed by the occupants of adjoining dwellings in accordance with Policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.</p>

8	Approved Plans;



Created on: 10/05/2023

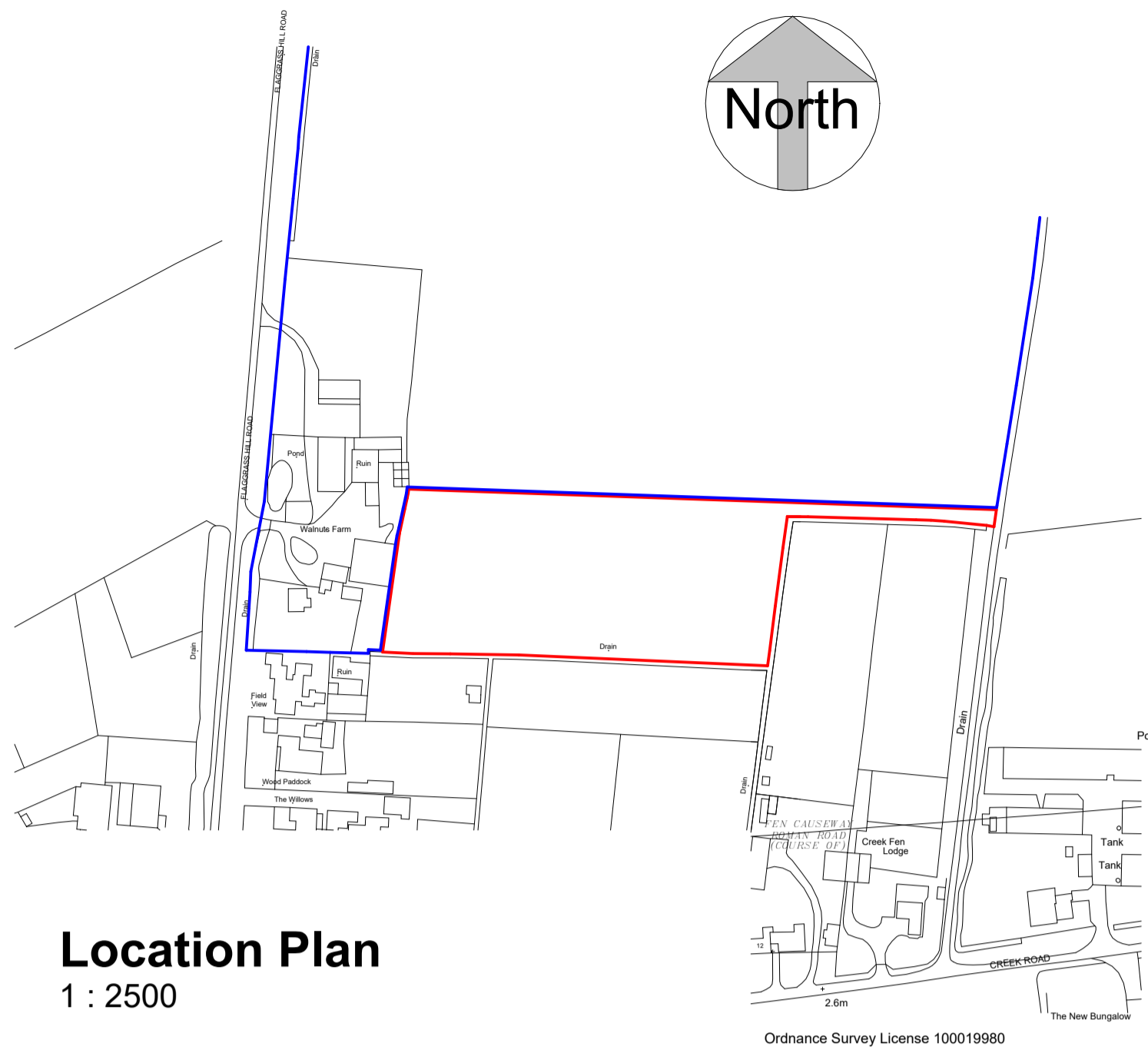
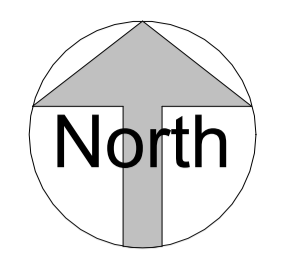
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F/YR23/0376/F

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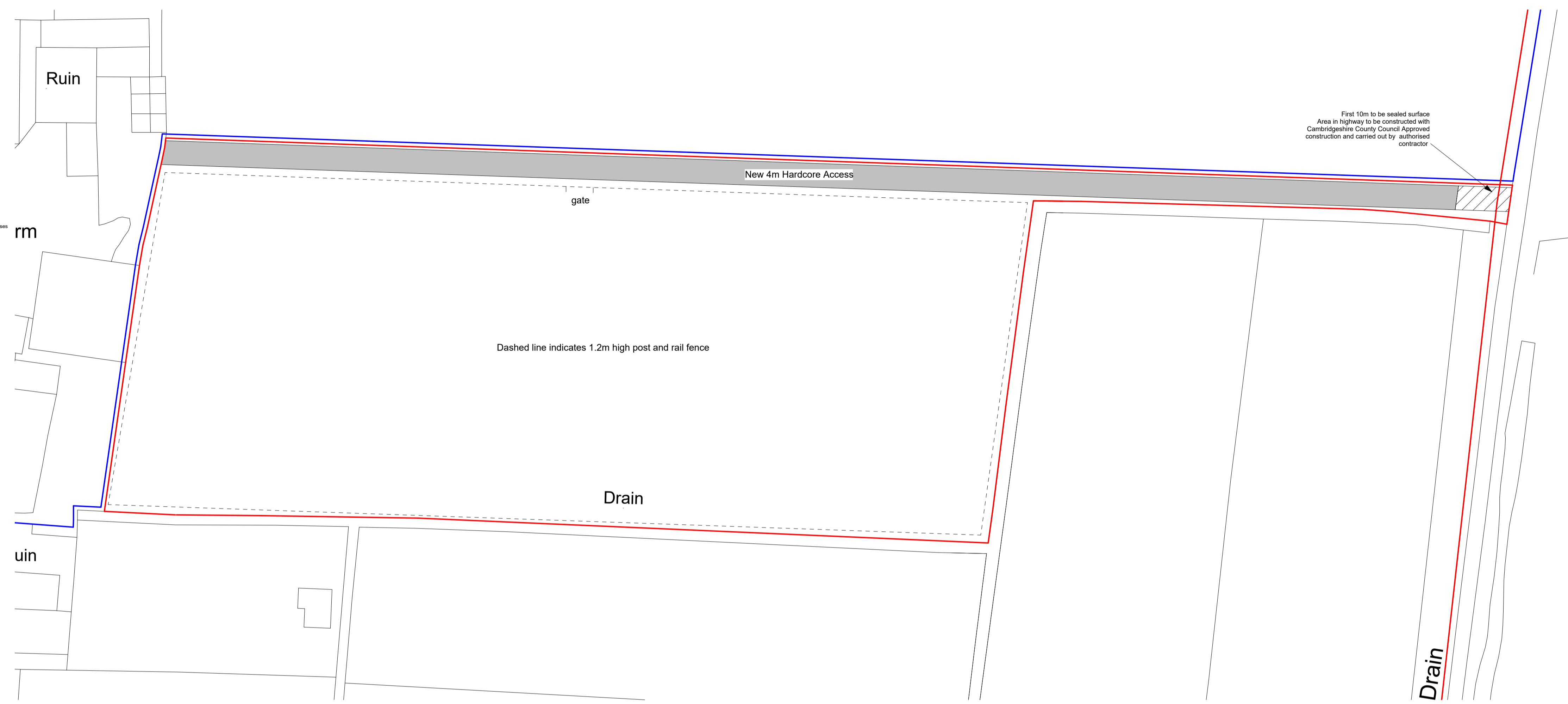


Notes
 Any discrepancies to be brought to attention of Author as soon as possible.
 All dimensions shown in "mm" unless otherwise shown.
 Unless stated otherwise, this drawing has been assessed for risks and nothing is deemed to be outside of normal good safe working practice that would be covered by a contractors Construction Phase Health and Safety Plan.



Location Plan
 1 : 2500

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Block Plan
 1 : 500



Visibility Splays
 Scale 1:500

B	Note amended for 10m hard surface	13-09-23
A	Visibility Splays Added	18-08-23

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Change of Use of Agricultural Land to Horse Paddocks Creek Road, March for Ashewell Developments

Paddock Sketch

date created	scale	drawing no.	rev
16/03/23	As indicated @ A1	425 - P10	B