Response provided under the delegated authority of the Executive Director for Place

Planning Manager
Amber Valley Borough Council
PO Box 15, Town Hall, Market Place
RIPLEY
Derbyshire
DE5 3XE

Highway Officer: Robert Smith
Our ref: AVBC/2025/013326/R2
Your ref: PDR/2025/0046
Date: 25 September 2025

Dear Alfia Cox

TOWN AND COUNTRY PLANNING ACT 1990
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015
ARTICLE 18 CONSULTATION WITH HIGHWAY AUTHORITY

PROPOSAL: Application to determine if prior approval is required for a proposed change of use of an agricultural building to a dwellinghouses

LOCATION: Highlander Farm, Wheatcroft Lane, Wheatcroft, Matlock DE4 5GU

Derbyshire County Council, the Highway Authority acting in its role as Statutory Consultee, has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, has no objection subject to conditions being imposed should approval be granted.

Further to the Local Highway Authority's (LHA) most recent comments regarding the above application dated the 17th of September 2025, please find additional comments following correspondence with colleagues.

Following advice from colleagues concerning removal of the tree in the highway verge, immediately to the south of the site access, it is recommended that the tree be removed to improve emerging visibility.

It should be noted that the most recent revised plan (ref: 5045 – 001-B) still demonstrates visibility splays incorrectly, showing them taken to an arbitrary offset

distance. However, reiterating previous comments, following a recent site visit it is apparent that vehicle speeds in the vicinity of the site access are suppressed due to the nature of Wheatcroft Lane. Accordingly, subject to removal of the birch tree within the verge it is considered achievable sightlines are acceptable within controlled land.

Accordingly, based on the analysis of the information submitted and a review of Local and National policy the Highway Authority concludes that there would not be an unacceptable impact on highway safety. There are no justifiable grounds on which an objection could be maintained.

Conditions

The development hereby approved shall not be brought into use until the tree, within the highway verge, located immediately to the south of the access point to Wheatcroft Lane has been removed and the highway verge reinstated.

Reason: In the interests of highway safety.

The development hereby approved shall not be brought into use until the parking and turning facilities have been provided as shown on drawing 5045-003.

Reason: To ensure conformity with submitted details.

No part of the development hereby permitted shall be brought into use until the driveway is surfaced in a bound material, along the full width of the driveway for a minimum length of 5m within the site measured from the highway boundary, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This area of driveway shall be maintained in the bound material for the life of the development.

Reason: In the interest of highway safety.

No part of the development hereby permitted shall be brought into use until the access driveway is constructed with provision to prevent the unregulated discharge of surface water to the public highway in accordance with details to be first submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

Reason: To ensure that surface water from the site is not deposited on the public highway causing danger to road users.

No part of the development hereby permitted shall be brought into use until a hard surfaced verge crossing to serve the driveway from Wheatcroft Lane is available for

use and has been constructed in accordance with the highway authority's specification to the satisfaction of the Local Planning Authority.

Reason: In the interest of highway safety.

Prior to the first occupation of the development hereby permitted, a hard-paved bin collection point shall be provided, adjacent to and clear of the public highway and clear of the site access. The bin collection point shall be retained free from impediment to its designated use for the lifetime of the development.

Reason: To ensure safe and suitable conditions are maintained on the public highway, in the interests of highway safety, and to ensure appropriate waste/refuse facilities are provided for the occupiers of the development.

Informatives

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 license. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Derbyshire Highways details can be found at www.derbyshire.gov.uk/transport-roads/roads-traffic/licences-enforcements/vehicular-access/vehicle-accesses-crossovers-and-dropped-kerbs.aspx or email highways.hub@derbyshire.gov.uk before commencing any works on the highway.

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Implementation team at development.implementation@derbyshire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

Drafting the Agreement
A Monitoring Fee
Approving the highway details
Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured

and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

Yours sincerely,

Robert Smith
Transport Development Management

Date Received	Case Officer	Reviewer	Date Issued
23 September 2025	**Robert Smith**	**SD**	**25 September 2025**