DERBYSHIRE County Council

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

Planning Manager
Amber Valley Borough Council
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Highway Officer: Robert Smith
Our ref: AVBC/2025/014526
Your ref: PDR/2025/0052
Date: 10 November 2025

Dear Laura Anthony

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 former poultry shed to dwellinghouse

LOCATION: Watergate Farm, Longway Bank, Whatstandwell, Matlock, Derbyshire DE4 5HU

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, recommends that the application is refused.

Background

This application proposes the change of use of a former poultry shed to form a 2-bedroom dwelling.

Traffic Impacts

No evidence has been submitted demonstrating existing traffic flows associated with the existing building.

The Local Highway Authority (LHA) considers that traffic flows associated solely with the use of such a building would be lower than those which would apply to the proposed residential redevelopment, which the LHA considers would generate between 6 and 8 two-way trips per day.

The proposed development would also be likely to be more traffic intensive during highway peak periods, proportionally increasing the potential for conflicts between vehicles using the site access route and those on the wider highway network. The proposed development is also likely to increase the potential for conflict between vehicles entering and leaving the site, given the potential higher tidality of residential traffic flows compared to the more uni-directional nature of most trips to and from the agricultural use.

The LHA considers that the proposed development would be likely to give rise to an increase in traffic flows at the point where the existing site access route emerges onto the classified B5035 Wirksworth Road, which is subject to the National speed limit in the vicinity of the site access route. As explained further below, such an intensification of use, without appropriate mitigation, would be detrimental to highway safety.

Site Access

The site takes access via an existing shared access track located approximately 730m to the south of Wirksworth Road. The junction between the shared access and Wirksworth Road does not conform to current guidance in terms of both visibility and geometry.

Given the nature of Wirksworth Road adjacent to the existing access point it is appreciated that approach speeds are lower than the speed limit. During a recent site visit Wirksworth Road was closed to the west of the access point, preventing approach traffic speeds from being determined. However, it is estimated that emerging splay lengths of approximately 170m and 50m are achievable along Wirksworth Road to the east and north-west of the shared access, respectively, from a minor road visibility setback distance of 2.4m.

Forward visibility along Wirksworth Road towards vehicles waiting to turn right into the shared access is estimated to be circa 20m.

It is therefore considered that sufficient emerging visibility to the north-west along Wirksworth Road and forward visibility to vehicles waiting to turn right from Wirksworth Road would not be achievable over controlled land.

In addition to the above, in line with the highway authority's guidance document Planning, Streets, and Places (PSP), a shared driveway should allow two vehicles to enter and leave simultaneously. There are concerns this is not achievable, due to the current geometry at the access point, with any meaningful improvement limited by the highway boundary given that there is no evidence to suggest that the applicant can bring forward improvements.

The LHA therefore considers that the proposed development would lead to the material intensification of use of an existing substandard access onto Wirksworth Road, where forward and emerging visibility and the geometry of the access are restricted due to highway alignment and third-party land constraints. The proposed development would therefore give rise to potential danger and inconvenience to other highway users and/or interfere with the free and safe movement of traffic on the adjoining highway.

Internal Layout

Based on the scale of development and in line with the highway authority's Parking Guidance for New Developments (PGND), a minimum of 2 car parking spaces is required. The Proposed Site Plan demonstrates such provision.

Sustainable Travel

The LHA considers it appropriate to consider the application in line with chapter 9 of the National Planning Policy Framework (NPPF), which requires development to be sustainably located where there is a genuine choice of transport modes.

The site is located approximately 730m along an existing shared private track off Wirksworth Road with no footways, formal pedestrian margins, or street lighting on Wirksworth Road or in closer proximity to the site.

Table 3.2 of The Chartered Institution of Highways and Transportation's document "Guidelines for Providing for Journeys on Foot" provides threshold walking distances for pedestrians without a mobility impairment for some common facilities (see copy extract below).

	Town centres (m)	Commuting/School Sight-seeing (m)	Elsewhere (m)
Desirable	200	500	400
Acceptable	400	1000	800
Preferred maximum	800	2000	1200

Table 3.2, "Guidelines for Providing for Journeys on Foot"
The Chartered Institution of Highways and Transportation

The following actual walk distances, taken from the centre of the proposed dwelling and the various facilities stated:

Bus Stops	The site is approximately 1000m in a straight line from nearest bus stops. Walking distances to bus stops are beyond the preferred maximum distance in rural areas (800m).
Education	The site is approximately 1000m in a straight line from the nearest Primary School (Crich Carr C of E Primary School). Walking distance is below the preferred maximum, slightly greater than the acceptable distance, and significantly longer than the desirable distance. Due to the nature of the route and topography, safe walking is unlikely to be a viable option. Nearest secondary school is in Wirksworth, 3.5km in a straight line from the site, beyond the preferred maximum walking distance.

Town Centre Facilities	Limited in the vicinity of the site. All walking distances exceed the preferred maximum.
Health	Nearest facilities are in Wirksworth, 3.5km in a straight line from the site, exceeding the preferred maximum walking distance.
Employment	Limited in the vicinity of the site.

The above table demonstrates that walking distances generally exceed the preferred maximum threshold for access to most facilities.

The same conditions for pedestrians to access local amenities also apply to cyclists with the same barriers significantly reducing opportunities for occupants of the proposed dwelling to choose sustainable travel options.

Walking, cycling, and public transport are therefore unlikely to provide a realistic choice of mode for most trips associated with the proposed development. As such future residents are likely to be almost entirely reliant on the private car for everyday residential needs i.e. for travel in connection with health, retail, social, leisure, educational, and employment requirements. The proposed development is not therefore considered to be sustainable in transport terms.

Public Rights of Way (PRoW)

A PRoW runs along the access route. Consideration should be given to the safety of the public using the path. Private rights must not derogate the rights of the public to use the path.

Comments have been requested from the County Council's Rights of Way team and will be provided in due course. However, the following general guidance is advised:

- The footpath must remain open, unobstructed and on its legal alignment.
- There should be no disturbance to the path surface without prior authorisation from the Rights of Way Section.
- Consideration should be given to the safety of members of the public using the path during and after the works. A temporary closure of paths may be permitted on application to the County Council where the path remains unaffected on completion of the development.
- There should be no encroachment of the path, and no fencing should be installed without consulting the County Council's Rights of Way section.

Conclusion

Based on the above comments, it is recommended that the application is refused on the following grounds:

The proposed development would lead to the material intensification of use of an existing substandard access onto Wirksworth Road, where forward and emerging visibility and the geometry of the access are restricted due to highway alignment and third-party land constraints. The proposed development would therefore give rise to

potential danger and inconvenience to other highway users and/or interfere with the free and safe movement of traffic on the adjoining highway contrary to paragraph 115 b) of the National Planning Policy Framework (NPPF).

The proposed development would therefore give rise to an unacceptable impact on highway safety contrary to paragraph 116 of the NPPF.

The proposed development is also subject to significant barriers to prioritising sustainable transport modes contrary to the objectives of chapter 9 of the NPPF, particularly as expressed in NPPF paragraphs 115 a) and 117 a).

Yours sincerely,

Robert Smith
Transport Development Management

Date Received	Case Officer	Reviewer	Date Issued
22 October 2025	**Robert Smith**	**AN**	**10 November 2025**