DERBYSHIRE County Council

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/2025/014983/R2
Your ref: AVA/2025/0789
Date: 13 January 2026

Dear Rebecca Godson,

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

PROPOSAL: Construction of 3 no. detached dwellings

LOCATION: Land Between 22 and 34 Brook Street Brook Street Loscoe Heanor

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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) previous comments, please find below additional comments following receipt of further information provided by the applicant, in the form of an amended plan.

The amended plan (Ref: 083.101.B) largely addresses previous comments made by the LHA.

Whilst parking to plot 3 appears constrained, it is not considered that a highway objection could be sustained for this reason alone.

Accordingly, based on the analysis of the information submitted and a review of Local and National policy the LHA's advice is that the impact of the development on highway safety would not be unacceptable and impacts on the road network would not be severe.

The LHA would therefore have no objection to this planning application subject to the following recommended planning conditions and informatives being attached to the decision notice should planning permission be granted.

Conditions

The development hereby permitted shall not be occupied until the access, parking, and turning facilities have been provided as shown on drawing 083.101.B.

Reason: To ensure conformity with submitted details.

The development hereby permitted shall not be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway have been provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjacent footway level.

Reason: To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety.

The development hereby permitted shall not be occupied until highway improvements works comprising construction of a 2m wide footway along the whole frontage, to link the footway to the west of the site, and relocation of an existing lighting column to the rear of the widened footway, has been constructed and completed, in accordance with the Highway Authority's specification to the satisfaction of the Local Planning Authority.

Reason: To ensure the safe and free flow of traffic onto the highway.

No part of the development hereby permitted shall be occupied until a hard surfaced footway crossing to serve the driveway from the public highway 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.

No part of the development hereby permitted shall be occupied until the access 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. This area 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 occupied 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. 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 occupied until provision has been made within the application site for secure, covered cycle parking, secure cycle equipment storage, electric vehicle charging, and bin storage and collection facilities in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall not thereafter be used for any other purpose and shall be maintained for the life of the development.

Reason: In the interest of highway safety and furthering travel by sustainable modes.

Informatives

Planning permission does not convey consent to work on or adjacent to the public highway.

Prior to any works commencing on site, including demolition works, the developer must obtain the highway authority's consent.

The development hereby permitted includes the carrying out of work on the adopted highway. The applicant is advised that, before undertaking work on the adopted highway, the applicant 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. Payment of fees is required to cover the Council's costs in undertaking the following actions:

- Drafting the agreement

- A monitoring fee
- Approving the highway details
- Inspecting the highway works

The highway agreement 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.

The deposit of mud or other items, and/or the discharge of water, onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner/occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the highway authority to take both practical and legal action (which may include prosecution) against the applicant/contractors/owner or occupier of the land.

Robert Smith
Transport Development Management

Date Received	Case Officer	Reviewer	Date Issued
12 January 2026	**Robert Smith**	**SD**	**13 January 2026**