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/2026/015610
Your ref: AVA/2025/0873
Date: 27 January 2026

Dear Laura Anthony,

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

PROPOSAL: Proposed single storey holiday lodge and ground mounted pv panels (may affect the setting and character of the conservation area)

LOCATION: Springhill Barn Cliffash Lane Idridgehay Belper Derbyshire DE56 2SE

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.

The planning application proposes a single storey holiday lodge and ground mounted pv panels.

The site is located off Cliffash Lane, a lightly trafficked, relatively narrow rural road subject to the national speed limit. In view of the character and nature of the lane, it is appreciated that approach traffic speeds are lower than the speed limit, with most drivers adopting an appropriately low speed.

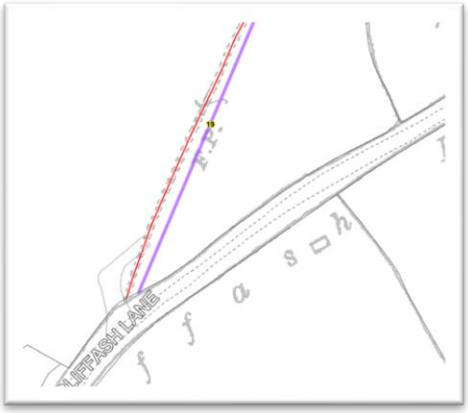
The application proposed to use an existing access off Cliffash Lane. Following a recent site visit, the highway authority is satisfied that achievable visibility splays are commensurate with approach traffic speeds.

It is considered that there is sufficient space within the site for vehicles associated with a two-bedroom holiday let to both park and manoeuvre. However, the driveway should be surfaced in a bound material for a minimum length of 5m within the site, measured from the highway boundary, together with provision of a hard surfaced verge crossing, constructed in accordance with the highway authority's specification.

The applicant will need to consult with the relevant refuse collection department to ascertain details of what will be acceptable in terms of number and location of bins. Bin storage should not obstruct the private drive access, parking or turning provision. Additionally, a bin collection point should be provided, clear of the site access and public highway, for use on refuse collection days.

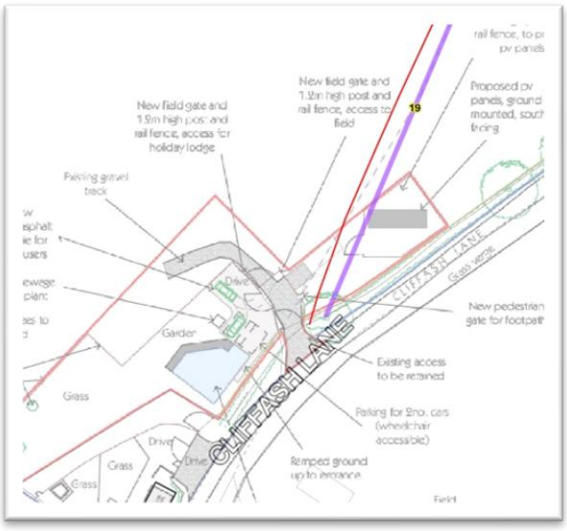
Public Right of Way (PRoW)

Public Right of Way Idridgehay and Alton Footpath No. 19, as shown on the Derbyshire Definitive Map, runs through the site. From historical maps, on which the Definitive Map is based, the correctly digitised line is shown in red below. The purple line is an incorrectly digitised path.



Definitive Map Extract

The red line differs from the applicants dotted path line. This means that the path exits onto Cliffash Lane just east of the current entrance point and would be required to be accessible so that it is not obstructed. Please see the following plan which plots the Definitive Map on the applicant's block plan.



Sketch showing definitive footpath location

Where the path exits the red line boundary to the south, access to Cliffash Lane would need to be made available at this location, any intended gates or installations would need to be authorised by the County Council's PRoW section, with gates only authorised for purposes of stock control.

The correct footpath location (red line) does mean that the proposed PV panels will not be obstructing the legal line.

Any change to the surface of the correct line needs to be authorised by the County Council's PRoW section, who can be contacted at ETC.PROW@derbyshire.gov.uk

As an alternative to the above, the applicant may wish to consider a diversion of the path so that it works with the current access in a suitable way. If a diversion is required for a development to take place, an application can be made to the local planning authority under Section 257 of the Town and Country Planning Act 1990.

As general guidance, the applicant should note:

- 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 will be permitted on application to DCC where the path(s) remain unaffected on completion of the development.
- There should be no encroachment of the path, and no fencing should be installed without consulting the Rights of Way section.

Conclusion

Based on the analysis of the information submitted and a review of Local and National policy the Local Highway Authority considers that the impact of the development on highway safety would not be unacceptable, and impacts on the road network would not be severe.

The highway authority would therefore have no objection to this planning application subject to the following recommended planning conditions and informatives being attached to the decision notice if planning permission is granted.

Conditions

The development hereby permitted shall be occupied as holiday accommodation only and shall not be occupied as a sole or main place of residence.

Reason: To allow the local planning authority to control the future use of the premises in the interest of highway safety.

The development hereby permitted shall not be brought into use until the access, parking, and turning facilities have been provided as shown on drawing 2542-03E.

Reason: To ensure conformity with submitted details.

No part of the development hereby permitted shall be brought into use until a hard surfaced verge crossing to serve the driveway from 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 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. 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 development shall take place until details of the provisions for the storage and recycling of refuse have been submitted to and approved in writing by the Local Planning Authority. Such provisions shall be implemented as approved prior to the first occupation of the building and shall thereafter be made permanently available for the occupants of the building.

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

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 developer must obtain a license under Section 184 of the Highways Act 1980 before commencing any works on the highway.

Details are available 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.

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.

Public Right of Way Idridgehay and Alton Footpath No. 19, as shown on the Derbyshire Definitive Map, must remain open, unobstructed and on its legal alignment. There should be no disturbance to the surface of the route without prior authorisation from the Rights of Way Inspector for the area. Consideration should be given to members of the public using the route. A temporary closure of the route may be granted to facilitate public safety subject to certain conditions. Further advice can be obtained by calling 01629 533190 and asking for the Rights of Way Duty Officer or by emailing ETC.PROW@derbyshire.gov.uk. If a structure is to be erected adjacent to the right of way, it should be installed within the site boundary so that the width of the right of way is not encroached upon.

The grant of planning permission does not entitle the developer to obstruct any Public Right of Way (PRoW) affected by the proposal. Development, insofar as it affects the PRoW, should not be started, and the PRoW should not be obstructed, until the necessary order under Section 257 of the Town and Country Planning Act 1990 for the diversion or extinguishment of the right of way has been made and

confirmed. It should not be assumed that because planning permission has been granted an order will invariably be made or confirmed.

Yours sincerely,

Robert Smith
Transport Development Management

Date Received	Case Officer	Reviewer	Date Issued
7 January 2026	**Robert Smith**	**SD**	**27 January 2026**