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/2026/016027
Your ref: AVA/2026/0065
Date: 4 March 2026

Dear Laura Anthony,

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

PROPOSAL: Change of use of existing domestic storage room to tattoo studio

LOCATION: 18 Bank Street Somercotes Alfreton Derbyshire DE55 4JE

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.

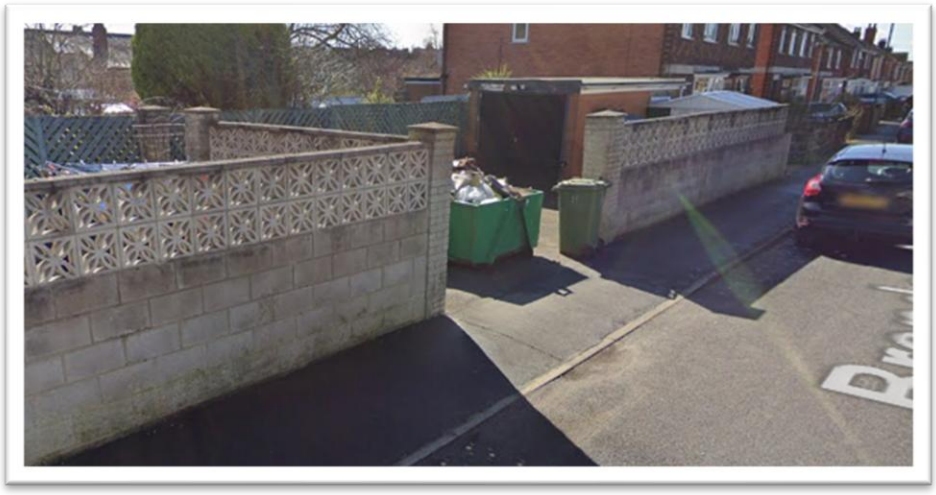
Background

This planning application proposes the change of use of an existing domestic storage room to form a tattoo studio. Parking to the site is currently taken from Brenden Avenue.



Photo of site frontage to Brenden Avenue

From a recent site visit the existing access has been widened to accommodate two vehicles. However, pedestrian splays are restricted, and the dropped kerb has not been extended.



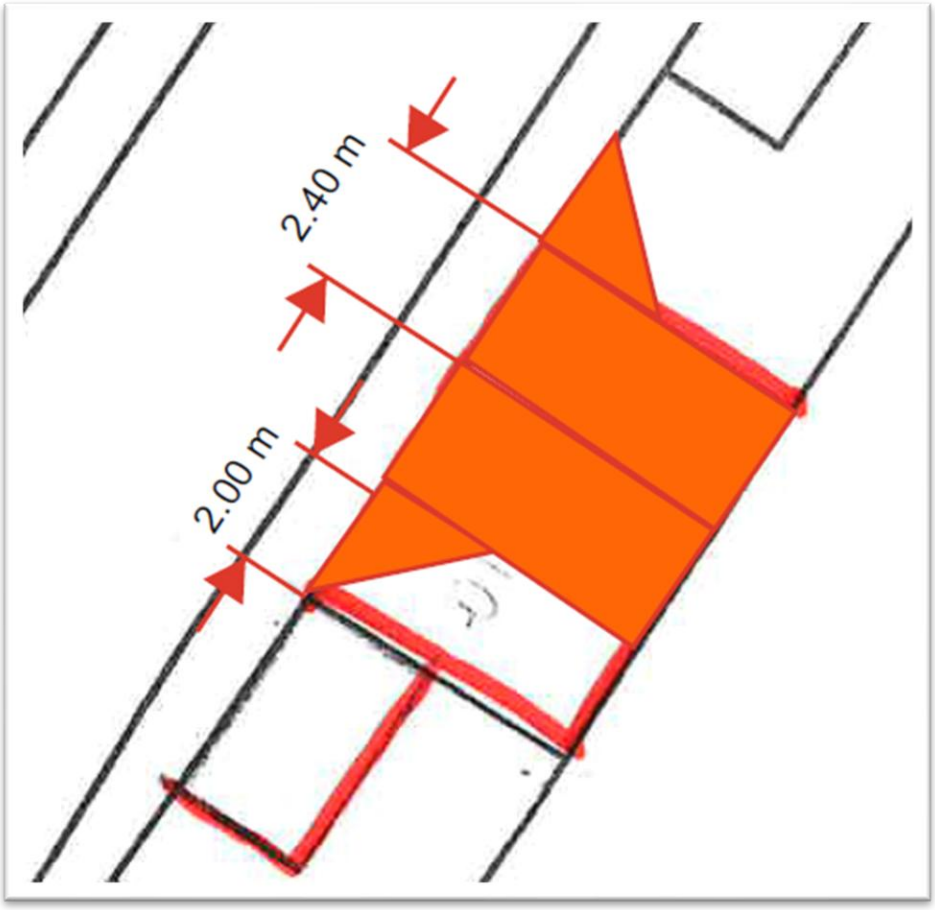
Extract from Google Street View of Brenden Avenue

It is assumed that the parking spaces are associated with the residential property, 18 Bank Street, with no dedicated off-street parking proposed in association with the proposed tattoo studio.

Assessment

An additional space would normally be required to mitigate the impact of the scheme. Scaling from the submitted plan it is considered there is insufficient space within the site curtilage to accommodate an additional space in line with current guidance. However, in this particular instance, given the nature of the proposal, its small-scale and existing on-street parking opportunities in the vicinity, this is not considered ground for recommending refusal on highway grounds.

It is requested however that the applicant modify the existing access in order to provide two parking spaces with appropriate dropped kerbing and pedestrian splays both sides, in line with the sketch below, to mitigate the potential use of the spaces by a customer should space be available.



Sketch

It is appreciated from the Supporting Statement that the proposed tattoo studio will serve a single client at a time, however, this does not take into consideration the potential overlap of clients, therefore, the Highway Authority would have no objection to a condition such that the business shall be operated on an appointment only basis with a minimum of 15 minutes between appointment times to avoid overlapping of clients.

In addition to the above, it is also requested that the permission be personal to the applicant, with cessation on change of owner.

Conclusion

Based on the analysis of the information submitted and a review of Local and National policy the Local Highway Authority's advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and the impacts on the road network would not be severe.

Conditions

The occupation of the development hereby permitted shall be carried on only by [*add name*].

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

When the development ceases to be occupied by those named in condition [*number*] above the use hereby permitted shall cease and the site shall be restored to its condition before the development took place.

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

A minimum 15-minute gap shall be provided between appointments and a record kept accordingly.

Reason: In the interest of highway safety.

Notwithstanding the submitted drawings, the development hereby permitted shall not be occupied until the existing access to Brenden Avenue has been modified in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The site access scheme shall include, but not be restricted to, the following:

- Space has been provided for the parking of 2 vehicles each space measuring at least 2.4m x 4.8m.

- Pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway have been provided on both sides of the site access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

- A hard surfaced footway crossing to serve the driveway from public highway, constructed in accordance with the highway authority's specification.

- The full width of the driveway surfaced in a bound material. This area of driveway shall be maintained in the bound material for the life of the development.

- Provision to prevent the unregulated discharge of surface water to the public highway. The provision shall then be retained for the life of the development.

Reason: In the interest of highway safety.

Informatives

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

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.

Yours sincerely,

Robert Smith
Transport Development Management

Date Received	Case Officer	Reviewer	Date Issued
9 February 2026	**Robert Smith**	**SD**	**4 March 2026**