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/2026/016355
Your ref: AVA/2026/0124
Date: 18 March 2026

Dear Laura Anthony,

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

PROPOSAL: Outline application for 4 dwellings

LOCATION: Windmill View Nurseries Spanker Lane Nether Heage Belper Derbyshire DE56 2AT

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 planning permission be granted.

Background

This planning application seeks outline planning permission with all matters reserved for 4 dwellings. The existing use of the site is noted as a redundant plant nursery.

Site Access

Access to the site is via an existing shared vehicular access off Spanker Lane, a classified road subject to a 30mph speed limit.

The submitted indicative plan (Ref: 3674-03 Rev A) demonstrates visibility splays measuring 43m in both directions measured from a setback distance of 2.4m, which are considered acceptable and can be suitably conditioned.

In line with the Local Highway Authority's (LHA's) Planning, Streets, and Places (PSP) guidance, a private shared driveway should be of sufficient width where it joins the highway to allow two vehicles to enter and leave simultaneously.

The submitted plan (Ref: 3674-03 Rev A) shows that the existing driveway has a width of 5.8m over a length of 10.5m from the nearside carriageway edge on Spanker Lane, reducing to circa 4.8m beyond this point for approximately 50m until the driveway reaches the main body of the site. The site access driveway is therefore in accordance with PSP.

A scheme should be provided to safeguard pedestrian movement at the access point in view of the proximity of the access to Nether Heage Recreation Ground.

Accordingly, the site access scheme should include the following details:

- A minor road visibility setback distance of 2.4m, measured along the centre line of the site access from the southern carriageway edge on Spanker Lane.

- Major road visibility splay distances of 43m shall be measured along the southern carriageway edge along Spanker Lane on both sides of the site access centre line.

- The resulting visibility splay envelopes shall be permanently maintained clear of obstruction above 0.6m in height above adjacent carriageway level.

- The width of the footway crossing serving the driveway shall correspond to the full width of the driveway, plus two dropper kerbs.

- The shared driveway shall have a minimum width of 4.8m for the first 8m measured from the back of the southern footway on Spanker Lane. Where it falls within the highway the hard surfaced crossing and driveway should be constructed in accordance with the highway authority's specification.

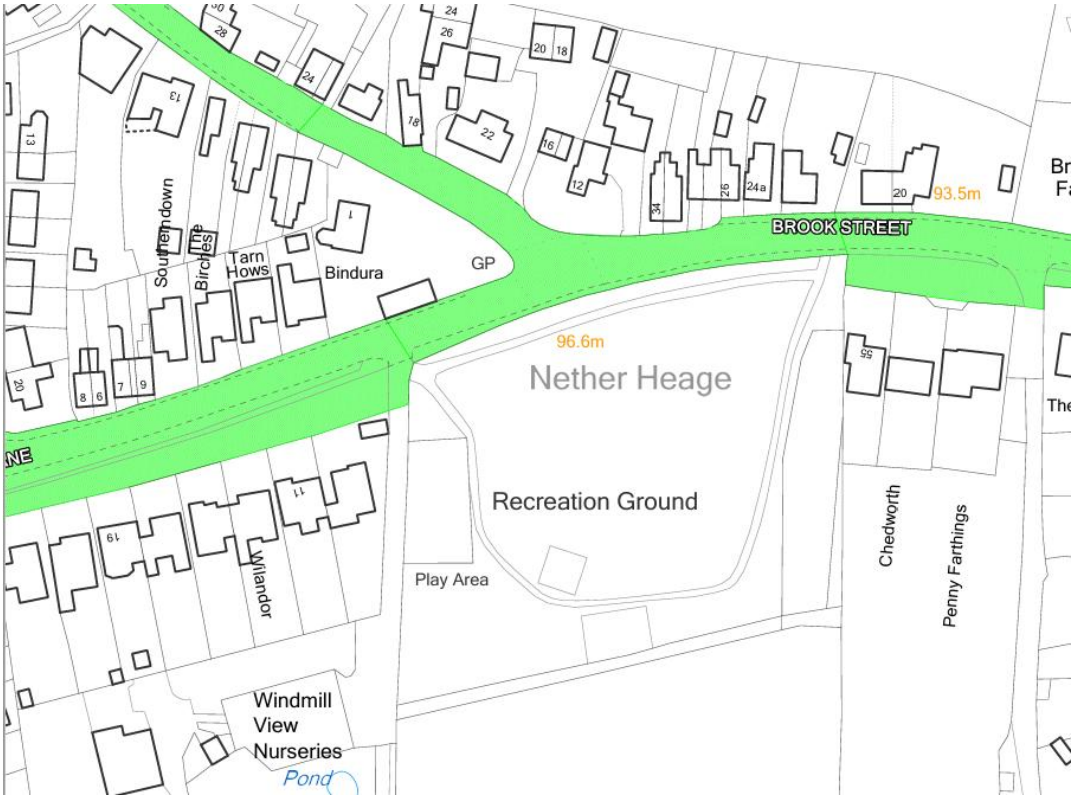
- The shared driveway shall have a bound surface over a length of at least 5m measured into the site from the highway boundary.

- Provision to prevent the unregulated discharge of surface water to the public highway.

- Feature(s) to safeguard pedestrians at the site access adjacent Nether Heage Recreation Ground, i.e. physical barrier, safe standing space for pedestrians to wait adjacent to the driveway, surface markings/lettering, and/or signage.

- Space to allow two cars to pass side by side (a minimum 4.1m width) should then be provided every 25m.

For the avoidance of doubt, relevant to the above requirements given that works are required within the highway, the extent of the highway in the vicinity of the site access is shown shaded green on the following copy extract from the highway authority's records.



Given the scale of development, and the need for works at the site access onto Spanker Lane, the highway authority considers that a construction traffic management plan will be required to ensure that highway and pedestrian safety is maintained during construction.

Internal Layout

It is appreciated that this is an outline application. However, an indicative site layout plan has been submitted. The LHA offers the following points for consideration when developing any future application.

In accordance with the LHA's Parking Guidance for New Developments (PGND), the minimum level of car parking provision should be 2 spaces per 3 bedroomed

dwelling and 3 spaces per 4 bedroomed dwelling. Each parking space should ideally measure 2.4m x 5.5m with an additional 0.9m of width to any side adjacent to a physical barrier e.g. wall, hedge, fence, etc. Tandem parking spaces for an individual residential dwelling are permitted but are limited to no more than 2 vehicles. Sufficient space should be provided adjacent to each parking space to enable vehicles to manoeuvre, with an aisle width of typically 6m.

There would appear to be sufficient space within the site to accommodate both parking and manoeuvring for each dwelling, in line with the PGND.

In line with paragraph 4.7.1 of the PGND, sheltered, secure and accessible cycle parking should be provided at or near the front door of the property at a rate of at least one cycle parking space per bedroom.

For the avoidance of doubt, garages are excluded from the car parking calculations due to the ability to convert them into habitable accommodation without the need for permission and their usage for personal storage rather than that of a vehicle. However, they may be used for cycle storage subject to the design and location.

Space should also be provided to enable delivery vehicles (e.g. 3.5 tonne delivery vans) to enter, turn within, and leave the site in forward gear. This should be demonstrated by means of swept path analysis on a suitably scaled plan as part of any future application.

Finally, the applicant will need to consult with the relevant refuse collection department to ascertain what will be acceptable to them in terms of access, numbers and location of bins. Bin storage should not obstruct the private driveway access, parking, or turning provision. A paved bin collection point should be provided, clear of the public highway, for use on refuse collection days. Bin storage and collection provision should be clearly demonstrated as part of any future application.

The above points are not exhaustive. The applicant is advised to design the internal layout in accordance with the LHA's PSP and PGND guidance documents.

Trip Generation

It is considered unlikely that the traffic generated by the proposal would result in an unacceptable impact on highway safety or capacity, on the highway network beyond the immediate site access.

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.

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 site and the various facilities stated:

Bus Stops	Three bus stops within 300m of the site along Spanker Lane Bus service 141 – Matlock to Ripley Mon-Sat approx. 2h between 09:30-18:30, none on Sunday. Bus service 141 – Ripley to Matlock Mon-Fri approx. 2h between 10:00-17:00, Sat 07:30-14:30, none on Sunday. Walking distances are acceptable.
Education	Heage Primary School – 675m. Walking distance is acceptable. Nearest secondary school is in Belper, 2.7km in a straight line from the site. However, there is a bus service along Spanker Lane to Swanwick Hall School.
Town Centres/ Health/ Employment	The site is in Nether Heage, which has little in the way of amenities. The site is located less than 4km from Belper and Ripley.

The above table demonstrates that walking distances are generally acceptable, save for access to town centre, health, and employment facilities.

Both Belper and Ripley fall within the 5-mile distance referred to in the CIHT's "Planning for Cycling". Cycling would be possible for competent and confident cyclists to access to local amenities.

Sustainable travel modes are therefore likely to provide a realistic choice for trips associated with the proposed development. As such future residents are unlikely to be entirely reliant on the private motor car for everyday residential needs i.e. for travel in connection with social, leisure, educational, and employment requirements. The proposed development is therefore considered to be sustainable in transport terms.

The above analysis is supported by the Department for Transport's (DfT) Connectivity Tool, which aims to help understand how sustainably located a place is and the transport interventions needed to support it. The tool provides a connectivity score from 0-100 (0 - very poor, 100 - excellent connectivity). This site has a national score of 42, which is considered slightly below average (except for driving).

Conclusion

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

Accordingly, the LHA recommends that the following planning conditions and informatives should be attached to the decision notice if permission permission is granted.

Planning Conditions

Prior to commencement of the development hereby permitted (including demolition works) details of a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall include but not be restricted to providing details of:

a) Parking of vehicle of site operatives and visitors.

b) Measures to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction.

c) Measures to maintain safe and free flow of traffic along Spanker Lane.

d) Measures to maintain safe pedestrian access to Nether Heage Recreation Ground.

e) Locations for loading/unloading and storage of plant, waste and construction materials.

f) Methods of preventing mud and dust being carried onto the existing highway.

g) Arrangements for turning vehicles.

h) Methods of positively communicating the Construction Traffic Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway during the demolition and construction phases of the development.

The development hereby permitted shall not commence until a scheme of site access works has first been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be occupied until the approved scheme has been implemented to the satisfaction of the Local Planning Authority. The approved scheme shall be maintained for the life of the development. The scheme shall include the following details:

- A minor road visibility setback distance of 2.4m, measured along the centre line of the site access from the southern carriageway edge on Spanker Lane.

- Major road visibility splay distances of 43m shall be measured along the southern carriageway edge along Spanker Lane on both sides of the site access centre line.

- The resulting visibility splay envelopes shall be permanently maintained clear of obstruction above 0.6m in height above adjacent carriageway level.

- The width of the footway crossing serving the driveway shall correspond to the full width of the driveway, plus two dropper kerbs.

- The shared driveway shall have a minimum width of 4.8m for the first 8m measured from the back of the southern footway on Spanker Lane. Where it falls within the highway the hard surfaced crossing and driveway should be constructed in accordance with the highway authority's specification.

- Feature(s) to safeguard pedestrians at the site access adjacent Nether Heage Recreation Ground, i.e. physical barrier, safe standing space for pedestrians to wait adjacent to the driveway, surface markings/lettering, and/or signage.

- Space to allow two cars to pass side by side (a minimum 4.1m width) should then be provided every 25m.

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

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 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. 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 footway crossing to serve the driveway from Spanker 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. The footway crossing shall correspond to the full width of the driveway plus two dropper kerbs.

Reason: In the interest of highway safety.

No dwelling hereby permitted shall be brought into use until space has been provided within the dwelling curtilage for the parking and manoeuvring of residents' and delivery vehicles, located, designed, laid out and constructed all as agreed in writing with the Local Planning Authority and maintained for the life of the development free from any impediment to its designated use.

Reason: To ensure adequate parking and turning provision, in the interests of highway safety.

No part of the development hereby permitted shall be brought into use 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.

The development hereby approved shall not commence until details of a bin collection point have been submitted and approved in writing by the Local Planning Authority. The collection point shall be located adjacent to and clear of the public highway, clear of accesses, parking and turning provision. The collection point shall be implemented as approved before the development hereby permitted is occupied and shall be maintained thereafter free from impediment to its designated use.

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.

The proposed development requires the construction of a footway crossing to highway authority specification.

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.

Yours sincerely,

Robert Smith
Transport Development Management

Date Received	Case Officer	Reviewer	Date Issued
2 March 2026	Robert Smith	SD	18 March 2026