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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Derbyshire
DE5 3XE

Highway Officer: Steve Dudhill
Our ref: AVBC/2026/016717
Your ref: AVA/2026/0188
Date: 5 May 2026

Dear Ms Anthony,

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

PROPOSAL: Outline application for a detached dwelling with all matters reserved (may affect the character of the conservation area)

LOCATION: Land at Mugginton Lane End Weston Underwood Ashbourne Derbyshire

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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, recommends that planning permission should be refused.

Background

This is an application for outline planning permission, with all matters reserved, for the development of a single detached dwelling on agricultural land at Mugginton Lane End, Weston Underwood.

The site is located adjacent to a private, unadopted, road which accommodates Ravensdale Park Footpath 15 and serves a limited number of properties, including the cricket club on land adjacent to the application site.

The private road joins Mugginton Lane End at its eastern end, circa 180m to the east of the application site. Mugginton Lane End is a classified unnumbered road, subject to the National speed limit in the vicinity of its junction with the private road.

Site Access

The proposed site plan submitted in support of this planning application indicates that the site has a frontage length of circa 20m along the private road.

Given the nature of the private road, and that it accommodates Footpath 15, it would be necessary for the site access to have both vehicular and pedestrian visibility splays. The latter would measure 2m x 2m and could be achieved within the site frontage.

Assuming approach 85th percentile traffic speeds of circa 20mph along the private road, the site access visibility splays should measure 2.4m x 27m. Such splays cannot be achieved within the site frontage. Indeed, given that the site fronts directly onto the private road, the best available visibility splays, with the access located centrally within the site, would measure only circa 2.4m x 10m, which would be appropriate only for approach speeds of less than 10mph.

The highway authority therefore considers that the site access would not have adequate visibility splays where it meets the private road.

Mugginton Lane End Junction

The Design and Access Statement (DAS) submitted in support of this planning application states, in relation to visibility along Mugginton Lane End from the private road, that “Exiting the proposal site is in an area where visibility is on a straight section viewing in either direction 80m to 100m.”

No detailed assessment of the available visibility splays along Mugginton Lane End, from a minor road visibility setback distance of 2.4m measured along the centre line of the private road from the carriageway edge on Mugginton Lane End, has been provided.

No traffic speed surveys have been undertaken to confirm whether the available visibility splays comply with the major road visibility splay requirement determined in with reference to the 85th percentile approach traffic speeds on Mugginton Lane End.

Initial assessments, based on Ordnance Survey mapping, indicate available visibility splays within the highway boundary of circa 2.4m x 50m and 2.4m x 21m from the private road to the south and north along Mugginton Lane End, respectively.

The normal visibility splay requirement for junctions onto roads which are subject to the National speed limit is 2.4m x 215m. The available visibility splays fall well below the normal requirement.

Those sections of Mugginton Lane End on the approaches to the junction with the private road are relatively straight, as noted in the DAS, and it is unlikely that traffic speeds would be sufficiently low such that the available visibility splays would comply with standards determined with reference to actual approach traffic speeds.

The highway authority therefore considers that visibility from the private road onto Mugginton Lane End does not comply with standards. Third party land precludes

improvements to the existing substandard visibility splays. The proposed development would therefore intensify the use of an existing substandard junction.

Sustainable Travel

The site is poorly located in relation to the availability of services and facilities to satisfy everyday residential needs.

The nearest local facility is the public house in Mugginton, a circa 1.13km walk from the application site. That is beyond the preferred maximum walk distance for such facilities (circa 800m).

The nearest major employment facility, i.e. the F P McCann site at Mugginton, is circa 1.5km on foot from the application site. Whilst that is within the preferred maximum walk distance for commuting (2km) it exceeds the acceptable walk distance (1km).

There are no retail, education, health, or other significant employment facilities within the preferred maximum walk distances of the site.

The private road and Mugginton Lane End lack footways and street lighting. Given relatively high traffic speeds along Mugginton Lane End, walking between the site and the limited local facilities does not present a meaningful, realistic, or safe alternative to use of the car.

Whilst cycling would be possible for competent and confident cyclists, the same adverse highway conditions for pedestrians also apply to cyclists with the same barriers significantly reducing the likelihood that occupants of the proposed dwelling would choose cycling for everyday travel needs.

Facilities in Ashbourne, Belper, and Derby fall beyond 5km of the site and are not therefore accessible on foot or easily accessible by cycle.

Mugginton Lane End is a bus route, the nearest bus stops being a circa 250m to 270m walk from the site. However, bus service 114, which runs along Mugginton Lane End has a limited frequency (2-hourly at best, Monday to Saturday) with no services in the evenings or on Sundays. The northbound bus stop on Mugginton Lane End has no shelter and conditions are poor for pedestrian access and waiting. The southbound bus stop has a shelter, but facilities are dated. Access between the site and bus stops on foot is poor.

There is no rail service within walking or cycling distance of the site.

Public transport is therefore unlikely to provide an attractive travel mode for most trips associated with the proposed development.

Having regard to the above, the proposed development is not located where it is capable of being accessed in a sustainable manner, is not well-related to public transport infrastructure, does not provide high standards of accessibility to all sectors of the community, and will not minimise the need to travel. Most trips associated with everyday requirements for access to employment, retail, education, health, social, and leisure uses are likely to rely on use of the private car.

The highway authority's Planning, Streets, and Places (PSP) guidance, at paragraph 2.2.24, confirms that sites which have a poor relationship to amenities, services, education, and employment by active travel modes are unlikely to receive a positive recommendation.

The proposed development is contrary to National Planning Policy Framework (NPPF) paragraphs 115 a) and 117 a), b) and c), which require developments to prioritise sustainable access, address accessibility needs, and provide high quality walking and cycling networks. It also conflicts with the broader objectives of NPPF Chapter 9, which seek to promote sustainable transport and active travel.

Conclusion

Having regard to the above analyses, the highway authority recommends that planning permission should be refused on the following grounds.

The applicant has failed to demonstrate that safe and suitable access to the site can be achieved for all users, contrary to NPPF paragraph 115 b).

The proposed development would intensify the use of the private road junction with Mugginton Lane End where visibility in both directions along Mugginton Lane End from the private road falls below relevant standards. The intensification of use of this junction would result in unacceptable highway safety risks, causing danger and inconvenience to other road users and adversely affecting the safe and efficient operation of the highway. The proposal is contrary to NPPF paragraphs 115 b) and d) and 117 c), which require safe and suitable access for all users, seek to avoid significant impacts on highway safety, and seek to minimise the scope for conflicts between pedestrians, cyclists, and vehicles.

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

The site is in an unsustainable location with no realistic opportunities to prioritise walking, cycling, or public transport. The development therefore fails to reduce the need to travel, does not provide genuine transport choice, and would be overly reliant on the private car. The proposal is therefore contrary to NPPF paragraphs 117 a), b) and c), which require developments to prioritise pedestrian and cycle movements, address accessibility needs, and minimise conflicts between pedestrians, cyclists, and vehicles. The proposed development would also conflict with the broader objectives of NPPF Chapter 9, which seeks to promote sustainable transport and active travel.

SD; DCC TDM; 5/5/26.