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/2026/016641/R1
Your ref: AVA/2026/0171
Date: 18 May 2026

Dear Rebecca Godson

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

PROPOSAL: Change of use from industrial process and associated living accommodation to a nursery with associated internal and external alterations

LOCATION: 124 Derby Road Ripley Derbyshire DE5 3HT

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's) 13/4/26 observations, please find below additional comments following receipt of further information provided by the applicant, comprising a Transport Statement (TS), Traffic Management Plan (TMP), and revised proposed layouts and block plan (Ref: 129.02 Rev B).

Background

This application seeks permission for a change of use from industrial process (Use Class E(g)(iii)) and associated living accommodation to a nursery. The site is located adjacent to the classified B6179 Derby Road, which is subject to a 30mph speed limit in the vicinity of the site.

Assessment

The additional information confirms that the proposal will:

- Have a maximum capacity of 60 children, which should be conditioned.
- Have up to 12 members of staff.
- Relocate the existing nursery operation from premises located off Derby Road, opposite the site, which currently operates with no on-site parking provision.
- Provide 12 parking spaces.
- Provide dedicated cycle storage.

Traffic Impacts

The LHA considers that the proposed change of use will increase the levels of traffic moving to and from the site and will increase on-site parking demands. The scheme will also increase the numbers of pedestrians passing between the car parking area and the main access to the building. Footfall will also increase along the footway on the Derby Road frontage.

Transport Statement (TS)

The TS notes that the application site has operated as a “meals-on-wheels” style business, generating regular vehicular activity throughout the day and that the proposed change of use will generate more time-constrained vehicle movements during the nursery morning drop-off and afternoon pick-up periods.

The TS anticipates that staff arrivals will be staggered between approximately 07:30 and 09:30, with departures between 16:00 and 18:30, ensuring that staff movements do not fully coincide with peak parent/carer activity.

Child drop-off activity is expected between 07:30 and 09:30, with pick-up between 15:30 and 18:00, with such movements distributed throughout these time periods rather than occurring at a single peak time.

The TS does not include the following information:

- Staff arrival and departure traffic flows.
- Parent/carer drop-off/pick-up traffic flows.
- Combined levels of traffic generation at peak times and how it would be adequately mitigated.
- Estimates of car parking demand.
- Strategy for management of parents/carers in vehicles.

- Pedestrian movements for parents/carers with children entering and leaving the day nursery.

Notwithstanding the above, the LHA considers that the proposed change of use would not give rise to an unacceptable impact on highway safety or severe residual impacts on the road network beyond the site access if the numbers of staff and children are restricted by planning conditions and the following site layout and car parking issues can be satisfactorily resolved.

Site Access/Internal Layout

The revised proposed layouts and block plan (Ref: 129.02 Rev B) does not fully address previous LHA comments.

Having regard to the likely changes in traffic and pedestrian flows, the vehicular access arrangements should be revised as described below:

- The existing vehicular access currently takes the form of a wide access with bell mouth kerb radii. A dropped kerbed footway crossing arrangement should be provided to provide safe pedestrian priority across the mouth of the site access.

- The TMP refers to '*a pull in give way space near the gates which will be fully opened at these times'*. The gates are not illustrated on the revised plan. However, the access reduces in width at a point circa 10m from the nearside carriageway edge, where the access would be gated, before widening again within the site. The existing gates should be removed or widened to enable two vehicles to pass simultaneously, without conflict with pedestrians, between the site access and parking area.

- A safe means of pedestrian access is required between the parking area and the main pedestrian access to the building. The TMP notes that '*pedestrian and vehicle separation is paramount to ensuring the safe access and egress form the nursery grounds. This is implemented by a clear walkway to the main door of the nursery from Derby Road and the car park'*. However, this has not been illustrated on the revised plan. The clear walkway should be able to accommodate a double pushchair and should not rely on pedestrians sharing the vehicular access into the site.

- 2m x 2m pedestrian visibility splays should be provided on both sides of the access at the back of the footway on Derby Road, in accordance with paragraph 4.8.1 of the LHA's Planning, Streets, and Places (PSP) guidance. Such splays must be maintained clear of any object greater than 0.6m in height relative to adjacent footway level.

- The revised plan illustrates parking provision for 12 vehicles. The TMP states that '*it is expected that half of these staff at full occupancy will drive to work and need parking'.* The LHA is concerned over both staff and parent/carer drop-off/pick-up parking demand, particularly if overall demands give rise to the risk of overspill parking along Derby Road where there are currently no waiting restrictions to prevent on-street parking. Nursery uses typically require

provision of 1 car parking space per 6 children and 1 space per two members of staff. Based on proposed maxima of 60 children and 12 staff this would result in a requirement for 16 car parking spaces, which would appear to be achievable within the site.

- In line with the LHA's Parking Guidance for New Development (PGND) paragraph 4.7.1, sheltered, secure, and accessible cycle parking should be provided at or near the front door of the property. The quantum of spaces must reflect the requirements of Local Transport Note 1/20. Secure cycle equipment storage space should also be provided.

- Electric vehicle (EV) charging facilities are required.

The LHA considers that the above requirements can be secured by planning conditions.

Traffic Management Plan (TMP)

The TMP refers to several initiatives which would seek to safely manage traffic and pedestrian movement at the site, although the TMP envisages the potential for on-street parent/carer parking on local roads in the vicinity of the site. The TMP would need to be updated to reflect changes to the site access and on-site parking provision and to be consistent with the travel plan statement (see below).

Provision of a suitable TMP can be secured by planning condition.

Sustainable Travel

Details of sustainable travel should be submitted with information on local public transport provision coupled with measures to reduce vehicular activity and encourage trips by walking, cycling, and public transport by both staff and parents.

The catchment areas for both staff and children should be provided to inform the potential for use of sustainable travel modes.

The above should be provided in a travel plan statement (TPS) specifically related to the nursery. Further information is available at: www.nottinghamshire.gov.uk/media/ithg0313/travelplanguidance.pdf. The TPS can be secured by planning condition.

Conclusion

Having regard to the above, the LHA would have no objection to this application subject to the following recommended planning conditions and informatives being attached to the decision notice if the change of use is permitted.

Planning Conditions

Nursery Capacity
The number of children attending the development hereby permitted shall not exceed 60 people at any one time.

Reason: To safeguard the amenities of nearby occupiers and in the interest of highway safety.

The number of staff attending the development hereby permitted shall not exceed 12 people at any one time.

Reason: To safeguard the amenities of nearby occupiers and in the interest of highway safety.

Site Access
The development hereby permitted shall not commence until details of the site access scheme have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the development hereby permitted being brought into use. The access scheme shall include, not exclusively, the following features:

- Access modified to provide a dropped kerb footway crossing to highway authority specification.

- Sufficient width within the site, including between gates, to enable two vehicles to pass simultaneously between the site access and parking area.

- Provision of a safe pedestrian walkway between the main door of the nursery and the car park.

- 2m x 2m pedestrian visibility splays on both sides of the access at the back of the footway.

Reason: In the interest of highway safety.

Car Parking
The development hereby permitted shall not commence until details of the on-site car parking scheme have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the development hereby permitted being brought into use and shall include parking and manoeuvring provision for 16 cars.

Reason: In the interest of highway safety.

Cycle and EV Parking
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, and electric vehicle charging 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.

Traffic Management Plan
The development hereby permitted shall not commence until a traffic management plan has first been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented on first use of the development hereby permitted and shall be maintained for the life of the development in accordance with the provisions of the plan.

Reason: In the interest of highway safety.

Travel Plan Statement
The development hereby permitted shall not commence until a travel plan statement has first been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be implemented on first use of the development hereby permitted and shall be maintained in accordance with the provisions of the statement.

Reason: In the interest of furthering sustainable travel.

Informatives

Notes to Applicant

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.

Yours sincerely,

Robert Smith
Transport Development Management

Date Received	Case Officer	Reviewer	Date Issued
14 April 2026	Robert Smith	SD	18 May 2026