DERBYSHIRE County Council

Response provided under the delegated authority of the Executive Director for Place

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Highway Officer: Robert Smith
Our ref: AVBC/2026/017305
Your ref: AVA/2026/0292
Date: 23 June 2026

Dear Laura Anthony,

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

PROPOSAL: Erection of an educational building and associated works (may affect the setting of a listed building)

LOCATION: Valley CIDS Charity Farm Turners Lane Swanwick Alfreton Derbyshire DE55 1AS

Derbyshire County Council, the Local Highway Authority (LHA) 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 planning application seeks permission for the erection of an educational building and associated works, to provide an increase in teaching capacity at the existing Turners Farm site, at Turners Lane, Swanwick. Turners Lane takes access onto the classified B6016 Cray's Hill.

Turners Farm currently functions as a vocational learning centre for young people on alternative education programmes. The Design and Access Statement (DAS) indicates that the site accommodates a cottage, farmhouse, and outbuildings, together with circa 48 acres of agricultural land. The main body of the site is illustrated on Scheme Design Site Plan (Ref: PA-25-009-SK-81-04-C), with the full extent of the land within the applicant's ownership illustrated on Site Location Plan (Ref: PA-25-009-EX-81-01-A).

This planning application seeks permission for a purpose-built educational facility that would include a staff office/kitchen area, 2 teaching rooms, and several specific function rooms, such as a sensory room and music/art room. The additional facility would enable the site to increase teaching capacity. The site currently accommodates up to 10 pupils, and this would increase to 20. Staff numbers would increase from 3 to 6. The net change would therefore be an increase of up to 10 pupils and 3 staff members. The site would continue to operate Monday to Friday between the hours of 8.30am and 4.30pm. Most students attend between 9.30am and 2.30pm.

Site Access Existing

Turners Lane meets Cray's Hill by means of an informal access arrangement. The main body of the site is at the south-eastern end of Turners Lane, some 280m from Cray's Hill. The section of Turners Lane which runs north-south between Cray's Hill and the point where the Lane turns eastwards towards Turners Farm carries a public footpath (No. 2 in the Parish of Swanwick).

Turners Lane is substantially a single lane track, having a width of circa 2.6m. Passing opportunities along Turners Lane are limited. In particular, the section of Turners Lane immediately to the south of Cray's Hill has no formal passing places. Two-way traffic conflicts could give rise to overlong reversing movements on the Lane which would be detrimental to pedestrian safety on the public footpath, or to reversing movements onto the classified Cray's Hill where visibility is limited, and traffic speeds are relatively high given the horizontal and vertical alignments of Cray's Hill.

Surface conditions along Turners Lane are poor, particularly where it meets Cray's Hill, where the Lane sits immediately adjacent to a driveway access serving several dwellings.

The B6016 Cray's Hill is a single carriageway road subject to a 40mph speed limit, with central hatched markings which provide a short, informal 'slot' facility for vehicles turning right from Cray's Hill into Turners Lane.

Visibility along Cray's Hill from Turners Lane is limited by the narrow footway width and adjacent boundary features on the southern side of Cray's Hill, with a telegraph pole at the back of footway immediately to the east of the access further restricting visibility. Cray's Hill is bound by a hedgerow to the west of Turners Lane, which is controlled by the applicant, as indicated on the Location Plan, the field to the west of Turners Lane and south of Cray's Hill being within the applicant's 'blue line' boundary.

Bus stops are located on Cray's Hill circa 50m to the west of Turners Lane.

Trip Generation

The applicant has submitted a Transport Technical Note (TTN) in support of this planning application.

The proposed development is likely to double the number of pupils and staff with a net increase of 10 pupils and 3 staff. The TTN states that the proposed development is therefore likely to result in a doubling of traffic flows to and from the site. A doubling of trips is a significant increase, not a “non-material change” as asserted in the TTN.

The TTN presents traffic survey data at the Cray’s Hill/Turners Lane junction. The TTN states that 8 arrivals were recorded, with no departure movements, in the AM peak hour. 7 arrivals and 4 departures were recorded in the PM peak hour.

However, the TTN summarises traffic flow data only for the periods 8am to 9am and 3.15pm to 4.15pm. It does not summarise data for the whole of the surveyed periods i.e. 7.30am to 10.30am and 2pm to 5pm. The TTN therefore understates the levels of traffic flow along Turners Lane.

Traffic flows to and from Turners Lane over such periods are as follows: 7.30am to 10.30am – 18 arrivals and 13 departures; 2pm to 5pm – 15 arrivals and 12 departures.

A doubling of the above flows would give rise to the following total traffic flows: 7.30am to 10.30am – 36 arrivals and 26 departures; 2pm to 5pm – 30 arrivals and 24 departures.

The above traffic flows cover a total period of only 6 hours and do not therefore represent the total daily traffic flows along Turners Lane associated with the existing site and the proposed development, which would be higher still.

The applicant’s traffic surveys confirm that Cray’s Hill carries over 8000 vehicles per day on an average weekday. The scope for conflict between traffic using the substandard site access and traffic on Cray’s Hill is therefore significant.

The increases in traffic flow give rise to concerns over intensified use of the site access where visibility along Cray’s Hill is limited. It also gives rise to concern over the increase in two-way traffic conflicts along Turners Lane given the limited opportunities for vehicles to pass along Turners Lane, particularly in the immediate vicinity of Cray’s Hill. Having regard to these issues, and those expressed earlier, the highway authority is concerned at the potentially adverse highway and pedestrian safety implications of the proposed development on Turners Lane and at its access onto the classified Cray’s Hill.

Visibility at the Cray’s Hill/Turners Lane Junction

The proposed development would increase teaching capacity and enable more students to attend the site, doubling staffing numbers from 3 to 6 and pupil numbers from 10 to 20. This gives rise to concerns over intensified use of the site access where visibility along Cray’s Hill is limited.

Reference is made in TTN paragraph 2.2 to past accident records. However, that provides no reliable guide to the future safe use of the site access onto Cray’s Hill under increased traffic loading. The highway authority also notes that the accident data presented in the TTN was obtained from the “Crashmap” database for the

period 2019 to 2023. Such data is out of date, spans periods of Covid19 lockdown, and is therefore unreliable.

A traffic speed survey has been undertaken on Cray's Hill which showed 85th percentile approach traffic speeds of 39.5mph (63.6kph) westbound and 40.5mph (65.2kph) eastbound.

TTN Appendix G suggests visibility splay requirements along Cray's Hill of 2.4m x 101m to the east, due to the gradient of Cray's Hill, and 2.4m x 83m to the west.

The above is based on a reaction time of 2s, a deceleration rate of 0.375g and a gradient of -12.30% being applied in the easterly direction.

However, for speeds of more than 60kph, Table 10.1 of MfS2 requires a reaction time of 2s and a deceleration rate of 0.25g to be applied. The gradient of -12.3% on Cray's Hill to the east of Turners Lane equates to circa 1 in 8.1, which appeared too steep. The LHA considers that a gradient of circa -5.8% is more appropriate from a desk top study.

Applying the above inputs and using the visibility splay calculation methodology as adopted in the TTN, results in visibility splay requirements along Cray's Hill of 2.4m x 121m to the east, and 2.4m x 105m to the west.

TTN Appendix F purports to show that achievable splays of 2.4m x 33m and 2.4m x 35m are achievable to the east and west, respectively. However, the plan in TTN Appendix F shows that the 2.4m x 33m visibility splay to the east of Turners Lane has been projected over the adjacent third-party driveway access, which is not within the control of the applicant. The visibility splay to the east of Turners Lane, when projected over the applicant-controlled land and highway land, would be circa 2.4m x 25m.

It is not clear from the submitted details whether the visibility splay to the east of Turners Lane would be further reduced by the telegraph pole at the back of footway to the east of Turners Lane. However, the splay to the east of Turners Lane could be obstructed by vehicles waiting to turn out of the driveway immediately to the east of Turners Lane so that a much-reduced splay, below 25m, would occasionally be available.

Notwithstanding the above issues, a major road visibility splay distance of only 25m along Cray's Hill to the east of Turners Lane, the critical direction, falls well below the calculated 121m requirement.

The visibility splay along Cray's Hill to the west of Turners Lane has been projected to the southern edge of the central hatching at the splay extremity. It is considered unlikely that a vehicle travelling eastbound would be located close to the southern carriageway edge, given the central hatched markings. However, the southern edge of the hatching is not where most vehicles approaching from the west along Cray's Hill would be seen from Turners Lane. Projecting the splay to that point underestimates the actual level of visibility available from Turners Lane towards eastbound vehicles on Cray's Hill. Projecting the splay to the northern side of the hatching would provide a more appropriate measurement of visibility to the west of Turners Lane. That would give an available major road visibility splay distance of

circa 51m to the west of Turners Lane. However, that would still fall far short of the calculated 105m requirement.

It is not clear from the submitted information whether the applicant's speed surveys were undertaken in dry weather conditions. Design Manual for Roads and Bridges (DMRB) Advice Note CA185, updated in 2020, requires speed measurements to be undertaken in dry weather. For robustness, in accordance with paragraph 3.1.1 of CA185, a correction of +4kph should be added to the applicant's surveyed speeds. Such a correction has not been applied in the LHA's calculations but, if it were necessary, the calculated major road visibility splay requirements set out above would be lower than required.

Notwithstanding the analyses presented in the TTN, and the above assessments, the LHA considers that the Design Manual for Roads and Bridges (DMRB) should be the starting point for determining major road visibility splay distances on classified roads and on roads where speeds are higher than 40mph. The LHA notes that paragraph 10.1.3 of Manual for Streets 2 (MfS2) states that MfS2 provides guidance on stopping sight distances for streets where 85th percentile speeds are up to 60kph (i.e. 37mph). This supports the LHA's stance that the visibility splay calculation method set out in MfS2 is inappropriate for the assessment of the Cray's Hill/Turner's Lane junction and that the DMRB methodology should be used.

Based on DMRB methodology, and without correcting the surveyed 85th percentile speeds to dry weather speeds, the desirable minimum major road visibility splay requirements are 120m in both directions from the site access along Cray's Hill, taken to the nearside carriageway edge, in line with DMRB Design Standards CD109 and CD123.

The achievable major road visibility splay distances fall significantly below the DMRB requirements.

Whilst the applicant could improve the level of visibility along Cray's Hill to the west of Turners Lane, by projecting the visibility splay over land which the planning application "blue line" boundary indicates to be within the applicant's control, and by relocating the hedgerow to respect the resulting visibility splay envelope, such an improvement would not address the significant shortfall in visibility in the critical direction along Cray's Hill to the east of Turners Lane which is confirmed by both the MfS- and DMRB-based assessments.

The highway authority therefore considers that the proposed development would not satisfy the requirement of National Planning Policy Framework (NPPF) paragraph 115 b) i.e. it would not provide a safe and suitable access for all users. The proposed development would therefore be likely to give rise to an unacceptable impact on highway safety and, in accordance with NPPF paragraph 116, planning permission should therefore be refused on highway grounds.

Site Access Improvements

The applicant has submitted an improved access arrangement (Appendix D of the Transport Technical Note (TTN)) and swept path analysis (Appendix E of the TTN). The improvement scheme proposes widening of the existing access to provide a minimum carriageway width of 5.5m for the first 10m from the nearside carriageway

edge, together with a short section of 2m wide footway along the western side of Turners Lane.

An additional passing place is proposed on the southern section of Turners Lane, measuring 5.5m wide by 5.5m long, in addition to the two existing informal passing places on Turners Lane.

No changes are proposed to the hatched area along Cray's Hill to better accommodate vehicles turning right into Turners Lane from Cray's Hill.

Whilst the improvements to the Cray's Hill/Turners Lane junction, and the provision of an additional passing place on Turners Lane might mitigate the increase in two-way traffic conflicts along Turners Lane, the improvement scheme does not address the significant shortfalls in visibility at the Cray's Hill/Turners Lane junction.

Internal Layout

The proposed site plan (ref: PA/25-009-SK-81-04-C) illustrates provision of 10 parking spaces, together with two drop-off spaces, compared with the existing site plan (ref: PA/25-009-EX-81-02-B) which illustrates 4 parking spaces.

The LHA considers the proposed level of parking provision to be sufficient.

No details have been provided to show how service/refuse access would be achieved to the proposed new building. Details are required.

No cycle parking arrangements have been shown.

Sustainable Travel

Given the nature of the proposed development, it is considered likely that staff and pupils will rely on private cars or taxis to travel to and from the site. This is supported by the applicant's traffic surveys, the results of which are summarised earlier in these observations.

Whilst the nearest bus stops are located approximately 420m from the site centre, opportunities to access the site by sustainable modes would be restricted and a high level of reliance on private car travel is likely.

Public Right of Way (PRoW)

The definitive route of Swanwick Footpath 2 runs along Turners Lane and will be affected by the proposals. Consideration should be given to the safety of the public using the path. Private rights must not derogate the rights of the public to use the path.

The following general guidance is also advised:

- 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 County Council's PRoW team.

- Any changes to the path surfaces would need to be agreed by the County Council's PRoW team.

- Any access considered would be required to not obstruct the PRoWs and not open onto the paths.

- 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 may be permitted on application to DCC where the path remains unaffected on completion of the development.

- There should be no encroachment of the paths, and no fencing should be installed without consulting the County Council's PRoW team.

Conclusion

Based on the above assessments, the LHA recommends that planning permission should, in accordance with NPPF paragraph 116, be refused on highway grounds for the following reason:

> The proposed development would intensify the use of the existing substandard access from Turners Lane onto the classified B6016 Clay's Hill, where the levels of emerging visibility are significantly below required standards. The material intensification of use of Turners Lane arising from the proposed development would therefore result in an unacceptable impact on highway safety, causing danger and inconvenience to other road users and adversely affecting the safe and efficient operation of the classified road. The proposed development therefore fails to provide safe and suitable access for all users, contrary to National Planning Policy Framework paragraph 115 b).

Yours sincerely,

Robert Smith
Transport Development Management

Date Received	Case Officer	Reviewer	Date Issued
12 May 2026	**Robert Smith**	**AN**	**23 June 2026**