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: Steve Dudhill
Our ref: AVBC/2023/005612/R2
Your ref: AVA/2026/0326
Date: 13 July 2026

Dear Ms Cox,

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

**PROPOSAL: Non-material amendment to AVA/2022/0459 in respect of the approved management company plans**

**LOCATION: Land Bordered by Ashbourne Road and Radbourne Lane Ashbourne Road Mackworth Derby Derbyshire**

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## Background

The highway authority's initial observations on this application were issued on 24/6/26. The applicant has submitted revised drawings, numbered RLMD-108-001 Rev B and RMLD-108-002 Rev B.

## Assessment

The submitted drawings continue to show highway verge areas as being retained by the management company. However, it is understood that the County Council will adopt such verge areas as public highway.

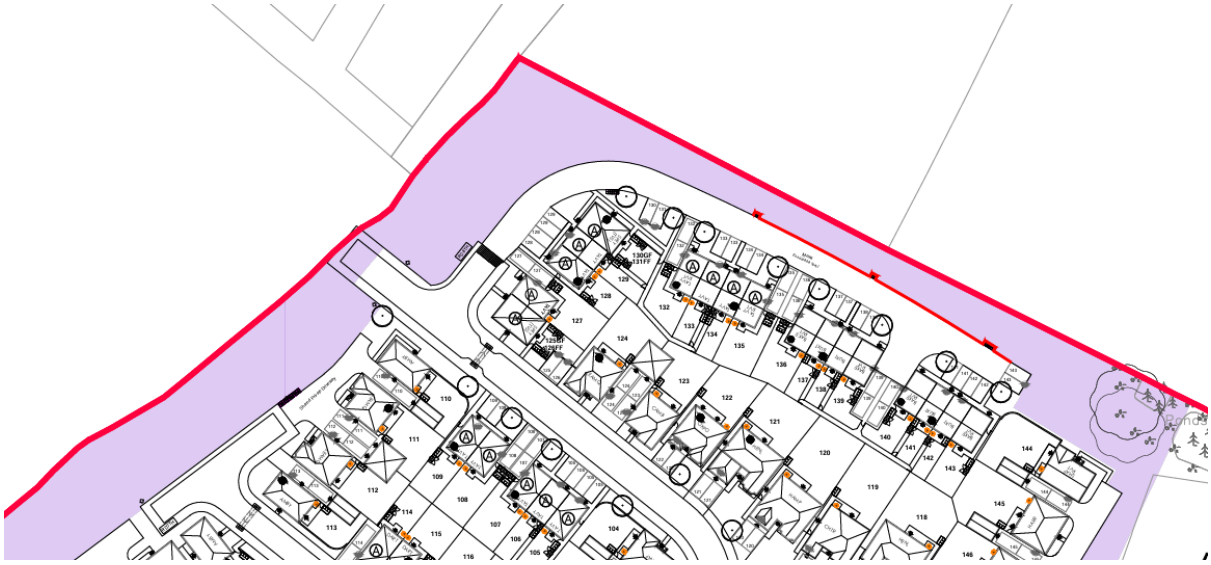
This is reflected on the current detailed Section 38 Agreement (S38) design drawings which are being reviewed under the technical approval process – drawing numbers 21-011-04-100-02.1 Rev J and 21-011-04-100-02.2 Rev J refer.

The applicant should submit management company plans which are consistent with the S38 plans.

A copy extract from S38 drawing number 21-011-04-100-02.1 Rev J, showing the adoptable areas, is presented below:



A copy extract from management company drawing RMLD-108-002 Rev B is presented below:



Comparison of the above drawings shows that the “purple” management company area overlaps the north-western end of the adoptable northern cul-de-sac stub. That anomaly should be addressed. The drawings should be reviewed to identify and remove any further such issues prior to submission of amended plans.

**Conclusion**

Accordingly, the highway authority recommends that this application should not be determined, and that amended drawings which reflect the correct position in relation to highway adoption should be submitted by the applicant.

SD; DCC TDM; 13/7/26.