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/2026/017429/R3
Your ref: AVA/2026/0281
Date: 29 July 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 single storey 3 bed self-build dwellinghouse

LOCATION: The Croft Derby Road Swanwick Alfreton Derbyshire DE55 1AD

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 planning conditions and informatives being attached to the decision notice should planning permission be granted.

Background

The Local Highway Authority's (LHA's) previous observations on this planning application were issued on 8/6/26, 30/6/26, and 16/7/26. Further information has been submitted by the applicant, in the form of amended drawings (Ref: 2122-01 Rev P6 and 2122-03 Rev P8).

This planning application initially sought permission for the erection of single-storey 3-bedroom self-build dwelling ancillary to the existing dwelling, The Croft. This was subsequently revised to a new dwelling rather than an ancillary dwelling. The most recent revision returns the dwelling back to ancillary accommodation to the existing dwelling.

It is assumed, for the purpose of these observations, that the development will remain ancillary to the host dwelling, will not be used as an additional dwelling or holiday accommodation, and will be conditioned as such.

Site Access

Access to the site is proposed via an existing access associated with The Croft onto the private access track off Derby Road.

The LHA considers that the existing access track, where it meets the classified B6179 Derby Road, has a shortfall in visibility. Derby Road is subject to a 40mph speed limit adjacent to the track access. In accordance with current guidance, and based on the speed limit, intensification of use of the access track would require it to be provided with visibility splays of 2.4m x 120m in both directions along Derby Road. Visibility to the north is considered acceptable. However, due to the limited controlled frontage and road alignment, visibility to the south is severely deficient, with a visibility splay of only circa 2.4m x 21m considered achievable.

In the absence of a planning condition to ensure that the proposed development would be ancillary to the host dwelling, the proposal would have the potential to result in an intensification of use of an existing substandard access where emerging visibility is severely restricted, thereby leading to danger and inconvenience to other highway users.

In such circumstances, the LHA would recommend refusal of planning permission on highway safety grounds.

Conversely, if the proposed development is wholly ancillary to the host dwelling, the potential impact of the development would be mitigated and the adverse effect on highway safety would not be unacceptable.

Internal Layout

The proposed dwelling will be located adjacent to the host dwelling, The Croft, within its existing curtilage. The proposal will not affect parking and turning provision associated with the existing dwelling.

Parking and turning provision for the proposed dwelling is considered acceptable and in line with LHA's Parking Guidance for New Developments (PGND).

In line with PGND paragraph 4.7.1, sheltered, secure, and accessible cycle parking should be provided at or near the front door of the property at a rate of 1 cycle parking space per bedroom.

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.

Sustainable Travel

The site is located within reasonable walking distance of a range of day-to-day services and facilities including local shops, public house, hairdressers, and bus stops.

Pedestrian access to these destinations is available via the existing footway network and opportunities for cycling are also present within the surrounding highway network. Public transport is available from nearby bus stops on Derby Road, providing connections to Ripley, Chesterfield, and Derby.

Having regard to these factors, the LHA considers the site to have reasonable accessibility to local services and public transport, and that future occupants would have opportunities to undertake some trips by sustainable modes.

Conclusion

The LHA considers that, subject to the following recommended planning conditions and informatives being attached to the decision notice if planning permission is granted, the impact of the proposed development on highway safety would not be unacceptable and impacts on the road network would not be severe.

Planning Conditions

The development hereby permitted shall be used solely as accommodation ancillary to the host dwelling (known as The Croft, Derby Road), shall at no time be used as a separate, independent residential unit, and shall not be sold, let, or otherwise disposed of separately from the host dwelling.

Reason: In the interests of highway safety.

The development hereby permitted shall be occupied solely by members of the family, dependents, or non-paying guests of the occupiers of the host dwelling known as The Croft, Derby Road.

Reason: In the interest of highway safety.

The development hereby permitted shall not be occupied until the access, parking, and turning facilities have been provided as shown on Proposed Site Plan Ref: 2122-03 Rev P8.

Reason: To ensure conformity with submitted details.

The development hereby permitted shall not be occupied 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

The development hereby permitted shall not commence until a scheme showing details of a bin collection point has been submitted and approved in writing by the Local Planning Authority. The collection point shall be implemented prior to the development hereby permitted being brought into use and shall be retained 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 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
28 July 2026	**Robert Smith**	**SD**	**29 July 2026**