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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RIPLEY
Derbyshire
DE5 3XE

Highway Officer: Robert Smith
Our ref: AVBC/2026/018019
Your ref: AVA/2026/0401
Date: 23 July 2026

Dear Alex Shaw,

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

PROPOSAL: Proposed dropped kerbs

LOCATION: 71 Pentrich Road Ripley Derbyshire DE5 3DS

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 planning application seeks permission for the introduction of dropped kerbs and a driveway to the site frontage to provide off-street car parking.

Site Access

The proposed parking area would take access from the classified Pentrich Road, which is subject to a 30mph speed limit at the site frontage.

New accesses to the public highway must be assessed in terms of the stopping sight distance (SSD) required for an approaching vehicle to safely stop in time when a vehicle emerges from the access. This assessment informs the visibility splays required from the new access. Manual for Streets (MfS) provides guidance on assessing visibility splays.

Pentrich Road is subject to a 30mph speed limit. Based on approach traffic speeds of 30mph, visibility splays of 2.4m x 43m are required along Pentrich Road on both sides of the proposed site access.

The applicant has not demonstrated suitable visibility splays from the proposed access onto Main Road.

Site inspection confirms that the footway fronting the site has a width of 1.95m. The site has a relatively narrow frontage, with a length of circa 3.20m, flanked by fences and walls on both sides. These constraints allow visibility splays of only 2.4m x 8.5m to be achieved from the site centre. A major road visibility splay distance of 8.5m equates to an approach traffic speed of less than 10mph. Actual approach traffic speeds are higher than this and the available visibility splays are therefore severely substandard. The Local Highway Authority (LHA) is therefore not satisfied that access and egress would be safe.

Where a new access emerges onto a footway, 2m x 2m pedestrian visibility splays should be provided on both sides of the access at the back of the footway, in accordance with paragraph 4.8.1 of the LHA's Planning, Streets, and Places (PSP) guidance. Due to the relatively narrow site frontage, such splays are not achievable.

In addition to the above, vehicles would either need to reverse into or out of the access. For the former, a car would have to stop in the road, impeding the free flow of traffic along the classified Pentrich Road. Regarding the latter, such a manoeuvre would bring with it the added difficulty of restricted visibility for the exiting driver, increasing the risk of conflict with pedestrians, cyclists, and other vehicles.

The submitted plan (Ref: HDP-71PR-002 Rev P1) indicates that the depth of the front garden, which is proposed to accommodate a parking space, is 4.9m between the highway boundary and the front of the dwelling. The preferred length of a parking space is 5.5m, with a minimum length of 4.8m. The length of the proposed parking space falls short of the desirable length with the potential that a parked vehicle would encroach on to the footway causing obstruction to pedestrians.

The footway is 1.95m wide, below the normal 2m minimum width requirement. Encroachment over the footway by a parked vehicle would reduce the footway width still further intensifying the obstruction of pedestrians.

The lack of pedestrian visibility splays would compound the above issues.

Having regard to the above analyses, the LHA therefore considers that the proposed new site access and driveway would give rise to an unacceptable impact on highway safety.

It is appreciated that similar works at 67 and 79/81 Pentrich Road have planning permission under references AVA/2021/0745 and AVA/2021/0476 respectively. Permission AVA/2021/0745 was granted by the Local Planning Authority (LPA). Permission AVA/2021/0476 was granted at appeal. However, the LHA considers that each application should be assessed on its own merits under current guidance. The application site frontage is markedly less open than the frontage to 79/81 Pentrich Road and does not offer the benefits to access to 81 and 91 Pentrich Road ascribed by the Inspector to the appeal scheme.

Further Matters

Whilst it is noted that the proposed driveway will be tarmacked measures to prevent the unregulated discharge of surface water to the public highway are required, with the access taking the form of a hard surfaced footway crossing, constructed in accordance with the highway authority's specification.

An existing street lighting column is located along the site frontage. The column must be relocated, at the applicant's expense, outside of the length of dropped kerb and the dropper kerbs to avoid risk of damage.

Conclusion

Accordingly, having regard to the above assessment, the LHA recommends that planning permission should be refused for the following reason.

> The proposed development would introduce traffic movements to and from the classified Pentrich Road via an access with severely restricted visibility, no provision for vehicles to enter, turn within, and leave the site in forward gear, and no provision of satisfactory pedestrian visibility splays. The development therefore fails to demonstrate that safe and suitable access to the site can be achieved for all users, contrary to paragraph 115 b) of the National Planning Policy Framework (NPPF). The proposed development is therefore likely to give rise to an unacceptable impact on highway safety, contrary to NPPF paragraph 116.

Yours sincerely,

Robert Smith
Transport Development Management

Date Received	Case Officer	Reviewer	Date Issued
7 July 2026	**Robert Smith**	**SD**	**23 July 2026**