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/2026/017811/R2
Your ref: AVA/2026/0264
Date: 13 August 2026

Dear Rebecca Godson,

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

PROPOSAL: Application for outline planning permission to subdivide existing plot into 2 to create proposed new 3-bedroom detached house

LOCATION: Elfin Lodge 108 Ashbourne Road Cowers Lane Belper Derbyshire DE56 2LF

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

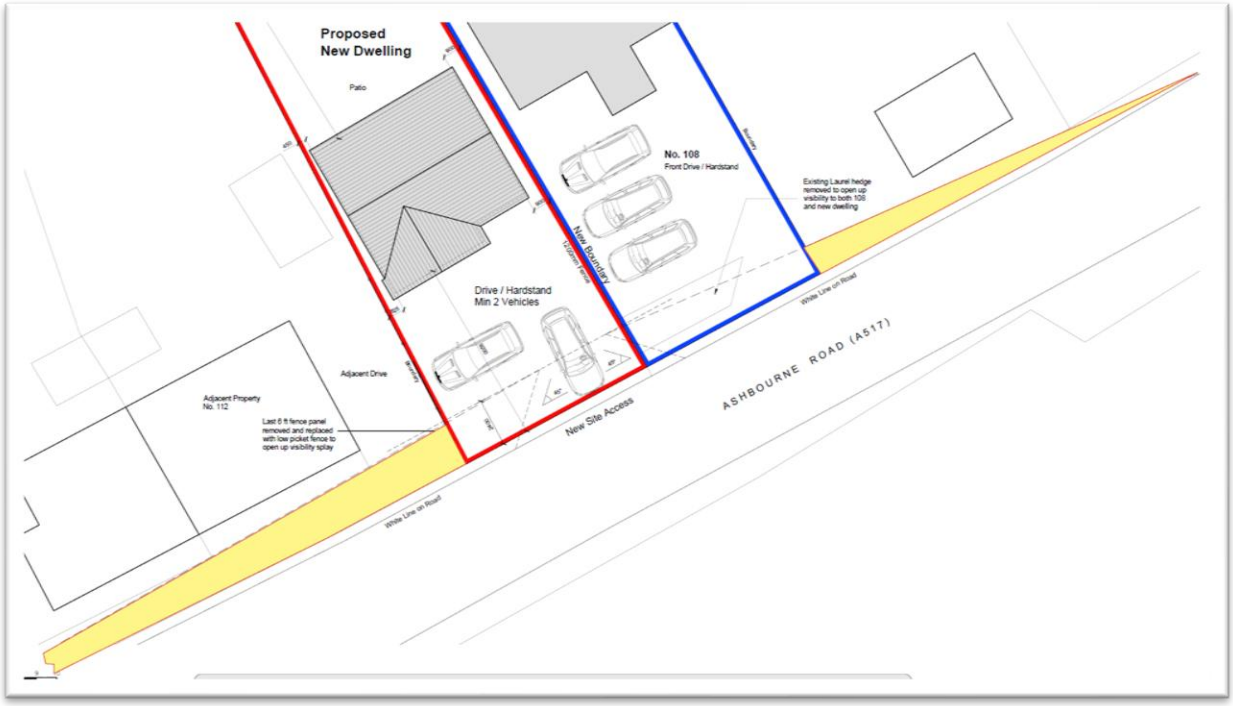
The Local Highway Authority's (LHA's) initial observations on this planning application were issued on 10/7/26. Further information has been submitted by the applicant's agent, via email dated 27/7/26, in the form of revised plans and photos.

Site Access/Traffic Impact

Access is proposed from the classified A517 Ashbourne Road, which is subject to a 40mph speed limit adjacent to the site. In accordance with current guidance, any new access should provide visibility splays commensurate with 85th percentile approach traffic speeds. Based on the speed limit adjacent to the site, 120m major road visibility splay distances are required, measured along the nearside carriageway edge in both directions along the A517 from a minor road visibility

setback distance of 2.4m. Such splays must be available over land within the applicant's control and/or over the highway.

The revised Proposed Site Plan (Ref: SCGD 768 1012 Rev A) illustrates visibility splays, taken from a setback distance of 2.4m, along the A517 as far as the Wirksworth Road junction to the west and circa 34m to the east. However, both splays cross third-party land, shown in yellow on the following sketch, which is not acceptable.



Sketch

Based on the revised plan, the LHA considers that major road visibility splay distances measuring approximately only 9m and 15m are achievable along the A517 to the west and east, respectively, from a minor road visibility setback distance of 2.4m, over land shown within the applicants' control (including the blue line boundary to the east of the application site).

The above distances are circa 93% and 88% below the required standard, representing a significant shortfall.

Without plans demonstrating that appropriate visibility can be achieved within land controlled by the applicant and/or over the highway, the LHA is not satisfied that the site access would be safe.

The LHA therefore considers that the proposed development will introduce traffic movements to and from the public highway at a point where visibility is severely restricted due to the limited controlled frontage, thereby leading to danger and inconvenience to other highway users, to the detriment of highway safety. The LHA considers that the proposed development would not achieve a safe and suitable access for all users contrary to National Planning Policy Framework paragraph 115 b). The proposed development would therefore give rise to an unacceptable impact

on highway safety which is objectionable in the context of National Planning Policy Framework paragraph 116.

Internal Layout

The LHA appreciates that this is an outline planning application with all matters reserved. However, the site is constrained such that it could not accommodate both parking provision and manoeuvring space.

Vehicles would therefore have 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 A517 Ashbourne Road. The latter manoeuvre would bring with it the added difficulty of restricted visibility for the exiting driver, increasing the risk of conflict.

Sustainable Travel

The site is located with limited accessibility to services, facilities, and public transport, and offers restricted opportunities to access day-to-day needs by walking, cycling, or public transport. As a result, future occupants would be likely to rely heavily on private car travel. The proposal therefore fails to maximise opportunities for sustainable transport modes and does not represent a suitably accessible location in transport terms, contrary to the objectives of the National Planning Policy Framework (paragraphs 115 a) and 117 a)).

Conclusion

Having regard to the above observations, the LHA recommends that planning permission should be refused on the following grounds:

> The proposed development would introduce traffic movements to and from the classified A517 Ashbourne Road, where site access visibility would fall significantly below required standards. The site has insufficient space to accommodate provision for vehicles to enter, turn within, and leave the site in forward gear. The proposed development therefore fails to provide a safe and suitable access for all users, contrary to National Planning Policy Framework paragraph 115 b). The proposed development would therefore give rise to 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, which requires planning permission to be refused in accordance with National Planning Policy Framework paragraph 116.
>
> The site is located with limited accessibility to services, facilities, and public transport, and offers restricted opportunities to access day-to-day needs by walking, cycling, or public transport. Future occupants would be likely to rely heavily on private car travel. The proposal therefore fails to maximise opportunities for sustainable transport modes and does not represent a suitably accessible location in transport terms, contrary to the objectives of the National Planning Policy Framework paragraphs 115 a) and 117 a).

Yours sincerely,

Robert Smith
Transport Development Management

Date Received	Case Officer	Reviewer	Date Issued
10 August 2026	Robert Smith	SD	13 August 2026