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/2026/017811/R3
Your ref: AVA/2026/0264
Date: 28 August 2026

Dear Mrs 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 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 highway authority's most recent observations on this planning application were issued on 13/8/26. The applicant has submitted a revised Proposed Site Plan, drawing number SCGD 768 Rev B.

The submitted plan proposes access by means of a shared driveway via No. 108 Ashbourne Road, to the east of the application site, with a gap opened on the boundary between No. 108 Ashbourne Road and the application site to provide access to the proposed dwelling.

The scheme proposes removal of the existing hedgerow and fence along the application site frontage and the hedgerow along the frontage to No. 108 Ashbourne Road. The scheme also proposes the removal of a 6ft fence panel along the western application site boundary, to be replaced by a "low picket fence", to seek to improve

site access visibility. It is not clear whether that fence is within the control of the applicant, though its removal is not material to the question of site access visibility, which is constrained by land ownerships regardless of the fence. The local planning authority may wish to consider the visual impact of such measures.

No details of the existing access to No. 108 Ashbourne Road are shown on the submitted plan. The scheme does not demarcate visibility splays along the A517 Ashbourne Road from the proposed access.

Location Plan

The submitted plan retains the planning application “red line” and “blue line” boundaries as shown on the submitted site location plan. That is not appropriate given the proposal to take access between the application site and the public highway via No. 108 Ashbourne Road.

The site location plan, and submitted drawing, should be amended to show the correct “red line”, which should enclose the access between the application site and the A517 and any areas where changes to parking arrangements would take place within the curtilage of No. 108 Ashbourne Road.

Site Access

The current proposal will result in the intensification of use of the existing site access from No. 108 Ashbourne Road onto the classified A517.

The A517 Ashbourne Road is subject to a 40mph speed limit adjacent to the site. In accordance with current guidance, the site access should provide visibility splays commensurate with 85th percentile approach traffic speeds. Based on the speed limit, 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 on the access centre line. Such splays must be available over land within the applicant’s control and/or over the highway.

In the absence of any visibility splays being shown on the submitted plan, the highway authority has undertaken a desk top assessment of available visibility splays.

The “blue line” boundary restricts the available width of the driveway to No. 108 Ashbourne Road. The highway authority considers that the driveway centre line is located circa 1.5m to the west of the eastern “blue line” boundary shown on the submitted plan.

Assuming the above centre line, the existing driveway has a visibility splay of circa 2.4m x 3m to the east along the A517 over land within the “blue line” boundary (i.e. over land within the applicant’s control) and within the highway.

The visibility splay to the west of the site access would be circa 2.4m x 43m over land within the “blue line” and “red line” boundaries and within the highway.

The above major road visibility splay distances are circa 2.5% (to the east) and 36% (to the west) of the required 120m standard, representing significant shortfalls.

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

The highway authority therefore considers that the proposed development will increase traffic movements to and from the public highway via an existing substandard access 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 proposed development would not achieve a safe and suitable access for all users.

The highway authority therefore considers that the proposed development would give rise to an unacceptable impact on highway safety which requires planning permission to be refused in accordance with National Planning Policy Framework (August 2026) policy TR6 paragraph 4.

Internal Layout

The applicant has provided no swept path analyses to demonstrate that vehicles could enter, turn within, and leave the site in forward gear without obstruction by vehicles parking on the driveway to No. 108 Ashbourne Road. Nor has the applicant demonstrated that the amended car parking arrangements for No. 108 Ashbourne Road, necessary to accommodate the proposed development, would have no adverse impact on vehicles entering and leaving the driveway to No. 108 Ashbourne Road in forward gear.

The applicant has made no proposals to improve the surface of the existing driveway to No. 108 Ashbourne Road. That access and driveway is currently surfaced in loose material which can be carried onto the highway to the detriment of highway safety. A hard paved driveway and highway crossing, the latter to highway authority specification, would be required to accommodate the proposed development. Such requirements could be secured by planning condition.

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 use of sustainable transport modes and does not represent a suitably accessible location in transport terms, contrary to the objectives of the National Planning Policy Framework (August 2026; policies TR1 paragraphs 1.b and 1.c, TR3 paragraph 1.a, and TR4 paragraph 1.a). This is a matter that the applicant cannot address.

Conclusion

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

> The proposed development will increase traffic movements to and from the public highway via an existing substandard access and would introduce traffic movements to and from the classified A517 Ashbourne Road where site access visibility would fall significantly below required standards. The

applicant has not demonstrated that sufficient space is available within the site and adjacent plot to accommodate provision for vehicles to enter, turn within, and leave in forward gear. The proposed development therefore fails to provide a safe and suitable access for all users. 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 A517, which requires planning permission to be refused in accordance with National Planning Policy Framework policy TR6 paragraph 4.

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 policies TR1 paragraphs 1.b and 1.c, TR3 paragraph 1.a, and TR4 paragraph 1.a.

SD; DCC TDM; 28/8/26.