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/2026/018373/R1
Your ref: AVA/2026/0491
Date: 31 August 2026

Dear Ms Graham,

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

PROPOSAL: Erection of prefabricated ancillary building within garden of existing dwelling

LOCATION: 20 Cloves Hill Morley Ilkeston Derbyshire DE7 6DH

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

Background

The highway authority's initial observations on this planning application were issued on 7/8/26. The applicant's agent has submitted further information, comprising revised existing and proposed location and block plans (drawing numbers 2408-01 Rev A and 2408-02 Rev A), with an explanatory email dated 21/8/26.

The applicant's agent has confirmed that the proposed building would be ancillary to the host dwelling and is intended to accommodate the applicant's family member. The applicant's agent has also confirmed that the driveway would be formed in a porous surface to reduce the unregulated discharge of surface water onto the highway.

Assessment

Whilst the applicant's agent has indicated that the family member who would be accommodated within the proposed building does not drive or own a car, it is the use, not the user, that must be assessed. Ancillary use can be secured by planning condition.

The proposed development gives rise to an increase in the on-site car parking requirement and will give rise to an increase in use of the site access onto the classified Cloves Hill. Whilst off-site traffic impacts beyond the site would not be material, it is essential to ensure that the site access and on-site layout facilities are appropriate in highway safety terms.

The proposed block plan (drawing number 2408-02 Rev A) shows provision of 3 car parking spaces plus turning space on the driveway. It also confirms that there would be no gates or boundary enclosure within 5m of the highway boundary. 2m x 2m pedestrian visibility splays are shown on both sides of the driveway.

The submitted details largely address the highway authority's requirements, as stipulated in its 7/8/26 observations. The submitted details, together with details relating to driveway surfacing, cycle parking, and bin storage/collection facilities, can be secured by planning condition.

Conclusion

Having regard to the above, the highway authority would have no objection to this planning application subject to the following planning conditions being attached to the decision notice if planning permission is granted.

Planning Conditions

1. The development hereby permitted shall be used only for purposes ancillary to the residential use of the host dwelling known as 20 Cloves Hill, Morley, shall not be used at any time as a separate independent unit of residential accommodation, shall be occupied solely by family members of the main household, and shall at no time be sold, leased, rented, or let as a separate, unconnected dwelling or independent residence.

Reason: To ensure that the development remains within the same single planning unit and use class as the host dwelling to ensure adequate car parking provision in the interest of highway safety.

2. The development hereby permitted shall not be occupied until the site access and driveway/parking/turning areas are provided in accordance with the scheme illustrated on drawing number 2408-02 Rev A. The driveway/parking/turning areas shall not be used for any purpose other than parking/turning/loading/unloading of vehicles and shall remain free of encumbrance to their intended purpose for the life of the development.

Reason: In the interest of highway safety.

3. Prior to the first occupation of the development hereby permitted 2m x 2m pedestrian splays shall be provided on both sides of the site access driveway as illustrated on drawing number 2408-02 Rev A. Such splays shall be maintained free

of obstruction above a height of 0.6m above adjacent footway level for the life of the development.

Reason: In the interest of highway safety.

4. The development hereby permitted shall not be occupied until the driveway is surfaced in a bound material, along the full width of the driveway for a minimum length of 5m within the site measured from the highway boundary, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. This area of driveway shall be maintained in the bound material for the life of the development.

Reason: in the interest of highway safety.

5. Prior to the commencement of the development hereby permitted, details of the construction of the access/driveway/parking/turning areas, including measures to prevent the unregulated discharge of surface water to the public highway, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first use or occupation of the development and shall be maintained for the life of the development.

Reason: To ensure the appropriate specification of on-site access, parking, and turning areas and that surface water from the site is not deposited on the public highway causing danger to road users.

6. The development hereby permitted shall not commence until details for the provision of secure, covered cycle parking, secure cycle equipment storage, electric vehicle charging, and bin storage facilities have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the development hereby permitted and shall be maintained for their designated purpose for the life of the development.

Reason: In the interest of highway safety and furthering travel by sustainable modes.

SD; DCC TDM; 31/8/26.