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/2026/018574
Your ref: AVA/2026/0414
Date: 31 August 2026

Dear Mrs Grant,

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

PROPOSAL: New site entrance to the existing property

LOCATION: Christmas Cottage Church Lane Kirk Langley Ashbourne Derbyshire DE6 4NG

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 determination of this planning application should be deferred pending the submission of further information.

Background

This planning application seeks permission for the formation of a new access to serve Christmas Cottage, Church Lane, Kirk Langley. Church Lane is an unclassified minor road, subject to a 30mph speed limit in the vicinity of the site.

The property currently takes vehicular access onto Church Lane by means of a driveway located to the east of the dwelling. A separate gated pedestrian access onto Church Lane is provided to the south of the dwelling.

Proposed Development

The proposed vehicular access would take the form of a sliding gate, 5.3m wide between brick piers, located no closer than 5m to the edge of carriageway on Church Lane. 2.4m x 43m visibility splays are shown along Church Lane on both sides of the

site access. The driveway would be formed in permeable block paving with an “ACO” drain to prevent the unregulated discharge of surface water onto the highway. The existing pedestrian access onto Church Lane would be retained.

Planning History

The site to the east of the application site, i.e. the “blue line” area shown on the site location plan, received outline planning permission, subject to planning conditions, for development of a single dwelling under permission reference AVA/2021/0765 (following appeal reference APP/M1005/W/22/3291303). Access to the new dwelling was to be shared with the existing access to Christmas Cottage. The highway authority recommended a planning condition requiring provision of 2.4m x 83m visibility splays along Church Lane on both sides of the proposed site access.

Reserved matters were approved under permission reference AVA/2024/0730. Approved visibility splay drawing number 0323-08-01 PL01 showed provision of the 2.4m x 83m visibility splays required by condition on the outline planning permission.

Planning permission has been granted, subject to planning conditions, for the development of an open-fronted double garage within the Christmas Cottage site under permission reference AVA/2024/0878. The drawings submitted in support of that planning application did not show a means of vehicular access via the site to the proposed garage. However, no new access was proposed onto Church Lane.

Assessment

Access to the proposed dwelling approved under permission reference AVA/2021/0765 would remain acceptable, given that the applicant proposes retention of a turning area to serve that dwelling within the application site, provided that the access to the permitted dwelling is implemented in accordance with the details shown on visibility splay drawing number 0323-08-01 PL01 as approved under permission reference AVA/2024/0730.

Issues at the proposed new site access to Christmas Cottage are as follows:

1. The proposed site access should be at 90-degrees to the carriageway on Church Lane.

2. Access within the highway should be by means of a verge crossing to highway authority specification.

3. The applicant has not demonstrated, using swept path analyses, that vehicles can enter, turn within, and leave the site in forward gear.

4. The gated access width is excessive for access to a single dwelling and could be reduced, subject to submission of swept path analyses as referred to in point 3 above.

5. The proposed site access visibility splays are incorrectly detailed. The splay to the west along Church Lane should be projected to the nearside carriageway edge tangent. The splay to the east should be projected to the nearside carriageway edge.

6. Notwithstanding the above issue, no justification has been submitted for the provision of 2.4m x 43m visibility splays. For consistency with the access proposed for the new dwelling to the east of the site, visibility splays of 2.4m x 83m should be shown along Church Lane on both sides of the proposed access to Christmas Cottage. The 83m splay to the west of the site access should be projected both to the nearside carriageway edge tangent and to the nearside carriageway edge across the bend in Church Lane to the west of the site.

7. Vegetation within the visibility splay envelopes should be removed and any new hedgerow should be planted no closer than 1m from the visibility splay envelope to allow for future growth.

Revised access layout details and further information are required to address the above issues.

Conclusion

The highway authority recommends that this planning application should not be determined until the applicant has submitted further details which satisfactorily address the above issues.

The highway authority will comment again following receipt of further information.

SD; DCC TDM; 31/8/26.