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: Jenny Rhodes
Our ref: AVBC/2026/015850/R5
Your ref: AVA/2026/0043
Date: 29 September 2026

Dear Mr Shaw,

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

PROPOSAL: Erection of an agricultural building

LOCATION: Land Off Old Lane Old Lane Idridgehay Belper Derbyshire

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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

The highway authority's most recent observations on this planning application were issued by email dated 29/7/26. The applicant has submitted further information comprising a revised location plan (ref: 04001-P3) and site plan (ref: 04003-P4).

Assessment

The revised location plan and site plan now show the previously approved agricultural building in the position as approved under permission reference AVA/2025/0104. The highway authority assumes that this detail is now correct.

However, the highway authority's previous observations relating to the differing locations of the "red line" planning application site boundaries for this planning application and the previous permission still stand, as follows:

There are inconsistencies between the submitted plans associated with the current application and those approved under planning application AVA/2025/0104. It would appear, based on the position of the river, the northernmost 'red line' has not altered position, but the southern 'red line' boundary and the 'red line' boundary to the west of the building have been relocated.

The site frontage to Old Lane has been extended circa 9m to the south. Accordingly, this would mean that the 'current access arrangements' would not have originally been included within the approved 'red line' boundary. As such the current access arrangements are not in accordance with those which appear to have been approved under planning application AVA/2025/0104, and which have not been implemented. The current site access gates could not have been accessed within the 'red line' boundary approved under AVA/2025/0104.

The agent clarifies that 'the site will operate in connection to the activities already approved under the previous application (AVA/2025/0104) – the site is already lawfully used for the storage of straw and hay bales. The proposed agricultural building would simply provide covered storage for those bales. As such, the proposal would not result in any further intensification beyond the lawful use already taking place on the site'.

The current planning application proposes an agricultural building and does not stipulate a specific use. However, the Design and Access Statement (DAS) does refer to the building being used for the storage of hay and straw bales associated with the applicant's farming enterprise.

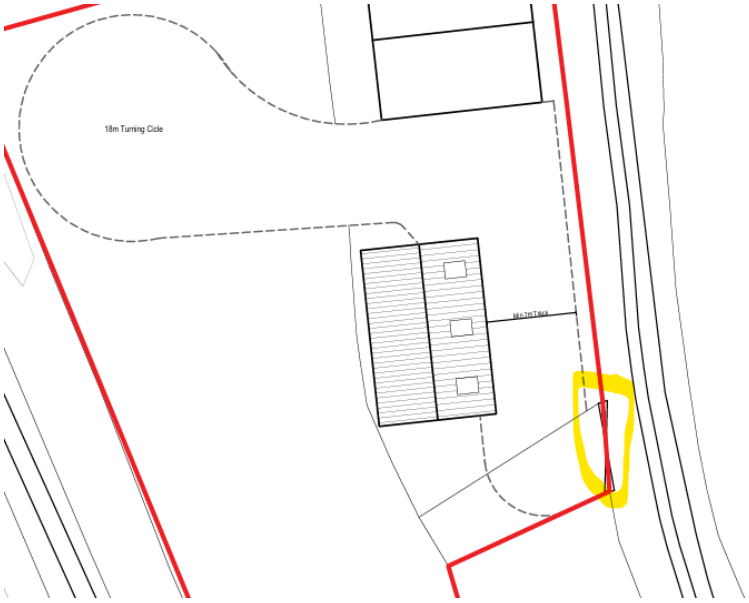
On the above basis the LHA would not be able to recommend refusal of planning permission if a suitability worded condition to ensure that the building is to be used solely for the storage of hay and straw associated with the applicant's farming enterprise.

Should such a condition/restriction not be possible, the LHA remains concerned that the proposal could result in an intensification of use of the site, and given that the current site access was not approved under AVA/2025/0104 and is substandard, the LHA considers that improvements to the site access, as stated in the LHA correspondence dated 11/5/26, would be required.

The LHA maintains its stance regarding a condition restricting the use of the agricultural building and its concerns relating to the access. Please can the Local Planning Authority confirm whether the imposition of a planning condition to restrict use of the proposed building solely to hay/straw storage is feasible. The applicant should also confirm that such a condition, if feasible, would be acceptable.

The revised site plan relocates the 18m turning circle to land to the west of the approved agricultural building. The highway authority maintains its previous comments that the applicant should demonstrate, using swept path analysis, that sufficient space is provided for long vehicles and/or tractor trailer combinations to manoeuvre to and from the proposed on-site turning area.

Revised site layout plan 04003-P4 appears to show a gate, without visibility splays, located at the southern end of, and along, the eastern application site boundary, as highlighted on the copy extract below.



Provision of a gate in the location shown would not allow sufficient space between the carriageway on Old Lane and the gate for vehicles to wait clear of, and without obstruction to, Old Lane whilst the gates are opened/closed. That could be detrimental to highway safety. Consideration should be given to an alternative gate location.

In addition, it is not clear that long vehicles and vehicle combinations could negotiate the space available between the gate and the proposed building. Swept path plots are required to confirm adequate turning space at the proposed site access.

Further information is required to address the above issues.

Conclusion

The highway authority recommends that this planning application should not be determined until the above issues have been satisfactorily resolved.

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

Yours sincerely,

Jenny Rhodes
Transport Development Management

Date Received	Case Officer	Reviewer	Date Issued
18 August 2026	Jenny Rhodes	SD	29 September 2026