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: Graham Foulkes
Our ref: AVBC/2026/018787
Your ref: AVA/2026/0552
Date: 29 September 2026

Dear Ms Anthony,

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

PROPOSAL: Construction of an agricultural access track from Jackass Lane to an existing agricultural building, including a turning area and associated hardstanding.

LOCATION: Land North of Jackass Lane Jackass Lane Alderwasley Belper

---

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 and informatives being attached to the decision notice if planning permission is granted.

Background

This planning application seeks permission for the construction of an agricultural access track to serve an existing agricultural building located to the north of Jackass Lane, Alderwasley.

Jackass Lane is a classified unnumbered road which is subject to the National speed limit in the vicinity of the site.

Scheme details are shown on the submitted proposed site plan, drawing number 02.

Traffic Impact

The existing access lacks visibility splays, has gates directly adjacent to Jackass Lane which provide no space for vehicles to wait clear of the carriageway, and is therefore unsuitable to carry any additional traffic beyond that associated with the existing agricultural use.

The applicant has explained that the proposed access track is intended to serve an existing agricultural building, to provide more convenient year-round access rather than access having to be taken across the field between the building and Jackass Lane. The agricultural building is used in connection with the applicant's small livestock enterprise which takes place on land in the vicinity of the application site.

On the basis, as explained by the applicant, that the proposed access would better facilitate the traffic flows associated with the existing use and would be unlikely to give rise to a change in traffic flows arising from the site and using the access, the highway authority would, in this instance, have no in-principle objection to this planning application. However, access design details must be subject to control by planning conditions for the reasons set out below.

Access Requirements

The access design details are, as submitted, inappropriate and lacking in clarity. The following requirements apply:

1. The extent of the proposed concrete driveway shown on the submitted site plan is unclear. The concrete driveway must fall entirely within the site and must not extend onto the highway.

2. The highway crossing between the carriageway and the concrete driveway must be in the form of a verge crossing to highway authority specification.

3. The proposed concrete driveway must extend into the site for a minimum distance of 5m from the highway boundary (not from the "road or footway" as stated on the site plan).

4. The concrete driveway would introduce an impermeable surface which, given the apparent gradient between the site and Jackass Lane, would discharge surface water from the site onto the highway, detrimental to highway safety. Drainage features are required within the site across the access to prevent this.

The above requirements can be secured by planning conditions.

Conclusion

The highway authority would have no objection to this planning application subject to the following recommended planning conditions and informatives being attached to the decision notice if planning permission is granted.

Planning Conditions

1. The development hereby permitted shall be implemented in accordance with the details shown on Proposed Site Plan drawing number 02, save where amended by the following planning conditions, to the satisfaction of the Local Planning Authority, and shall be maintained for the life of the development.

Reason: To ensure conformity with the submitted details.

2. The development hereby permitted shall not be brought into use until a hard surfaced verge crossing to serve the driveway from Jackass Lane has been constructed in accordance with the highway authority's specification and made available for use.

Reason: In the interest of highway safety.

3. The development hereby permitted shall not be brought into use 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 the specification shown on Proposed Site Plan drawing number 02. This area of driveway shall be maintained in the bound material for the life of the development.

Reason: In the interest of highway safety.

4. The development hereby permitted shall not commence until details of measures to prevent the unregulated discharge of surface water from the site onto the public highway have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first use of the development hereby permitted and shall be maintained for the life of the development.

Reason: To ensure that surface water from the site is not deposited on the public highway causing danger to road users in the interest of highway safety.

Informatives

Planning permission does not convey consent to work on or adjacent to the public highway.

Prior to any works commencing on site, including demolition works, the developer must obtain the highway authority's consent.

The developer must obtain a license under Section 184 of the Highways Act 1980 before commencing any works on the highway.

Details are available at: www.derbyshire.gov.uk/transport-roads/roads-traffic/licences-enforcements/vehicular-access/vehicle-accesses-crossovers-and-dropped-kerbs.aspx or email highways.hub@derbyshire.gov.uk.

The deposit of mud or other items, and/or the discharge of water, onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner/occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the highway authority to take both practical and legal action (which may include prosecution) against the applicant/contractors/owner or occupier of the land.

Yours Sincerely

Graham Foulkes
Transport Development Management

Date Received	Case Officer	Reviewer	Date Issued
2 Sept 2026	**Graham Foulkes**	**SD**	**29 Sept 2026**