

Highways Development Control



Highways Advice for Planning Applicants

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As the Local Highway Authority, Derbyshire County Council is a statutory consultee regarding planning applications received by both the District and County Planning Authorities, (currently around 12,000 applications per year). This function is carried out by officers within the three area teams of Network Management.

When considering any development proposals the Councils' aim is to ensure that all new developments, carried out within Derbyshire, are assessed in terms of their impact on the highway network.

This document is aimed at anyone considering substantial development, (i.e. large extension, new dwelling, change of use or greater), prior to submitting a formal application; particularly homeowners, builders, property agents and planning/design advisors.

It is intended to give guidance about the amount of information which the Highway Authority would expect to see in support of a development scheme as part of an informal, pre-application enquiry.

If the proposed development could increase traffic generated by the site (eg expansion of commercial premises, new residential accommodation, etc) involving a new or existing access to the highway, the Highway Authority is likely to be interested in the effects of the proposals.

Where adequate supporting information has not been provided, it is unlikely that the Highway Authority will be able to offer advice.



What Do We Do

Officers have three weeks in which to make a formal response to the Planning Authorities. The highway officers have three options:

- Request further information in order to resolve highway concerns or clarify the proposals.
- Offer no objections to the proposal and/or recommend planning conditions where the application is considered to have no detrimental effect on highway issues or the effects can be mitigated by improvement works.



- Request that the application be refused on the grounds of highway safety, such requests are made on the understanding that the reasons given must be sustainable if challenged on appeal.

Note Highway officers can only make requests and/or recommendations, the final decision rests with the relevant Planning Authority's Officers or Committee.

What Are the Main Safety Issues

Where the creation of a new access or increases in traffic using existing accesses is envisaged, the following issues will be considered;

- Visibility - where emerging drivers require adequate, unobstructed visibility of traffic, pedestrians and cyclists. The recommended distance depends on the speed of traffic and the road classification / location.
- Turning Traffic - turning traffic can be detrimental to highway safety particularly on a fast and/or busy stretch of road.
- Remote Junctions - concerns may be raised where existing junctions and roads are already near or exceed capacity.
- Displaced Parking - where a development does not provide sufficient parking to ensure that traffic generated by the proposals can be contained within the development site, concerns may be raised over the effect on the safety of adjoining highways.
- Lighting - concerns will be raised where proposals are likely to affect the existing lighting layout
- Highway Layout and Construction - Concerns will be raised where development will;
 - increase the number of vehicles on roads (in particular HGVs) where vehicles may be unable to pass safely.
 - introduce new roads which will be subject to high volumes of vehicle traffic
 - change the layout of existing roads and junctions



- Consideration will also be given to problems of Distraction, Obstruction and the maintenance of Pedestrian / Cycle Desire Lines

To reduce the traffic impact of larger developments on capacity and provide a sustainable approach to parking, applicants would be expected to produce Transport Assessments including Travel Plans (where appropriate) showing how they can resolve capacity issues and/or influence staff/customers to travel to the site other than by car.

Other Considerations

In giving advice to the Planning Authority Highway Officers are aware that there are many factors including; social and economic benefits to the community, sustainability, integration, strategic transport issues and accessibility to be considered. Whilst officers are prepared to consider representations, priority will be given to the safety of users of the highway. The final decision is always made by the relevant Planning Authority and they may take other factors into account.

Pre-Planning Enquiries

The County Council recognises that Pre-application discussion has a number of benefits, including;

- A reduction in the time spent by professional advisors in working up a proposal.
- Helping to ensure a smoother and quicker passage through the decision process.
- Ensuring an application is complete, comprehensive and to a satisfactory standard, avoiding rejection at the registration stage or early refusal of permission because of inadequate information.

Working in partnership with the planning authorities the County Council will endeavour to respond to all Pre-application enquiries.

It is a requirement that developers bring forward formal proposals and do not seek the design from County Council staff.

What Should You Do

We ask that you put your request in writing and that you include any plans/drawings that adequately describe your proposal together with any other relevant planning information you have gathered. This will enable the most appropriate officer to be selected to handle the request.

In order to assist you in preparing a sufficient enquiry you should consider the following:

- Fully investigate the planning history of the site.
- Familiarise yourself with the development plan policy and highway standards that might apply to your proposal.
- Visit the site and make a detailed analysis to establish site characteristics.
- Provide accurate site surveys and plans. These will be required if a planning application is to be submitted, therefore these survey plans are likely to be useful in the process of designing a scheme too.

Information Required for a Pre-Planning Enquiry

In order that a pre planning enquiry is to be considered sufficient the following information is likely to be required

- A site location plan including the adjacent road network at either 1:1250 or 1:2500 scale with the individual site the subject of the enquiry outlined in red and any other additional land owned by the applicant in blue.
- A block plan layout at 1:500 scale or larger indicating clearly the location of existing/proposed buildings, drives, parking areas and access to the highway, including dimensioned visibility splays where a new access or an intensification of the existing access is likely.
- The proposed floor areas and likely use of the rooms or areas.



- Spot levels where gradients may be greater than 1 in 10 along existing/ proposed roads/drives or in parking areas.
- Demonstrate all parking and manoeuvring areas, which should, where possible include turning space to enable vehicles to enter and leave the premises in a forward gear.
- Clearly demonstrate how all of the Main Safety Issues previously listed will be addressed.
- A Transport Statement Assessment may be required where the development is likely to substantially increase the volume of traffic either using an existing or proposed access.

What Will We Do

Following the submission of this information the County Council will endeavour to respond within 21 days either providing a substantive response, seeking further information or explaining why, in this instance, it is not possible to make a response.

Based on the information you have provided, highway officers will provide accurate and objective advice in good faith but without prejudice to the formal consideration of any planning application by either officers or Members of the Council. Any advice given will normally be confirmed in writing.

Planning and Highways Agreements

Section 106 Agreements Town and Country Planning Act 1990

Where appropriate developer contributions may be sought to provide improvements to the highway network to facilitate the development. This is done by an agreement between the Authorities and the landowner/developer.

Section 278 Agreements Highways Act 1980 - Developer Funded Improvements Works to the Existing Highway

Where highway objections to proposals can be overcome by improvements to the existing highway, developers can enter an agreement that requires them to pay for or undertake such works. These works may include minor highway realignments, roundabouts, traffic signals, right-turning lanes, passing bays, etc.

Prior to the commencement of construction, developers are requested submit full construction drawings for approval and enter into a Section 278 Agreement with a Bond to cover the full road construction. Developers are advised that without such an Agreement in place they may not commence any works within the public highway



Section 38 Agreements Highways Act 1980 - New Housing Estate Roads

Planning applications including new estate streets should be designed to meet the recommendations contained in the recently published "Manual for Streets" (www.manualforstreets.org.uk) and constructed in accordance with the current revision of the 'Materials and Construction Specification for Private Street Works and Housing Development Roads' www.derbyshire.gov.uk (Transport & Roads - Roads & Traffic - Development Control).



Prior to the commencement of construction, developers are requested to submit full construction drawings for approval and enter into a Section 38 Agreement with a Bond to cover the full road construction costs. Without such an Agreement in place developers will be required to deposit monies with the Council under the Advance Payments Code.

Developers are advised that without such an Agreement in place they should not commence any works and any construction undertaken may prejudice the future adoption of the estate roads concerned

A design guide is also available for industrial roads although it is not the normal practise of this Authority to adopt these

Commuted Sums

For traffic signals, structures, soakaways, landscaping, street furniture and works not normally of standard construction, layout or provision, a commuted maintenance sum may also be charged to the developer.



HGV 'O' Licences

The Highway Authority also comments on applications made to the Traffic Commission for new and alterations to existing HGV operating centres. There are however only two permitted reasons for highway objections.

- The site is too small for the parking and manoeuvring of the number of vehicles proposed.
- Access from the site onto the adjoining public highway is potentially unsafe.

Note the adequacy and/type of the roads leading to the site are not deemed to be acceptable grounds for a highway objection.

Call Derbyshire on: 0845 5605 8058
E-mail: netmanadmin@derbyshire.gov.uk

Development Control (Highways) Network Management

Environmental Services Department
Derbyshire County Council
County Hall, Matlock. DE4 3AG