



Appeal Decision

Site visit made on 29 October 2019

by R Morgan MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2019

Appeal Ref: APP/V4305/W/19/3235235

Land rear of Redgate Lodge, Carr Lane, Roby, Merseyside L36 4HT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Tony Ambrose against the decision of Knowsley Metropolitan Borough Council.
 - The application Ref 19/00175/FUL, dated 15 February 2019, was refused by notice dated 4 June 2019.
 - The development proposed is to retain 3 brick pillars and install vehicular and pedestrian security gates at entrance to residential development (under construction) on unadopted roadway, to form a gated community.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would cause unacceptable harm to highway safety.

Reasons

3. The proposed gates would serve a development of nine houses located off Carr Lane in a residential area of Roby. At the time of my site visit, the houses were under construction and the brick pillars which are the subject of this appeal were already in place and supported manual gates into the development site, with a pedestrian gate to the side.
4. The proposal involves retention of the pillars and the installation of electrically powered vehicular and pedestrian gates. The exact mechanism for opening the gates has not been specified but the appellant has provided information about typical systems which could be used. The pedestrian gate could be operated using a mechanical keypad lock, and the vehicular gates by a closed-circuit intercom system or a system by which visitors could use a keypad on the gatepost to contact a resident's by phone. The resident could then open the gates remotely.
5. The section of Carr Lane which leads to the housing development also serves Redgate Lodge. It is a single track road which bends slightly in front of the position of the proposed gates. Along both sides of the lane there is pavement, although in one section this is narrow where the wall of a house and garden front almost onto the carriageway. The road is relatively flat although slopes upwards on the turn into Wynwood Park.

6. There is insufficient space to turn a vehicle outside the proposed gates, so if for any reason a driver could not gain access through the gates, it would be necessary to reverse as far as the northern section of Carr Lane where it is possible to turn around, before proceeding forwards into Wynwood Park.
7. Circumstances which could lead to problems in obtaining access through the gates include failure of the gates themselves. I agree that this is not likely to be a common occurrence, and note that systems could be put in place to ensure that in the event of their failure, the gates could be opened by one of the residents using a manual release key.
8. The other circumstance where problems could arise would be if a visitor had difficulties contacting a resident to gain access. Most visitors to the development would be expected and so a resident would be available to open the gates to let them in. Special arrangements could be made for regular visitors such as refuse collectors. There would, however, be cases where visitors, and in particular delivery drivers, were not expected. In many cases it is likely that another resident could be contacted and asked to open the gates and take the delivery. However, this cannot be guaranteed as occupiers may be out, busy or unresponsive. It is impossible to predict how frequently access through the gates would not be forthcoming. Although it may not happen often, it cannot be ruled out and would result in a need for delivery drivers or other visitors to reverse along the road.
9. The lack of opportunities to turn would mean that vehicles would need to reverse for some 37 metres, which is significantly further than the 12 metre maximum reversing distance for large vehicles recommended in the Manual for Streets (Department for Transport, 2007). Whilst it may generally be free of parked cars and other obstacles, the road is narrow, unlit and not entirely flat or straight. I agree that delivery drivers may well be accustomed to such reversing manoeuvres, however other visitors to the development may be less experienced drivers.
10. I acknowledge that Carr Lane is lightly trafficked and the nature of the road layout restricts traffic speeds, nonetheless any vehicle reversing along Carr Lane would constitute a road safety hazard for other drivers, pedestrians and cyclists due to the distance involved, the narrow width of Carr Lane, the high walls on either side of the road which limit visibility and the proximity of the relatively sharp bend and upwards slope into Wynwood Park.
11. For the reasons given the proposal would cause unacceptable harm to highway safety. It fails to comply with Policy CS19 of the Knowsley Local Plan Core Strategy 2016 which requires that developments provide safe routes for movement and integrate effectively into existing development, and Policy DQ2 of the Knowsley Replacement Unitary Development Plan 2006 which seeks to ensure that security features should be designed to avoid causing harm to highway safety.

Conclusion

12. For the reasons given, the appeal should not succeed.

R Morgan

INSPECTOR