
Appeal Decision

Site visit made on 23 March 2024

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2024

Appeal Ref: APP/M4320/D/24/3337183

52 Edge Lane, Thornton, Sefton, Merseyside L23 9XF

- 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 Mrs Linda Byrne against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2023/01520, dated 16 August 2023, was refused by notice dated 1st November 2023.
 - The development proposed is to install a drop kerb in order to drive onto the driveway at the front of the house.
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Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the appeal proposal on highway safety.

Reasons

3. The appeal property, 52 Edge Lane (No 52), stands at the corner of Edge Lane and Larchfield Road. It is proposed to construct a new vehicle crossing from its frontage onto a slip road off Edge Lane, a classified road. The proposal would enable the appellant to use the frontage of No 52 for parking. It is the only property without direct vehicle access to the slip road which provides access to Nos 22-52 Edge Lane and parking spaces along most of its length. The proposed dog-leg access would cross a large, grassed verge which lies between the junction of Edge Lane with Larchfield Road and the access to the slip road.
4. Edge Lane is a main arterial route out of Thornton and a route to and from Liverpool and Southport. Consequently, traffic flows along the road are significant throughout the week. The southern access to the slip road is about 5m from the junction of Larchfield Road with Edge Lane. The proposed vehicle crossing would be within the bellmouth of its entrance. The speed limit reduces from 30mph on Edge Lane to 20mph in the slip road.
5. There are multiple junctions in the area around the appeal site. Whilst motorists travelling along Edge Lane might expect to see vehicles using the slip road, the addition of a further crossing, particularly at the angle proposed, is in my judgement likely to cause confusion to drivers. Furthermore, vehicles entering or exiting the appellant's driveway would not have safe manoeuvrability due to the limited distance from the grassed verge and the

proximity to the junction, even if the vehicle movements were contained within the slip road. In combination, these factors would result in conditions that would be detrimental to highway safety. Furthermore, although other nearby houses have direct access to it, the original design of the slip road did not make provision for a vehicle crossing to No 52. Instead, its garage and off-street parking to the rear of the property are accessed from Larchfield Road. This factor appears to me to further demonstrate that an additional access in the proposed location is unacceptable in highway design terms.

6. The evidence indicates that the proposal would increase the likelihood of vehicles reversing onto Edge Lane close to the two other junctions (Edge Lane/slip road and Edge Lane/Larchfield Road). This would be somewhat unexpected by other motorists travelling along Edge Lane, even where there is good visibility. The appellant states that she would not reverse onto Edge Lane and there is no reason to doubt this. However, this could not be enforced and there would be no controls over how future occupiers of the property might use the vehicle crossing. Reversing manoeuvres in this location could result in vehicle collisions.
7. In the area around the appeal site, many properties fronting Edge Lane have an access directly off the classified road. They present a risk of vehicles reversing onto Edge Lane. Nonetheless, the history of these works has not been provided and in any event, each application for a vehicle crossing must be considered on its own merits. It is also acknowledged that the occupiers of No 50 Edge Lane may have used their driveway access onto the slip road for many years without incident, thus suggesting that motorists are not confused by the existence of a vehicle crossing there. However, its location is different to that of the proposed vehicle crossing.
8. As detailed above, No 52 has existing off-street parking provision. It has not been convincingly demonstrated why that area could not be altered to provide a sufficiently sized parking area, with an electric vehicle charging point if required. A safe, level and private off-street pedestrian access to the house through the garden could also be provided which would overcome the personal concerns identified by the appellant. This could also address the problems caused by flooding of the road that she has detailed. But in any event, personal circumstances cannot outweigh the wider public highway safety concerns that are likely to arise because of the appeal proposal.
9. The appellant does not consider that the proposal encroaches onto or affects a junction and/or creates an unacceptable risk of conflict between highway users. However, there is no technical or professional evidence to support these assertions. Anecdotal evidence of parking manoeuvres performed on the service road without incident does not outweigh technical evidence. The more convincing evidence with this appeal is the assessment provided by the Highway Authority.
10. It is unfortunate that advice about the construction of a cross-over appears to have been inconsistent with the technical consultee advice provided for the planning application. Nonetheless, the appellant was advised that planning permission was required for the works and each planning application is considered on its own merits, based on the site-specific circumstances.

11. I am not convinced by the Council's evidence that the loss of an on-street parking space in the slip road would be sufficient justification to dismiss the proposal. However, I conclude overall that a safe vehicle access to the appeal site could not be achieved. The proposed crossing would encroach onto and affect a junction, leading to an unacceptable risk of conflict between highway users. Consequently, the proposed development does not comply with Policies EQ2 (2a) and EQ3 (f) of the adopted Sefton Local Plan and the highway safety requirements of the National Planning Policy Framework.
12. For the reasons set out above and having regard to all other matters raised, the appeal is dismissed.

Elaine Benson

INSPECTOR