
Appeal Decision

Site visit made on 30 September 2025

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 05 November 2025

Appeal Ref: APP/U2750/W/25/3368780

Grimbald Tor, Wetherby Road, Knaresborough, North Yorkshire HG5 8LL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Rob Wills against the decision of North Yorkshire Council.
 - The application Ref is HGTZC25/00985/FUL.
 - The development proposed is to provide an access track from the roundabout at Grimbald Crag Road down the Highway verge to access the building at the back of Grimbald Tor opposite the Grimbald Crag Way junction.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on highway safety.

Reasons

3. The proposal is to create a track from the B6164, Grimbald Crag Way, to provide access to a storage building to the rear of Grimbald Tor, which is currently accessed via Wetherby Road. An existing track serving the rear of other properties on Wetherby Road runs parallel to Grimbald Crag Way, from an existing junction arm off the Grimbald Crag Way/St James Retail Park roundabout. This track is separated from the main carriageway by a grass verge and close-boarded fencing. The proposed track would branch from the same roundabout junction, run along the highway verge between the service track fence and Grimbald Crag Way, and terminate at the rear boundary of the appeal property, almost directly opposite Grimbald Crag Close.
4. The Highway Authority (HA) indicate that the Design Manual for Roads and Bridges should be used as the basis for assessing the proposal, particularly regarding turning angles from the proposed track onto the roundabout and visibility splays. No evidence has been provided to suggest that alternative guidance would be more appropriate in this case.
5. Grimbald Crag Way distributes traffic within and between Knaresborough and various other routes, with a 30mph speed limit. During my site visit I observed that the road is busy with motor vehicles, is used by cyclists, and, due to the proximity of the retail park and bus stops, regularly crossed by pedestrians.
6. Because of its layout, even infrequent use of the proposed access track would result in vehicles travelling against, and very near to the flow of traffic on the nearside lane of the main carriageway. This would result in a counter-flow that

could confuse road users and increase the risk of accidents, especially at night when the close-by beams of light from headlights could dazzle and thus impair visibility. Consequently, the siting and poor alignment of the proposed track would increase significantly the risk to the safety of highway users.

7. The appellant refers to a similar arrangement on the A6055 and A1, where solid fencing previously separated opposing traffic, but has since been lost. However, the circumstances here differ notably in terms of topography, the distance between carriageways and user expectations, and are therefore not directly comparable to the appeal proposal. Additionally, Grimbald Crag Way is likely to be more frequently used by vulnerable road users, such as pedestrians and cyclists, due to the proximity of the retail park and bus stops, which further heightens my concerns about highway safety.
8. A fence or screen could mitigate the identified risks, but no details or evidence of the effectiveness of these measures have been provided. Moreover, the HA indicate that the open grass verge is part of the public highway and provides a crucial safety margin. No evidence has been provided that would lead me to a different view. As such, any reduction in the operational width and area of the open verge, through the construction of the proposed track or the erection of a fence or barrier, would likely reduce the effectiveness of this safety feature.
9. Given the width of the existing highway verge and the configuration of the proposed access track, vehicles exiting onto the junction arm of the roundabout would likely be at severe turning angles to the roundabout junction. There are no swept path plans that demonstrate otherwise. Therefore, in my planning judgement, visibility for vehicles exiting the track would be highly restricted, likely interrupting traffic flows on exiting the roundabout and significantly increasing the safety risk to other highway users.
10. I have not been provided with data regarding the current frequency of use of the existing junction onto the Grimbald Crag Way roundabout or traffic flows along Grimbald Crag Way. While I acknowledge that one additional vehicle using the roundabout would have a minimal impact on traffic flows, my decision is primarily guided by considering the safety effects of the scheme on highway users, which remains the overriding consideration in this case.
11. Accordingly, the proposal would compromise highway safety and would be contrary to paragraph 116 of the National Planning Policy Framework, which states that development should be refused on highways grounds if there would be an unacceptable impact on highway safety.

Other Matters

12. I acknowledge the planning history of the site, noting that a previous application (ZC23/01981/FUL) was refused and subsequently dismissed at appeal. However, that proposal concerned a different access location, and the visibility splays considered in that case are not directly relevant to the appeal before me. I therefore give the other appeal decision little weight.
13. There may be no damage to kerbs and the verge, and a bond could be put in place to address any such issues. However, these matters are of little consequence to my decision, which is determined solely by the safety of highway users.

14. With regard to drainage and risk of flooding, no substantive evidence has been provided to indicate whether the proposed development would be either detrimental or beneficial. As such, this is a neutral matter in my assessment.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

C Mayes

INSPECTOR