



Appeal Decision

Site visit made on 17 March 2020

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th April 2020

Appeal Ref: APP/W4223/W/19/3241207

160 Block Lane, Chadderton, Oldham OL9 7SB

- 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 Michael Poole against the decision of Oldham Metropolitan Borough Council.
 - The application Ref PA/342829/19, dated 24 January 2019, was refused by notice dated 16 September 2019.
 - The development proposed is described as *"front garden alterations; change the front garden to a space to park a car on and permission to drop the kerb"*.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would prejudice highway safety.

Reasons

3. The appeal relates to the front garden area of No 160 Block Lane, which is an end terrace property on the western side of the road. The proposal would replace the existing front garden area with a car parking space. This would be relatively small in size, and would not allow for a vehicle to enter, turn, and leave the site in a forward gear. It would therefore lead to reversing manoeuvres either from or onto Block Lane, which is a busy classified road. Drivers travelling along Block Lane would not be expecting a vehicle to reverse out from this position, and this could lead to vehicles braking sharply or slowing down unexpectedly. This would significantly increase the risk of collisions. I further note that visibility of oncoming traffic from the driveway would be restricted by the front hedge to No 162.
4. In addition, No 160 is positioned next to the vehicular entrance to a doctor's surgery, and opposite a convenient crossing point for pedestrians walking to the surgery. It is also in close proximity to the junction with Cornwall Street. In my view, the number of vehicle and pedestrian movements in this location, from a number of directions, would further add to the risk of collisions associated with reversing manoeuvres from the site.
5. At the time of my visit, 5 of the other properties in the terrace had already converted their front garden areas to parking spaces. However, those properties do not appear to benefit from dropped kerbs and it is unclear

whether they benefit from, or required, planning permission. In any case, those properties are not in a comparable position to No 160 which is located between a doctor's surgery entrance, a pedestrian crossing point, and the junction with Cornwall Street.

6. It is asserted that there are other examples of parking spaces near to junctions in the Chadderton area. However, no specific examples have been drawn to my attention and so I am unable to assess any direct comparability to the appeal proposal. It is also unclear whether those existing arrangements have resulted in any highway safety issues.
7. For the above reasons, I conclude that the development would be likely to prejudice highway safety. It would therefore be contrary to Policy 9 of the Oldham Joint Core Strategy and Development Management Policies DPD (2011). This policy seeks to ensure, amongst other things, that new development does not harm the safety of road users.

Conclusion

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

Thomas Hatfield

INSPECTOR