



Appeal Decision

Site visit made on 23 December 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26.01.2024

Appeal Ref: APP/W4223/D/23/3332558

2 Redcar Close, Oldham OL1 4TG

- 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 Arran Flecture against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HOU/351119/23 dated 8 June 2023, was refused by notice dated 30 August 2023.
 - The development proposed is a single storey side and front extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council altered the description of the development, I consider the revised description to be a more accurate description of the appeal proposal, without reference to a previous application, accordingly I have adopted the amended descriptions in the heading above.

Main Issues

3. The main issue in this appeal is the effect the proposed development would have on highway safety.

Reasons

4. The application site is a detached two storey property located within a predominantly residential area.
5. The Council confirm that a planning condition attached to the planning permission¹ for the development of houses on Redcar Close requires that two parking spaces shall be available at all times. I have not been provided with the wording of the planning condition.
6. Notwithstanding this I understand that the Council's Highway Engineer advised that one on-site parking space would be acceptable given the size of the property.
7. Whilst the proposed development includes the provision of one on-site parking space it is obvious from the plans submitted and my site visit that the manoeuvrability of vehicles within the site would be constrained.

¹ Application Reference: PA/042317/01

8. The Appellant has provided a photograph to demonstrate that parking already occurs on the grassed area to the front of the property, and therefore reversing onto the highway from this position already exists. However, from my observations during my site visit the grass was not churned up or damaged as one may expect from use as a parking space and the decorative stones and paraphernalia separating the grass area from the driveway were undisturbed. The stones appear to frame the area as amenity space as opposed to a parking space.
9. I observed during my site visit that reversing from a driveway in this residential estate would not be uncommon. Nevertheless, due to the parallel position of the proposed car parking space multiple manoeuvres would be required to exit onto the highway. It is likely that these manoeuvres would encroach onto the footpath fronting the site compromising pedestrian safety, especially due to the lack of a footpath adjacent the site.
10. The Appellant has not provided substantive evidence to demonstrate that vehicles would be able to manoeuvre safely from the site onto the adjacent highway.
11. The area in front of the proposed side extension would not be large enough to provide a car parking space without overhanging the footpath.
12. The Appellant contends that a side extension could be built under permitted development rights. I have not been provided with substantive evidence to confirm that this could occur, for instance through a certificate of lawful development. I therefore give this limited weight.
13. I conclude that the proposed development would harm highway safety. There is conflict with Policies 5 and 9 of the Oldham Development Plan Document – Joint Core Strategy and Development Management Policies (2011) which amongst other things seeks to ensure protect pedestrians and road users.

Conclusion

14. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR