



Appeal Decision

Site visit made on 4 March 2025 by J Reed MPlan

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 2nd June 2025

Appeal Ref: APP/W4223/D/25/3358287

208 Oldham Road, Royton, Oldham OL2 5AA

- 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 Abdul Samad against the decision of Oldham Metropolitan Borough Council.
 - The application Ref is HOU/353176/24.
 - The development proposed is retention of driveway and proposed light duty vehicle crossing.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on highway safety.

Reasons for the Recommendation

4. The appeal site is located on Oldham Road. In the vicinity of the site there are a mix of residential and commercial uses. The appeal property itself is a semi-detached residential property in a row of similar dwellings.
5. To the front of the appeal property is a pavement area and the carriageway of the road includes a pedestrian crossing directly adjacent to the appeal site and various junctions either side. The forecourt to the appeal property is block paved.
6. Given the width and depth of the site, it would appear extremely difficult to manoeuvre a vehicle within the site to enable it to enter and exit in a forward direction. This is particularly the case given the depth of the appeal site, and the available area outside of the parking spaces. Whilst I note the appellant's comments that such a manoeuvre would be possible, very little evidence to demonstrate this has been provided.
7. Due to the limited space for vehicles to manoeuvre at the site, it is likely that vehicles would have to reverse either from or onto Oldham Road. Such a manoeuvre is likely to affect the free flow of traffic along that road and would significantly increase the risk of collisions. Furthermore, the proposed access would be adjacent to a pedestrian crossing and, in my view, vehicles crossing the

pavement in reverse gear would cause significant safety concerns for pedestrians who were waiting to use that crossing point.

8. It has been put to me that there are other examples of pedestrian crossings and driveways safely co-existing within the 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 from the limited information provided as to whether those existing arrangements have resulted in any highway safety issues. Whilst the contention that there is insufficient space for the parking of vehicles at the appeal site is noted, the benefits of providing additional parking at the site does not outweigh the harm identified above in terms of highway safety.
9. For the above reasons, I find that there would be significant harm to highway safety and as such the proposal would be contrary to Policy 9 of the Oldham Local Plan (2011) and the National Planning Policy Framework (December 2024) which, amongst other matters, seek to ensure that development proposals should not harm the safety of road users and ensure the provision of safe access.

Other Matters

10. The appellant has outlined that the proposal would improve economic and social conditions without adverse environmental impacts. However, regardless of this it does not alleviate the harm I have identified in relation to the main issue.

Conclusion and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr A Spencer-Peet

INSPECTOR