



Appeal Decision

Site visit made on 28 July 2025

by **Sarah Colebourne MA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 August 2025

Appeal Ref: APP/W4223/D/25/3366425

103 Stamford Road, Lees, Oldham, OL4 3LL

- 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 Andrew Nash against the decision of Oldham Council.
 - The application Ref is HOU/354140/25.
 - The development proposed is to remove the front garden and replace with a driveway to be able to park cars on.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed development on highway safety.

Reasons

3. The appeal site comprises a mid-terraced dwelling with a small front garden. It is located on Stamford Road, a long and gently sloping classified C road with a 30mph speed limit, in a residential area with mainly terraced or semi-detached houses on both sides of the road.
4. There is parallel parking along both sides of this section of the road. Whilst there are exceptions, the majority of dwellings do not have off-street parking and in this terrace none of the dwellings have. The road is also a bus route, and a bus stop lies close to the appeal site outside the adjoining property at no 101, with an extended footway at that point that dissects the parking lane and adjoins the carriageway.
5. At the time of my visit, during the late afternoon of a mid-week day, there was a steady level of traffic in both directions and a few available parking spaces on both sides of the road. I saw that the parking lanes are quite narrow and that some vehicles were parked partly on the footway. I also noted that buses have to stop on the carriageway due to the extended footway and that it is then difficult for vehicles to overtake, resulting in the flow of traffic stopping when a bus stops. As such, there is a high level of manoeuvring in and out of parking lanes and disruption to traffic flows that is already likely to restrict driver and pedestrian visibility.
6. Although the proposal would result in an opening in the parallel parking lane, any improvement in visibility would be outweighed by the fact that the site is not large enough to provide a turning area and vehicles would have to reverse into or out of

the drive at 90° to the road with limited visibility around parked cars and sometimes around buses. That would be significantly more difficult than the existing situation in which vehicles have to manoeuvre in and out of the parallel lanes. The proposed access would exacerbate this unacceptably and would result in a significant danger to the safety of highway users including pedestrians. Given the similarity of the other properties in this terrace, it is would also be likely to result in a precedent that would make it difficult for the Council to resist further proposals, thereby increasing the level of harm.

7. Although the appellant contends that recent highway improvements have reduced the availability of on-street parking and that the proposal would remove his two vehicles from the road giving others better parking options, this would not outweigh the harm I have identified.
8. The appellant has referred to other examples of accesses, including at no 166-170 where there is a bus stop outside no 168 and at nos 25 and 27 where there is a bus stop outside no 27. Whilst I have not been told of their planning status, in both of those cases, there is no parallel parking in one direction and visibility is therefore better than here. At nos 119 and 123, although of a similar size to this proposal, those properties are not as close to a bus stop. None of those cases or the other examples that I saw at my visit are directly comparable to here and do not provide justification for this proposal.
9. Therefore, I find that the proposed development would be contrary to Development Management Policy 9 of the Oldham Local Development Framework Joint Core Strategy and Development Management Policies Development Plan Document (2011) which seeks to ensure that development does not harm the safety of road users.

Conclusion

10. For the reasons given above, I conclude that the proposed development would be contrary to the development plan and there are no material considerations that would outweigh that. The appeal should be dismissed.

Sarah Colebourne

INSPECTOR