
Appeal Decision

Site visit made on 18 July 2025 by E Clifford BA (Hons) MA

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd September 2025

Appeal Ref: APP/W4223/D/25/3368200

579 Broadway, Chadderton, Oldham OL9 8DW

- 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 Mrs Angela Davies against the decision of Oldham Metropolitan Borough Council.
 - The application ref is HOU/354041/25.
 - The development proposed is described as 'New vehicular access to front garden, new hardstanding, and landscaping to front garden, new boundary fence. New drop kerb.'
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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 on the A663, Broadway.

Reasons for the Recommendation

4. The appeal site is a semi-detached property with a front garden sloping down to the street level. In that regard, it is similar to the other properties sited along this stretch of the A663, Broadway (Broadway).
5. Broadway is a well-trafficked road and is a main arterial route to both Manchester and Oldham with a 40mph speed limit. To the section of road where the appeal site is situated, there are two lanes in either direction allowing vehicles to overtake. To the north of the appeal site, Broadway provides a slip road to join the M60. The appeal site is also located near to a bus stop and the signalised junction with Hollinwood Avenue.
6. The proposed development would allow vehicles to enter and exit Broadway from the appeal site. As the appeal site borders an overtaking section of the trunk road, this would result in an increased risk to road users. More particularly, south-bound traffic may be forced to brake suddenly as vehicles turn into or out of the appeal site, thereby increasing the risk of shunt-type collisions. In instances where vehicles would exit the appeal site and seek to travel northbound, drivers would be required to attempt to cross up to three lanes further heightening risk for road users

particularly during peak hours of traffic. Furthermore, the Highway Authority indicates that the proposal would contradict the Direct Accesses section of the 'Design Manual for Roads and Bridges (DMRB) CD 123- Geometric design of at-grade priority and signal-controlled junction' paragraph 2.29, which states that direct access shall not be provided on overtaking sections of the Strategic Road Network, and this has not been disputed.

7. In addition, the proposed site plan indicates that in the event that more than one vehicle was to be parked within the appeal site, there would be limited space to turn a vehicle round in order to leave in a forward gear. Consequently, those reversing from the site would not have optimum visibility of footpath users or oncoming traffic including those approaching the nearby bus stop. Alternatively, drivers accessing the appeal site may be tempted to reverse into the site with the potential that this would disrupt the flow of traffic. These factors would further increase risk and inconvenience for other users of the highway including the footway.
8. My attention has been brought to other properties close to the site which have dropped kerb vehicular access onto Broadway. However, I understand that these examples have been in place for several years and there is nothing to suggest that they do not predate the current requirements of the Development Plan or DMRB. I am unaware of the planning history in respect of those properties and the planning considerations that may have been material in those particular instances. In any case, these examples do not justify the increased risk to highway safety that would result from the proposal.
9. I conclude the proposed development would have a harmful effect on highway safety on the A663, Broadway. It would therefore conflict with Policy 9 of the Oldham Development Framework Development Plan Document – Joint Core Strategy and Development Management Policies (2011) and Policy JP-C8 of the Places for Everyone Joint Development Plan (2024), which together require that any development prioritises safe and convenient access, ensures appropriate connectivity to the existing highway network and does not harm the safety of road users. For the same reasons, it would also conflict with the National Planning Policy Framework paragraph 116 which confirms that development should be refused where there would be an unacceptable impact on highway safety.

Conclusion and Recommendation

10. For the reasons given above the appeal should be dismissed.

E Clifford

APPEAL PLANNING OFFICER

Inspector's Decision

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

M Russell

INSPECTOR