

Planning Appeals Update

Planning Committee

Report of Head of Planning and Infrastructure

DATE OF COMMITTEE

13th May 2020

PLANNING APPEALS

WRITTEN REPRESENTATION

HEARINGS

HOUSE HOLDER

HH/344178/19	38 Sunfield Road, Oldham, OL1 2BS
HH/343809/19	13 Wiltshire Road, Chadderton, Oldham, OL9 7RY

ADVERTISEMENTS

APPEAL DECISIONS

AD/343473/19	B & M Bargains, Ellen Street, Oldham OL9 6QR
Original Decision	Del
Appeal Decision	Dismissed
PA/342829/19	160 Block Lane, Chadderton, Oldham, OL9 7SB
Original Decision	Del
Appeal Decision	Dismissed

RECOMMENDATION - That the report be noted.



Appeal Decision

Site visit made on 10 March 2020

by **M Madge Dip TP, MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/W4223/Z/20/3245615

B and M Bargains, Ellen Street, Oldham OL9 6QR

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Chris Welbourne against the decision of Oldham Metropolitan Borough Council.
 - The application Ref AD/343473/19, dated 7 June 2019, was refused by notice dated 2 December 2019.
 - The advertisement proposed is 1no. 48 sheet freestanding digital advertising display unit.
-

Decision

1. The appeal is dismissed.

Main Issue

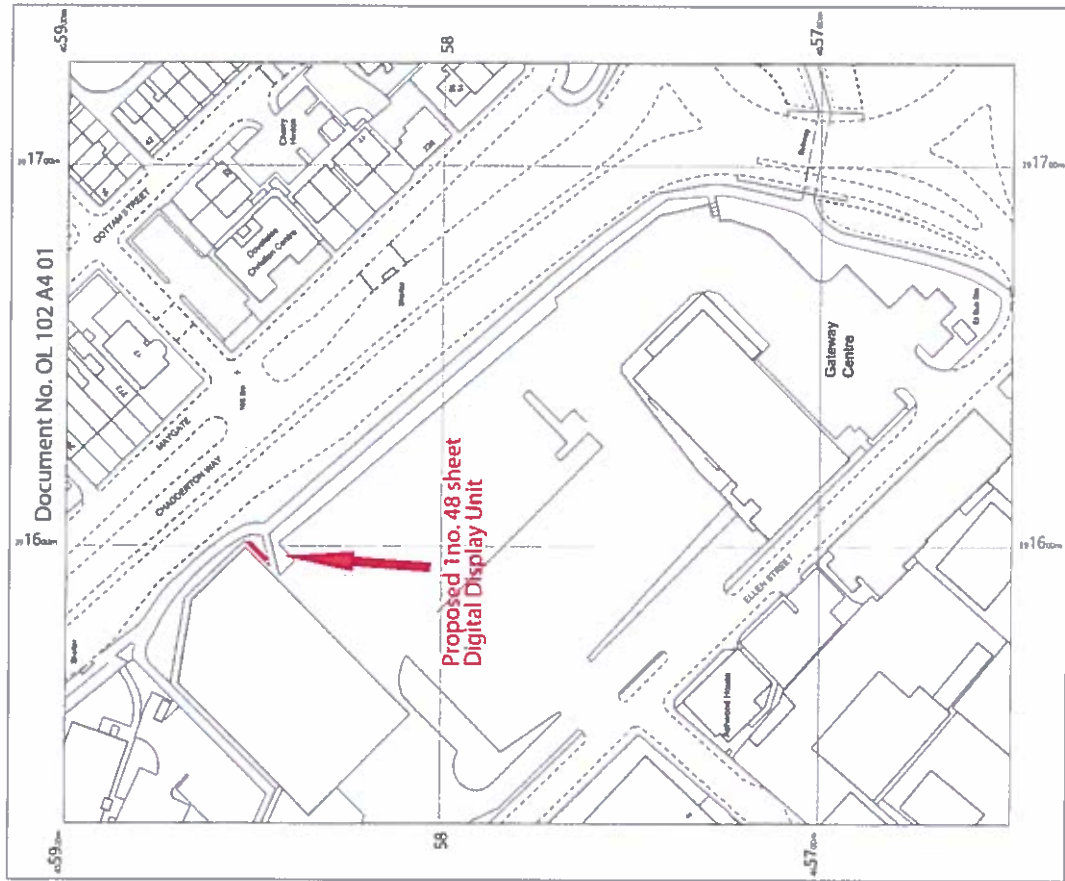
2. The main issue is the effect on public safety.

Reasons

3. Planning Practice Guidance suggests that there are less likely to be road safety problems if the advertisement is on a site within a commercial locality. Where drivers need to take more care however, advertisements can affect public safety.
4. The surrounding area is commercial in nature. The advertisement would be sited in front of an existing retail store and adjacent to the end of a slip road. Traffic on this slip road would be leaving Featherstall Road North and would be merging with traffic on Chadderton Way, a dual carriageway. I saw during my visit that the speed limit imposed here is 40 miles per hour.
5. Paragraph 67¹ of the Planning Practice Guide sets out examples of situations where drivers need to take more care. This includes "where local conditions present traffic hazards". Adjacent to the end of a slip road, where traffic is travelling at speed and vehicle lanes are merging, would represent such a situation.
6. While only static images would be displayed, the size and change of image every 10 seconds, would create a relatively unusual and arresting visual feature beside this junction. This would strongly compete for drivers' attention when they are trying to join the dual carriageway or for drivers on the dual

¹ ID 18b-067-20140306

B & M Location Plan



**BLACKWELL'S
MAPPING SERVICES**
PERSONAL & PROFESSIONAL SERVICES
www.blackwellmapping.co.uk
TEL: 0800 151 2612
maps@blackwell.co.uk



OS MasterMap 1:25000/10000 scale
Friday, June 7, 2019, ID: BW1-00005232
maps.blackwell.co.uk
1:1250 scale print at A4, Centre 391627 E, 409774 N
© Crown Copyright Ordnance Survey, Licence no. 100041041



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*".
-

Decision

1. The appeal is dismissed.

Main Issue

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

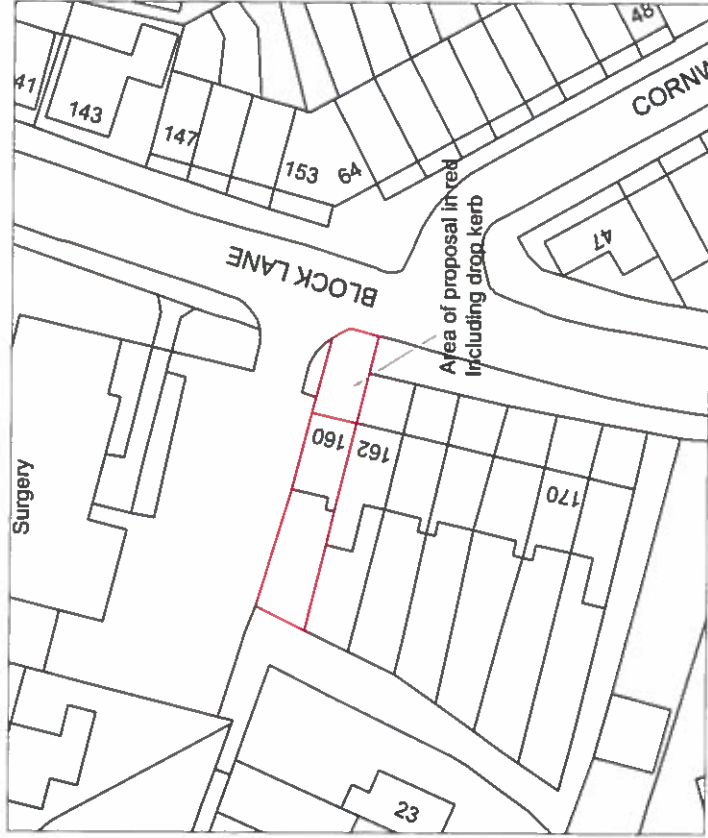
Reasons

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



Scale 1:250
Metres

Produced on 4 December 2018 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date.
 This map shows the area bounded by 350813, 404172, 390813, 404174, 390955, 404172.
 Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey.
 Crown copyright © 2018. Supplied by copla ltd trading as UKPlanningApps.com
 Data licensed for 1 year, expiring 04 December 2019. Unique plan reference: v2h301023/410745



Scale 1:500
Metres

Area of proposal in red including drop kerb

Applicant: Mr Poole Address: 160 block lane Chadderton Oldham OL9 7SB		Project: Front garden alterations			
Scale: As shown @ A3		Date: 05/12/2018		Plan No: PLA001	
Revision date:		Revision:		Title: Location and Site Plans	