



An  
Bord  
Pleanála

## inspector's Report ABP-303311-18

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<b>Development</b>	Construction of a single storey Bungalow with attached Domestic Garage, Connection to Public Foul Sewer and all associated Site Works
<b>Location</b>	Great Connell, Newbridge, County Kildare
<b>Planning Authority</b>	Kildare County Council
<b>Planning Authority Reg. Ref.</b>	181236
<b>Applicant(s)</b>	Sean Dillon
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Sean Dillon
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	1 <sup>st</sup> April, 2019
<b>Inspector</b>	Stephen Kay

## 1.0 Site Location and Description

- 1.1. The appeal site is located c.2.5km to the south east of Newbridge town centre and in close proximity to the M7 motorway. The site is located to the south of the overpass over the M7 and fronts onto a local road that runs to the south in the general direction of Kilcullen. The site is located outside of the development boundary of the town of Newbridge and is in a rural area.
- 1.2. The site has a stated area of 4.48 ha. and comprises two distinct sections. The front part of the site is bounded by dwellings to the north and south and a large open area to the rear. The two parts of the site are separated by power lines that cross the site from south to north. The front part of the site is relatively flat and, to the rear, the site slopes significantly away to the west. The submitted site plan indicates a fall of c.15 metres across the site. The site contours mean that there are clear views from the site to the west with the River Liffey located within c.60 metres of the site boundary.
- 1.3. There is an existing agricultural entrance located at the southern end of the road frontage. The existing front boundary of the site comprises a low hedgerow boundary set back from the road edge. To the south, the adjoining site has mature planting on the boundary that obscures visibility at the existing access.

## 2.0 Proposed Development

- 2.1. The proposed development comprises the construction of a single storey dwelling with an irregular footprint and incorporating a number of courtyard areas. The stated floor area of the dwelling is 405 sq. metres and it is proposed to cover the bulk of the width of the site having a width of c.36 metres. The front building line is proposed to be c.30 metres from the front boundary and such that the footprint would be approximately in line with the existing two storey dwelling to the south. The design incorporates pitched roofs and has an overall height of c. 6.02 metres. External finishes comprise nap plaster and slate roof.
- 2.2. The dwelling is proposed to be connected to the public water supply and drainage system and surface water is proposed to be disposed to on site soak pits.

- 2.3. The site access is proposed to be at the southern end of the site road frontage and approximately in the position of the existing agricultural entrance. It should be noted that the position of the proposed entrance is the same as an extant permission on the site for the construction of an agricultural shed granted permission under Kildare County Council Ref. 18/655. The submitted plans indicate a shared access arrangement with the vehicular entrance serving both the shed and the proposed dwelling.

## 3.0 Planning Authority Decision

### 3.1. Decision

The Planning Authority issued a Notification of Decision to Refuse Permission for three reasons which can be summarised as follows:

1. That the proposed development would materially contravene Policy RH2 of the Kildare County Development Plan, 2017-2023 on the basis that the applicant has not demonstrated compatibility with the local need criteria as set out at 4.12.7 of the development plan.
2. That having regard to the location of the site in an area under strong urban influence as identified in the Kildare County Development Plan and to Policy Objective 19 of the National Planning Framework, and the information submitted regarding economic and social connections to the site, it is considered that the proposed development would constitute the encroachment of random rural development into the area and would be contrary to the provisions of the National Planning Framework and the proper planning and sustainable development of the area.
3. Having regard to the existing density of development in the area and the existing degree of haphazard or ribbon development, it is considered that the proposed development would exacerbate the existing excessive density of development, would contribute to the increasing sub urbanisation of the area such that it would contravene Policy RH9(iv) of the development plan relating to siting and design and would therefore be contrary to the proper planning and sustainable development of the area.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The report of the Planning Officer notes the planning history of the site and previous reasons for refusal. It is considered that the information submitted does not demonstrate a need to reside on the site by virtue of full time agriculture for a period of seven years and also raises concerns regarding the siting and design of the proposed dwelling which would exacerbate the existing haphazard development pattern and that it has not been demonstrated that the required sight lines can be achieved.

#### 3.2.2. Other Technical Reports

Irish Water – No objection (Class 1).

Water Services – No objection subject to conditions.

Area Engineer – Recommended that further information is requested to demonstrate sightlines in accordance with DN-GEO-03060.

Environment Report – No objection subject to conditions.

### 3.3. Third Party Observations

None received by planning authority.

## 4.0 Planning History

There is a significant amount of planning history relating to the appeal site which can be summarised as follows:

Kildare Co. Co. Ref. 18/655 – Permission granted by the planning authority to Sean Dillon for the construction of a detached agricultural shed on the appeal site and the upgrading of the existing agricultural entrance to a recessed entrance.

Kildare Co. Co. Ref. 17/1393 – Permission refused by the planning authority to Sean Dillon for the construction of a single storey dwelling and separate agricultural shed on the appeal site. Permission refused for three reasons relating non-compliance with the rural housing policy set out in the development plan, lack of screening and inappropriate siting of the shed which would impact on the adjacent Liffey Valley and the absence of adequate information relating to sight lines at the entrance.

Kildare Co. Co. Ref. 17/818 – Permission refused by the Planning Authority for the construction of a two storey dwelling and agricultural shed on the appeal site. Permission refused for 4 no. reasons relating to compliance with the rural housing policy and 'local need', the creation of haphazard backland development, the lack of site landscaping and impact on the Liffey Valley and the absence of information relating to available sight lines at the entrance.

## 5.0 Policy and Context

### 5.1. National Planning Framework

National Policy Objective 19 states as follows:

*'Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:*

- *In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements;*
- *In rural areas elsewhere, facilitate the provision of single housing in the countryside based on the siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.'*

## 5.2. ***Sustainable Rural Housing Guidelines for Planning Authorities, April 2005***

The appeal site is located in an area that is identified as an area under strong urban influence under the provisions of the guidelines. Within such areas, Chapter 3 sets out how development plans should distinguish between urban and rural generated housing demand, that demand for rural generated housing should be accommodated where it arises. Chapter 4 of the guidelines relates to rural housing and planning applications and states that in areas under significant urban influence, applicants should outline how their proposals are consistent with the rural settlement policy in the development plan.

## 5.3. **Development Plan**

The plan applicable to the appeal site is the *Kildare County Development Plan, 2017-2023*. The site is located outside of the identified boundary of the settlement of Newbridge and is therefore located on unzoned lands. The provisions of the rural housing policy are therefore applicable to proposals for the construction of a dwelling in this location.

The rural housing policy is set out at Chapter 4 of the development plan. The following policies are specifically noted:

***Policy RH2*** states that it is policy to manage the development of one off housing in conjunction with the rural housing policy zone map (Map 4.4) and accompanying schedules of category of applicant and local need criteria set out in Table 4.3. Documentary evidence of compliance with the rural housing policy must be submitted with the application.

A copy of Table 4.3 is attached with this report.

***Policy RH9*** requires that notwithstanding compliance with RH2, an applicant must comply with all other normal siting and design considerations. This includes sub paragraph (iv) which requires that the area must have capacity for additional development in terms of existing development, ribbon development and the degree of existing haphazard or piecemeal development in the area.

***Policy RH17*** relates to entrances and requires that details of the design of entrances should be submitted with applications.

#### 5.4. Natural Heritage Designations

The site is not located in or close to any European site.

### 6.0 The Appeal

#### 6.1. Grounds of Appeal

The following is a summary of the main issues raised in the first party grounds of appeal:

- That the appellant is a full time farmer and has been farming since 2011. He has therefore been farming for more than the 7 years.
- That permission has previously been granted by the council for similar developments (Refs 17/182 and 16/1078) where the criteria to be met were the same.
- That the council granted permission for an agricultural shed on the site in 2018 thereby accepting that he was a farmer.
- That the appellant has submitted extensive documentation to the council covering a significant time period to show that it is his intention to use the land as his primary employment.
- The case made is supported by a letter from Grant Thornton – a business advisor for the applicant.
- It is submitted that the applicant has demonstrated his commitment to operate a full time business from the proposed home.
- With regard to the second element of the rural housing policy Category 2, Zone 1 '*existing links to the rural area*' it is stated that the applicant has been farming the land since 2013 and has resided in Newbridge for a number of years such that he has established links in the area.
- That the lands in question are his primary farming lands.

- That the nature of the enterprise is location dependant. He has significant machinery that he needs to store at the site in the permitted shed.
- That the design of the house has been revised to a single storey bungalow (from previous applications) and has been designed in accordance with the requirements of Chapter 16 of the development plan.
- That the design incorporates a landscaping plan.
- That the sightlines in both directions are 120 metres in each direction and is demonstrated on Drg. No. SD/PLN-004.

## 6.2. Planning Authority Response

The following are the main issues raised in the response of the Planning Authority to the grounds of appeal:

- That it is not considered that the applicant has demonstrated compliance with the rural housing policy with regard to full time farming.
- That it is not considered that the applicant has satisfactorily demonstrated that the proposed business falls within the category of either full time farming or one that would require the applicant to live on the site.
- Noted that the statement from the applicant's financial advisor states that the nature of the farming is 'contract grain harvesting'.
- Noted that both of the addresses given for the applicant are located in the urban built up part of Newbridge.
- Considered that the proposed development, in conjunction with existing development in the vicinity would exacerbate the density of development in this area which is under strong urban influence.
- That the site is located c.250 metres from the town boundary and c.1km to the south of the closest residentially zoned lands in Kildare.
- Considered that this form of development in this area under strong urban influence would, in the absence of any locally based need, would be contrary to the provisions of the development plan and Objective 19 of the NPF.



## 7.0 Assessment

7.1. The following are considered to be the main issues in the assessment of the development the subject of this appeal:

- Principle of Development and Rural Housing Need
- Site Access
- Design and Visual Impact
- Environmental Impact Assessment
- Appropriate Assessment

### 7.2. Principle of Development and Rural Housing Need

7.2.1. The site is located in a rural area that is outside of any identified settlement. The closest settlement is Newbridge, the development boundary of which extends as far as the M7 to the north of the site. The relevant policy regarding the proposed construction of a dwelling is therefore set out in Chapter 4 of the *Kildare County Development Plan, 2017-2023* relating to rural housing.

7.2.2. **Policy RH2** of the Plan states that it is policy '*to manage the development of one off housing in conjunction with the rural housing policy zone map (map 4.4) and accompanying schedule of category of applicant and local need criteria set out in section 4.12.7 and Table 4.3(a)....*' As per Map 4.4 of the Plan, the appeal site is located within the area identified as Rural Housing Policy Zone 1 – areas under urban influence. As per the Sustainable Rural Housing Guidelines for Planning Authorities, the appeal site is identified as being in an area that is under strong urban influence.

7.2.3. The first test as per paragraph 4.12.7 of the development plan is that an applicant must be either '*a member of a farming family who is actively engaged in farming the family landholding*' or is '*a member of the rural community*'. In the case of the first party, he is not engaged in farming a family landholding. A member of the rural community is defined in Table 4.3(a) of the Plan as being a person who has '*.... A genuine local need to reside close to their family home by reason of immediate family ties or their active and direct involvement in a rural based enterprise*'. In the

case of the first party, no information regarding immediate family ties have been provided and the basis for the application is that he has an active and direct involvement in a rural based enterprise. In this regard, the applicant has submitted information showing how he is the owner of the appeal site and has been engaged in farming the site since 2013. Details are also provided regarding how his primary employment is in agriculture. While the first party does not indicate that he has close family ties to the local rural area, I consider that he is a member of the rural community on the basis of owning the appeal site and using the site for agricultural purposes.

7.2.4. In addition to the above test, compliance with the rural housing policy as set out at 4.12.7 of the plan requires that the applicant meet one of the categories set out in Table 4.3(a) of the development plan. The first party has stated that the basis for compliance with the rural housing policy is paragraph (iii) which states as follows:

*'Persons who can satisfy the Planning Authority of their commitment to operate a full time business from their proposed home in the rural area where they have existing links to that rural area and that the business will contribute to and enhance the rural community and that the nature of such enterprise is location dependant and intrinsically linked to their rural location'.*

7.2.5. As part of the initial planning application documentation submitted to the Planning Authority and the first party appeal, the first party has submitted a significant amount of information relating to his agricultural activities. The submitted information includes the following:

- Statements from Glanbia regarding grain account held in the name of the first party covering the period March 2012 to January, 2017.
- Contracts between Teagasc and the first party covering the years 2012-2016.
- Letters from Grant Thornton setting out how the first party has been involved in a farming business since 2011 based on rented lands at Kildare, how these lands were sold in 2013 and how additional lands for the grain business are being sourced comprising 25 acres at Old Kilcullen and 10 acres at Hillsborough, Kildare. These lands are in addition to the 10.5 acres at the appeal site. Stated that while first party has some equipment, it is intended to

use contractors to harvest grain and to lease machinery. Stated that shed required to store grain.

- Letter from Milne O'Dwyer financial and tax advisors stating that for the years 2013-2016, the first party's primary employment was in agriculture. Revenue statements relating to farm income for these years submitted indicating a gross income varying between 6,700 and 42,000 euro per annum.
- Statements for payments made to the first party under the single payments scheme.

7.2.6. The basis for the decision of the planning authority that the first party does not meet the requirements of the rural housing policy and the local need criteria as set out at 4.12.7 of the Plan is that the previous reasons for refusal in cases Refs. 17/818 and 17/1393 have not been met. No detailed assessment of the basis for this conclusion is provided in the report of the Planning Officer on file. From a review of the Planning Officer reports on files Refs. 17/818 and 17/1393, it would appear that the issue of concern to the Planning Authority is the nature of the agricultural activity undertaken by the first party, and whether it is of a type and scale such as could reasonably be considered to constitute a full time business as required for category of applicant 2 Zone 1, sub paragraph (iii).

7.2.7. On the basis of the information presented with the application and with the first party appeal, I am satisfied that the first party is clearly engaged in agricultural activity. The issue for consideration therefore is whether the details submitted are such that the agricultural activity can reasonably be considered to constitute a full time business and that the nature of the business is location dependant such that the applicant can be considered to constitute a rural based demand for housing. On the first issue, I note that the appeal site comprising a total of c.10.5 acres are the only lands that are in the ownership of the first party. It is also noted that the extent of these lands available for agricultural activity post construction of a dwelling would be less than 10.5 acres. The submitted information states that the first party has lands rented at Old Kilcullen and at Hillsborough close to Kildare Town which have a combined area of c.35 acres. The overall total of lands on which the agricultural business operated by the first party operates is therefore c.45 acres which is not very significant for a hay, grain and straw business such as is operated by the first party.

The information provided from Grant Thornton and Milne O'Dwyer regarding the business activities of the first party are noted, however it is notable that these documents indicate that the 'primary employment' of the first party is in agriculture. In addition, the financial details submitted indicate a very variable level of income and such as would not appear to be capable of being a sustainable full time source of employment. Overall, the submitted information does not indicate to me that the first party would be engaged full time in agriculture.

- 7.2.8. With regard to the requirement to reside on the site to undertake the agricultural business, the nature of the activity is, in my opinion such that it would be seasonal and not such that daily presence on site would necessarily be required. I note that the first party has been granted planning permission for an agricultural shed on the site (Kildare County Council Ref. 18/655) and that the primary purpose of this shed is the storage of produce and some equipment storage. On the basis of the information presented it would appear that the primary method of harvesting the crops would be by way of contractors, and reference is also made in the submitted information to the hiring of agricultural equipment, at least in the short to medium term. The need to reside on site for security purposes would not therefore appear to be clearly established. It is also noted that the current address of the first party is in Newbridge town and within c.2km of the appeal site and therefore such that they are within easy access of the appeal site.
- 7.2.9. As set out above, the first party has not indicated any family or other close connections with the rural area in which the appeal site is located. It is not therefore possible to state that the housing demand is rurally generated on the basis of such family or other ties with the local rural area.
- 7.2.10. As stated above, the first party is clearly engaged in agricultural activity and is also the owner of the appeal site. He has also previously been granted permission for an agricultural structure on the appeal site (Ref. 18/655). For these reasons, the assessment of his compliance with the Kildare County Council rural housing policy is not in my opinion clear cut and is open to some interpretation. Overall however, on the basis of the information provided, I do not consider that it has been clearly established that the first party is engaged in a full time agricultural activity such as would satisfy the requirements of section 4.12.7 of the Kildare County Development Plan, 2017-2023, and particularly the criteria for Category of Applicant 2 and Rural

Housing Policy Zone 1. In addition, on the basis of the information presented I do not consider that it has been clearly indicated how a dwelling could be justified on the basis of a clearly established need to reside on the site to undertake the agricultural activity. For these reasons, it is recommended that permission is refused on the basis that the application is for urban generated housing and lack of demonstrable economic or social need to reside in the rural area leading to non compliance with the rural housing policy as set out at Policy RH2 and paragraph 4.12.7 of the development plan, the Ministerial Guidelines and the over-arching national policy.

7.2.11. I note that the wording of reason for refusal No. 1 issued by Kildare County Council makes reference to **material contravention** of Policy RH2 of the Plan. The provisions of s.37(2)(b) of the Act are therefore applicable in this case. The nature of the proposed development is such that it is not in my opinion of strategic or national importance. Similarly, I do not consider that there are clear conflicting objectives in the plan relating to development of the form proposed. With regard to the pattern of development and permissions granted since the making of the development plan, I note that the first party contends that permission has previously been granted by the council for similar developments (Refs 17/182 and 16/1078) where the criteria to be met were the same. I note however that neither of these permissions are in the same area as the appeal site as 17/182 is in Clane and 16/1078 is in Twomilehouse near Naas. In addition, in the case of 16/1078, permission was granted prior to the coming into effect of the 2017-2023 Kildare Development Plan. For these reasons I do not consider that the requirements of s.37(2)(b)(iv) have been met. Section 37(2)(b)(iii) provides for circumstances where permission should be granted having regard to regional planning guidelines, guidelines under s.28 or other relevant statutory obligations or government policy. In my opinion the principal consideration under this heading is the Sustainable Rural Housing Guidelines for Planning Authorities. While these guidelines promote the principle of meeting rural generated housing demand even in areas under strong urban influence, as set out above, on the basis of the information presented with the application, the first party does not have any family or other clear connections with the local rural area, currently resides in Newbridge town and has not adequately demonstrated how his agricultural activities are full time in nature and such as would necessitate residing at the appeal

site. For these reasons it is not considered that any of the criteria set out at s.37(2)(b) of the Planning and Development Act, 2000 (as amended) are applicable to the circumstances of the subject proposal and that the Board is therefore bound by the provisions of this section of the Act in considering a grant of permission in this case.

### **7.3. Site Access**

- 7.3.1. I note that the reasons for refusal of permission cited by the Planning Authority in the case of Refs. 17/818 and 17/1393 include reference to sight lines and the lack of adequate information regarding how these can be achieved at the proposed entrance such that the development would lead to the creation of a traffic hazard.
- 7.3.2. In the case of the subject application, concerns are expressed in the report of the Planning Officer regarding the lack of clarity regarding available sight lines at the entrance. The report of the Area Engineer on file also recommends that further information is requested relating to sight lines. In response to this issue, the first party appeal notes the fact that permission was granted under Ref. 18/655 for the construction of an agricultural shed, which uses the same access as that proposed in the subject application, and that sight lines were agreed in this application. Reference is also made in the first party appeal to the fact that sightlines of 120 metres in each direction can be achieved and are demonstrated on Drg. No. SD/PLN-004.
- 7.3.3. Sight lines at the proposed access point are currently restricted in both directions, to the right hand side exiting by the boundary and planting on the adjoining site to the south and to the left hand side by the existing roadside boundary on the appeal site. No sight line drawing is submitted with the application, and no Drg. No. SD/PLN-004 is recorded as being received by the Board either from the Planning Authority or as part of the first party appeal. I have looked at the history documentation submitted by the Planning Authority in relation to Ref. 18/655, and no sight line information / drawing is included. From what I can see of Ref. 18/655, it would appear that permission was granted subject to Condition No. 5 which included a requirement that sight lines would comply with TD-41-42/09 and Drg. SD/PLN-004.

7.3.4. As noted above, I have concerns with regard the ability to provide adequate sight lines at the proposed entrance, particularly to the right hand side exiting (north). The achievement of sight lines to the right hand side would appear to require the undertaking of works on the adjoining third party lands, consent to which is not on the appeal file. The speed limit in the vicinity of the entrance location is 60km/hr, however at the time of inspection it was observed that traffic speeds are high and volumes very significant. In view of these issues, in the event that the Board was considering a grant of permission it is considered necessary that a sight line drawing would be provided and that the consent of adjoining third party landowners as required would be submitted.

#### 7.4. **Design and Visual Impact**

- 7.4.1. The scale of the proposed dwelling is significant having a floor area of c.405 sq. metres and a width of c.36 metres. While not of significant height, the footprint of the dwelling and the width of the floorplan is such that it would have a potentially significant visual presence.
- 7.4.2. The site is located such that it is located within c.60 metres of the River Liffey which is identified as an area of special landscape sensitivity. Subject to the landscaping of the site it is considered that the scale of dwelling proposed and the set back from the area of special landscape sensitivity is such that the proposed development would not have a significant negative impact on the visual amenity of the Liffey Valley.
- 7.4.3. Given the conclusion of the assessment undertaken above at 7.2 regarding the compliance with rural housing policy, the fact that the demand for the dwelling is urban generated and the number of existing dwellings in the vicinity of the appeal site it is considered that the proposed development would exacerbate an existing excessive density of development in this rural area and would contribute to the increasing suburbanisation of the area. The proposed development is therefore considered to be such that it would contravene Policy RH9 of the Kildare County Development Plan, 2017-2023 and would be contrary to the proper planning and sustainable development of the area.

## **7.5. Environmental Impact Assessment**

- 7.5.1. Having regard to the scale of the proposed development and the proposed connection to existing foul drainage and water supply networks there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **7.6. Appropriate Assessment**

- 7.6.1. Having regard to the nature and scale of the proposed development and its location relative to Natura 2000 sites, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site.

## **8.0 Recommendation**

- 8.1. Having regard to the above, it is recommended that permission be refused based on the following reasons and considerations:



## 9.0 Reasons and Considerations

1. The site of the proposed development is located within an “Area Under Strong Urban Influence” as set out in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April 2005, and “Rural Housing Policy Zone 1” as identified on Map 4.4 of the *Kildare County Development Plan, 2017-2023* reflecting its location in a more populated area with higher environmental sensitivity and significant development pressure. Furthermore, the subject site is located in an area that is designated under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, to facilitate the provision of single housing in the countryside, based on the core consideration of demonstrable economic or social need to live in a rural area. Having regard to the documentation submitted with the application and appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area or how they comply with the detailed requirements of the rural housing policy set out in the development plan. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in either the *Kildare County Development Plan, 2017-2023*, the Sustainable Rural Housing Guidelines or national policy for a house at this location. The proposed development would, therefore, be contrary to Policy RH2 of the *Kildare County Development Plan, 2017-2023*, to the Ministerial Guidelines and to the over-arching national policy and would be contrary to the proper planning and sustainable development of the area.
2. Policy RH9(iv) of the *Kildare County Development Plan, 2017-2023* requires that developments in rural areas are permitted only where the capacity of the area in terms of extent of existing development, ribbon and haphazard development is such that additional development can be absorbed. Taken in conjunction with existing development in the area, the proposed development would constitute an excessive density of suburban-type development in a rural area, which would militate against the preservation of the rural environment and lead to demands for the provision of further public services and

community facilities, and would, therefore, be contrary to Policy RH9 and the proper planning and sustainable development of the area.

3. Having regard to the restrictions on visibility at the proposed site access including the potential requirement for works on third party lands to facilitate sight lines, to the multiplicity of existing vehicular access points in the vicinity of the site and to the volume and speed of traffic on the road fronting the site, on the basis of the information presented and available on file, the Board is not satisfied that the applicant has demonstrated that safe access and egress to the site can be provided. In the absence of such information it is considered that the proposed development would endanger public safety by reason of a traffic hazard.

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Stephen Kay  
Planning Inspector

4th April, 2019