



An  
Bord  
Pleanála

## Inspector's Report ABP-305797-19

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<b>Development</b>	Construction of house.
<b>Location</b>	2b, Chapelizod Village, Chapelizod, Dublin 20
<b>Planning Authority</b>	Dublin City Council South
<b>Planning Authority Reg. Ref.</b>	WEB 1122/19
<b>Applicant(s)</b>	Joe Egan
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Joe Egan
<b>Observer(s)</b>	The Residents of 1-6 Mullingar Terrace, Chapelizod. Patrick Linders.
<b>Date of Site Inspection</b>	8 <sup>th</sup> December, 2019
<b>Inspector</b>	Stephen Kay

## 1.0 Site Location and Description

- 1.1. The appeal site is located on Chapelizod Road in Chapelizod village on the northern side of the river. Access to the site is from a laneway that runs to the east of a terrace of two storey houses that front the northern side of the Chapelizod Road. The eastern end of this terrace, Mullingar Terrace, comprises houses fronting the Chapelizod Road with long narrow plots to the rear that are accessed via the laneway. The appeal site comprises the furthest east of these rear plots and would originally have been connected with No.2 Mullingar Terrace. It would appear from the information on file that the site which is the subject of this appeal is no longer connected by ownership with the rest of No.2 Mullingar Terrace.
- 1.2. The access laneway to the site is gated at the Chapelizod Road end and is L shaped, providing access to the rear of Nos.2-6 Mullingar Terrace and to the areas of open space that are located on the northern side of the laneway. The width of the laneway is generally in the region of 5 metres or more with the exception of the section close to the junction with the Chapelizod Road where No.1 Mullingar Terrace is set back from the building line formed by the other houses in the terrace and acts to restrict the width of the laneway at this point.
- 1.3. The site is bounded by a private laneway to the south and the rear of No. 2 Chapelizod Road. To the east, the site is bounded by a garage, 'Linders', a Renault car dealership. To the north the site adjoins the wall of the Phoenix Park and to the west, the site adjoins the rear gardens of houses on Mullingar Terrace. These gardens are separated from the main part of the sites of Nos. 2-6 Mullingar Terrace, which contains the houses, by the lane. The ground floor of No.1 Mullingar Terrace has windows that face east directly onto the lane.
- 1.4. The stated area of the appeal site is 334 sq. metres. Currently, it is substantially undeveloped, however there is a shed at the rear (north) of the site and a smaller shed structure located close to the southern end of the site.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises the construction of a two storey four bedroom dwelling and all associate site works. Access to the proposed dwelling is indicated as being via an existing semi private laneway which joins with the Chapelizod Road c.26 metres to the south of the site boundary.
- 2.2. The maximum height of the proposed dwelling is c.7.7 metres and the stated floor area is 164 sq. metres. The design of the proposed dwelling is standard with a brick front elevation facing south towards the laneway. The house is deep in plan at c.15 metres and its location on the site is such that it would adjoin the western boundary and be setback by a distance of c.1.0 metres from the eastern site boundary.
- 2.3. To the rear (north) of the house, a private amenity area of c.100 square metres is proposed. To the front, a private paved open space area is indicated, along with an area for the parking of two cars.
- 2.4. The development is proposed to be connected to the public water and wastewater systems.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

The Planning Authority issued a Notification of Decision to Refuse Permission for 2 no. reasons that can be summarised as follows:

1. That the lane that serves the application site does not provide adequate access to the proposed development for a fire appliance due to its restricted width. The proposed development would therefore endanger public safety and be contrary to the proper planning and sustainable development of the area.
2. That the lane would provide inadequate access to the proposed house due to inadequate width and would be contrary to the requirements of Paragraph 16.10.16 of the Dublin City Development Plan, 2016-2022 with regard to mews laneways.

## 3.2. Planning Authority Reports

### 3.2.1. Planning Reports

The report of the Planning Officer notes the submissions received and reports on file. Initial report recommends that further information would be requested. The principle of an infill dwelling is considered possible given the size of the site however concerns regarding access, the loss of private open space to No.2 Mullingar Terrace and the precedent that would be set are expressed. A second report subsequent to the receipt of further information recommends refusal of permission on the basis of inadequate access to the site and is consistent with the recommendation received from the Roads and Traffic Planning Division and with the Notification of Decision to Refuse Permission which issued.

### 3.2.2. Other Technical Reports

Drainage Division – No objections to the development subject to standard conditions.

City Archaeologist – Recommends conditions including the retention of an archaeologist to advise on the proposed development and to prepare an Archaeological Impact Assessment.

Roads and Traffic Planning – Initial report recommends further information relating to the access to the site and potential conflict between pedestrians and vehicular traffic. Also requested that details of emergency vehicle access be addressed and that consideration be given to a set back of the site frontage and provision of a footpath. Second report subsequent to the submission of further information recommends refusal of permission for reasons that are reflected in the notification of decision which issued. .

The application was referred to Irish Water, however there is no indication on file or in the report of the Planning Officer of a response being received.

### 3.3. Third Party Observations

Two third party observations were received by the Planning Authority. The main issues raised in these submissions can be summarised as follows:

- That there is not an objection to the principle of an infill house on the site but access for maintenance needs to be maintained (for Linders garage).
- That the laneway is a private gated laneway that serves 6 no. existing houses.
- That the address given is incorrect.
- That the access is required by existing residents.
- Risk of damage to existing houses during construction.
- That there is no red brick on the terrace and the terrace is part of an ACA.

### 3.4. Further Information

Prior to the issuing of a Notification of Decision, the Planning Authority requested further information on the following issues:

- Requested that options for an improved pedestrian environment in the form of a set back of the building line and provision of a footpath be examined.
- Details of how emergency services would access the site.
- That the planning authority have concerns regarding the width of the laneway that is only 3.5 metres wide at the narrowest point and requested that indicate how it is proposed to comply with standards for mews developments.
- Further details as to whether the laneway is public or private and if private confirmation that they have sufficient legal interest in the site.

In response the applicant submitted the following information / revised proposals:

- An improved pedestrian priority arrangement encompassing a pedestrian priority lane which is indicated on drg. 1AMT-PD02B.
- A landscape plan is submitted indicated on drg. 1AMT-PD04. This drawing also includes a swept path analysis which shows that average sized

emergency vehicles could access the site. Stated that a fire hydrant closer to the site could also be provided.

- That the laneway is existing and is currently used to access the rear of existing dwellings. The restriction on width to 3.5 metres is over a short straight section of the access lane and cannot be altered / widened.
- Deeds submitted that indicate that the laneway is likely private and that a right of way exists to access the site.

## 4.0 Planning History

There are a number of planning permissions relating to the appeal site and surrounding sites referenced in the report of the Planning Officer. The following are considered to be the most relevant:

### ***Appeal Site***

Dublin City Council Ref. 0413/96 – permission refused by the planning authority for the demolition of an existing structure at No.1 Mullingar Terrace and the erection of a one bed apartment. Permission refused on the basis of sub standard layout regarding site coverage, private open space and car parking.

## 5.0 Policy Context

### 5.1. Development Plan

The site is located on lands that are zoned Objective Z1 under the provisions of the *Dublin City Development Plan, 2016-2022*. The stated zoning objective is '*to protect provide for and improve residential amenities*'.

The site is included in a designated conservation area and it is also located within the Chapelizod ACA.

The following provisions of the development plan are considered of relevance:

**Section 16.10.2** of the Plan relates to residential quality standards and states that a minimum of 10 sq. metres of private amenity space per bedspace should be provided with a total private amenity space provision of 60-70 sq. metres.

**Section 16.10.8** relates to backland development and states that applications for such development will be considered on their merits with proposals for more comprehensive rather than piecemeal development preferred.

**Section 16.10.16** of the plan relates to Mews Development and sets out a series of requirements for the development of mews dwellings on such laneways including height, private amenity space, width of access lane and parking. In the areas of amenity space the standards set out for mews dwellings are slightly different to those for normal residential properties.

**Policy QH1** states that regard will be had to the DECHLG publication '*Quality Housing for Sustainable Communities – A Best Practice Guide*'.

**Policy QH8** seeks the sustainable development of underutilised or vacant sites.

**Policy QH21** seeks to ensure that new developments provide for the needs of family accommodation with satisfactory levels of residential amenity.

**Policy QH22** seeks to ensure that new housing close to existing residential development has regard to the character and scale of the existing house.

## 5.2. Natural Heritage Designations

There are no Natura 2000 sites located in close proximity to the appeal site and there is no pathway that exists between the appeal site and any Natura 2000 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 site ownership is fully independent of the properties in Mullingar Terrace and also from the other plots to the rear of Mullingar Terrace.
- That the plot ratio of the development is 0.49 and the site coverage is c. 24 percent.
- That the access lane is existing and cannot be modified / widened.
- That the Building Regulations Part B Table 5.1 requires an access road of minimum width 3.7 metres. The building regulations require an access / gateway of minimum 3.1 metres. The minimum width of the laneway is 3.52 metres and the width of the access at the site is 2.9 metres. The Building Regulations state that the above figures are designed to accommodate nearly all fire appliances.
- That Part B of the Building Regulations also states (Part B, Vol. 2 section 5.4.2) that for effective fire fighting, appliances should be able to get within 45 metres of the principal entrance to a house. On the appeal site the distance from the laneway gate / entrance to the entrance to the site is 41 metres.
- That it was never intended to comply with the mews laneway standard / width set out in 16.10.16 of the Plan as this is not possible. Rather the development is designed to comply with 16.10.8 (back land development) and 16.10.10 (infill housing).
- That the concerns of the planning authority regarding the lane width would be relevant if the development was for multiple units. This is not the case as only one house is proposed. The access for a single dwelling is safe using road markings and pedestrian priority.



- With regard to the creation of a precedent, the site is the only one to the rear of Mullingar Terrace which is directly fronting the gateway. Other sites on the laneway do not have the same development potential. The appeal site is the only one that is sufficiently close to the gateway to the lane that it would meet the requirements of Part B of the Building Regulations.

## 6.2. Planning Authority Response

There is no record on file of a response received from the Planning Authority to the grounds of appeal.

## 6.3. Observations

Two observations on the first party appeal have been received. The main issues raised in these submissions can be summarised as follows:

- That the Linders Garage have a right of way over the access lane for the purpose of maintaining the gable of their building and their drainage system. Requested that this right of way be maintained.
- That the site is to the rear of No.2 Mullingar Terrace and not No.1.
- That the site is on a private gated laneway with access for Nos. 1-6 Mullingar Terrace.
- That the garage for No.3 is not against the boundary wall as shown in the drawings. There is a gap.
- That contrary to the statement of the first party there has been no agreement with the adjoining garden owner regarding the preservation of the boundary wall.
- That the site is located in an ACA. There are no red brick houses in the vicinity and red brick would be out of keeping.
- That the laneway is in constant use by residents and also for the parking of cars. Given the parking situation in Chapelizod, the area to the rear is needed for parking.
- The access to the laneway from the street is frequently blocked.

- Unclear how an emergency vehicle would get to the site.
- That the laneway and gates are too narrow for HGVs. The surface of the laneway is also not adequate for extra traffic. The drainage pipe runs down the centre of the lane.
- That the applicant does not have the consent of the owners to undertake the proposed alterations to the lane surface and signage proposed.
- That it has not been demonstrated adequately that there is a right of way for the applicant, in particular over the area shaded yellow (to rear of Nos.2-5).
- That the drawings submitted do not show that the proposed car parking spaces can be accessed safely.
- As identified by the first party, the width of the access road and the entrance gateway is below the level set out in the Building regulations. There are other fire appliances that would require a greater width.
- The submitted drawings show that a fire tender could not access the site without clipping walls / mounting kerbs.
- That the distance from entrance gate to the front of the house is 51 metres, not 41 as stated.
- That DMURS describes a shared surface street as having a width of 4.8 metres.
- That the applicant has not demonstrated sufficient mitigation for the potential conflicts between car movement and pedestrians on the lane. There is no refuge for pedestrians, low lighting and limited forward visibility.
- The submission is accompanied by photographs of the environs of the site and lane.

## 7.0 Assessment

7.1. The following issues are considered to be of relevance to the assessment of the subject appeal:

- Principle of Development and Compatibility with Zoning.
- Design, Scale and Impact on Amenity,
- Access and Parking,
- Other Issues

### 7.2. Principle of Development and Compatibility with Zoning.

7.2.1. The appeal site is located on lands that are zoned Objective Z1 under the provisions of the *Dublin City Development Plan, 2016-2022* with the stated objective 'to protect provide for and improve residential amenity'. Under this land use zoning objective, residential is a permissible use. In principle, the development of a residential dwelling would therefore be consistent with the zoning objective for the area.

7.2.2. There are number of other development plan provisions that are also relevant to the principle of development. **Policy QH8** seeks the sustainable development of underutilised or vacant sites. The proposed development of a dwelling in this location would, in my opinion, be consistent with this policy.

7.2.3. Section 16.10.8 relates to back land development, and states that applications for such development will be considered on their merits with proposals for more comprehensive rather than piecemeal development preferred. The appeal site is not a back land site as such in that it has independent access from and frontage onto a laneway that runs to the side and rear of Mullingar Terrace. It is however located to the rear of the main line of development that fronts the Chapelizod Road in this location. Section 16.10.10 of the plan relates to infill housing. The appeal site is not a standard infill site in that it is on a secondary laneway and there is not similar development on adjoining sites.

7.2.4. While the site does comprise a back land location, it could also in my opinion be categorised as a mews development in that it is proposed to be located on a laneway located to the rear of a terrace of houses, albeit a laneway that is not public.

The plan provisions relating to mews development and also policies relating to back land development are both in my opinion of relevance to the appeal site.

7.2.5. The proposed development is the first residential proposal to be made on the north side of this land and the other sites located on the northern side of the lane are not developed for independent residential use. While there is no objection in principle to a single house on the site, and the proposed unit is relatively large and proposed to be sited such that other sites to the west could be developed in a similar form and with matching building line, a case could be made that more intensive use of the site could be made were it to be developed at a future date in conjunction with the adjoining garden sites to the west. Such an overall site would have an area of close to 0.2 ha. While the appeal site has been separated in ownership from the main dwelling at No.2 Mullingar Terrace it would appear that the other garden sites on the northern side of the laneway are in independent ownership and that there is not currently potential for a more comprehensive development approach to be followed.

7.2.6. I note the comments made by the Planning authority and the first party appellants regarding the precedent that would be created by the granting of permission on the appeal site. While the appeal site is closer to the access onto Chapelizod Road for the purposes of access for emergency vehicles, the granting of permission would in my opinion clearly result in a precedent for additional development on the northern side of the laneway. The impact of future development along the lane is therefore in my opinion a relevant consideration in the assessment of the subject appeal.

### **7.3. Design, Scale and Impact on Amenity,**

7.3.1. The basic design of the proposed dwelling comprises a four bedroom two storey dwelling with a deep (c.15 metre) floorplan and an overall height of c.7.7metres. The materials proposed comprise a brick frontage with concrete render to the other elevations and a pitched and tiled roof. I note the comments of the observers with regard to the fact that the site is located within an Architectural Conservation Area (ACA), albeit that it would not be visible from the main public roads within this ACA. The basic form and scale of the proposed dwelling is in my opinion consistent with its location within an ACA however, in the event that a grant of permission was being

considered, I would agree with the third parties that it would be appropriate to reconsider the front elevation and to remove some or all of the brick finish.

- 7.3.2. The proposed house is sited such that the front elevation would be separated from the rear of No.1 Mullingar Terrace by c.25 metres. No significant issues of overlooking of houses in Mullingar Terrace are considered likely to arise. Similarly, there are not considered to be any issues of overlooking of other adjoining properties likely to arise. The scale of the house and west facing gable is significant and would result in some overshadowing and overbearing impact on the adjoining site. This adjoining site is not, however, used as an active recreational space and I do not therefore consider it likely that significant adverse impacts on residential amenity would arise.
- 7.3.3. I note the fact that the proposed site layout indicates the setting back of development from the eastern site boundary, which is that where the site adjoins the Linders garage property, by 1.0 metres. I also note the submissions of Linders garage to the Planning Authority requesting that a set back be maintained to enable maintenance activity to be undertaken to the building on site. There is reference in the submitted Indenture document and accompanying map to the provision of a way leave along the eastern boundary of the appeal site to facilitate maintenance for Linders, and the extent of this way leave shown on the map equates to c.1.6 metres rather than 1.0 metres proposed in the Site Layout Plan. In the event of a grant of permission, it is recommended that the set back of the house to the eastern site boundary would be increased to a minimum of 1.6 metres.
- 7.3.4. Internal accommodation meets the room and accommodation sizes specified in the *Dublin City Development Plan, 2016-2022* and those contained in the departmental guidance document *Quality Housing for Sustainable Communities*. An area of private amenity space to the rear of the building line measuring c.100 sq. metres is proposed and this is considered acceptable for a dwelling of the scale proposed and in accordance with development plan and national policy. Section 16.10.2 of the Plan relates to residential quality standards and states that a minimum of 10 sq. metres of private amenity space per bedspace should be provided with a total private amenity space provision of up to 60-70 sq. metres. I also note the fact that the appeal site has been separated in ownership from the existing dwelling at Mullingar Terrace and that, while the appeal site may at one time have formed part of the

private amenity space for one of the houses in Mullingar Terrace, that this is no longer the case. The development would not therefore result in a loss of amenity space for any of the existing houses.

#### **7.4. Access and Parking,**

- 7.4.1. Parking to serve the dwelling is proposed to be provided on site and two parking spaces are indicated on the submitted Site Layout Plan. As stated by the third party observers to the case, the situation with regard to car parking in the vicinity of the site is restricted and it is stated by the observers that they have difficulties being able to park to the front of their houses even though they have residents parking permits. Given the scale of the dwelling proposed and the parking situation in the vicinity of the site, it is my opinion that the two off street parking spaces proposed are required.
- 7.4.2. The principal issue arising in this appeal relates to the concerns of the Roads and Traffic Division of the council regarding the ability of emergency services to access the site given the restricted width of the lane to the south of the site and the compliance of the development with section 16.10.16 of the Development Plan relating to Mews Development and specifically the requirement that the width of such laneways would be a minimum of 4.8 metres or 5.5 metres where no verges or footpaths are proposed.
- 7.4.3. The first party contends that the access lane is existing and cannot be modified / widened and that the development should be assessed on the basis of an infill or back land development and not on the basis of a mews development. As set out in 7.1 above, I consider that the granting of permission in this case would lead to a precedent for other residential development on the lane and that regard has to be had to the policies relating to mews development. The width of the laneway falls far short of the 5.5 metre minimum width required for a shared surface mews laneway. I also note the fact that neither the width of the laneway to the site does nor the width of the access to the laneway from Chapelizod Road meet the minimum widths specified in Part B of the Building Regulations Part B which specify a minimum carriageway width of 3.7 metres and entrance width of 3.1 metres. The swept path analysis presented in the response to further information and Drg. No.1AMT-PD04 does not in my opinion clearly demonstrate how access to the site could be provided

for an emergency vehicle without impacting negatively on buildings, kerbs and structures along the route. On this issue, it should also be noted that the restricted access width or pinch point in the vicinity of No.1 Mullingar Terrace does not comprise a gap between two walls or other such features but rather on the western side comprises the side gable of No.1 which has windows facing directly onto the laneway.

- 7.4.4. Reference to the provision in Part B of the Building Regulations (Vol. 2 section 5.4.2) that fire fighting appliances should be able to get within 45metres of the principal entrance to a house is noted however from an inspection of the entrance to the laneway I do not see how a fire fighting appliance access and operate right up to the existing gateway which would be necessary to get within the 45 metres specified.
- 7.4.5. The provision of access to the appeal site would also result in an intensification of use of the laneway that would in my opinion have a negative impact on the residential amenity of the existing residential property at No.1 Mullingar Terrace. As noted above, this property has windows of habitable rooms directly facing and adjoining the laneway, and the use of the lane as the only source of pedestrian and vehicular access for the proposed dwelling would in my opinion have a negative impact on the residential amenity of this property due to loss of privacy, visual intrusion and general disturbance. I note that this issue would constitute a new issue in the context of the subject appeal and for this reason I have not pursued it further in this assessment and recommendation.
- 7.4.6. I note that as part of the response to further information the applicant submitted proposals for the creation of what is described as a 'semi private paved sidewalk' running along the western side of the laneway on the section north from Chapelizod Road and continuing on the section of lane fronting the appeal site. Pedestrian priority signage is also proposed at the access to the laneway. These features are in my opinion excessive for a single house and indicative of the limitations on access to the site. As noted in 7.5 below under the heading of Other Issues, the legal interest of the first party to provide such features is also in my opinion uncertain.
- 7.4.7. Visibility at the entrance to the laneway is restricted to the right hand side when exiting (west) by the provision of on street pay and display / permit parking and the access is located at a point just outside the 30 km/hr speed limit zone for Chapelizod

Village. For traffic accessing the site, a potential issue arises regarding how safe access to the lane can be undertaken when the gates are closed without impacting on traffic flow and safety on the Chapelizod Road. The location of the gates is, however set back in line with the front building line of the houses in Mullingar Terrace and so there is a distance of c.5 metres clear of the footpath where vehicles waiting to open the gates could stay clear of pedestrian and vehicular traffic on Chapelizod Road. I note the comments of the third party observers regarding the frequency that the access to the laneway is blocked by vehicles, however the above set back together with road markings could address this issue.

- 7.4.8. In conclusion, I consider that the access to the site is sub standard in width and visibility such that it would restrict access for vehicles accessing the site including emergency vehicles thereby endangering public safety and creating a traffic hazard. The proposed development would also in my opinion lead to an undesirable precedent for further individual residential development accessed via the laneway.

## 7.5. Other Issues

- 7.5.1. I note that there is no report on file from Irish Water, however there is a report from the Drainage Division which states that there is no objection to the proposed development subject to conditions. The plans on file indicate that the closest connection point for foul drainage connection is a location at the south east corner of No.1 Mullingar Terrace, approximately 18 metres from the appeal site at the closest point. The provision of a drainage connection to the site would require the excavation of the lane and there is an objection from the owners of Nos 1-6 Mullingar terrace to works being undertaken in the lane to extend services to the site.
- 7.5.2. As part of the further information request issued by the council, clarification was sought regarding the applicants legal interest in the site and their ability to undertake the works proposed. The indenture document submitted by the applicant as part of the response to further information requested by the Planning Authority sets out the transfer of the lands comprising the appeal site and which are the subject of a long term leasehold. It is not, however clear from the information submitted whether there are covenants to this lease which may restrict the use of the site or the nature of works which can be undertaken to the laneway without the consent of the other



parties who have rights of access via the laneway. This uncertainty also applies to the proposed marking of the laneway by the first party to indicate a footpath / pedestrian paved sidewalk as indicated in Drg. 1AMT-PD04 and the associated Pedestrian Priority signage indicated on the same drawing.

7.5.3. In the event of a grant of permission a condition requiring a financial contribution under s.48 of the Act would be applicable.

7.5.4. Given the scale of development proposed, Part V of the Act is not applicable. A social housing exemption certificate (SHEC) has been issued by the Planning authority and a copy is on the appeal file.

## 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.

## 7.7. **EIA**

7.7.1. Having regard to the limited scale of the proposed development, its separation from any European sites and the proposed connection of the development to the public water supply and waste water systems, 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.

## 8.0 **Recommendation**

8.1. In view of the above, it is recommended that permission be refused based on the following reasons and considerations:

## 9.0 Reasons and Considerations

1. Having regard to the narrow width of the laneway onto which access is proposed, the narrow width of the access to the laneway from the Chapelizod Road and the restricted visibility for traffic exiting the laneway onto the Chapelizod Road, the proposed development would result in an inadequate width to accommodate emergency service access to the site and a generally sub standard vehicular access for occupants of the proposed development and would set an undesirable precedent for further similar forms of development on the lane. The proposed development would therefore be contrary to the provisions of paragraph 16.10.16 of the *Dublin City Development Plan, 2016 – 2022* regarding the width of mews laneways, would endanger public safety by reason of the creation of a traffic hazard and creation of conflicts between pedestrian and vehicular traffic and would be contrary to the proper planning and sustainable development of the area.

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Stephen Kay  
Planning Inspector

9<sup>th</sup> December, 2019