



An
Bord
Pleanála

Inspector's Report

ABP-313051-22

Development	Indefinite retention of alterations to dwelling house as previously granted for under planning reference no. 17/189.
Location	Dunroaming House, Kilmacomma, Clonmel, Co. Waterford.
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	211208
Applicant(s)	Denise Crotty
Type of Application	Retention Permission
Planning Authority Decision	Grant Retention Permission
Type of Appeal	Third Party
Appellant(s)	Tom and Fiona Walsh
Observer(s)	None
Date of Site Inspection	8 th of June 2023
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1. The application site (stated area 0.169ha) is located approx. 0.6km southwest of Clonmel, elevated above the town. It is within the Southern Environs of the town and is located in Co. Waterford. The northern part of the town is within Co. Tipperary. The River Suir is to the north.
- 1.2. Access is via the R671 Dungarvan Road and is on the northern side of a narrow local road to the south. The site is broadly rectangular in form and slopes steeply away from the public road, which is on a higher level. Access to the site is via an entrance to this road with the driveway via a steep incline to the house. The rear of the site commands views towards the River Suir which can be seen in the distance.
- 1.3. The house is split level and has been extended and this proposal is for retention. The site is steeply sloping downwards from south to north. Only a small outhouse remains close to the site frontage from the original dwelling, which was sited closer to the road.
- 1.4. There are single storey bungalows on the sites either side. The site to the east is accessed via a steep driveway from the road and the house is on a lower level. That to the west is on a higher level. The western site boundary has been partially removed.

2.0 Proposed Development

- 2.1. Permission is sought for the indefinite retention of alterations to a dwelling house as previously granted under Reg.Ref.17/189, which include elevational changes, increased floor area, increased ridge height and replacement dwelling for cottage at Dunroaming House, Kilmacomma, Clonmel, Co. Waterford.

3.0 Planning Authority Decision

3.1. Decision

On the 22nd of February 2022, the Planning Authority granted retention permission subject to 3no. conditions. In summary these relate to compliance with plans and

particulars submitted and those of the governing parent permission PD 17/189 and development contributions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner had regard to the locational context of the site, planning history and policy and to the submissions made. Their Assessment noted the following:

- They have carried out a Habitats Project Screening Assessment which is attached.
- They note that the septic tank does not form part of this application and has been illustrated in the same location as what was granted permission under the parent permission PD 17/189.
- The application property has been the subject of ongoing enforcement.
- They note the differences between that originally permitted and that constructed.
- They note that there is no exemption for retention applications in the Waterford Development Contributions Scheme.
- Having examined the application and its supporting drawings and documentation and having considered the impacts of the development for which permission is sought and the relevant policies of the Waterford CDP 2011-2017 (as extended and varied) they recommended that retention permission be granted subject to conditions.

3.3. Other Technical Reports

None noted on file.

3.4. Prescribed Bodies

No referrals noted on file.

3.5. Third Party Observations

A Submission made on behalf of a local resident has been noted in the Planner's Report. As they are the subsequent Third Party Appellants, their concerns are considered further in the context of their Grounds of Appeal which are summarised below.

4.0 Planning History

The following is the recent planning history relevant to the subject site:

- Reg.Ref. 17/189 – Permission granted subject to conditions by Waterford County Council to Denise Crotty to demolish section of the existing house adjacent to the public roadway and to construct a new 1½ storey 3 bedroom extension and new living and dining area, hallway linking new building with the existing, internal renovation to the existing building, new septic system and all ancillary site works.

A copy of the Council's decision is included in the History Appendix to this Report.

5.0 Policy Context

5.1. Waterford County Development Plan 2022-2028

Chapter 2: Spatial Vision and Core Strategy

It is noted that the southern environs of Clonmel are within Co. Waterford and that the northern part of the town is in Co. Tipperary. The subject site is within Co. Waterford. Clonmel Environs is described as a Key Town in the Settlement Hierarchy.

“Strategically located urban centre with accessibility and significant influence in a sub-regional context.”

Chapter 7: Housing & Sustainable Communities

Chapter 7 refers to Housing & Sustainable Communities. This includes the General Housing Policies to support compact urban growth through the consolidation of integrated and sustainable residential development.

Policy H02 includes to ensure that new residential development:

Is appropriate in terms of type, character, scale, form and density to that location.

Section 7.11.5 has regard to Housing in High Amenity Areas on Approach Roads.

Policy H30 includes: *On lands zoned High Amenity and along the approach roads to settlements we will:*

- *Discourage inappropriate development which would threaten the maintenance of a clear demarcation between the rural and built up areas, encourage and exacerbate urban sprawl and detract from the landscape/ rural character of the area; and,*

Section 7.12 has regard to Refurbishment, Extension and Replacement of Existing Structures in Rural Areas. Policies H31- H33 apply.

Volume 2- Development Management Standards

Section 3 refers to Residential Development

Policy DM04 includes reference to adherence to new residential development and to compliance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and other such Section 28 Guidelines.

Section 3.4.2 provides the General Residential Development Design Standards, Table 3.1 refers. Table 3.2 provides the Minimum Private Open Space Requirements for Dwelling Units.

Section 4 – Residential Miscellaneous.

Section 4.3 – Development Contributions

Section 4.5 - Replacement Dwellings. *The Council encourages the reuse, refurbishment, extension and upgrade of older vernacular rural dwellings which form an important part of our built heritage.*

Section 4.9 relates to House Extensions. Policy DM11 refers:

Extensions should:

- *Respect and follow the pattern of the existing building as much as possible.*
- *Where contemporary designs are proposed, proposals should not detract from the visual amenities of the main dwelling or neighbouring properties.*

- *Extension works should not encroach, overhang or otherwise physically impinge third party properties.*
- *Proposals should be designed in such a way as to eliminate overshadowing or overlooking of adjoining property.*
- *Avoid additional surface water runoff arising from the site.*

Volume 4 – Book of Maps

Map 2 – Zoning and Flooding Maps

The site is within the southern environs of Clonmel and the land use zoning is:

‘HA’ – High Amenity. The Objective seeks- *To protect highly sensitive and scenic location from inappropriate development that would adversely affect the environmental quality of the locations.*

5.2. **Natural Heritage Designations**

Lower River Suir SAC (002137) is c.0.5kms of the site.

5.3. **EIA Screening**

The proposed retention development does not fall within the scope of any of the Classes of development for the purposes of EIA.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

A Third Party Appeal has been submitted by Cummins + Voortman Ltd. on behalf of local residents Tom and Fiona Walsh. Their Grounds of Appeal include the following, and the issues raised are noted under the headings below:

Background

- They have regard to the permission granted by the Council in Reg.Ref.17/189. The appellants did not have an issue with that application and considered the extension to have minimal impact on their property.

- When the works commenced in September 2018, it was noticed that the old cottage was being completely demolished and no attempt was made to preserve it. They include photographs.
- They submit that the footprint of the new foundation was not in the correct location as originally submitted to the Council.
- They have regard to the enforcement action that ensued and provide that the enforcement notice was ignored. They include photos.
- The construction of this unauthorised property has seriously reduced the Third Party enjoyment of their home and they note the impact on their boundary.
- They consider that in view of timelines in the Planning and Development Regulations (article 17(1)) not been adhered to, this application does not constitute a valid application.

Contrary to Planning Policy

- The development does not comply with planning policy for replacement dwellings. It is likely that the original cottage was both habitable and an example of vernacular architecture.
- This dwelling has been totally demolished, which contravenes planning policy for the demolition of a habitable house.
- They have regard to planning policy in the Clonmel Environs in the Waterford CDP 2011-2017 (as extended and varied) and consider that the scale, height, design and layout of the development has caused adverse visual impacts.

Septic Tank

- The septic tank has not been located or installed in accordance with the requirements of the EPA and condition no. 5 attached to the original grant of planning permission Reg.Ref.17/189.
- The septic tank emits a foul odour, and the appellant is concerned that it has not been installed correctly.
- While the septic tank does not form part of this application, they consider that the concerns relating to smell and its incorrect location are important to

mention considering the ongoing negative impact it is having of the appellants.

- They would wish to see evidence from the Council that a compliance cert and maintenance contract has been submitted and to confirm that the size and type of treatment system that has been installed.

Non-compliance with Conditions

- They are concerned that the design and location of the dwelling does not comply with conditions of the previous permission Reg.Ref.17/189. It has not been constructed in accordance with the previous grant of permission or with planning standards and that an unauthorised development has been built.
- Condition no. 3 has not been complied with as the ground level over a large area of the site has been elevated over 1m.
- They query the siting and provide that the entire site slopes into their client's property (see photos attached). The new dwelling was built further down the site and closer to their garden hedge compared to the original application.
- Condition no. 6 stated that the construction of the dwelling shall be done by excavation into the sloping ground. As the house is visibly elevated at the northeast corner it is suspected that insufficient excavation into the sloping ground was carried out. (photo no.10 refers).
- There is no explanation given as to how fenestration has been simplified, from that previously granted.
- Since occupying the house a new retaining wall has been constructed on the west side. They consider that this was to visually disguise the alignment of the house. This can also be observed on one of the images on the Engineers Report from Baseline Surveys.
- The issue with the septic tank also serves as an example as to how this development was mismanaged at every stage and how the conditions attached to Reg.Ref. 17/189 were disregarded.

Impact on Residential Amenities

- The construction of this unauthorised dwelling has seriously reduced the enjoyment of the residential amenities of their home. It also impacts on visual amenities and leads to overshadowing. A shadow analysis should have been submitted.
- The planning authority should have requested both contiguous and site plan overlay drawings, demonstrating what was granted permission for and what was actually built. These drawings would have demonstrated the differences and what was the extent of intrusion on the appellants property.
- The removal of the hedge and damage to the garden wall was unnecessary and has impacted adversely on the appellant's amenity and property, including their boundary wall.
- A revised site plan and landscaping plan should have been submitted demonstrating how it is to take the loading/any further stresses from the appellants garden wall and to reintroduce the privacy they enjoyed for many years.
- Having regard to the types of development in the area, the ridgeline of all other dwellings, the rural setting, the visual impact, the dwelling is not in keeping with the established development pattern in the immediate vicinity.

Conclusion

- The appellants have experienced significant disturbance since this development commenced.
- Considering the sensitive location of the site it is hard to believe that these works have taken place without the benefit of planning permission.
- They are concerned that the proposal has not been constructed in accordance with the conditions of Reg.Ref.17/189. Had the house been built in accordance with the permission the breaches could have been avoided.
- The Council has failed to use their authority and rectify the existing unauthorised development or prevent any additional unauthorised development taking place.

- They include photographs to show before and after and to demonstrate their concerns regarding the new build. These also demonstrate the visual impact in the landscape of the house as constructed. They include a Surveying Engineer's Report on the Boundary by Baseline Surveys.

6.2. Applicant Response

There is no response from the Applicant on file.

6.3. Planning Authority Response

There is no response from the Planning Authority on file.

6.4. Observations

There are no Observations on file.

7.0 Assessment

- 7.1.1. This is a Third-Party Appeal against the Council's decision to grant permission subject to conditions for the proposed retention development. Having regard to the documentation submitted, to planning history and policy, the issues raised in the Third Party Grounds of Appeal, and to my site visit, I would consider that the issues primarily centre on:

- Policy Considerations
- Background issues
- Design and Layout and Impact on the Character and Amenities of the Area
- Boundary Treatment
- Appropriate Assessment

- 7.1.2. It is noted that this proposal was considered by the Council, under the Waterford County Development Plan 2011-2017 and that their Assessment and that of the Third Party Grounds of Appeal, includes reference to a number of policies and objectives under this plan. This has now been superseded by the policies and objectives of the current Waterford City and County Development Plan 2022-2028,

and those of relevance have been noted in the Policy Section above and further in the Assessment below.

7.2. Compliance with Planning Policy

- 7.2.1. This application is within the Southern Environs of Clonmel, in County Waterford. While the area appears more rural, it is within the town boundaries and is within the 'High Amenity' area as shown on the 'Zoning and Flood Mapping' in the Waterford CDP 2022-2028.
- 7.2.2. The proposal is for indefinite retention of alterations to a dwelling house granted under Reg.Ref. 17/189. These alterations were not part of the original application that was granted and are currently unauthorised. The issue with a retention development is whether the works would have been granted in the first place had the unauthorised works not been undertaken.
- 7.2.3. Also of note is that the Third Party has several concerns regarding the unauthorised development that has taken place and the design and layout of the house as constructed and considers that this impacts adversely on their residential amenities and the character of the area. They provide that had the dwelling been constructed as originally granted that they would not have objected. Regard is had to the differences in the plans now submitted and those previously permitted in Reg.Ref.17/189.
- 7.2.4. In this case the principle of a partial demolition of a dwelling house and the construction of a new 1½ storey extension on this site has been established. The issue as per the subject application is whether the subsequent alterations to the dwelling house as granted under Reg.Ref. 17/189, would now, as constructed, be considered acceptable and so as not to impact adversely on the character and amenities of the area, including neighbouring properties. Note is had of the application and the documentation as submitted and to the concerns of the Third Party in this Assessment below. This includes regard to issues of Background, Design and Layout, Boundary treatment, Impact on the Character and Amenities of adjoining properties and the area.

7.3. Background issues

- 7.3.1. As has been noted in the Planning History Section above permission has previously been granted subject to conditions (Reg.Ref. 17/189 refers) to demolish a section of the existing house on this site adjacent to the roadway and to construct extensions and renovations to the existing house. The description of development then included a new 1 ½ storey 3 bedroom extension with new living and dining area, hallway linking the new building with the existing, internal renovations to the existing building, new septic tank system and all ancillary works.
- 7.3.2. It has been noted, by the Planning Authority and by the Third Party that unauthorised development has taken place on site and that the original proposal and ancillary works have not been constructed in compliance with this planning permission Reg.Ref. 17/189. The purpose of the current application is to ascertain if retention permission can now be permitted for the alterations to the dwelling house as constructed, which include: elevational changes, increased floor area, increased ridge and replacement dwelling for cottage. It is noted that the original cottage was entirely demolished and no attempt has been made to preserve any part of it, as had been shown on the original plans, where a small area was shown to be retained.
- 7.3.3. In addition, the Third Party raises concern about the septic tank. The Planner's Report notes that the septic tank does not form part of this application and has been illustrated in the same location as what was granted permission under the parent permission PD 17/189. That all conditions of the parent permission still apply in this regard – Condition no.5 refers to the wastewater treatment system. As shown on the Site Layout Plan, while the location of the wwts is shown on the application as originally submitted, I would concur that, this is not within the remit of the current application, which refers solely to issues of retention of alterations to the dwellinghouse. Any such outstanding issues relative to conditions of the parent permission and unauthorised development are within the remit of the Planning Authority, who can take enforcement action if necessary. It should be noted that Enforcement is not within the remit of the Board.
- 7.3.4. The Third Party consider that this planning application is invalid for the reason, that it was submitted prior to notice of intention of making a planning application being given (Article 17(1) of the Planning and Development Regulations 2001 as

amended). Therefore, they strongly consider that the planning application is not valid and should have been returned to the applicant as in incomplete application. It should be noted that this is within the remit of the Council, who have validated the application and not the Board.

7.4. Design and Layout and Impact on the Character and Amenities of the Area

- 7.4.1. Section 4.9 of Volume 2 of the Waterford CDP 2022-2028 refers to House Extensions. This includes: *The design and layout of extensions to houses should have regard to the amenities of adjoining properties particularly as regards sunlight, daylight and privacy. The character, scale and form of the existing building and site should be respected.* Policy DM 11 has been noted in the Policy Section above.
- 7.4.2. Regard is had to the differences in the Site Layout, Floor Plans, and Elevations now submitted for retention and those previously permitted. The current plans indicate the 'Demolition of the former cottage and part reconstruction of new dwelling'. It notes the 'complete demolition of the former cottage'. The application site area is now given as 0.169ha, whereas this was previously 0.14ha. As shown on the Site Layout Plan the location of the dwelling to be retained is relatively similar to that shown previously permitted. Albeit there is some lack of clarity in that it appears to be a bit closer to the western site boundary.
- 7.4.3. The application form with Reg.Ref.17/189 noted that the g.f.a of the original dwelling was given as 60.22sq.m and of that proposed 199.56sq.m (ground 117.66sq.m and first floor 81.9sq.m), that to be retained as 22.5sqm and to be demolished as 36.37sq.m. The Floor plans gave a total floor area of 207sq.m.
- 7.4.4. The floor plans now submitted show that as built the lower ground floor area is 84.3sq.m and the upper ground floor area is 125sq.m. giving a floor area of (209.3sq.m). I would note that the revised plans also include a front porch (5sq.m) i.e a total floor area of 214.3sq.m. Plans have been submitted showing the 'As granted Elevations/Sections under Reg.Ref.17/189 and the revisions currently made (shown in yellow). There is a difference in the internal layout/room sizes etc in the accommodation. In addition, that small section of the original cottage shown to be retained in the former plans as a 'games room' which was part of the former cottage has since been demolished and is shown is replaced by an additional bedroom

(shown bedroom 1 on the floor plans). The length of the bedroom block is now shown as 20.5m and the width 5.3m. The permitted plans showed the length as 18.75m and the width as 5.5m.

- 7.4.5. The Third Party are concerned that the new dwelling was built further down the site and closer to their garden hedge compared to the original planning application. That it was also built forward on a declining slope, this has resulted in a dwelling that appears to have much higher elevations than originally applied for.
- 7.4.6. As shown on the plans the ridge height of this split-level house has been altered and the two storey element is now shown as c.8m to ridge height as opposed to c.7m previously shown. In this respect it is noted that the FFLs have been altered and details of these are shown on the sections/elevations submitted. The single storey element remains with a ridge height of c.5.4m. It is submitted that as shown on the plans the applicant has lowered the FFL by 1.38m and the overall ridge height has increased accordingly to reflect this.
- 7.4.7. The Third Party have concerns about the excavation works that have been carried out on the site. In this respect regard is had to condition no.6 of the parent permission. I would be concerned that this condition has not been complied with in that the excavations and siting of the house now constructed has led to a very steep differential in levels between the external surface areas to the front and rear elevations of the house. I would consider that if the Board decides to permit that condition no. 6 should be modified to allow for the new finished floor levels as detailed on the sections submitted.
- 7.4.8. As shown, there are changes made to the fenestration to the elevations. In this respect to prevent overlooking, the first floor windows have been removed from the western elevation as per condition no. 8 of the parent permission. The upper ground floor windows to the entrance hall, bathroom and study are shown as velux roof lights. Having regard to the configuration of rooflights shown, details have not been submitted as to whether they are 'appropriately sized rooflights' in accordance with this condition. The more traditional style half dormers have been omitted from the northern and southern elevations and replaced by more modern wider windows. These appear more utilitarian and functional to those originally shown.

7.4.9. The site while below the level of the road, appears elevated in the landscape as it falls from the road in a northerly direction. It is set within a row of houses, however in view of the slope they are sited at different ground levels, with the house to the east being set back on a lower level and that to the west on a higher level. In view of the elevated nature of the site the house as constructed appears more visible in the landscape, especially the rear and side elevations. I would not consider that in view of the scale, height and massing that the character of the house has been enhanced by the changes made that are now proposed for retention. However, I would consider, that provided appropriate boundary treatment and landscaping is established that the alterations as applied for retention of, would not have a significant adverse effect on adjoining property or on the character and amenities of the area.

7.5. Boundary Treatment

- 7.5.1. On site I noted that the western site boundary has been partially removed to facilitate the construction of the house. I would recommend in the interests of privacy that if the Board decides to permit that it be conditioned that the section of the western boundary between the house as constructed (i.e a minimum of 20.5m) and the adjacent property be replaced by a 1.8m boundary block wall, that shall be capped and rendered.
- 7.5.2. The issues raised by the Third Party regarding their concerns about the implications for the western site boundary with their property have been noted. This concerns the site of the bungalow to the east of the site, which has a steeply sloping driveway which adjoins the eastern boundary of the site. This includes regard to the Surveying Engineers Report 'Baseline Surveys'. The appellants provide that they have employed the services of NJD Consulting Engineers Ltd. and have been advised that the existing garden wall has been damaged by construction works and the condition of the wall will continue to deteriorate over time and is at risk of progressive collapse (photos are attached). If the Board decides to permit, I would recommend that it be conditioned that a retaining wall be constructed along the eastern site boundary with the driveway of the dwelling house to the east.

7.5.3. Having regard to boundary issues, it must be noted that any issue of encroachment, or alterations to the site boundaries is a civil matter, and the applicant is advised that in the event of encroachment or any dispute regarding easements concerning the adjoining property, the consent of the adjoining property owner is required. It is of note that the issue of ownership is a civil matter and I do not propose to adjudicate on this issue. I note here the provisions of s.34(13) of the Planning and Development Act: *“A person shall not be entitled solely by reason of a permission under this section to carry out any development”*. Under Chapter 5.13 ‘Issues relating to title of land’ of the ‘Development Management - Guidelines for Planning Authorities’ (DoECLG June 2007) it states, inter alia, the following: *“The planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land; these are ultimately matters for resolution in the Courts...”* In other words, the developer must be certain under civil law that he/she has all the rights in the land to execute the grant of permission.

7.6. **Appropriate Assessment**

7.6.1. Having regard to the nature and scale of the proposed retention development within the curtilage of an existing dwelling house and the nature of the receiving environment and distance to the nearest European site, it is concluded that no Appropriate Assessment issues arise and the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 **Recommendation**

8.1. I recommend that retention permission be granted subject to the conditions below.

9.0 **Reasons and Considerations**

Having regard to the planning history and noting that the site is within the Clonmel Environ’s Settlement Boundary, as per the Waterford City and County Development Plan 2022-2028, under which residential development is acceptable, together with the nature and scale of the proposed retention development and the pattern of development in the vicinity, it is considered that, subject to compliance with the

conditions below, the development proposed for retention would be in keeping with the character of the area and would not seriously injure the amenities of residential property in the vicinity and would be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development, shall comply with the terms and conditions of the planning permission granted under planning register reference number 17/189 and any agreements entered into thereunder.

Reason: in the interest of clarity.

3. Within three months of the date of the grant of this retention permission the following shall be submitted for the written agreement of the Planning Authority:
 - a) Details of the construction of all new retaining walls within the proposed development site, including along those along the eastern and western site boundaries, with the adjoining properties, shall be designed, supervised and certified by a Chartered Civil or Structural Engineer, and the works shall be subject to the written agreement of the Planning Authority.
 - b) A 1.8m block wall to be capped and rendered, shall be erected along the western site boundary, i.e: along the length (a minimum of 20.5m) of the western side elevation of the dwelling hereby permitted.

- c) A landscaping scheme shall be submitted to include mounding and contouring and details of how it is proposed to link and stabilise the differential in levels from the excavations that have occurred into the steep slope between the front and rear elevations.

Reason: In the interests of clarity, and the amenities of the adjoining property.

4. Water supply and drainage arrangements, including disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Angela Brereton
Planning Inspector

28th of June 2023