



An  
Bord  
Pleanála

## Inspector's Report ABP-320645-24

### Development

Application for consent for compulsory acquisition of a derelict site in accordance with Section 14 of the Derelict Sites Act 1990, as amended

### Location

10 Maryborough Street,  
Graiguecullen, Carlow, R93X670.

### Local Authority

Carlow County Council

### Notice Party

Michael Haughney

### Date of Site Inspection

18<sup>th</sup> October 2024

### Inspector

Jennifer McQuaid

## **1.0 Introduction**

- 1.1. This case relates to a request by Carlow County Council for the consent of An Bord Pleanála to the compulsory acquisition of the subject site at 10 Maryborough Street, Graiguecullen, Co. Carlow, R93X670 (Folio numbers CW25046F) in accordance with the provisions of the Derelict Sites Act, 1990, as amended.

## **2.0 Site Location and Description**

- 2.1. The property which is the subject of this application for consent for compulsory acquisition (referred to hereafter as the 'subject property') is located at 10 Maryborough Street, Graiguecullen, Carlow along the L4003, approximately 500 m to the northwest of the centre of Carlow town.
- 2.2. The subject site consists of a two-storey terrace dwelling and has a stated site area of 0.0102 hectares (c.102 sqm). The site includes the dwelling itself. The two-storey dwelling is accessed directly off the footpath along Maryborough Street. The site has a vehicular entrance via an archway and a front door access.
- 2.3. The subject site forms part of a commercial and residential street. The property located at no. 9 also appears vacant.
- 2.4. The subject property is not a Protected Structure nor is it listed on the National Inventory of Architectural Heritage (NIAH).
- 2.5. On the day of my site inspection, I was unable to gain entry to the dwelling itself. I viewed the external façade from Maryborough Street. Based on a comparison of photographs attached to the Local Authority's Compulsory Acquisition Report (dated 13<sup>th</sup> June 2024), I note that no works have been carried out at the subject property.

## **3.0 Application for Consent for Acquisition**

- 3.1. Carlow County Council has applied to the Board for consent to compulsorily acquire the site under Section 14/ 16 of the Derelict Sites Act, 1990, as amended. I note that this application is subsequent to Carlow County Council serving a notice under Section 14 of the Act on the Derelict Sites Act, 1990, as amended, (i.e. advising of

the Local Authority's intention to acquire compulsorily under the said Act, the derelict site as described).

## **4.0 Application and Objection**

### **4.1. Notice of Intention to Acquire**

4.1.1. Notice of Carlow County Council's intention to compulsorily acquire the site was served upon the owners/ occupiers (Michael Haughney) on the 25<sup>th</sup> June 2024 and was published in the Nationalist Newspaper dated 25<sup>th</sup> June 2024. The site was described in the notices, as follows:

- All that and those the site and premises situate at and known as property at 10 Maryborough Street, Graiguecullen, Carlow, R93X670 situate in the townland of Graigue, in the barony of St. Slievemargy and being All of the Property comprised in Folio CW25046F of the Register of Ownership of Freehold Land in County Carlow.

4.1.2. I consider the notices were in accordance with the requirements of Section 15 (1) (a) and (b) of the Derelict Sites Act 1990, as amended.

### **4.2. Objection to Acquisition**

4.2.1. 1 no. submission (by and on behalf of the property owner) expressing objection to the proposed acquisition was submitted to Carlow County Council.

4.2.2. The objection to the proposed acquisition was submitted to Carlow County Council by Michael Haughney, dated 27<sup>th</sup> June 2024. The objection can be summarised as follows:

- The Registered Owner (Michael Haughney) strongly objects to the proposed compulsory acquisition of their property on the following grounds:
  - Significant efforts were made to address the dereliction, meetings were held with Carlow County Council officials, and several emails were sent to the Repair and Leasing Scheme (RLS) to which no response was received. The lack of response has inevitably delayed plans to refurbish the house.

- Personal Impact – the compulsory acquisition of the site would cause undue personal loss. The house has been in the family for five generations and it is the owner's intention to downsize and live there in the future.
- Registered owner is committed to working with the council to address and resolve any legitimate concerns to avoid the need for compulsory acquisition. The owner is prepared to discuss the matter further and provide any additional information required to support the objection.

#### **4.3. Local Authority's Application for Consent**

4.3.1. The Local Authority requests the consent of the Board to the compulsory acquisition of the derelict site. The application for consent was received on 22<sup>nd</sup> August 2024 and included the following:

- Local Authority internal memo and email from the Town Regeneration Officer to Housing Officer seeking confirmation if the Housing Department have a social housing need for the property/site dated 21<sup>st</sup> December 2022.
- Copies of the Land Registry Folio Map.
- Copy of Land Registry Folio details.
- Copies of Photographs of the Subject Property.
- Copy of Local Authority memo from Housing Officer to Vacant Property Unit/ Vacant Homes Officer dated 6<sup>th</sup> January 2023 requesting that the vacant homes unit pursue the property under CPO or negotiated acquisition at market value rates.
- Copies of Local Authority letter to Registered Owners dated 11<sup>th</sup> January 2023 seeking that the recipients make contact within two weeks of the date/s of the respective letters.
- Copy of email from Registered Owner dated 17<sup>th</sup> January 2023 seeking an appointment to discuss the property.
- Copy of email from Vacant Homes to Registered Owner dated 23<sup>rd</sup> January 2023 regarding the meeting which was held on 23<sup>rd</sup> January 2023 and

requesting information regard the Repair & Lease Scheme and Vacant Property Refurbishment grant.

- Copy of email sent from Vacant Homes to Registered Owner daughter dated 10<sup>th</sup> July 2023 seeking an updated for the proposals for the property.
- Copy of email response from Registered Owner daughter dated 10<sup>th</sup> July 2023 stating documentation sent to Housing Department and no response since March 2023.
- Copy of email from Vacant Homes to Housing Department regarding the email from Registered Owners daughter and attached documents in relation to the vacant property dated 10<sup>th</sup> July 2023.
- Copy of email from Vacant Homes to Housing Officer dated 20<sup>th</sup> September 2023 regarding email sent to Housing Department on 10<sup>th</sup> July 2023 in relation to documents sent from Registered Owners daughter.
- Copy of further emails on 20<sup>th</sup> September 2023 from Housing Officer stating the documents sent were black and no completed enquiry form.
- Copy of email from Housing Department to Vacant Homes Officer dated 24<sup>th</sup> April 2024 stating no completed paperwork for Repair & Lease Scheme submitted and propose to proceed to CPO for the property. Follow up email sent on 10<sup>th</sup> May 2024; no documents received.
- Copy of 1 no. email from the Vacant Homes Officer to the Executive Technician in the Planning Department dated 13<sup>th</sup> June 2024 requesting that the property be inspected, and that advice be provided as to the derelict status of same in accordance with the Derelict Sites Act 1990.
- Copy of Derelict Sites Report prepared by the Executive Technician in the Planning Department and associated photographs dated 13<sup>th</sup> June 2024.
- Copy of 1 no. Local Authority letter to Registered Owners dated 17<sup>th</sup> June 2024 informing them of the intention of the Local Authority to acquire the property by Compulsory Purchase Order, in accordance with the Derelict Sites Act 1990, as amended.

- Copy of a Local Authority memo from the Vacant Homes Officer to the Chief Executive of the Local Authority dated 21<sup>st</sup> June 2024 recommending that the CPO procedure proceeds. This memo is counter signed by a Director of Services and the Chief Executive.
- Copy of 1 no. Registered Letter from Local Authority letter to Registered Owners dated 25<sup>th</sup> June 2024 advising that the Local Authority is now proceeding to Compulsorily Purchase/ acquire the subject property. The letters are accompanied by a copy of the notice dated 25<sup>th</sup> June 2024, 1 no. copy of a land registry compliant map, 1 no. copy of the Newspaper Notice dated 25<sup>th</sup> June 2024, and 1 no. copy of the Chief Executive's Order dated 21<sup>st</sup> June 2024.
- Copy of 1 no. email from the Executive Technician in the Planning Department to the Vacant Homes Officer dated 25<sup>th</sup> June 2024 confirming the posting of notices on the subject property on 25<sup>th</sup> June 2024 with 2 no. accompanying photographs.
- Copy of a letter of Objection to the proposed Compulsory Acquisition from Registered Owner (Michael Haughney) to the Local Authority dated 27<sup>th</sup> June 2024. The letter outlines the Registered Owner is committed to working with the Council to address and resolve any legitimate concerns. The letter also includes correspondence between the Registered Owners daughter and the Council from February 13<sup>th</sup>, 2023, to July 10<sup>th</sup>, 2023.
- Copy of a letter from the Local Authority to Registered Owner dated 21<sup>st</sup> August 2024. The letter acknowledges the earlier letter of 25<sup>th</sup> June 2024 and advises, as per Section 16 of the Derelict Sites Act 1990, as amended, that all documentation in relation to the Compulsory Acquisition will now be forwarded to An Bord Pleanála for consideration.
- Copy of a letter from the Local Authority to An Bord Pleanála dated 21<sup>st</sup> August 2024 seeking the confirmation of a Compulsory Acquisition in respect of the subject property.

4.3.2. The **Derelict Site Report** can be summarised as follows:

- The Derelict Site Report is dated 13<sup>th</sup> June 2024, VHO Ref. VHO18.

- The Report relates to the subject property, No. 10 Maryborough Street, Graiguecullen, Carlow, folio ref. no. CW25046F. The site has a stated site area of 0.0102 hectares (c.102 sqm). The property is stated to be unoccupied.
- The Report finds that having inspected the property, it is a Derelict Site under Section 3 of the Derelict Sites Act, 1990.
- The Report includes the following Recommendation:
  - *‘Given the long-term neglected and objectionable condition of this property, its negative visual impact on both Maryborough Street and Carlow Town Park, and the absence of direct action by the owner(s) I advise direct initiation of CPO proceedings against this property.’*
- The Report is informed by a Case Summary dated 13<sup>th</sup> June 2024. The Case Summary indicates the Registered Owner as Michael Haughney.
- The property is described as a derelict house on associated plot of 0.0105ha within the Maryborough Streetscape. The property is accessed to the front directly off the public footpath on Maryborough Street.
- The property has been vacant for a long time and the site and exterior of the building is in a state of neglect. Significant works will be required to the building and site to bring it out of dereliction.
- The Report notes that attempts of engagement with the registered owners have yielded no results and that this is confirmed by the Vacant Homes Officer (VHO) and the Town Regeneration Officer (TRO).
- The Report includes a Photographic Survey taken on 13<sup>th</sup> June 2024 (16 no. photos in total).
- The following advice is provided in the Report:
  - *‘Advise that the property be put forward for direct CPO by the Local Authority as it is deemed in this instance that putting the property through a protracted dereliction process will only yield limited improvements (if any).’*
- The Report includes recommendation works that should be carried out immediately.

1. *Complete external cleaning of existing building façade.*
2. *Removal of all graffiti adorning the building.*
3. *Complete repainting of entire exterior façade.*
4. *Repair and/or replacement of existing damaged windows and doors.*
5. *Repair/replace existing roof structure. Remove loose slates and replace.*
6. *Cut back all out-of-control overgrowth and remove off site. Spray for weeds throughout.*
7. *Remove all waste, rubble, debris and general litter off site. All waste to be removed by registered waste contractor or to a registered waste facility.*

#### **4.4. Objector's Submission**

- 4.4.1. No objector's submission was received by An Bord Pleanála.

#### **4.5. Oral Hearing**

- 4.5.1. No request has been received for an Oral Hearing.

### **5.0 Planning History**

#### **5.1. Planning History**

- None on file for the application site.

### **6.0 Legislation and Policy Context**

#### **6.1. Derelict Sites Act 1990 (as amended)**

- 6.1.1. The Derelict Sites Act 1990, as amended, makes provision to prevent land being or becoming a derelict site. Amongst other things, it enables local authorities to require landowners or occupiers to take measures on derelict sites and, in certain circumstances, to acquire derelict sites compulsorily.



6.1.2. Section 3 of the Act defines 'derelict site' as:

"Any land...which detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question because of—

(a) the existence on the land in question of structures which are in a ruinous, derelict or dangerous condition, or

(b) the neglected, unsightly or objectionable condition of the land or any structures on the land in question, or

(c) the presence, deposit or collection on the land in question of any litter, rubbish, debris or waste, except where the presence, deposit or collection of such litter, rubbish, debris or waste results from the exercise of a right conferred by or under statute or by common law."

6.1.3. Other relevant provisions of the Act are summarised below:

- Section 8 of the Act requires Local Authorities to establish a register of derelict sites in their functional area and to serve notices on occupiers/ owners of their intention to do so.
- Section 9 of the Act places a duty on every owner and occupier of land, to take all reasonable steps to ensure that the land does not become or does not continue to be a derelict site.
- Section 10 of the Act places a similar duty on Local Authorities to take all reasonable steps, including the exercise of any appropriate statutory powers, to ensure that any land in their functional area does not become or continue to be a derelict site.
- Section 11 of the Act enables Local Authorities to serve a notice on an owner or occupier of land, requiring them to take specified measures to prevent land becoming or continuing to be a derelict site.
- Section 14 provides that a local authority may acquire by agreement or compulsorily any derelict site situated in its functional area.
- Section 15 sets out arrangements for giving notice if the local authority intends to acquire a derelict site compulsorily.

- Section 16 sets out arrangements if the owner/occupier wishes to object to the acquisition and it provides that if an objection is made, then the derelict site shall not be acquired compulsorily by the local authority without the consent of the Board.

## **6.2. Carlow County Development Plan 2022 to 2028**

6.2.1. The subject property is within the defined CSO settlement boundary and inside the defined development plan boundary for Carlow Town, as shown on the Carlow Town Land Use Zoning Map.

- The site zoned as Town Centre. The objective is to protect, provide for and/or improve town and village centre facilities and uses.
- The purpose of this zoning is to protect and enhance the character and vibrancy of existing town and village centres and to provide for and strengthen as appropriate retailing, residential, commercial, cultural, tourist and other appropriate uses. It will promote compact growth through the consolidation of development on town and village centre lands, allowing for a broad range of compatible and complementary uses, which will be encouraged to locate in this area in order to create an attractive environment to reside, shop, work, visit and in which to invest.
- The appropriate reuse, adoption, and regeneration of buildings, infill sites, backlands, vacant, derelict and underutilised lands including residential development will be encouraged. The full use of upper floors in retail and commercial premises in town and village centres for residential use will also be encouraged. Primacy of existing Core Retail Areas will be retained and prioritised for any new retail development to enhance its vitality and viability. Retail proposals shall have regard to relevant policies and objectives in the Retail Strategy (Appendix 5) and Chapter 4 of this Plan and the Retail Planning Guidelines 2012.
- Town centre development proposals will be required to be of high architectural quality, which contributes to a distinct sense of place and public realm, promotes sustainable modes of travel and be appropriate to its location. New commercial and retail uses will be accommodated in town and

village centres. The size and scale of any such commercial or retail development shall be reflective of the role and function of the town or village in the settlement hierarchy.

6.2.2. The following policies and objectives are of relevance to the subject proposal:

#### Objectives

##### Active Land Management

It is an Objective of the Council to:

- **CS. O6:**
  - *Actively promote the redevelopment and renewal of areas in need of regeneration through appropriate active land management measures including availing of statutory powers under the Derelict Sites Act, Housing Act, Vacant Site Levy and supporting implementation of the Residential Zoned Land Tax together with other statutory provisions to actively promote regeneration of urban and rural areas within the County.*

#### Core Strategy – Objectives

It is an Objective of the Council to:

- **CS. O12:**
  - *Promote measures to reduce vacancy and the underuse of existing building stock and support initiatives that promote the reuse, refurbishment and retrofitting of existing buildings within urban centres and targeted settlements in the county.*

### 6.3. **Draft Carlow Graiguecullen Joint Urban Local Area Plan 2024-2030.**

6.3.1. The site adjoins the administrative area for Laois County Council. The Draft Carlow Graiguecullen Joint Urban Local Area Plan 2024-2030 is noted but not considered as part of this application due to the “draft” status.

## 7.0 Assessment

### 7.1. Site Inspection

- 7.1.1. I carried out my site inspection on 18<sup>th</sup> October 2024. Internal access to the dwelling was not available. I walked around the front of the property and inspected the front along Maryborough Street.

### 7.2. Category of Dereliction

- 7.2.1. Based on the condition of the subject property which I observed during my site inspection I consider that the site falls within category (a) of Section 3 the Act, which relates to structures which are in a ruinous, derelict or dangerous condition. Having inspected the site and reviewed the material on the file, I consider that the structure(s) are likely to be in a dangerous condition, or that they could be considered ruinous. The roof structure is in a bad condition with loose slates which could fall from the roof onto the public footpath along Maryborough Street. Therefore, on balance I consider that the condition of this structure to fall under category (a) of Section 3 of the act.
- 7.2.2. In respect of category (b) of Section 3 of the Act, I note the condition of the front façade of the dwelling, which requires cleaning and painting, the lower ground floor windows are boarded up and the archway is also boarded up. Glass is missing from the first-floor windows and weeds are growing from the roof gutters, roof is in bad condition with loose slates. The property and the general appearance of the property having a neglected, unsightly and objectionable condition and I consider that the site falls within category (b) of Section 3 of the Derelict sites Act, 1990. I particularly note that the subject property is located in an established commercial and residential area and is located alongside dwellings which are for the most part attractive and well maintained.
- 7.2.3. I do not consider the property to fall within category (c) of Section 3 of the Act as there was no rubbish evident at the time of my inspection.
- 7.2.4. In conclusion, I consider that the property detracts to a material degree from the amenity, character and appearance of land in the neighbourhood, which in my view, renders it derelict under Section 3 of the Act.

### 7.3. Action of Local Authority

- 7.3.1. The Compulsory Acquisition Report of the Local Authority dated 21<sup>st</sup> June 2024 sets out the engagement between the Local Authority and the Registered Owners of the property. This included letters to the Registered Owners dated 11<sup>th</sup> January 2023. The Report refers to the Derelict site Report from an Executive Technician of the Local Authority dated 13<sup>th</sup> June 2024 which has deemed the property to be derelict. The Report recommends that the property be Compulsorily Acquired under the Derelict Sites Act, 1990, as amended.
- 7.3.2. A Notice of the Local Authority's intention to Compulsorily Acquire the property under Section 15 of the Derelict Sites Act, as amended, was served on 25<sup>th</sup> June 2024 and published in the Nationalist Newspaper on 25<sup>th</sup> June 2024.
- 7.3.3. Under Section 10 of the Derelict Sites Act 1990, as amended, it is noted that the Local Authority has a duty *'to take all reasonable steps (including the exercise of any appropriate statutory powers) to ensure that any land situate in their functional area does not become or continue to become a derelict site.'*
- 7.3.4. I note that in using its powers to Compulsorily Acquire the property, as set out in the Compulsory Acquisition Report, the Local Authority consider the said Compulsory Acquisition accords with policies and objectives of the Carlow County Development Plan, 2022 to 2028 including relevant policies and objectives. I further note the Local Authority consider that the Compulsory Acquisition accords with general Government Policy as set out in the Action Plan for Housing and Homelessness and in particular the stated policy objective to acquire vacant homes for social housing. I accept that the Local Authority has taken steps in consultation with the owner of the subject property to bring the property out of dereliction. I note initial contacts were made with the Registered Owners of the Property on 11<sup>th</sup> January 2023 by Registered Letter and then subsequently via a meeting on 23<sup>rd</sup> January 2023, follow up emails were sent on the 10<sup>th</sup> July 2023 and 20<sup>th</sup> September 2023 by the Vacant Homes Officer regarding the application for Repair & Lease Scheme for the property but no further correspondence was received by the Registered Owner and his daughter. On 25<sup>th</sup> June 2024, a Registered Letter was sent to the Registered owner (including the posting of notices at the property on same said date) and on 27<sup>th</sup> June 2024 a Letter from the Registered Owners was received by the Local Authority. Having regard to the foregoing I am satisfied that the Local Authority gave the property owner

sufficient time and opportunity to address the dereliction. Therefore, I am satisfied that the efforts of the Local Authority have been fair and reasonable.

#### 7.4. Compliance with Development Plan

- 7.4.1. I note the Carlow County Development Plan, 2022 to 2028, and specifically Objectives CS. O6 and CS. O12, which seek, to address dereliction, reduce vacancy and encourage and facilitate appropriate redevelopment. The subject property is in a derelict state and has remained vacant for a period in excess of 3 years. I consider that the subject property is in a ruinous, derelict and dangerous condition and detracts to a material degree from the character and appearance of the surrounding area. Therefore, I consider that the subject property and a compulsory purchase order (CPO) would be consistent with the policies and objectives of the Development Plan and will ensure that the lands do not continue to be in a derelict condition.

#### 7.5. Action of the Owner to Address Dereliction

- 7.5.1. I note the objection to the proposed compulsory acquisition lodged by the Registered Owners of the property which was received by the Local Authority on 27<sup>th</sup> June 2024 (dated 25<sup>th</sup> June 2024). It is stated that the Registered Owners has made significant efforts to address the dereliction issues, meetings and several emails were sent to Carlow County Council in relation to the Repair and Leasing Scheme (RLS) and no response was received. The property has been in the family for five generations and it will be undue personal loss. The Registered Owner intends to downsize and live in the property in the future.
- 7.5.2. At the time of my site inspection the property appeared to be vacant and as noted further above was in a ruinous and derelict state. There is no evidence of any significant action having been taken by the Owner to Address Dereliction. I am satisfied the proposed compulsory acquisition is proportionate given the circumstances of this particular case.

### 8.0 **Conclusion**

- 8.1. I am satisfied that the process and procedures undertaken by Carlow County Council have been fair and reasonable, that the Local Authority has demonstrated the need

for the land to be acquired are both necessary and suitable to ensure that the lands do not continue to be a derelict site.

- 8.2. Having regard to the Constitutional and Convention protection afforded to property rights, I consider that the proposed acquisition of the Derelict Site comprising the site and premises situate at and known as 10 Maryborough Street, Graiguecullen, Carlow, R93X670, (0.0102 hectares), as set out in the Derelict Site Notice issued under Section 15(1)(b) of the Derelict sites Act 1990, (as amended) and dated 25<sup>th</sup> June 2024 and on the deposited map CPODS-VHO18-2024, pursues, and was rationally connected to, a legitimate objective in the public interest, namely, to ensure that the lands do not continue to be in a derelict condition.
- 8.3. I am also satisfied that the acquiring authority has demonstrated that the means chosen to achieve that objective impair the property rights of affected landowners as little as possible. In this respect, I have considered alternative means of achieving the objective referred to in the submissions to the Board and am satisfied that the acquiring authority has established that none of the alternatives are such as to render the means chosen and the compulsory acquisition by the acquiring authority unreasonable or disproportionate.
- 8.4. The effects of the compulsory acquisition on the rights of affected landowners are proportionate to the objective being pursued. I am further satisfied that the proposed acquisition of these lands would be consistent with the policies and objectives of the Carlow County Development Plan 2022-2028, and specifically Objectives CS. O6 and CS. O12, which seek, inter alia, to address dereliction, reduce vacancy and encourage and facilitate appropriate redevelopment. Accordingly, I am satisfied that the grant of consent to compulsorily acquire these lands is clearly justified by the exigencies of the common good.

## **9.0 Recommendation**

- 9.1.1. Having regard to the observed condition of the site, in particular the derelict condition, the unsightly and objectionable condition of the land and the structure thereon, I consider that the site materially detracts from the amenity, character and appearance of land in the neighbourhood and there is therefore a derelict site within the meaning of Section 3 (a) & (b) of the Derelict Sites Act, 1990, as amended.

- 9.1.2. I consider it reasonable that the Local Authority seeks to compulsorily acquire the land, as provided by Section 14 of the Act. I recommend that the Board grant consent to Carlow County Council to compulsorily acquire the site.

## 10.0 Reasons and Considerations

- 10.1.1. Having regard to the derelict, unsightly and objectionable condition of the subject property, the poor state of repair of the external walls, roofs and windows and the visible presence of considerable weed growth on the gutters and the poor condition of the roof with loose slates of the property, having considered the objection(s) made to the compulsory acquisition, and also:

- A) the constitutional and convention protection afforded to property rights,
- B) the public interest, and
- C) the provision of Carlow County Development Plan 2022-2028,

it is considered that the site detracts to a material degree from the amenity, character and appearance of land in the neighbourhood and, therefore, comes within the definition of a derelict site as defined in Section 3 a) & 3 b) of the Derelict Sites Act, 1990, as amended, and that the acquisition of the site by the Local Authority is necessary in order to render the site non-derelict and to prevent it continuing to be a derelict site. It is also considered that the objection made cannot be sustained, having regard to that said necessity and that the compulsory acquisition and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.

*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.*



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Jennifer McQuaid  
Planning Inspector

4<sup>th</sup> November 2024