

Case Name: *Clay & Anor v The Welsh Ministers* 2018 EWHC 2104 (Admin) (03 August 2018)

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Commentary: An Inspector's dismissal of an appeal concerning the replacement of a Grade II listed slate roof with an alternative variety of slate roof was upheld.

The duty under s16(2) of the 1990 Act does not impose upon the Inspector the wide duty to consider alternatives. It is a matter of planning judgement.

The Inspector was requested to either uphold the appeal or to dismiss it, not to make a choice between the competing types of slate proposed. In those circumstances, his reasoning adequately dealt with the issues raised.

There were no grounds for interfering with the Inspector's decision.

Case summary prepared by Town Legal LLP