

Recommendation Report for Planning Permission

REF NO: **A/87/18/PL**

LOCATION: Land Between Badgers & Ashurst
Ham Manor Way
Angmering
BN16

PROPOSAL: Erection of 1 No. detached 2-storey, 5-bed dwelling with attached double garage (resubmission following A/176/17/PL). This application is a Departure from the Development Plan & affects a Public Right of Way.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal would comprise a traditional two storey detached dwelling house, with an attached garage to the side, constructed from face brickwork and clay tiles. Windows to be timber effect with white PVCu. The driveway would consist of resin bound gravel. Patios and Pathways would be Sandstone. The proposed dwelling house would comprise a kitchen, living room, dining room and study, as well as a garage and utility at ground floor level; with 5 No. bedrooms and a family bathroom above.

There is space for the turning and parking of cars. Vehicular parking is provided within the attached garage, together with additional space provided to the frontage.

SITE AREA

950 sq m

RESIDENTIAL DEVELOPMENT 10 dwellings per hectare
DENSITY (NET)

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Site is open.

SITE CHARACTERISTICS

The application site is situated to the north of Ham Manor Way and forms part of the grassed area of the golf course

CHARACTER OF LOCALITY

The character of the locality is semi-rural and features large detached properties of various designs and styles. The street scene is characterised by large dwellings set within spacious plots.

RELEVANT SITE HISTORY

A/212/17/CLP Lawful development certificate for the proposed erection of 2 No. dwelling in accordance with planning permission PP Not Required
29-03-18

A/176/17/PL	2 No. dwellings. This application affects a Public Right of Way. This application is a Departure from the Development Plan	Refused 09-11-17
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council

No Objection

14 Objections including a petition with 70 signatures.

- The plot is designated local green space in the Angmering Neighbourhood Development Plan.
- This application has been made in an attempt to circumvent the refusal of permission in the previous application A/176/17/PL and is therefore an abuse of process.
- This would set a precedent for more housing on this site.
- The site lies in a rural area and the proposal being unrelated to the needs of agriculture, forestry, recreation, the extraction of minerals or disposal of waste, conflicts with policies GEN2 and GEN3 of Arun District Local Plan and policy HD1 of Angmering Neighbourhood Plan which seeks to protect the countryside and ensure the amount of land taken for development is kept to a minimum consistent with provisions of high quality and adequate space within the built environment and to resist the consolidation of linear or sporadic development.
- The proposal would adversely affect the character and appearance of the area it would conflict with policy GEN7 of the Arun District Local Plan and policies ND5 and CLW2 of the Angmering Neighbourhood Plan.
- The application is on land designated as Local Green Space, also forming part of Arun's Green Infrastructure Network upon which Arun state they will resist development.
- Any development affecting the Green Space will considerably reduce passing areas which are necessary to enable emergency and local authority vehicles to pass down Ham Manor Way.
- The applicant already has permission for 2 plots to be developed under A/212/17/CLP in the 9th Tee area which calls for a detailed application to be submitted for design and layout of each plot.
- Disturbance and pollution will result to the area.
- Contrary to covenants.
- Ham Manor Way is used by many people other than residents as it gives them a pleasurable cut-through from Angmering Village. The residents pay for the pleasure of the road but many members of the public enjoy it.
- The proposed plot is far too deep and will look totally out of context when compared with the plot line from the tip of Ashurst back garden to the tip of Badgers. It is also far too deep in comparison to the two plots that have been approved and will look extremely odd.
- Whilst the applicant has subsequently obtained a Certificate of Lawful Development A/212/17/CPL in respect of two much smaller houses based upon a copy of the original 1957 Ham Manor Estate site development plan, the proposed development is for a much larger single property at variance to the location shown in 1957 plan. In summary, the size and location of the proposed property is not in accord with the CLD granted. It is clear that, if successful, then a further application to develop an adjoining plot will no doubt be lodged.

- The size and design of the proposed development, is totally out of keeping with the majority of properties in Ham Manor Way to the south of Badgers. With the exception of 6 houses, all remaining properties are either bungalows or chalet bungalows. The proposed property will certainly dwarf the three or four chalet properties adjacent and opposite the proposed development and restrict the views that the owners currently enjoy over the golf course and surrounding countryside. No way should the applicant be allowed to erect a two storey large house opposite these properties.
- Ham Manor Way is a Public Right of Way and I have safety concerns for the many members of the public using the footpath throughout what will be a lengthy construction period. The road is narrow without a pavement or lighting and whilst residents are prohibited and encouraged not to park on the road, construction vehicles and contractors often do.
- The resultant obstruction and risk to members of the public should not be under estimated.
- The accompanying document is 42 pages of standard wording in an attempt to to desperately justify the development on protected Local Green space and an attempt to appeal if rejected by quoting failings of Arun. Many of the points are irrelevant and incorrect.
- Other development examples on Ham Manor were approved before the protection of local green space.
- The finances of Ham Manor Golf Club are irrelevant for planning applications. Ham Manor Golf Club has alternative sites to develop, which are planned to be sold, and other saleable assets therefore Ham Manor Golf Club has not taken all reasonable steps to retain the present use of Local Green space and its local community value.
- It mentions housing quota and providing local jobs by building only one house, surely 2 smaller affordable properties on the A/212/17/CLP site would be better for the area.

5 Support

- Surely it is no longer realistic to claim the site is "outside the built-up area" or "in conflict with the Arun Local Plan or Angmering Neighbourhood Plan".
- Ham Manor Golf Club are selling this land to be developed for the express purpose of raising funds, as part of an overall plan to secure the long-term financial future of the Club. The development is therefore clearly related to the needs of both recreation and employment in the area. The viability of the Club will actually protect the Green Space on which it is sited. Should the Club fail, the possible consequences are unimaginable.
- Most properties on Ham Manor Estate are positioned on roads running around or through the golf course, and were themselves built on golf course land years after the course was laid out. This proposal is a tiny continuation of that. The proposed property will thus be entirely in keeping with the character and appearance of the area, being no larger than the adjacent properties, one currently being extended, the other recently extensively extended to almost double the original.
- The planned property will have no effect on road width. Ham Manor Way is the same width as other Estate roads which are fully built on both sides, some of these are also public footpaths. New properties have been built in Ham Manor Way since the initial development of housing along the road in the 1950s and 1960s and other properties extended. No objections have been raised over access for emergency or local authority vehicles during these works.
- This application is for just one house. The continued opposition to this building is not made purely in the interest of the whole community.

COMMENTS ON REPRESENTATIONS RECEIVED:

Compliance with covenants is a private matter.

Maximising the value of a development site is not contrary to planning policy.

Each planning application is considered on its own merits.

It is considered that the dwelling proposed would be in keeping with the size and style of other properties on the estate.

The right to a view is not a material planning consideration.

County highways have raised no objection on the grounds of highway safety.

The application will be determined against up to date policies which include the Arun Local Plan which was adopted last month and the new NPPF.

CONSULTATIONS

Archaeology Advisor
Engineering Services Manager
Engineers (Drainage)
Parks and Landscapes
WSCC Strategic Planning
Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

Southern Water - No Objection. Informative requested.

County Highways - No Objection

Archaeologist - No Objection

Drainage Engineer - No Objection. Imposition of standard condition requested

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:
Outside built-up area boundary
Adjacent to Public Right of Way
Local Green Space

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
CSP1	C SP1 Countryside
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
QESP1	QE SP1 Quality of the Environment
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM3	W DM3 Sustainable Urban Drainage Systems
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities

[Angmering Neighbourhood Plan 2014 POLICY HD1](#) Built-up Area Boundary

Angmering Neighbourhood Plan 2014 POLICY HD2 Parish Housing Allocation

Angmering Neighbourhood Plan 2014 POLICY HD4 Materials

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form
Angmering Neighbourhood Plan 2014 POLICY HD6 Housing Layout & Design
Angmering Neighbourhood Plan 2014 POLICY HD7 Housing Density
Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for New Developments
Angmering Neighbourhood Plan 2014 POLICY CLW2 Protection of Local Green Spaces
Angmering Neighbourhood Plan 2014 POLICY TM1 Local Highways

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Policies HD1 Built Up Area Boundary, HD2 Parish Housing Allocations, HD4 Materials, HD5 Built Form, HD6 Housing Layout and Design, HD7 Housing Density, HD8 Parking for New Developments, EH3 Flood Prevention, TM1 Local Highways and CLW2 Protection of Local Green Spaces of Angmering Neighbourhood Plan are considered relevant.

The Angmering Neighbourhood Plan (ANP) has been made and policies HD1, HD2, HD3 and HD7 are considered relevant in the determination of this application. As the Council can now demonstrate a housing land supply of greater than 3 years the ANDP policies relating to the supply of housing are not out of date.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with relevant Development Plan policies in that the site would result in the erosion and loss of part of a Local Green Space adjacent to a public footpath.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The site is outside of the built up area of Angmering (as defined by the Local Plan and Neighbourhood Plan) in a location that is not allocated for housing. Policy H SP1 establishes strategic housing, parish and town allocations - this site is not identified. The key policy considerations in the determination of this application are considered to be SD SP1, SD SP2 and C SP1 of the Arun Local Plan (ALP) 2011 - 2031.

Policies CSP1 and SDSP2 of the Arun Local Plan and HD1 of the Angmering Neighbourhood Plan establish the BUAB of Angmering and seek to prevent development outside of the BUAB. Whilst the site is not used for agricultural, purposes the proposal would erode part of an established and recognised gap between dwellings which is defined as Local Green Space in the Arun Local Plan and adopted Neighbourhood Plan.

The area of the site which extends beyond the limits of the permitted Lawful Development Certificate would be used as garden land and would constitute green infrastructure as defined in Arun Local Plan para 7.3.6 and would therefore accord with policy C SP1 (c) of the Local Plan.

The adopted Local Plan is up to date in respect to the supply of housing, but the proposal does not comply with the Local Plan or Neighbourhood Plan which supersede the 2003 Local Plan in terms of the supply of housing policies.

The made Angmering Neighbourhood Plan (2014) is the most up to date adopted plan for development control purposes and contains the following policies relevant to principle considerations:

Policy HD1 - Built Up Area Boundary

Policy HD2 - Parish Housing Allocation

Policy CLW2 Protection of Local Green Space

Policy HD1 states "The fundamental principle is that the Neighbourhood Plan allocates sufficient land to deliver at least the minimum housing requirement in the emerging Arun Local Plan and that without a Built Up Area Boundary significant further development would encroach into open countryside."

Policy HD2 refers to the specific identified housing allocation sites. This site is not included.

Policy CLW2 states "Development that results in the loss of local green spaces identified in Appendix D, or, results in adversely affecting their character, setting, accessibility, appearance, general quality or amenity value will not be supported."

IMPACT ON LOCAL GREEN SPACE

Policy OSR DM1 of Arun Local Plan protects open space and states that existing open space should not be built on unless it is clear that the facilities are surplus to requirements, or the loss would be replaced by equivalent or better provision of open space, or the development is for alternative open space, sports, community, arts or cultural provision where the needs clearly outweigh the loss. The site area is not

surplus to requirements and encroachment into the area of open space does not result in alternative or better provision elsewhere. The lawful residential use would provide financial gain for the golf club.

Policy CLW2 of Angmering Neighbourhood Plan states "Development that results in the loss of local green spaces identified in Appendix D, or, results in adversely affecting their character, setting, accessibility, appearance, general quality or amenity value will not be supported."

The application site is part of the Ham Manor Golf Club which is referred to in Appendix D: Assets of Community Value and Local Green Spaces. Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities. This proposal reduces the area of green space adjacent to a well used public footpath, where views across the open space by the general public would clearly be impacted and reduced. The development would adversely affect the character of the area, the general spacious appearance of this section of Ham Manor Way, and the setting and general quality of the green space and the public's visual enjoyment of the open space contrary to policy CLW2. The opportunity to visually appreciate the Local Green Space will be reduced since the plot and boundary screening would extend the built form into what is currently an open area devoid of boundary treatment or structures.

Paragraph 101 of the NPPF states 'Policies for managing development within a Local Green Space should be consistent with those for Green Belts' and in relation to consideration of applications within the Green Belt. Paragraph 136 clarifies that 'Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans'. No exceptional circumstances are considered to have been evidenced in this particular case.

The agent has advised that the decision to sell off the application site for development was made to secure the long term future of the club and the green space it provides. However, there is an extant planning permission for a residential unit that does not result in the same significant loss of LGS. Ham Manor Golf Course Ltd have advised that the sale of the land would fund the Golf Course priorities, such as Machinery, Irrigation, Drainage, Practice Ground Facilities and Winter Tees and Greens.

Presumption in favour of Sustainable Development

The NPPF requires that development that accords with an up to date development plan be approved. In circumstances where the development plan is out of date permission should be granted unless adverse impacts demonstrably outweigh the benefits (para 11). It also confirms that the presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making (para 12). At this time, there is an up to date development plan.

Therefore as the development conflicts with an up-to-date Local Plan and there are no material considerations to indicate otherwise a recommendation for refusal would be compliant with the NPPF.

Conclusion on Matters of Principle:

The principle of residential development on this site is contrary to the development plan (Arun District Local Plan OSR DM1 of Arun Local Plan and policy CLW2 of Angmering Neighbourhood Plan.

The proposed development would only provide an additional house which is not required in the District at the present time due to the 5.3 year housing land supply identified in the inspector's comments on the Local Plan. The development would have a small positive effect upon the supply of housing but the principle of residential development on this site would, in current policy circumstances and as set out in the NPPF, not be acceptable.

Material Considerations:

The NPPF generally seeks to promoting effective use of all land (para 117) and gives weight to proposals that develop under-utilised land (para 118(d)). Whilst outside of the defined BUAB, the site is in a sustainable location, but its designation as a Local Green Space means that the proposal is contrary to the Development Plan.

SITE HISTORY

The site comprises an area of land that benefits in part from the lawful development certificate A/212/17/CLP. The relevant CLP refers to a slightly different site area, which is wider and less deep than that now proposed. This planning history is a material planning consideration. Although the site is outside the built up area boundary the recent Certificate of Lawfulness acknowledged that part of the application site has the benefit of an extant planning approval and development in this part of the site would therefore be acceptable in principle. However the application site is not confined to the approved limits of the Certificate and represents an incursion into a rural area and open space which would be contrary to policy and would result in material harm to the character of the open undeveloped area by extending the lawful residential curtilage into the golf course in a manner which would be readily visible from the public footpath.

FINANCIAL JUSTIFICATION

Some supporting information has been submitted by the agent detailing that there is a clear financial need for this development in order to sustain the Golf Club business and that the proposals will enhance the viability and community value of the assets and support the ongoing delivery of the community value of the asset. The MHA Carpenter Box report establishes that, without the provision of the funds arising from the sale of the site to the Applicant (the value of which arrives from its ability to develop housing), then the future financial viability of the Golf Club is unassured. Given that the development of part of the site for residential use is established by the Lawful Development Certificate it is clear that there are other options available to deliver residential development on the site and provide financial assistance to the golf club. 2 dwellings could potentially be provided on the Certificate Area which would not adversely impact on the potential financial income derived.

VISUAL AMENITY AND CHARACTER OF THE AREA

Arun Local Plan policy D DM1 lists a series of 15 factors that development must comply with - these include character, impact and public realm.

Angrnering Neighbourhood Plan (ANDP) policies HD4 Materials, HD5 Built Form, HD6 Housing Layout and Design and HD7 Housing Density are relevant. HD6 requires that new housing should be of a high quality design that reflects the local character and reinforces local distinctiveness. Meanwhile, HD7 states that if the density of new development is higher than the immediate surrounding area it will be refused.

It is also necessary to consider the guidance within the National Planning Policy Framework. Section 12 states that high quality buildings and places are fundamental to the planning process. Paragraph 127 sets out 5 design criteria against which development proposals will be assessed including the need to be visually attractive and sympathetic to local character.

The site comprises part of the Ham Manor Golf course and is a relatively flat open grassed area. It contributes approximately 2/3rds towards the width of the gap (45m of the 65m gap) between the existing dwellings on the west side of Ham Manor Way and is one of 3 gaps which punctuate the ribbon

development of dwellings adjacent to the road frontage. It makes a significant contribution to the appearance of the street scene and wider area. It reduces the urban form of the existing residential road by providing a clear break and countryside setting to the existing development. The width of the gap would be reduced to an almost unnoticeable width which would result in the gap being almost indiscernible and easily lost in the appearance of the area. The loss of the gap would adversely affect the character of the area making the development tighter and less sporadic and spacious generally. The depth of the curtilages extends to 43m, that is 2m deeper than the dwelling to the north and 20m deeper than the dwelling to the south. This significant plot depth also detracts from the open ness of the area by further restricting views across the golf course. Policy HD5 of Angmering Neighbourhood Plan states that new developments must pay particular attention to integration with both the character of nearby development as well as its landscape setting. This proposal is considered to conflict with this requirement.

Whilst the dwellings are large and straddle the width of the sites, the gaps to boundaries are similar to other properties on the estate and would allow for adequate boundary screening and planting. In terms of dwelling to plot ratio they are also considered to be in keeping. They are also similarly positioned in respect of their set back from the road frontage and replicate the pattern of adjoining development.

DESIGN

The proposed materials are not precisely specified on the elevation plans. Clay tiles to the roofs and face brick work elevations would accord with the materials on other properties in Ham Manor Way, but precise details would need to be controlled by condition. The design, appearance and form of the dwellings generally would reflect other properties fronting Ham Manor Way which is characterised by large detached mainly 2 storey dwellings of varying design and style. The height of the dwelling and plot width would be directly comparable with the neighbouring property to the north. The property includes a dentil course at eaves level, Georgian style windows and a large entrance door which provide visual interest. In this respect the proposal would accord with policies HD5 and HD6 of Angmering Neighbourhood Plan and meets the standard of design referred to in policy DDM1 of Arun Local Plan. However whilst the design of the dwelling is considered acceptable the proposal would adversely affect the character of the area and is therefore contrary to policy.

RESIDENTIAL AMENITY

The proposed dwelling has a similar set back from the site frontage as the existing dwelling to the north. The proposed dwelling would retain a minimum distance of 2m and it is not considered any materially adverse overbearing or overlooking effects would result to either of the existing residential properties to the north or south.

The proposal would not adversely impact on the residential amenities of adjoining properties the windows at first floor in the side elevation would be obscure glazed and therefore no direct over looking would result.

Arun District Local Plan Policy D DM1 (3) indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. None of the ANDP policies specifically refer to residential amenity issues. However, one of the 'core planning principles' of the NPPF is to always seek to secure a high standard of amenity for all existing and future users (paragraph 127).

It is therefore considered that the proposal would be in accordance with policy D DM1 of the ALP 2011 - 2031 and the guidance on residential amenity within the National Planning Policy Framework.

Accordance of the proposal with the Nationally Described Space Standards is achieved.

ACCESS AND PARKING

Policy T SP1 of the Arun Local Plan 2011 - 2031 discusses transport issues including safe highway access.

Policy TM1 of the ANDP requires that new development shall demonstrate that adequate and satisfactory provision has been made to mitigate the impact of traffic generated both during development and on completion demand. Policy TM2 gives support to proposals which improve or extend existing footpaths, footways or cycleways. Policy HD8 encourages all developments to meet West Sussex County Council parking standards

Regard should be had to paragraph 109 of the National Planning Policy Framework which states that: "Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts of development are severe".

The application has been assessed by WSCC Highways who do not have any objections to the use of the access and do not consider that the impact of the proposals on the operation of the highway network will be severe. The application is therefore considered to comply with paragraph 109 of the NPPF.

In terms of car parking, the layout indicated is likely to provide an acceptable level of car parking.

It is not therefore considered that in this regard there is any conflict with the adopted development plan policies or with the NPPF.

DRAINAGE AND FLOODING

Arun Local Plan 2011 - 2031 policy W DM2 seeks to limit development in areas at risk of flooding and W DM 3 discusses the need for sustainable urban drainage systems. Policy EH3 of Angmering Neighbourhood Plan requires new development to ensure that it does not increase the flooding impact on surrounding properties.

There is no statutory requirement for the submission of a Flood Risk Assessment for this proposal and therefore there is no Environment Agency involvement in the application.

Furthermore, Arun District Council Drainage Engineers do not raise any objection to the scheme and instead recommend that conditions will be appropriate and will ensure that the site is satisfactorily drained.

On this basis, the application is considered to comply with the relevant development plan policies

CONCLUSION

It is considered that this application, while being located in a rural area with access to local services and facilities, is unacceptable having regard to the relevant development plan policies and in particular the specific allocation of the site within policy CLW2 of the Angmering Neighbourhood Plan.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human

Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

REFUSE

- 1 Given the position of the dwelling within the established golf course which is designated as a Local Green Space in the Angmering Neighbourhood Development Plan the rearward projection of the site boundary would represent an unacceptable incursion into the area and would constitute a prominent form of development which would adversely affect the character and appearance of the area in conflict with policies DDM1 and OSR DM1 of the Arun Local Plan and policies HD5 and CLW2 of the Angmering Neighbourhood Plan.
- 2 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal.