

REPORT UPDATE

Application No: BE/89/14/PL

Reason for the Update / Changes

Reason for Update/Changes:

BERSTED NEIGHBOURHOOD PLAN:

Since the report was drafted, the Bersted Neighbourhood Plan has been made. The following Neighbourhood Plan policies are considered to be relevant:

Policy ES7: Development outside of the built up area

Policy EE1: Business expansion

Policy CLW4: Provision of Allotments

It is particularly noted that Policy CLW4 allocates the whole of the Chalcraft Nurseries Site as land for a community orchard and allotments. However, Sussex Reclaim are only seeking a 3 year temporary consent and so the long term re-development of the nurseries site will not be affected by this proposal. It is also noted that despite the land use allocation, the whole site has an approved use under BE/156/07/CLE for garden centre, aquatic sales centre and nursery. The Sussex Reclaim site was designated within this permission being part of the nursery (the storage yard) and part of the car park (the sales area). It is not considered that the additional policies affect the officer recommendation to approve.

ENVIRONMENTAL HEALTH COMMENTS:

The following comments have been received in respect of both BE/89/14 and BE/91/14:

"Complaints from nearby residents have previously led to service of a statutory nuisance abatement notice under the Environmental Protection Act 1990 Part III, upon the previous nursery operators, requiring the control of dust generated by vehicle movement on the existing gravel drive and car park to prevent a nuisance being caused to nearby neighbours. The proposed development has the potential for increased dust and noise generation in this area caused by increased movements of vehicles. Harm to amenity caused by dust deposition will occur before such deposition may be regarded as a statutory nuisance under the above.

The proposal to "replace part of the gravelled area with tarmacadam when the showroom permission is brought into use" is noted, and this may ultimately mitigate potential for adverse impact of deposition of dust upon nearby neighbouring premises. It is apparent that in the interim this potential will be reliant upon dust management practices and any increase in vehicle movements may increase the likelihood of adverse impact.

The proposal to restrict the hours of operation of the permitted uses is also noted.

We have received one recent complaint (May 2014) in respect of the current use, the complaint has indicated that there have subsequently been improvements in noise and dust from the site.

EH have no objection to the proposal in principle, subject to a condition limiting operating hours to those specified in the planning statement. Also a condition requiring the control of dust emissions from the site would be appropriate. I would suggest a condition based upon standard condition EHN14 for the latter, as follows: "Before the development hereby permitted commences, a scheme shall be submitted and approved by the Local Planning Authority which

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specifies the provisions to be made for the control of dust generated by (vehicle movements on) the site".

In addition to the measures outlined in the planning statement such a scheme should include provisions for minimising dust by maintenance of the existing (gravel) surface, alternative/supplementary methods of dust suppression, physical restrictions on vehicle speeds, and dust deposition monitoring at the site boundary if appropriate.

RELOCATION OF SIGNAGE:

It should also be noted that since the report was drafted, the site owner has relocated the existing signage back from its previous position at the entrance from Chalcraft Lane in order to improve visibility in line with the WSCC Highways comments. Photos showing the new position are included within the presentation slides. There is therefore no need for condition 07 and this will be deleted from the recommendation.

HOURS CONDITIONS:

Finally, with respect to the proposed hours of use/deliveries conditions, the applicant was asked on the 7th November to review & agree these but no reply has been received.

Officers Comment:

The amended recommendation is shown in the attached updated section of the report. Please note that condition 07 (relating to relocation of the signage) has been deleted and has been replaced with a new condition as per the Environmental Health comments above.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

BE/89/14/PL

Recommendation Report for Planning Permission

REF NO: BE/89/14/PL

LOCATION: Chalcraft Nurseries & Garden Centre
Chalcraft Lane
Bognor Regis

PROPOSAL: Continuation of use of 2 No parcels of land by Sussex Reclaim and Supplies Ltd for a temporary period of three years for the siting of a sales office portable cabin/unit and a storage yard.

SITE AND SURROUNDINGS

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DESCRIPTION OF APPLICATION	As above. This is a retrospective application. The use consists of two parts - sales office with parking and some external display and a storage yard.
SITE AREA	0.5 hectares
RESIDENTIAL DEVELOPMENT DENSITY	N/A.
TOPOGRAPHY	Both parts of the site are predominantly flat.
TREES	There are some small trees overhanging the northern boundary of the storage yard but these are not considered to be significant.
BOUNDARY TREATMENT	(1) Sales Area - 1.8m high close-boarded fencing to the boundary with the residential properties. 2m high part timber/part mesh fence to the boundary with the Tropikoi aquatics centre; (2) Storage Yard - Wire mesh fence surrounding the site to an approximate height of 1.9m.
SITE CHARACTERISTICS	Access to the sites is via an existing access from Chalcraft Lane. This access is used by vehicular traffic accessing the nursery and other businesses on the site which include an aquatic and angling centre, an irrigation supplier, a florist and a supplier and installer of conservatories. (1) Sales Area - The sales area consists of a single storey portacabin backing onto the boundary fence and some external display of sales items. There is space for the parking of cars to the south of the portacabin. To the east of the sales area, there is a bungalow which is only 3m from the rear of the portacabin/boundary fence line. This dwelling has kitchen and dining room windows facing onto the site. (2) Storage Area - The storage area is further into the garden centre site and approximately 65m west from the portacabin. It consists of various building materials laid out in rows to an approximate total height of 2.5m. There is also a shipping container and a lorry trailer. The applicant uses a mini digger and a mini

forklift and these are also stored in the yard. The yard is not overlooked by any residential properties.

CHARACTER OF LOCALITY

The two sites are both part of a long established garden centre which is located on the edge of the defined settlement (there are houses to the east) and has a semi-rural character. There are poly tunnels to the north, west and south of the storage yard whilst the sales area is adjacent to the garden centre and the aquatics centre.

RELEVANT SITE HISTORY

BE/4/95	Retail shop and polytunnel for sale of tropical, coldwater fish and associated aquatic items	ApproveConditionally 27-02-1995
BE/24/95	Retail shop and polytunnel for sale of tropical, coldwater fish and associated aquatic items (amendment to BE/4/95)	ApproveConditionally 19-05-1995
BE/7/02/	Extension in form of sectional concrete building to existing building of same construction, colour and style. Intended use is, as existing, retail aquatic goods.	ApproveConditionally 01-03-2002
BE/15/05/	Outline application for mixed residential development comprising 140no. houses and flats. Departure from the Development Plan and accompanied by an Environmental Statement	Refused 21-12-2005
BE/126/06/CLE	Application for a Certificate of Lawfulness for an existing use - garden centre, aquatic centre, straw composting, storage of building materials and plant hire storage	Refused 16-01-2007
BE/136/06/	Outline application for 132 affordable residential units consisting of 27x1 bed flats, 36x 2 bed flats, 47x2 bed houses, 20x3 bed houses, 2x3 bed wheelchair compatible houses. Departure from the Development Plan and accompanied by an Environmental Statement. Resubmission of BE/15/05.	Refused 20-03-2007
BE/156/07/CLE	Application for a lawful development certificate for an existing use - garden centre, aquatic sales centre and nursery	Approve 14-01-2008
BE/47/09/	Outline Application for the demolition of all	

	existing buildings and redevelopment of the site with up to 70 dwellings (up to 28 Affordable), public open space and strategic landscaping. Departure from the Development Plan.	Refused 12-08-2009 <i>Appealed</i> Appeal: Dismissed 16 02 2010
BE/96/10/	Proposed redevelopment of part of the site with mixed development comprising replacement (A1) retail garden & aquatic centre, 6no. 2 bed bungalows, 5no. 3 bed houses & 2no. 4 bed houses (this application is a Departure from the Development Plan)	Refused 10-11-2010 <i>Appealed</i> Appeal: Dismissed 06 07 2011
BE/160/12/	Use of land for screening of soil and remediation of site for a temporary period of two years - This application is a County Matter and will be determined by West Sussex County Council	Objection 24-12-2012
BE/168/12/	Erection of showroom for indoor display of conservatories and garden buildings. (Departure from the Development Plan).	ApproveConditionally 21-02-2013
BE/91/14/PL	Continuation of use of 1 no parcel of land by Motorhome & Caravan Services for the sale of touring caravans & associated spares and accessories.	Refused 19-11-2014

Planning Permission was refused in February 2013 by WSCC for a proposed use of land for screening of soil and remediation of site for a temporary period of two years. This was on land at the far western edge of the larger garden centre site and does not include the currently proposed storage yard.

There were also two refusals (and dismissed appeals) concerning residential development and commercial redevelopment across the whole site. The most recent of these was dismissed on appeal in July 2011 and had proposed a mixed development comprising replacement (A1) retail garden & aquatic centre, 6no. 2 bed bungalows, 5no. 3 bed houses & 2no. 4 bed houses. It is noted that the Inspector did not make any specific reference to the impacts on the amenity of neighbours but did have strong regard to the impact of that scheme on the character & appearance of the area.

In early 2008, a certificate of lawfulness was granted for the existing use of the site as a garden centre, aquatic sales centre and nursery. It is noted that the site plan attached to the decision included the storage yard as being part of the nursery and the sales area as being part of the car park.

The Chalcraft site is also currently subject to an application by Motorhome & Caravan Services Ltd concerning retrospective planning permission for the storage and sale of touring caravans, accessories and spares (Ref BE/91/14/PL).

REPRESENTATIONS

Representations received:

Bersted Parish Council

Bersted Parish Council - "OBJECT for the following: Highway safety and traffic from movement of vehicles entering and leaving the site from Chalcraft Lane in a residential area. Bersted Parish Council does not support this proposal as it does not meet the requirements of Policy EE1: Business Expansion, of the emerging Bersted Neighbourhood Development Plan. Proposals to upgrade or extend existing employment sites will be supported provided that the impact on the amenities of surrounding properties is acceptable."

Several letters of objection from 4 neighbouring residents and 1 County Councillor. Grounds of objection as follows:

- * Sussex Reclaim are very similar to the previous soil reclamation proposal (as refused by WSCC)
- * Air pollution from dust;
- * Site not suitable for industrial processes (such as recycling & storage of building materials);
- * Too close to residential homes;
- * Traffic congestion & pedestrian safety issues within the site due to deliveries by large vehicles and speed limits not being observed on Chalcraft Lane;
- * Lack of visibility at the entrance;
- * Noise disturbance from delivery vehicles early in the morning & throughout the day; and
- * Security implications of Sussex Reclaim opening prior to the garden centre.

1 letter and a petition of 40 names from supportive customers.

Comments on Representations received:

It is not considered that there are any industrial processes occurring within the site. Rather, building materials are brought onto the site, stored and then sold on to customers in the same way as a DIY store would do. The previous application referred to was determined by West Sussex County Council as the minerals authority and concerned the use of part of the site for soil screening. With respect to traffic & visibility, the comments of WSCC Highways are reported below.

With regard to Policy EE1 of the Bersted Parish Neighbourhood Plan (which has recently passed a referendum but has not yet been formally 'made'), it is considered that the amenity impacts associated with the proposal can be mitigated by conditions on delivery & opening times.

CONSULTATIONS

Environmental Health
WSCC Strategic Planning

Consultations responses received:

Arun District Council Environmental Health - Any comments to be reported at the meeting.

WSCC Highways - No objection. Comments in full set out below:

"The site is already in use, by Chalcraft Nurseries, and a recent planning application (BE/168/12 is currently being implemented for a larger car park to accommodate an increase to the existing showrooms and garden buildings. The combined uses of this site, and the traffic generated by these, have been considered in relation to highway safety and capacity.

The traffic coming into the site from the proposal is anticipated to be: 1 delivery a week by a small or large delivery vehicle, trips made by members of the public collecting smaller items from the sales office, and 1 HGV delivery a month. No information has been provided by the

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applicant on the number of trips expected to the sales office. Please can this be provided.

It is considered that most trips to the site will be linked with the garden centre; and the increase and formalisation to the existing parking area (as approved in planning application BE/168/12), would provide enough parking for any trips made by the public for sales collections.

The applicant anticipates there will be 8 deliveries out of the site per week, half being made by 7.5t Lorries and the other half by 3.5t Lorries. This equates to around 1 a day, but of course this could vary. Parking has been provided for 4 cars, 2 LGV's and 2 HGV's, and would accommodate the expected deliveries into and out of the site.

Local concern over the frequency of deliveries has been considered. Forward visibility into the site is good and the existing access to the site is wide enough for two cars to pass each other; but HGV's would need to wait either on the highway or inside the car park, should they happen to meet at the same time.

The LPA may wish to ask for more information of the timing of these deliveries, to avoid this as although the number of deliveries (on paper) does not highlight any concerns in terms of highway capacity, it could cause a highway safety issue if they are all entering/exiting at the same time.

Pedestrian links to the site are good, but there is no formal footway connecting into the site forcing pedestrians to walk in the road. Although this is not ideal it is not expected that there will be much pedestrian activity to/from the site as most trips to garden centres are made by car due to the nature of the goods purchased.

Visibility from the site access is achieved from the south; but it could be improved by moving the existing signage further back by 2.4m, to allow a clear visibility splay. To the north visibility is restricted by a brick wall and vegetation, which is outside of the applicant's control. An interrogation of the Road Traffic Collision and Casualty database indicates there has been one accident north of the existing access in the last three years; however this was slight and not associated with the junction.

In summary, the proposal is not it is not considered to have a material impact on the highway network, or generate any significant highway safety or capacity issues."

Comments on Consultation responses:

The applicant was asked to provide details of deliveries and responded to state that:

- " * On average 5 people a day visit us although this varies;
- * We receive most of our orders by telephone;
- * Delivery times are between 7.45am and 5.00pm Monday to Friday, 8.15am to 12.00pm Saturdays; and
- * We originally stated that we receive one/two deliveries per week on average but our deliveries out of the premises is normally between 3 and 5 per day."

WSCC Highways have since confirmed that on the basis of this information, they have no objections.

POLICY CONTEXT

Designations applicable to site:

Outside Built Up Area Boundary; and
No Public Sewer.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: GEN3
GEN7
GEN12
GEN32

Publication Version of the Local
Plan (October 2014):

Protection of the Countryside
The Form of New Development
Parking in New Development
Noise Pollution
C SP1 Countryside
D DM1 Aspects of Form and Design
Quality
QE DM1 Noise Pollution

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Arundel; Barnham & Eastergate; and Felpham.

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 comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

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

THE PROPOSAL

The application seeks retrospective permission for the use of two parts of the existing garden centre site for the storage, display and sale of reclaimed/recycled building materials.

PRINCIPLE

The site lies in a countryside location outside the built-up area boundary where the principle of development is considered unacceptable unless it complies with the exceptions listed at Policy GEN3. Development Plan policies seek to exert a strict control over new development in the countryside to protect it for its own sake. However, in this case, it is considered that the proposed use of this gravelled area represents a diversification of the rural economy and therefore complies with part (iii) of GEN3.

PLANNING HISTORY

It is noted that the nurseries & garden centre site has been the subject of several failed redevelopment applications & appeals and that the character & appearance of the area were strong factors in those decisions. However, it is not considered that those decisions should set any kind of precedent for this application as this proposal concerns the use of two small parts of the existing site and does not seek to redevelop the whole site with new commercial or residential buildings.

In early 2008, a certificate of lawfulness was granted for the existing use of the site as a garden centre, aquatic sales centre and nursery. It is noted that the site plan attached to the decision included the storage yard as being part of the nursery and the sales area as being part of the car park.

The Chalcraft site is also currently subject to an application by Motorhome & Caravan Services Ltd concerning retrospective planning permission for the storage and sale of touring caravans, accessories and spares (Ref BE/91/14/PL).

CHARACTER & APPEARANCE

It is considered that the building materials storage & sales use will be in keeping with the surrounding site as it abuts both a commercial garden centre & an aquatic centre and was also previously part of the defined garden centre use. The site consists of an area for the storage of goods and an area for the display and sale of items to visiting members of the public. Although some of the building materials are larger than typical garden centre goods, many are of a similar size and therefore the principle of the use is the same. Furthermore, neither the portacabin nor the outdoor storage are of a scale that is out of character with existing surrounding buildings. Accordingly, it is considered that the proposal complies with Arun Local Plan Policy GEN7.

IMPACT ON RESIDENTIAL AMENITY

Policy EE1 of the emerging Bersted Neighbourhood Plan (which has passed a referendum but has not yet been formally 'made') states that: "Proposals to upgrade or extend existing employment sites will be supported provided that the impact on the amenities of surrounding properties is acceptable." Consideration of the scheme's amenity impacts will be set out below. It is not considered that the proposal is contrary to any of the other policies in the Neighbourhood Plan.

The storage yard is well away from residential properties but the sales area backs onto 78 Chalcraft Lane and the use as a whole has the potential to affect all nearby residential properties. Turning first to the sales area, although this is very close to the immediate neighbouring property, it is not considered that the portacabin results in any loss of light to residential windows or that there is any overlooking.

The impacts of the use are likely to be more to do with noise and disturbance. The applicant proposes opening hours of 07:30 on weekdays and 08:00 on Saturdays but given the proximity of the site to residential properties, this is considered to be too early. Instead, opening hours will be restricted to from 8:30 in the morning on weekdays & from 09:00 on Saturdays with no deliveries before 9am on weekdays or Saturdays. The proposed conditions also ensure that there will be no opening or deliveries taken on Sundays and Bank Holidays. It is considered that these restrictions will ensure that neighbouring properties are not subjected to noise and disturbance at unexpected times.

Furthermore, it is not considered that the use is continuously noisy. Noise associated with the storage/stacking of materials will occur some distance from residential properties and the noise from the sales area will be limited to normal conversation between staff & customers and staff & other staff. As stated above, it is likely that the delivery of goods will create the most noise but the applicant has indicated that deliveries are at most 3-5 per day. Furthermore, it was clear from visiting the site that the garden centre and other ancillary uses already attract the delivery of goods by large vehicles and therefore not all of the deliveries to the site are in connection with the Sussex Reclaim use.

HIGHWAY SAFETY

The concerns of the residents are noted but as is clear from the above, West Sussex Highways raise no objections. Furthermore, although there was a comment made about the visibility to the south being hindered by the existing signage, the land owner has agreed to relocate the sign to improve the visibility. This will be secured by way of a condition. It should also be noted that the garden centre is an existing commercial site and as such already receives deliveries by HGV or similar. It is not considered that the introduction of this use will result in increased danger to other customers walking into the site as the driveway is only short and does not support high speeds. Furthermore, large delivery vehicles are visually prominent.

SUMMARY

It is considered that the proposal is an appropriate use of this part of the existing garden centre site. Although, the site lies outside of the settlement boundary, the land itself is clearly part of the existing commercial site and was included as part of the garden centre car park in the 2008 Certificate of Lawfulness. It is considered that this report finds that no significant amenity impacts will occur and that there are no highway safety issues. The addition of opening hours and delivery hours will help to control the use. Accordingly, it is recommended that permission be granted subject to the following conditions.

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 approval 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

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The sales area, portacabin and storage yard hereby permitted shall be removed and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the period ending on 21 November 2017.

Reason: To protect the visual amenities of the locality in accordance with Arun District Local Plan Policy GEN7.

- 3 The development hereby approved shall be carried out in accordance with the following approved plans:

Sheet 1 - Location Plan; and
Sheet 2 - Block Plan.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The Sussex Reclaim and Supplies Ltd site hereby permitted shall only be open between the hours of 08:30 and 17:30 Monday to Friday, 09:00 to 12:00 midday on Saturdays and with no opening on Sundays and Bank Holidays.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun District Local Plan policies GEN7 and GEN32.

- 5 No deliveries shall be taken at or despatched from the site outside the hours of 09:00 and 17:30 Monday to Friday, 09:00 to 12:00 midday on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of the residential amenities of neighbouring properties in accordance with policy GEN7 and GEN32 of the Arun District Local Plan.

- 6 Notwithstanding the provisions of any Town & Country Planning General Development Order or Use Classes Order, the use hereby permitted shall be restricted to the storage and sale of building materials.

Reason: To enable the Local Planning Authority to consider the acceptability of alternative use, in accordance with Arun District Local Plan policy GEN7.

- 7 Within 2 months of the date of the permission hereby granted, a scheme shall be submitted to and approved by the Local Planning Authority which specifies the provisions to be made for the control of dust generated by vehicle movements on the site. The approved scheme shall be implemented within 2 months of the approval of the details and the mitigation measures retained thereafter.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun District Local Plan policy GEN7.

- 8 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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.