

Recommendation Report for Planning Permission

REF NO: CM/25/20/PL

LOCATION: Climping College, The Mill
Climping Street
Climping
BN17 5RN

PROPOSAL: Excavation of pond & construction of flood defence gates & earth bunds. This application affects the setting of listed buildings and is also in CIL Zone 5 (Zero Rated) as 'other development'.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal relates to the retention of bunds around the perimeter of the Climping Mill site. The bunds would be between 1.4m and 1.8m in height and approximately 3m wide with a length of approx 425m. They are constructed from spoil from the excavation of the pond.

The application also includes retrospective approval for excavation of the pond which is indicated on the submitted planting plans. No further excavation is proposed.

The Corten Flood Wall would be 2m high and the gate 2m high and 4m wide. The wall and gate would be located at the entrance to the site between the bund to the south east and that to the north west.

The application is supported by an Extended Phase One Habitat Survey.

The red edge of the application site extends beyond that established under CM/23/15/CLE which established Use of 'The Mill', 'The Thatch' and 'Mill Cottage' as 3 No. dwellinghouses with associated curtilage falling within use Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the pond and much of the defences are outside of the accepted curtilages.

SITE AREA

0.4 hectares

TOPOGRAPHY

Predominantly flat.

TREES

Several on site boundaries affected by the proposed development. Many of the trunks of mature trees are covered in spoil. None of the trees affected are protected by a preservation order.

BOUNDARY TREATMENT

Fencing constructed of metal post and wire approx. 2m high around perimeter of site.

SITE CHARACTERISTICS	Detached listed dwelling and out buildings. Significant ground works have been undertaken within the curtilage including the creation of the pond and bunds.
CHARACTER OF LOCALITY	Predominantly rural. The site is located adjacent to Littlehampton Golf Course and is also bounded by agricultural fields.

RELEVANT SITE HISTORY

CM/20/18/PL	Erection of security fencing. This application may affect the setting of a listed building.	ApproveConditionally 18-09-18
CM/60/19/CLE	Application for a Lawful Development Certificate for an Existing operation - Excavation of ground to re-deposit earth within and around the boundary of the site.	Refused 24-12-19

REPRESENTATIONS

Climping Parish Council - No Objection

One neighbour objection:

- Works have commenced clearing the land where the concrete walls are proposed. Trenching has been excavated.
- The form states the site area is 0.4ha whereas in fact it measures to around 1.5ha.
- The applicant has answered YES for the assessment of flood risk question. The submitted Flood Risk Assessment (FRA) supports that the site is not in a high flood risk area.
- The answers relating to Biodiversity are incorrect; there is a known Badger sett within close proximity of the site and part of the application site is a Site of Special Scientific Interest (SSSI).
- Has any account been taken of archaeology?
- A visual impact assessment should have been carried out.
- Concerns regarding biodiversity of the site.
- The FRA confirms that; "there is no history of flooding at the site according to the EA or the SFRA"; which begs the question what is the justification for these proposed works?
- Storms Ellen and Francis caused minor breaching of the defences around 550m to the west of the application site.
- The agent states that "the bunds have been largely made immediately after the disastrous flooding in February 2020". The bunds were constructed well before February 2020.

COMMENTS ON REPRESENTATIONS RECEIVED:

All material planning considerations are addressed in the conclusions section of this report.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Ecology Officer - No Objection

Results from the Great Crested Newt Survey required. Condition and informative requested.

Drainage Engineer - No Objection

Coastal Engineer - No Objection

- The Environment Agency flood maps indicate that the proposal is located in close proximity to Flood Zone 2 & Flood Zone 3. It should be understood that the mapping provided by the Environment Agency is indicative and subject to change as new information / modelling becomes available.

- While the land on which the application covers is mostly above the Flood Zone, the applicant should consider the effects of climate change and sea level rise on the proposal. Equally, careful consideration should also be given to the appropriateness of any proposal given the vulnerability of the access road.

Environment Agency - No Objection

Consideration should be given to the effects of climate change and sea level rise on the design of the proposed earth bunds and flood gates. The installation and maintenance of the flood gates and earth bunds around the existing property will be the responsibility of the landowner, and a Flood Risk Activity Permit (FRAP) is not needed as the works will take place more than 16 metres from any flood defence in the area.

The access road is particularly vulnerable to flooding/erosion and would present a challenge to anyone needing to access the property in an emergency.

Conservation Officer - No Objection

It is considered that the landscape of the buildings is just as important as the buildings themselves. The introduction of landscaped bunds will help to form part of a more green and landscaped setting to the buildings, and it is hoped that this will form part of a larger scheme as works on the site continue.

The new gate and fencing, are more of an obvious introduction to the site (due to their size and appearance), but their reason is understood. The location is some distance away for the listed buildings and somewhat screened by existing vegetation. It is also considered that it reflects the exposed nature of the site (and the material is seen further along the coast in Littlehampton). It is suggested that this could be improved through the introduction of further planting, which will help to soften the impact, especially from the elevation as you drive up to the site. This need not be extensive in scale, just carefully considered.

However, the application is considered to not cause harm to the significance of the heritage assets or their setting. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments.

You will also need to take into account the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The newt survey results have now been submitted.

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary
Within a Settlement Gap

Biodiversity Opportunity Area
Grade 2 Listed Building

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
CSP1	C SP1 Countryside
LANDM1	LAN DM1 Protection of landscape character
WDM2	W DM2 Flood Risk
SDSP3	SD SP3 Gaps Between Settlements
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM3	ENV DM3 Biodiversity Opportunity Areas
ENVDM5	ENV DM5 Development and biodiversity

<u>Clymping Neighbourhood Plan 2015 Policy CPN11</u>	Quality of Design
Clymping Neighbourhood Plan 2015 Policy CPN7	Protection of open views
Clymping Neighbourhood Plan 2015 Policy CPN9	Protection of Natural Habitats
Clymping Neighbourhood Plan 2015 Policy CPN12	Reducing the risk of flooding
Clymping Neighbourhood Plan 2015 Policy CPN8	Protection of Trees and Hedgerows

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

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

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Policies of CPN 7, CPN8, CPN9, CPN 11 and CPN12 of Climping Neighbourhood Plan are considered relevant to determination of this application.

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 based on the information submitted it would have a materially adverse effect on the visual amenities of the locality and the established character of the surrounding area and the ecology of the area and there is insufficient justification for the works in terms of risk from coastal flooding.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

"In considering whether to grant planning permission for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

The proposal is not considered to comply with these criteria in that it has not been satisfactorily demonstrated that there would be no harm resulting to the setting of the Grade II Listed Building.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

BACKGROUND

The application is in part retrospective since it includes retention of the pond within the site and bunds around the perimeter of the site, but it also includes flood gates.

The site comprises a number of buildings and walls, including the windmill and Mill House. It is located within a remote coastal location close to the seafront. The pond was dug in 2018 and the spoil has been used to provide material for the creation of a protective flood defence bund around the perimeter of the property. The excavated soil was piled in spoil heaps across the site. The proposed flood wall and gates are yet to be installed.

The hole to create the pond was excavated in 2018 but has not been finished. It will need to be lined with a butyl liner to retain water. The pond contractor has advised that a depth of at least 2 metres is required for maximum wildlife and biodiversity benefit. The submitted section indicates how the profile will be detailed to ensure rainwater percolation into the ground on the property in the event of a storm.

PRINCIPLE

The site lies outside the built up area boundary of Climping as defined in the Local Plan and as such the development plan in the determination of this application will consist of the Arun Local Plan (ALP) and the Climping Neighbourhood Plan (CNP).

The key policy considerations in the determination of this application are considered to be SD SP2 and C SP1 of the Arun Local Plan (ALP). The application site is situated outside of the built up area boundary (BUAB) as specified by policy SD SP2 which seeks to focus development within the built up area and the proposal does not fall into any of the exceptions outlined in Policy C SP1 which allow development in areas outside of the built up area boundaries.

Not all of the site falls within an established residential curtilage. The red edge of the application site extends beyond that established under CM/23/15/CLE which established use of 'The Mill', 'The Thatch' and 'Mill Cottage' as 3 No. dwellinghouses with associated curtilages falling within use Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended). There is no evidence submitted with the application to explain why it is necessary to protect the area surrounding the pond from coastal flooding.

FLOOD RISK

The site is mainly located in Flood Zone 1 (Low Risk), with only a relatively small area in tidal Flood Zone 2 (Medium Risk). Whilst the site may have flooded recently there is no evidence submitted that it is coastal flooding or to indicate that coastal flooding will occur in the future or that there is an increased likelihood of future flooding.

Whilst the works may be preventative, insufficient justification/evidence has been submitted for their installation in this visually sensitive site. The only evidence to support a future potential risk of flooding is the photographs of recent flooding earlier this year which were requested following submission of the application.

Arun Local Plan policy W DM2 seeks to limit development in areas at risk of flooding and W DM3 discusses the need for sustainable urban drainage systems. Policy CPN 11 of the Neighbourhood Plan Quality of Design (e) refers to adopting the principles of sustainable urban drainage and policy CPN12 'Reducing the risk of flooding' requires that developments in flood sensitive areas are designed to reduce flood risk and all development proposals for flood prevention works, including sea flooding, will be supported provided they reflect the character of the area.

Where there is potential for harm to existing coastal and inland habitats as part of any flood defence, an assessment of the environmental impact and proposed mitigation measures must be submitted. The proposal conflicts with this policy since no assessments have been submitted and the proposal does not reflect the character of the area as discussed below.

The site lies within a low risk zone (Flood Zone 1) and given that the site area is less than a hectare, there was no statutory requirement for the submission of a FRA and therefore, no need for Environment Agency involvement in the application.

However an FRA has been submitted and they have been consulted. The Environment Agency have pointed out that the area at greatest risk of flooding is the access to the site, which is outside of the proposed flood protection works.

IMPACT ON SETTLEMENT GAP

The site lies within the Littlehampton to Middleton Gap between settlements and therefore falls to be considered against policy SD SP3 of Arun Local Plan. This states that the generally open and undeveloped nature of the gaps between settlements, will be protected to prevent coalescence and retain their separate identity and seeks to ensure the separation of settlements is not undermined, the integrity of the gap is not compromised and the character of the undeveloped coast is maintained.

The justification for the flood defence works has not been sufficiently demonstrated and neither has the visual impact. The site is close to public vantage points from the seafront and a number of public footpaths around the site across farmland to the north and the golf course. Two public footpaths run along the south east and north east boundaries of the site. The application contains no visual impact study or proper assessment of the development on the landscape and long distance views across the flat open farmland to the north. Some intermittent tree planting/hedging exists adjacent to site boundaries, but there is no satisfactory argument put forward to address the following parts of policy SD SP3: (a) that the development would not undermine the physical and visual separation of settlements, (b) that it would not compromise the integrity of the gap and (d) that it maintains the character of the undeveloped coast. The height, length and lack of visual break of the bund development would result in the integrity and objective of the settlement gap being compromised in conflict with (a,b and d of the policy). The development would appear intrusive in the landscape. It can be viewed from nearby footpaths and would not be assimilated into the land /foliage beyond. It does not reflect the character of the area and conflicts

with policies LAN DM1, C SP1 and DDM1 (1) of Arun Local Plan and policy CPN11 of Climping Neighbourhood Plan. The open landscape character of the countryside and beach would be harmed in conflict with policy CPN7 of the Neighbourhood Plan.

IMPACT ON VISUAL AMENITY

In this case the key other Arun Local Plan policy considerations are deemed to be D SP1 (Design), DDM1 (Aspects of Form and Design Quality) Local Plan and CPN11 (Quality of Design) and CPN7 (Protection of Open Views) of the Neighbourhood Plan.

Policies D SP1 and DDM1 seek to ensure that development:

- Reflects or improves the character of the site and the surrounding area.
- Minimises the impact on neighbouring land/residents.

The site is not bordered to the north, east or west by existing development. The proposed bunds would be visible from outside the site when viewed from the north, east and west by virtue of their height compared to neighbouring land. Therefore it is considered that the proposed development would have a significant and unacceptable impact upon the character of the locality by virtue of its scale and height contrary to policies D SP1, D DM1 and SD SP3 of the Arun Local Plan.

Further, given the position, size and height of the bunds they would erode the open landscape character of the countryside in conflict with policy CPN7 (Protection of Views) of Climping Neighbourhood Plan and adversely impact on long distance views across the landscape. Policy CPN11 (Quality of Design) seeks to ensure that new development, including, rebuilding is of a high quality of design and protects and enhances local character as assessed by the Climping Character Assessment. Development proposals of poor design that fail to take the opportunities available for improving local character and quality of an area and the way it functions will not be permitted.

Based on the limited information submitted with the application it has not been evidenced satisfactorily that the proposal would be readily assimilated into the landscape and would not appear as a prominent form of development out of keeping with the flat open character of the area in conflict with Development Plan policy. This proposal would provide a large prominent means of enclosure within the open area which would harmfully detract from the rural character of the area. The amelioration offered in the form of tree planting and landscaping would not adequately screen or enhance the appearance of the development and may even increase its prominence. The proposal would cause restricted views of the listed building which is an established feature in the landscape.

In 2006 the Council employed Hankinson Duckett Associates to carry out a Landscape Sensitivity Study covering the part of the District between the Area of Outstanding Natural Beauty and the coastline. One of the purposes of the study was to consider the existing boundaries of the Strategic and Local Gaps and to make recommendations as to whether they could be altered compromising either visual or perceived coalescence between the relevant settlements. A landscape character assessment was undertaken, with a series of Landscape Character Types (LCTs) and Landscape Character Areas (LCAs) being identified.

Within the study, this site is identified as within the Climping Lower Coastal Plain Landscape Character Areas defined by blocks of arable fields separated by roads with scattered and ribbon development and fields with hedgerows and tree belts providing enclosure. It acknowledged that the gap includes a substantial length of undeveloped coastline, large scale open arable landscape, largely within the floodplain, with mature shelterbelts and the lower Arun valley. The identified sensitivities of LCA 31 as a whole are clearly associated with the rurality of the arable plain landscape and undeveloped coastline which LCA 31 covers, along with the role of the character area as a buffer between settlements. Such characteristics are directly associated with the site itself and are at risk as a result of the development

proposed. The proposal relates to development along the entire site boundary to a height of 2m which will not be contiguous with any existing development pattern. The site is physically and visually linked with the undeveloped coastline and arable plain landscapes for which LCA 31 is deemed to be valued. The proposal the proposal does not respect the particular characteristics and natural features of the relevant landscape character area and does not reinforce or repair it in conflict with policy LAN DM1.

ECOLOGICAL CONSIDERATIONS

Policies ENV DM3 Biodiversity Opportunity Areas (which seeks to retain, incorporate and minimise disturbance to existing habitats), ENV DM4 Protection of Trees (which seeks to ensure development does not have an adverse impact on existing trees) and ENV DM5 Development and Biodiversity (which seeks to achieve a net gain in biodiversity) of the Arun Local Plan and policies CPN 8 (Protection of Trees and Hedgerows) and CPN9 (Protection of Natural Habitats) of the Neighbourhood Plan apply.

The proposal is considered to conflict with policy CPN8 in that it does not retain existing hedgerows and habitats and indeed is harmful to them. Much of the spoil deposited around the site following excavation has covered the base and trunks of existing trees and hedges. It has not been satisfactorily demonstrated that the benefits of the development outweigh this damage or that the ecological enhancements proposed outweigh the loss. Policy CPN8 states 'Development proposals should be accompanied by a survey that establishes the health and longevity of any affected trees or hedgerows and a management plan to demonstrate how they will be so maintained.' A tree survey has not been provided with this application.

Similarly policy ENV DM4 of Arun Local Plan requires proper provision to be made for the protection and management of trees when undertaking development this would be in the form of a tree survey, constraints plans and an arboricultural impact assessment to ensure that development works do not have a negative impact on existing trees. No surveys have been submitted and the proposal would conflict with this policy.

The originally submitted Phase One Habitat Survey has been updated following submission. As detailed within the Extended Phase 1 Habitat Survey (July 2019) there is the potential for Great Crested Newts to use the pond onsite. The Council's Ecologist has been consulted and has requested that conditions relating to mitigation are provided. It is also noted that a Great Crested Newt Environmental DNA sample was collected as part of this survey and the results have now been submitted.

Policy ENV DM3 requires that within Biodiversity Opportunity Areas (BOAs) development retains and sympathetically incorporates locally valued and important habitats and minimises disturbance to habitats. This proposal is contrary to this requirement since it involves loss of existing tree habitat and little attempt has been made to incorporate and retain existing vegetation in the area of the bunds. The proposal therefore conflicts with policy ENV DM3 of the Local Plan and CPN9 of Climping Neighbourhood Plan which states 'Development that results in harm to existing protected habitats will not normally be permitted. In some circumstances development proposals may be acceptable if accompanied by an independent assessment of the overall net environmental impact, and acceptable proposals to mitigate harm, or for the provision of equivalent alternative habitats.

The information submitted with the application does not provide sufficient amelioration for the damage caused.

A small part of the site lies within a SSSI, but any damage to the area has already occurred. Whilst the creation of a pond has benefits in terms of biodiversity and habitat creation, it has not been satisfactorily demonstrated that the creation and planting of the bunds significantly enhances the conditions on site for wildlife.

Much of the spoil has been deposited on top of existing tree bases on the eastern and western portion of the bunds. Whilst these trees could have been removed from the site since they are not protected the proposal does not provide sufficient biodiversity gains to offset the loss caused by the works undertaken at the site. It is noted that it is proposed to plant White Poplar whips, along the bunds but is not clear if the material deposited within the bunds is adequate to support planting of trees and the fact that the bunds in many places are constructed on top of existing trees is not satisfactorily addressed.

Policy ENV DM5 Development and biodiversity, similarly requires development schemes to seek to achieve a net gain in biodiversity and protect existing habitats on site and also incorporate elements of biodiversity including landscape features minimising adverse impacts on existing habitats. As outlined above existing habitats have not been appropriately protected and incorporated in the scheme.

IMPACT ON LISTED BUILDINGS

Policy HER DM1 of Arun Local Plan states proposals affecting statutorily Listed Buildings will be required to protect and where possible enhance the setting of the buildings. Policy HER SP1 states that development likely to prejudice the setting of heritage assets will be refused.

The site contains designated Listed buildings, curtilage listed walls and other buildings. The bunds provided around the perimeter of the curtilage of the listed building would assist in protecting the listed buildings from damage from potential flooding in the future. Photos of the impact of flooding in February this year, illustrate the flood damage was extensive, and it is noted that some internal work that had been carried out was damaged beyond repair.

However, whilst there may be some justification in terms of protection of the buildings in accordance with policy the impact on the heritage assets cannot be fully considered since the proposal does not include a proportionate heritage statement as required by para 189 of the National Planning Policy Framework (NPPF).

The bunds have significant height and length (425m) and are located in close proximity to the Mill complex (12-15m at the closest point). They separate and detach the buildings from the surrounding landscape. No evidence detailing their impact on the significance of the setting of the group of buildings has been submitted.

Para 192 of the NPPF sets out the criteria which Local Planning Authorities should take account of when determining applications. It is accepted that the proposal accords with para 192 of the NPPF in that the proposal would contribute to conservation of the heritage asset by protecting it from potential future flooding, but the risk of coastal flooding has not been sufficiently justified and the less than substantial harm to the significance of the heritage asset which would result does not accrue sufficient public benefit to accord with the requirements of para. 196 of the NPPF.

Para. 196 requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm is weighed against public benefit. Policy HER DM1 refers to proposals being required to protect and where possible enhance the setting of the listed building. It is not clear how the proposed works would achieve this or that the risk of flooding and potential damage to the heritage asset is sufficiently high to justify the harm caused by bunding. The site has only flooded once and does not lie in a site at high risk of flooding.

The proposal is not therefore considered to accord with guidance in the NPPF and policies HER DM1 and HER SPI of the Local Plan.

CONCLUSION

The application lacks adequate justification/evidence with regard to the risks from coastal flooding and

has an adverse impact on the character and appearance of the area and the settlement gap, habitats and the setting of the Listed building. It is therefore recommended for refusal for the following reasons

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 By virtue of their height and length the bunds would result in an alien and visually prominent form of development within the Littlehampton and Middleton Settlement Gap, in conflict with policy SD SP3 (a), (b) and (d) of the Arun Local Plan which requires that development demonstrates that it does not compromise the integrity of the gap, maintains the character of the undeveloped coastline and does not result in undermining the physical/visual separation of settlements.
- 2 Given the lack of adequate justification for coastal flooding the siting, extent and height of the flood defences would adversely affect the visual amenities of the locality in that they would be obtrusive in the landscape and prominent from surrounding viewpoints and would constitute an alien intrusion in the countryside which would be out of keeping with and detrimental to the rural character of the locality in conflict with policies C SP1, D DM1, LAN DM1 and D SP1 of the Arun Local Plan and policies CPN7 and CPN11 of the Clymping Neighbourhood Development Plan.
- 3 The proposal would be harmful to existing habitats and the retention and conservation of existing trees/hedgerows which are important in the landscape. The application contains insufficient information to demonstrate that adequate protection, amelioration and mitigation is provided in conflict with policies ENV DM3, ENV DM4 and ENV DM5 of the Arun Local Plan and policies CPN 8 and CPN9 of Clymping Neighbourhood Plan.
- 4 On the basis of the information submitted it has not been demonstrated that the proposal

would not harm the setting of the Listed buildings and the proposal is therefore contrary to policies HER DM1, HER SP1 and the National Planning Policy Framework.

- 5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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 reasons 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. The Local Planning Authority is willing to discuss with the Applicant the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.