

**The Royal Automobile Country Club (RAC), Old Barn Road, Epsom, Surrey, KT18 7EW**

Variation of Condition 2 (drawings) of Planning ref: 18/00645/FUL, dated 14.11.2018, to amend the engineering design of the Reservoir

<b>Ward:</b>	<b>Woodcote Ward</b>
<b>Contact Officer:</b>	<b>Ginny Johnson</b>

## **1 Plans and Representations**

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PX1QLXGYFXN00>

## **2 Summary**

- 2.1 Planning Permission was granted on 14 November 2018, under ref: 18/00645/FUL, for the construction of a lined reservoir, for golf course irrigation. Development has started on Site, but during the course of survey works and engineering checks, it was found that engineering adjustments to the form of the reservoir are required.
- 2.2 This application seeks technical design changes to the reservoir only. It does not impact the storage capacity of the reservoir (6 million gallons), maintenance area, access to the Site or the power line constraints.
- 2.3 The application has been assessed against planning policy. Officers consider that the proposal is acceptable and that it complies with relevant National and Local planning policies. Specifically, it is not considered to adversely impact the Green Belt nor adversely impact the ecological and biodiversity potential of the Site. It will also not increase the risk of flooding.
- 2.4 The proposal is considered favourably and is recommended for approval.

### 3 Site description

#### *Site Context*

- 3.1 The Application Site ('Site') is set within the grounds of Woodcote Park, located off Wilmerhatch Lane in Epsom, Surrey. Woodcote Park measures approximately 350 acres and comprises a Grade II\* Listed building, two 18-hole golf courses, a sports centre and various outbuildings and structures, some of which are also listed.
- 3.2 Woodcote Park is bound by Baron's Hurst and Warren Hill to the North, Chalk Lane to the East, Langley Vale Road to the South and Headley Road and Wilmerhatch Lane to the West. Also to the West of the site is the Ridge, which is a linear development comprising 29 detached dwellings, each contained within sizable plots.
- 3.3 The Site is located in the South-Western part of Woodcote Park. It is designated as Green Belt and a Grade 3 Site of Nature Conservation Interest (SNCI).
- 3.4 Trees surround the Site, which provides visual enclosure. To the North of the Site are two rectangular grassed plots, to the East of the Site is the Coronation Golf Course and to the West of the Site is an access lane to Headley Road.

#### *Access*

- 3.5 The site is currently accessed by buggy from Woodcote Park. It can also be accessed via a secure gate off Headley Road, to the West of the Site.

### 4 Proposal

- 4.1 Planning Permission was granted on 14 November 2018 for the construction of a lined reservoir, for golf course irrigation, ref: 18/00645/FUL. The formal description of development is as follows:

*"Construction of a lined reservoir for golf course irrigation with landscaping and associated works, apparatus and engineering operations"*

- 4.2 The Decision Notice contains 13 Conditions. Condition 2 relates to the approved drawings:

*The development hereby permitted shall be carried out in strict accordance with the approved drawings:*

- *Site Location Plan: RAC\_SLP\_09\_05.18*
- *Site Sections: RAC\_SS\_08\_06.18*
- *Irrigation Reservoir 6million gallons: RAC\_IRP\_10\_06.18 rev D*

*Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans to comply with Policy CS5 of the Core Strategy (2007).*

- 4.3 An Application can be made under Section 73 of the Town and Country Planning Act 1990 (S.73) to vary or remove conditions associated with a Planning Permission. This S.73 Application seeks to formally vary Condition 2 of Planning Permission 18/00645/FUL, to allow for an amended engineering design of the reservoir.
- 4.4 The accompanying planning statement sets out that the design of the reservoir has been amended as the subsoils that were exposed during the excavation of the reservoir required a shallower inside batter of 1:3.5, rather than 1:3.0. This alteration increased the volume of the cut & fill material. Due to this change, the crest heights have been raised by 400mm and the small bund to the North of the reservoir has merged into the main reservoir bund. This also avoids the need to transport material off site. A small ditch on the top of the Northern bund will also be retained, to replicate the water run off area.
- 4.5 The below table sets out key changes between the approved application and this application, as set out in the accompanying cover letter:

	<b>Approved application (ref: 18/00645/FUL)</b>	<b>This application</b>
Site area	1.70ha	1.70ha
Reservoir size	6 million gallons	6 million gallons
Total surface area	6,701m <sup>2</sup>	7,189m <sup>2</sup>
Water stored above ground	10,004m <sup>3</sup>	11,907m <sup>3</sup>
Water level (depth)	7.4m	6.8m
Maximum length (top, outer crest to outer crest)	113m	134m
Maximum width (top, outer crest to outer crest)	75m	89m

Maximum length (base)	127m	137m
Maximum width (base)	94m	99m
Embankments height (above ground level)	1.84m – 3.47m	2.24 m – 3.87m
Plateau height (above ground level)	3.47m	3.87m
Embankment banks flat top width	3m	Various

## 5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 43 neighbouring properties. 0 letters of representation have been received.

## 6 Consultations

- 6.1 The following statutory consultees were consulted:

SCC Archaeology: no archaeological concerns

SCC LLFA: no objection

SCC Highways: no objection

Environment Agency: no objection

Ecology: no objection

Environmental Health: no objection, subject to using the same methodology as previously stated

Arboricultural: None

Health and Safety Executive: None

## 7 Relevant planning history

- 7.1 There is an extensive planning history relating to the RAC Site. The below table sets out recent and relevant planning history pertaining to the reservoir site only.

Application number	Decision date	Application detail	Decision
19/00086/COND	15.05.2019	Discharge of Conditions 3 (Pump House details) 4 (Fence details) 6 (Arboricultural Method Statement & Tree Protection Plan) 7 (Construction Transport Management Plan) 8 (Archaeological Work) 12 (Hard and Soft Landscaping) and 13 (Sound insulation details) of Planning Permission 18/00645/FUL, granted on 14.11.2018	Granted
18/00645/FUL	14.11.2018	Construction of a lined reservoir for golf course irrigation with landscaping and associated works, apparatus and engineering operations	Granted
12/00801/FUL	14.01.2013	Construction of a lined reservoir for golf course irrigation with landscaping and associated works, apparatus and engineering operations	Granted

## 8 Planning Policy

### National Policy Planning Framework (NPPF) 2019

Chapter 12 Achieving well-designed places

Chapter 13 Protecting Green Belt land

Chapter 15 Conserving and enhancing the natural environment

### Core Strategy (2007)

CS2 Green Belt

CS3 Biodiversity and Nature Conservation Areas

CS5 Conserving and Enhancing the Quality of the Built Environment

CS6 Sustainability in New Developments

### Development Management Policies Document (2015)

DM1 Extent of Green Belt

DM8 Heritage Assets

DM10 Design Requirements for New Development (Including House Extensions)

## 9 Planning considerations

### Design

- 9.1 Chapter 12 of the NPPF refers to design. Paragraph 127 sets out that planning decisions should ensure that developments (inter alia) function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting. Development should also create places that are safe, inclusive and accessible.
- 9.2 Paragraph 130 of the NPPF sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 9.3 Paragraph 131 of the NPPF stipulates that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 9.4 Policy CS5 (Conserving and Enhancing the Quality of the Built Environment) of the Core Strategy (2007) sets out that the Council protect and seek to enhance the Borough's heritage assets including historic buildings, conservation areas, archaeological remains, ancient monuments, parks and gardens of historic interest, and other areas of special character. High quality design and inclusive design will be required for all developments. Development should:
- create attractive, functional and safe public and private environments;
  - reinforce local distinctiveness and complement the attractive characteristics of the Borough; and
  - make efficient use of land and have regard to the need to develop land in a comprehensive way.
- 9.5 Policy DM10 (Design Requirements for New Development (Including House Extensions) of the Development Management Policies Document states that development proposals will be required to incorporate principles of good design. Development proposals should (inter alia) be adaptable and sustainability designed, subject to aesthetic considerations and incorporate the principles of safe design to reduce the risk of fear of crime.

9.6 Planning Permission has been granted for the provision of a 6 million gallon reservoir (ref: 18/00645/FUL). The planning statement, submitted with this application, sets out that the design of the reservoir has been amended as the subsoils that were exposed during the excavation of the reservoir required a shallower inside batter of 1:3.5, rather than 1:3.0. This alteration increased the volume of the cut & fill material. Due to this change, the crest heights have been raised by 400mm and the small bund to the North of the reservoir has merged into the main reservoir bund. This also avoids the need to transport material off site. A small ditch on the top of the Northern bund will also be retained, to replicate the water run off area.

9.7 The below table sets out key changes between the approved application and this application, as set out in the accompanying cover letter:

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Embankment banks flat top width	3m	Various

9.8 The accompanying planning statement confirms that the reservoir remains in the same position as that approved and that there are no changes to the maintenance area, access to the Site or power line constraints.

- 9.9 The proposed amendments have been dictated by the technical design of the reservoir, which were not foreseen at initial planning application stage. The proposed amendments are not considered to significantly impact the visual design of the reservoir and Officers are satisfied that the amendments are acceptable, complying with design requirements of the NPPF, Policy CS5 and Policy DM10.

Green Belt

- 9.10 Chapter 13 of the NPPF relates to the protection of Green Belt land. Paragraph 133 sets out that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 9.11 Paragraph 134 of the NPPF sets out the five purposes that Green Belt serves:
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.12 Paragraph 141 of the NPPF sets out that once Green Belts have been defined, Local Planning Authorities should plan positively to enhance their beneficial use, such as looking for opportunities to (inter alia) provide for outdoor sport and recreation and retain and enhance landscapes.
- 9.13 The construction of new buildings in the Green Belt is regarded as inappropriate development, in line with paragraph 145 of the NPPF. Exceptions to this include (inter alia) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 9.14 Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that valued landscapes should be protected and enhanced.
- 9.15 Policy CS2 (Green Belt) of the Core Strategy (2007) seeks to ensure that the Green Belt continues to serve its key functions and maintain its existing general extent. Strict control will be exercised over inappropriate development, as defined by Government policy.



- 9.16 Policy DM1 (Extent of the Green Belt) of the Development Management Policies Document (2015) sets out that the Green Belt will be maintained along the boundaries of the existing built-up area and extending to the outer Borough boundary as defined in the Epsom and Ewell Borough-wide Local Plan 2000 and as defined in the successor Site Allocations Development Plan Document. Supporting paragraph 2.3 of the Development Management Policies Document (2015) sets out that the main purpose of the Green Belt is to prevent urban sprawl and the coalescence of neighbouring settlements by keeping land permanently open.
- 9.17 The accompanying Green Belt Assessment sets out that the proposed amendments to the approved reservoir do not adversely impact the purposes of the Green Belt. The reservoir is considered appropriate development within the Green Belt. The scale and footprint of the reservoir is largely unchanged as a result of the amended engineering design.
- 9.18 The principle of developing within the Green Belt was established within the approved Planning Permission. This application seeks a re-augmentation of the reservoir, culminating in an increased length and width. The Site itself is surrounded by tree belts, providing physical containment and visual enclosure. The increased dimensions, given the scale of the project, are in this case, not considered to adversely affect the openness of the Green Belt. As such, the proposed reservoir is not considered to detrimentally harm the Green Belt and is considered to comply with paragraph 134, 141 and 145 of the NPPF and policies CS2 and DM1.

*Impact on Biodiversity and Ecology*

- 9.19 Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes and sites of biodiversity. Development should, wherever possible, help to improve local environmental conditions, such as air and water quality.
- 9.20 Paragraph 175 of the NPPF sets out that development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.21 Policy CS3 (Biodiversity and Nature Conservation Areas) of the Core Strategy (2007) sets out that the biodiversity of Epsom and Ewell will be conserved and enhanced through the support for measures which meet the objectives of National and Local biodiversity action plans in terms of species and habitat. Development that would harm Grade 3 Sites of Nature Conservation Interests (SNCIs) will not be permitted unless suitable measures are put in place and it has been demonstrated that the benefits of a development would outweigh the harm caused.

- 9.22 The Site is designated as a Grade 3 SNCI, which is an area designated locally for its wildlife importance. In line with Policy CS3, development that would harm a Grade 3 SNCI will not be permitted unless it can be demonstrated that the benefits of the development would outweigh the harm caused. The approved Planning Permission was considered acceptable as the habitats and species within the Site were considered to be of low ecological value. The proposal was considered to provide potential for a variety of new habitats to be introduced into the Site and it was considered that the ecological value of the Site would improve.
- 9.23 The accompanying planning statement sets out that the construction of the reservoir provides ecological opportunities. Officers consider that the proposed amendments to the reservoir will not adversely impact the ecological potential of the Site, as the Local Planning Authority's Ecologist formally commented on this application, setting out that the proposal is acceptable with regards to ecology. The proposal is therefore considered acceptable, in line with paragraph 175 of the NPPF and policy CS3.

#### Flood Risk

- 9.24 Chapter 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. Paragraph 155 stipulates that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 sets out that when determining any planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 9.25 Policy CS6 (Sustainability in New Developments) of the Core Strategy (2007) sets out that proposals for development should result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change. The Council will expect proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development – both new build and conversion. In order to conserve natural resources, minimise waste and encourage recycling, the Council will ensure that new development (inter alia):
- has no adverse effects on water quality, and helps reduce potential water consumption for example by the use of water conservation and recycling measures and by minimising off-site water discharge by using methods such as sustainable urban drainage; and
  - avoids increasing the risk of, or from, flooding.
- 9.26 The accompanying planning statement sets out that the storage capacity of the reservoir remains at 6 million gallons. By raising the crest of the reservoir by 400mm and the increase in the size of the banks, there will be an enhancement of flood risk protection.

- 9.27 The Environment Agency formally commented on the application, setting out that there is no objection. SCC Lead Local Flood Authority (LLFA) also formally commented on the application, setting out that there is no fundamental change to the drainage strategy or surface water drainage system and therefore, there is no further comment.
- 9.28 The Local Planning Authority's Environmental Health team raised no objection to the proposal, subject to the same methodology being used as previously stated.
- 9.29 The proposal is considered to comply with Policy CS6.

#### Archaeology

- 9.30 Chapter 16 of the NPPF refers to the conservation and enhancement of the historic environment. Paragraph 189 states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 9.31 Policy CS5 (Conserving and Enhancing the Quality of the Built Environment) of the Core Strategy (2007) sets out that the Council will protect and seek to enhance the Borough's heritage assets including (inter alia) archaeological remains. The settings of these assets will be protected and enhanced.
- 9.32 Policy DM8 (Heritage Assets) of the Development and Management Policies seeks to resist the loss of Heritage Assets and instead promote the opportunity to conserve and enhance these. Specifically, on any major development site of 0.4ha or greater, applicants are required to undertake prior assessment of the possible archaeological significance of a site and the implications of the proposals.
- 9.33 The accompanying planning statement sets out that the technical changes proposed do not alter the footprint of the approved scheme. SCC Archaeology formally commented on this application, setting out that there are no archaeological concerns. The proposal is therefore considered to comply with Policy CS5 and DM8.

## **10 Conclusion**

- 10.1 This proposal seeks an amended engineering design of the approved reservoir. The amendments are considered acceptable in principle, complying with relevant National and Local planning policies. The proposal is recommended for approval. All of the original conditions are recommended to be re-imposed with the only change being to the approved drawings as set out in Condition No.2.

## **11 Recommendation**

11.1 Grant, subject to Conditions.

### **Conditions:**

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of 14 November 2018.

**Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004. The development hereby

- (2) The development hereby permitted shall be carried out in strict accordance with the approved drawings:

**RAC\_SLP\_09\_05.18 – Site Location Plan – dated 31.05.18**

**MWE\_RAC\_PPS\_25\_08.19 – Planning Phase Sections – dated 15.08.19**

**MWE\_RAC\_PPP\_24\_08.19 – Planning Phase Plan – dated 15.08.19**

**Reason:** For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans to comply with Policy CS5 of the Core Strategy (2007).

- (3) The development shall be carried out in accordance with the details of the pump house, approved under application ref: 19/00086/COND, granted 15 May 2019

**Reason:** To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (4) The development shall be carried out and retained in accordance with the details of the fence(s), approved under ref: 19/00086/COND, granted 15 May 2019

**Reason:** To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (5) The reservoir land forming and development, shall be carried out in strict accordance with the agreed recommendations for Tree Work and Tree Protection as detailed in the Arboricultural Assessment produced by SJA dated July 2018 reference SJA air 18095-01C

**Reason:** To protect the trees on site which are to be retained in the interests of the visual amenities of the locality in accordance with

**Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.**

- (6) The development shall be carried out in accordance with the agreed details of the Arboricultural Method Statement and Tree Protection Plan, as approved under ref: 19/00086/COND, granted 15 May 2019. The development shall be carried out in accordance with the agreed details and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within the area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.**

**Reason: To ensure that the tree(s) receive the appropriate treatment and that the tree work is of a satisfactory standard to protect amenity in accordance with Policies CS1 and CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.**

- (7) A Traffic Management Plan and Transport Management Plan were approved under ref: 19/00086/COND, granted 15 May 2019. The approved details shall be implemented during the construction of development.**

**Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.**

- (8) The development shall take place in accordance with the detailed Written Scheme of Investigation, approved under ref: 19/00086/COND, granted 15 May 2019. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works only shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.**

**Reason: The site has archaeological potential and it is important that the archaeological information should be preserved as a record before it is destroyed by the development in accordance with Policy CS5 of the Core Strategy (2007).**

- (9) The development shall be implemented strictly in accordance with the mitigation and enhancement measures outlined in the Ecological**

**Appraisal dated August 2018 (Report Reference - EDP1297\_r020b) and the recommendations and conclusions drawn in the 2012 Ecological Appraisal (Report Reference - EDP1297\_01g) dated September 2012.**

**Reason: To preserve and enhance biodiversity and habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015.**

- (10) The development permitted by this planning permission shall only be carried out in accordance with the approved FRA produced by WSP dated June 2018 reference no. 7004190/MZ/EI.**

**Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.**

- (11) No construction work shall be carried out in such a manner as to be audible at the site boundary before 08.00 hours or after 18:00 hours Monday to Friday; no construction work shall be audible at the site boundary before 08:00 or after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank/Public Holidays.**

**Reason: In order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy DM10 of the Development Management Policies 2015.**

- (12) Details of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, was submitted to and approved by the local planning authority, ref: 19/00086/COND, dated 15 May 2019. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.**

**Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.**

- (13) The plant and machinery shall be used in accordance with the approved scheme for enclosure and sound installation materials, approved under ref: 19/00086/COND, granted 15 May 2019**

**Reason: To protect the occupants of nearby residential properties from noise disturbance in accordance with Policy DM10 of the Development Management Policies 2015.**

**Informative:**

- (1) In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.**