

Appendix 4



**REPORT SETTING OUT HOW THE REVISED APPLICATION ADDRESSES
THE REASONS FOR REFUSAL PRESENTED FOR THE LAST
APPLICATION**

**10th December 2009
Rev A**

Introduction

In September 2008 outline planning permission was refused for the proposed redevelopment of The Chocolate Works. The decision notice, dated 5th September 2008, for the application ref 06/02560/OUTM, lists 9 reasons for refusal and this report considers each reason and shows how the revised application addresses the concerns raised.

Reasons for Refusal and Response

Inadequate mitigation measures

The proposed highway engineering measures will not adequately ameliorate the impact of the significant additional traffic generated by the proposed scheme. This would result in a deterioration of conditions for all highway users within this area. In particular, congestion would noticeably increased at the following junctions, to a level which would have a detrimental impact on journey times, and potentially result in the diversion of traffic to inappropriate routes and un-regulated parking displacement:-

- (a) Mount Vale/ Knavesmire Road;
- (b) Campleshon/ Bishopthorpe Road; and also
- (c) Moor Lane Roundabout;

As a result of the inadequacy of both sustainable travel provision and engineering measures it is considered that the village of Bishopthorpe would also experience increases in traffic likely to result in congestion, delays in journey times and most likely environmental aspects relating to increased noise and fumes. As a consequence the proposed scheme fails to satisfy National Planning Guidance contained within PPG13 especially key objectives 1-3 of the document which seek to promote more sustainable transport choices for people, promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and to reduce the need to travel, especially by car, also policies contained within Regional Planning Guidance contained within YH2, T1, T2, T3, T5, T9 and Local Plan Policies SP8, T2b, T4, T7c, T13a, T18 and GP4a. The proposed scheme also fails to satisfy the Local Transport Plan (2006 - 2011). This document sets out sustainable, integrated transport policies aimed at tackling the problems of traffic congestion and pollution across York and highlights the importance of sustainable means of travel, the proposed scheme does not adequately address these requirements. Finally the proposed scheme fails to satisfy key objectives stated within the development brief, in particular section 9 of the development brief (Accessibility, Traffic and Transport) and key objective 15 which seeks to effectively promote sustainable transport options to connect the site to the wider city by co-ordinating with city and public transport provider initiatives which would have the effect of reducing the impact upon the city.

The current application is not a revision of the previous scheme. It is a completely new scheme developed from first principles. The design has been informed by extensive consultation with the public and with a specific community forum group who had expressed an interest in helping to shape the proposals. The proposals include for approximately 28,000 m² of

commercial offices, which is a reduction of approx 16% on the previous application, and as it is these offices that contribute a significant amount of traffic in the peak hour, this reduction will help to reduce the overall impact on the highway network.

The scope of the Transport Assessment was agreed with the Council prior to the assessment work being undertaken. The assessment uses a methodology agreed with the Council and calculations are derived using the Council bespoke computer traffic model. The TA concludes that the only highway engineering mitigation works that are necessary are to the Mount Vale / Knavesmire Road junction and proposals for signalling this junction have been tabled. Meetings with the local residents have also been held to discuss the proposals and ensure that their specific concerns have been considered.

Representatives from Bishopthorpe have been met and the Developer has attended the local ward meetings and a parish meeting. The TA specifically considers the Village of Bishopthorpe and the routes of Church Lane and Main Street. Furthermore consideration has also been given to the proposed Church Lane relief road, and the revised route to the A64, though these have not proved to be appropriate for implementation. At a meeting of the Community Forum on the 24th September 2009, the Bishopthorpe Parish Council Representative announced that the Parish Council would be withdrawing its previous objection to the scheme.

The TA contains a specific chapter on sustainable transport and this is also supplemented by Chapter 9 of the Environmental Statement (ES) and Appendix 13 of the ES which contains the travel plan framework. The Developers proposals are focussed on promoting cycling and walking and increasing public transport. A new bus service is proposed linking the P&R site at Askham Bar to the Railway Station, travelling via Bishopthorpe, the site and Southbank. This proposal is intended to deliver a 15 minute frequency service at the site. Promotion of cycling and walking is achieved by connections to the existing networks, upgrading of the cycle route to the riverside and the introduction of better road crossing facilities. Inadequate sustainable travel proposals The proposed provisions for public transport, walking and cycling (Sustainable Transport Measures) are considered to be inadequate and thus unlikely to achieve the proportion of sustainable travel the Council expects in accordance with its transport hierarchy. The measures proposed by the applicants to both encourage and sustain travel by bus, bicycle and foot fail to satisfy National Planning Guidance contained within PPS3 which encourages applications to be well-connected to public transport and community facilities and services and PPG13 especially key objectives 1-3 of the document which seek to promote more sustainable transport choices for people, promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and to reduce the need to travel, especially by car, also policies contained within Regional Planning Guidance (The Yorkshire and the Humber Plan - Regional Spatial Strategy to 2026) YH2, T1, T2, T3, T5, T9 and also Local Plan Policies SP8, T2b, T4, T7c, T13a, T18 and GP4a. The proposed scheme also fails to satisfy the

Local Transport Plan (2006 -2011). This document sets out sustainable, integrated transport policies aimed at tackling the problems of traffic congestion and pollution across York and highlights the importance of sustainable means of travel, the proposed scheme does not adequately address this requirements. Finally the proposed scheme fails to satisfy key objectives stated within the Terry's Development Brief, in particular section 9 of the development brief (Accessibility, Traffic and Transport) and key objectives 14 and 15 which seek to prioritise movement within and through the site for pedestrians and cyclists and effectively promote sustainable transport options to connect the site to the wider city by co-ordinating with city and public transport provider initiatives.

The TA contains a specific chapter on sustainable transport and this is also supplemented by Chapter 9 of the Environmental Statement (ES) and Appendix 13 of the ES which contains the Travel Plan Framework. The Developers proposals are focussed on promoting cycling and walking and increasing public transport usage. A new bus service is proposed linking the P&R site at Askham Bar to the Railway Station, travelling via Bishophthorpe, the site and Southbank. This proposal is intended to deliver a 15 minute frequency at the site. Promotion of cycling and walking is achieved by connections to the existing networks, upgrading of the cycle route to the riverside and the introduction of better road crossing facilities.

A fundamental objective of the Masterplan, which emerged from public consultation, is to increase the connectivity of the site to the surrounding South Bank residential area. This is achieved by the removal of earth bunds along the north and east site boundaries. This makes the site permeable to pedestrian and cycle movement. The Illustrative Masterplan and the Design Statement that accompanies the application documentation show that the design intent is to have shared surfaces which provide priority to pedestrians and cyclists rather than car users. The overall route hierarchy is shown on plans and the connection routes to the existing networks are also shown. Existing connections for pedestrians and cyclists are also proposed through the south boundary to Sustrans route 65, at the end of the central drive to connect with the racecourse, as close to Trafalgar Street as possible in the northern boundary, (restricted by the Electricity Substation), to connect to the designated cycle route to the City, and several pathways through the North East boundary to connect to the existing Southbank community.

Detrimental impact upon Racecourse/Terry's Conservation Area (No. 10)
The development, if approved, would have a harmful impact upon the setting of the Terry's/Racecourse Conservation Area (No.10) due to the proximity of buildings (H2, C2 and C3) which are too close to the adjacent Park Pavilion Fields These buildings would create an unacceptable hard and abrupt edge to this important west boundary and would be unduly prominent from public views within the Knavesmire area. The buildings would also overwhelm and interrupt the established tree canopy within this boundary which would have a detrimental impact upon the characteristic green and open edge and the openness of this particular part of the Conservation Area.

Furthermore, if the development were approved, it would have a harmful effect upon the existing belt of trees on the southern boundary of the site due to the close proximity of the development to the tree belt. This belt of trees contribute strongly to the landscape character of the site and conservation area (no.10) as they can be seen from important views from outside the site, particularly the Micklegate Stray, Bishopthorpe Road and the Racecourse.

In addition the following elements would further harm the character of the Memorial Garden which is located within the Conservation Area, particularly due to:-

- (i) block R3a would intrude into the tree lined fringe of the memorial garden and it would create an overbearing and intrusive feature when viewed from the garden;
- (ii) the proposed cycle route would intrude upon the character and appearance of the memorial gardens, which the Conservation Area Appraisal defines as one of 3 important green spaces within the Conservation Area, by introducing an unnecessary hard surface which would divide the garden and impact upon the amenity value due to introducing a thoroughfare through an otherwise tranquil area; and
- (iii) the children's play area is too large and would dominate the memorial gardens by detrimentally altering a significant part of the memorial garden's character from an informal garden to a structured, fenced off enclosure.

As a consequence the proposed scheme fails to satisfy key objectives stated within PPG15 which require proposed development to give a high priority to the objective of preserving and/or enhancing the character and appearance of Conservation Areas also policy ENV9 of the Regional Planning Guidance (The Yorkshire and the Humber Plan - Regional Spatial Strategy to 2026) which seeks to safeguard the regions historic attributes and values. The proposed scheme also fails to satisfy policies SP3, GP1, HE2 and HE3 of the City of York's Draft Local Plan including 4th set of changes which was approved for development control purposes in 2005 as these policies seek to protect the historic character and setting of York. Finally the proposed scheme fails to satisfy key objectives of the Terry's Development Brief, in particular section 7 (Built Environment) and key objective 11 which requires applications to respect the character and setting of the Racecourse and Terry's Factory Conservation Area and the qualities of the Green Belt and in particular protects and enhances the existing long distance long distance views from the City's open spaces such as the Knavesmire, Rowntree Park and strategic places along the River Ouse and to respect the architecture of the site by ensuring that their setting is maintained.

The redesign of the scheme has removed the commercial buildings and hotel from the boundary adjacent to the Park Pavilion Fields and introduced to this area senior living accommodation, with private amenity space and parking between the buildings and the boundary providing a soft landscape to this part of the development that will maintain its characteristic green and open edge.

The southern boundary is being retained as existing, save for the small penetration that is proposed to connect to the Sustrans route 65. The

important views from the south towards the site will be maintained and this is clearly shown on the photo montages submitted as part of the visual impact assessment.

The Memorial Garden is also proposed to be maintained and the illustrative Masterplan indicates that building facades are proposed to be set back from the existing trees to maintain the tree lined fringe. The introduction of a green corridor through the commercial area also enhances the views to the west when viewed from the Garden. The proposed cycle route no longer passes through the Memorial Garden and the children's play area is proposed in the new central park within the residential area to the north side of the development.

Generally, the overall scheme redesign has resulted in better communication routes, more green and leafy space within the conservation area and an improved setting for the listed buildings.

Detrimental impact upon Tadcaster Road Conservation Area (No. 9)
The proposed traffic mitigation works at the junction of Mount Vale and Knavesmire Road would have a harmful impact upon the character and appearance of the northern part of Tadcaster Road Conservation Area (N.9) due to the combined effect of the road-works which include works to junctions, introduction of traffic lights, road islands, road markings, additional signage and the removal of a protected tree, which forms part of an important line of trees along the main approach road from the south into the city centre.

As a consequence the proposed scheme fails to satisfy key objectives stated within PPG15 which require proposed development to give a high priority to the objective of preserving and/or enhancing the character and appearance of Conservation Areas also policy ENV9 of the Regional Planning Guidance (The Yorkshire and the Humber Plan - Regional Spatial Strategy to 2026) which seeks to safeguard the region's historic attributes and values. The proposed scheme also fails to satisfy policies SP3, GP1, HE2 and HE3 of the City of York's Draft Local Plan including 4th set of changes which was approved for development control purposes in 2005 as these policies seek to protect the historic character and setting of York. Finally the proposed scheme fails to satisfy key objectives of the Terry's Development Brief, in particular section 7 (Built Environment) and key objectives 11 and 12 which require applications to respect the character and setting of the Racecourse and Terry's Factory Conservation Area and the qualities of the Green Belt and in particular protects and enhances the existing long distance views from the City's open spaces such as the Knavesmire and to respect the architecture of the site by ensuring that their setting is maintained.

The proposals for upgrading the junction at Mount Vale / Tadcaster Road and Knavesmire Road, which is indicated as being beyond design capacity in the Baseline situation, (i.e. regardless of the redevelopment proposals), have been revised, after extensive consultation with residents, to improve access to local properties. The removal of a preserved tree is still required to comply with road safety issues and allow the development of more extensive

sustainable transport measures such as the extension of the bus lane. Additional survey work has been done regarding this tree removal and it is noted that the tree is not isolated and therefore the impact of removal will not be severe and the proposal includes for additional tree planting to enhance the area affected.

The landscape appraisal submitted with the application (Chapter 12 of the Environmental Assessment) demonstrates that there will be no harmful effect on long distance views of the site, such as from the Knavesmire.

Detrimental impact upon the setting of the listed buildings Long views of the listed buildings would be harmed due to the height of the proposed new buildings (including additional plant on the roofs of these new buildings) as they would diminish the exceptional dominance of the main factory building. Furthermore the design and massing of the new build elements would visually compete with rather than compliment the listed buildings, which would be to their detriment and that of the area. In addition, buildings C4 and to a lesser extent C10 would overwhelm the former Headquarters building, which is Grade II listed, due to their close proximity and height.

As a consequence the proposed scheme fails to satisfy PPG15 which gives a high priority to protecting the setting of a listed building and the contribution it makes to the local scene. The proposed scheme also fails to satisfy policy ENV9 of the Regional Planning Guidance (The Yorkshire and the Humber Plan - Regional Spatial Strategy to 2026) which seeks to protect former industrial landscapes. In addition the proposed scheme also fails to satisfy policies GP1, HE2 and HE4 of the City of York's Draft Local Plan including 4th set of changes which was approved for Development Control purposes in 2005 as these policies seek to protect the historic character and setting of York's listed buildings. Finally the proposed scheme fails to satisfy key objectives of the Terry's Development Brief, in particular section 7 (Built Environment) and key objective 10 and 12 which requires applications to respect the architecture of the site by ensuring that their setting is maintained.

The revised proposal is not a revision to the previous scheme, but has developed as a brand new application, built up from first principles. The design has been informed by extensive consultation with the public and with a specific community forum group who had expressed an interest in helping to shape the proposals. In addition, regular meetings were held with the Councils Conservation officer in the course of preparing the scheme. English Heritage was also consulted regarding the scheme design on several occasions and a presentation was made to the Conservation Area Advisory Panel prior to the submission of the scheme.

The design process has moved through controlled stages, with "in principle" agreements reached before progressing. During this process the emerging designs have been tested against the development brief. Details of levels, cross sections and the long distance views have been submitted with the landscape appraisal which concludes that the proposals will not harm the character of the area. The setting of the listed buildings will be considerably

improved by, for example the demolition of the Central Services building and its associated footbridge links to the Multi Storey factory and Headquarters building. The setting of the Multi Storey Factory will be considerably improved by the removal of unsympathetic modern industrial shed structures on the south side of the building and replacing them with modern, well designed office buildings in a landscape setting. The scale and massing of new buildings has been designed to ensure they do not challenge the primacy of the listed buildings which has the existing sheds removed and a landscaped commercial centre take its place, complete with green corridor. The former HQ buildings setting is also enhanced as there is no longer a proposal to extend to the West and the adjacent buildings to the North are all of residential scale and massing.

Detrimental impact upon landscaping The proposed development, if approved, would have a harmful effect upon the existing mature landscape of the site, with particular reference to the following:-

- (a) the existing belt of trees within the southern boundary - due to the close proximity of the 4 residential blocks (R2a and R3a) there would be significant pressure to thin, cut-back or remove this important tree line to allow adequate levels of light to the rear of the aforementioned dwellings;
- (b) Block R3e would have a similar impact upon the existing trees which bound the western edge of the memorial garden.

Also blocks L7 and R5a would have a detrimental impact upon the existing landscape character of the site, with particular reference to the removal of the existing bunding (adjacent Bishopthorpe Road) on the boundary and the trees thereon.

As a consequence the proposed scheme fails to satisfy PPS1 which encourages the protection of landscape quality and also fails to satisfy policy ENV10 of The Yorkshire and the Humber Plan (Regional Spatial Strategy to 2026) which seeks to safeguard and enhance landscapes that contribute to the distinctive character of Yorkshire and the Humber, especially within regeneration schemes. In addition the proposed scheme fails to satisfy policies GP1, GP9, N1 and NE8 of the City of York's Draft Local Plan including 4th set of changes which was approved for Development Control purposes in 2005. Finally the proposed scheme fails to satisfy key objective 13 of the Terry's Development Brief, which seeks to enhance the landscape framework and also chapter 6 (Landscape and Natural Environment) which seeks to protect the existing trees as landscape features which should also be enhanced and incorporated into any scheme to develop the site and that any development towards the perimeter of the site should be set a distance away from the trees to create a margin of open space such that the trees appear as part of a landscape setting rather than a mere boundary treatment which sits tight up to against dwellings, also chapter 7 (Built Environment) which encourages trees along the southern boundary to be reinforced.

The redesign of the scheme has removed housing from the Southern boundary and this removes the pressure to thin and cut back the trees. The southern boundary is being retained as existing, save for the small

penetration that is proposed to connect to the Sustrans route 65. The important views from the south towards the site will be maintained and this is clearly shown on the photo montages submitted as part of the visual impact assessment.

Housing is also removed from the western boundary of the Memorial Garden and its existing boundaries are proposed to be maintained. The illustrative Masterplan indicates that building facades adjacent to this area are proposed to be set back from the existing trees to maintain the tree lined fringe. The Councils Tree Officer has been regularly consulted throughout the design of the scheme.

Through the design process and the engagement with the local community it has been established that removal of the bund that creates a barrier with the local residential area is welcomed. This removal has been carefully considered to allow the green leafy character of the area to be maintained, by preserving the most important trees and supplementing the new landscape with planting of native species.

Inappropriate location of the residential development

Excluding the aforementioned reasons for refusal, the scheme also fails to satisfy the requirements of the approved Terry's Development Brief (2006) in terms of the proposed location of the housing.

The housing is isolated from established surrounding communities and consequently is in an inappropriate location. Due to the housing forming a separate zone to the south of the site and 3 sides of the housing being impermeable, movements through the site would be unnecessarily awkward and circuitous. The Terry's Development Brief, Key objective 14, seeks a proposed development to prioritise movement within and through the site for pedestrians and cyclists. Other objectives require proposed schemes to have a direct dialogue and connectivity that promotes links and relationships within the surrounding community. Access to and from other zones/areas of the site would also be awkward for pedestrians and the lack of integration with the existing community in South Bank would preclude easy and convenient access through the site for residents and visitors to the community and for transport links. As a consequence of the above the proposed scheme fails to address important elements identified within the Terry's Development Brief as being essential to the future development of the site, the surrounding community and the City of York.

The proposed scheme therefore fails to satisfy PPS1, PPS3, PPG15, the Regional Planning Guidance (The Yorkshire and the Humber Plan - Regional Spatial Strategy to 2026) and policies SP3 and GP1 of the City of York's Draft Local Plan including 4th set of changes which was approved for Development Control purposes in 2005 and the general objectives of the Terry's Development Brief which seeks to promote inclusive and effective connections within the site and to the surrounding community.

The most fundamental difference between the current scheme and the previous proposal is that the residential element of the scheme is now located on the northern half of the site and the commercial uses on the south side of the site.

The barriers between the site and the surrounding communities, in the form of the earth bunds, are proposed to be removed. The illustrative Masterplan shows the many routes available to access the site, safely move through it and connect with the surrounding areas.

Insufficient information provided regarding design elements

Insufficient and inadequate information has been provided concerning some important design elements of the scheme. As a consequence the Local Planning Authority (LPA) cannot properly assess the impact of the proposed scheme and its design quality. In particular full design details are required of the proposed housing within the southern section of the site. As this is part of the Terry's/ Racecourse Conservation Area (No.10), further details should have been submitted to allow the LPA to fully assess the impact of these dwellings upon the conservation area and the adjacent listed building (the former Factory building).

Furthermore the design code is inadequate in the following respects:-

- (a) Further information is required to strengthen the design code, so as to enable the LPA to assess the impact of the scheme upon the setting of conservation area no.10 and the adjacent listed buildings and to ensure a robust and high quality design for the scheme, in particular such important elements as Defensible space and boundary treatments; Roofscapes; Materials; Scale and proportions of architectural elements; The degree to which passive solar measures would be integrated within the design of buildings; and Any other plant, external equipment or other attachments.
- (b) Insufficient details of the remodelling of the ground plane which incorporates the underground car-park/ podium. The LPA require more details on this aspect so as to be able to assess the impact of the scheme upon conservation area (No.10) and the adjacent listed buildings and also on the surrounding environment, especially at the entrance off Campleshon Road and at the junction of Bishopthorpe Road and Campleshon Road;
- (c) Further information is also required to assess the impact of buildings C4 and to a lesser extent C10 upon conservation area no.10 and the former Headquarters building which is grade II listed. Inadequate information has been submitted concerning the treatment of the roofscapes of C4 and C10. The treatment of these roof details is important as significant additions of plant etc. would raise the height of these buildings and be unduly prominent;

Also insufficient design details have been submitted to allow the LPA to adequately consider the proposed pedestrian link between the site and the Racecourse. This is an important facet of the scheme and has a significant bearing upon the setting of the former Factory building and the Terry's/ Racecourse Conservation Area.

Chapter 7 of the Development Brief raises 20 key points which proposed schemes should address. In particular point 13 states that the grain, massing and character of the existing site and buildings are quite different from the surrounding area and development proposals should adequately address this and that (15) new build should consider a contemporary interpretation of the forms, materials and details of the listed buildings and where appropriate should acknowledge the local vernacular and (19 and 20) space for circulation, orientation and relaxation through appropriate soft and hard landscaping should be provided and that the transition spaces should be clearly designed, in particular transitions from public to private spaces associated with the buildings. As a consequence of the lack of information, the LPA cannot judge the proposed scheme against relevant Local Plan policies GP1, HE2, HE3 and HE4 and Government Guidance within PPS1.

The level of information required has been discussed with Officers during the preapplication phase and a list of the documents required has been agreed. All of these documents have been delivered with the application. The design code has been reviewed by officers and comments taken on board, resulting in minor amendments and additions to satisfy their concerns.

The comments relating to roofscape details of buildings C10 and C4 are no longer relevant in this new scheme. The underground car park has also been omitted, removing any concerns regarding this.

The pedestrian link proposed between the site and the Racecourse, whilst not applied for in detail, has been sketched and the information is sufficient to recognise the beneficial impact this has on the listed building and the conservation area.

Secure by Design

The proposed scheme fails to adequately address secure by design principles. In particular the combination of the overall permeable nature of this estate and the lack of defensible space, will make the domestic and commercial properties vulnerable to intruders. 'Safer Places (The Planning System and Crime prevention)' published by the Department for Communities and Local Government emphasizes that 'it is desirable to restrict public access to the rear of buildings. Secluded footpaths or alleyways, in particular, should not run along the rear of and provide access to buildings or gardens'. The public areas above the car-park and adjacent the hotel are single use areas which lack natural surveillance during the evening, which may attract undesirable/anti-social behaviour. There are also hidden areas within the site which would further exacerbate this problem, i.e. pathways behind dwellings in the south and the route adjacent the nursery play area/hotel.

Secure by Design (New Homes) states that 'routes for pedestrians, cyclists and vehicles should not be segregated from one another'. The cycle route (no.65) between housing blocks R2a and R3a is inappropriate in this context. This is an unnecessary route and encourages unauthorised persons into the

complex at a vulnerable point and may cause additional vulnerability to adjacent residents.

The children's play area does not benefit from adequate levels of natural surveillance, due to tree cover and distance from developments. 'Secure by Design' specifications require that play areas for young children should have adequate natural surveillance within the community.

As a consequence the proposal fails to satisfy PPS1, in particular paragraph 37 of the policy document which states that planning authorities should have regard to good practice as set out in safer places - the planning system and crime prevention. As a consequence the scheme has been judged against this document and other relevant documents. The scheme also fails to satisfy policies GP3 of the City of York's Draft Local Plan including 4th set of changes which was approved for Development Control purposes in 2005. This policy seeks development to incorporate crime prevention measures so as to achieve natural surveillance of public spaces from existing or proposed development.

The scheme masterplanner has met with the Police Architectural Liaison Officer and the Officer has provided a letter relating to this. It should also be noted that the designer is a CABE assessor and has working knowledge of the following documents, which have been used as references throughout the design period:

- Buildings for Life
- Secured by Design
- Manual for Streets

The proposed connection to Sustrans route 65 has been positioned to provide a connection that is not an alleyway and does not increase the vulnerability of adjacent properties.

The Children's play area has been positioned in the central park, amongst the residential properties, where passive overlooking can be achieved, without intrusion.

Conclusion

The development proposals recognise the previous reasons for refusal and address all of these in a positive and beneficial manner.