

# **PROTOCOL FOR PRE-PLANNING APPLICATIONS**

## **This Protocol applies to: Informal views regarding Pre-Planning Applications**

The Localism Act 2011 makes it clear that it is proper for Councillors to play an active part in pre-planning application local discussions with developers/agents; it is also integral to the Neighbourhood Plan. This protocol is applicable to all pre-planning applications received by the Parish Council and is intended to ensure that they are handled in a consistent and timely manner. It seeks to encourage developers/agents to consult with Goodworth Clatford Parish Council at the pre-application stage. We want to work in partnership with developers and agents to achieve the best possible developments for the benefit of all concerned.

The Parish Council gives views on applications to the local planning authority, but has no powers to grant or refuse planning permission itself. Nevertheless, as a statutory consultee, the Parish Council has the power to comment on proposals, and the local planning authority has a duty to consider the Parish Council's views.

### **Process:**

Once an informal request is received the Chairman and Chair of Planning will discuss scheduling a developer meeting (this can be in the form of a site visit or informal meeting).

This meeting is for the members of the Planning Committee to learn about the proposed application, to identify any Parish specific issues that might be known of and to discuss any outstanding issues that could be dealt with prior to application submission.

All communications with developers whether in formal or informal meetings with individual councillors or members of the Planning Committee will not bind the council when making a decision on the application. Any views expressed should be viewed at best a 'provisional' as not all the relevant information will be available to the Planning Committee or Councillors. All discussions whether in informal meetings or as telephone discussions between the developer, individual councillors or Planning Committee will be documented in writing and reported to and noted by the full Council.

There will always be at least two Councillors from the Planning Committee, nominated by the Chairman of Planning, in attendance. Other members of the Planning Committee and the Clerk have the option to attend at their discretion.

This meeting could include attendance by the local Test Valley Councillor but is not open to the public at large.

Developers would be given the opportunity to provide outline details of their proposal including reference to the Local Plan and NPPF, as well as the context of its effect on the parish.

It would be expected that they would provide plans of the proposed site and expected development.

As there is currently no neighbourhood plan in place the Council is a consultee on planning matters and our comments or discussions have no binding impact on the decision made by the Test Valley Planning Department.

Attendees will not be making any kind of determination on the plan itself at this meeting. All planning applications will only be discussed at a Full Council or a Planning Committee meeting.

### **Additional notes for Councillors:**

Councillors must maintain an impartial listening role and avoid expressing an opinion to the applicant which could be regarded that you have pre-determined the proposal. Questions and comments should focus upon clarifying aspects of the proposal or to flag up issues of concern but must not develop into negotiations. It is equally important at this stage for councillors not to have closed minds as to the merits of the proposal. Clearly statements such as 'I will never support this scheme' should best be avoided, however, advice such as 'I believe that local residents will be very concerned about the increased traffic and therefore we would want this issue to be fully explored further should you submit an application' is acceptable.

It is important for the pre-planning consultation to be as open as possible therefore any comments or concerns should be identified during the meeting. We cannot and should not appear to be saying that any suggestions of changes, modifications or alterations would make the Parish Council view this proposal in a more positive light when it comes to making a planning decision.

The Council reserves the right to require any Councillor who has formed a view, for or against the development being discussed, and will therefore have pre-determine their stance, to be required to withdraw from meetings where any subsequently submitted application is discussed or decided.

### **Additional Notes for Developers/Agents**

As Goodworth Clatford Parish is currently only at the construction stage of our Neighbourhood Development Plan discussions with the parish council are only undertaken with the parish acting as a local consultee and hold only that weight associated with this.

The meeting can provide any relevant background information to give context to the proposal, but it should focus primarily on issues that are relevant to the planning process.

Views expressed either by the developer, individual councillors or the parish council as a whole are not part of the determination process and any statements are "without prejudice" to the eventual determination of an application, in that councillors will have to have an open mind at the point of decision making in respect of a consultation.

Minutes of the meeting will be recorded in general terms, not verbatim, and should not then be used as reference materials other than as a general memory aid. They cannot be used as reference materials by either side for the planning application other than to show a level of 'community participation' in the pre-application discussions.

All such discussions are subject to disclosure under the Freedom of Information Act 2000.

All Council and Committee meetings are open to the public and any developer has the right to speak in public participation.

It is an offence for a developer or his agent to promise or give financial or other advantage to the Council in expectation of an improper consideration of the planning application. If the developer is a company or charity the Council may request sight of their anti-bribery policy.