

# **ALDERBURY PARISH COUNCIL**

## Protocol on pre application meetings for major developments Guidance for councillors and developers

### Preamble

Alderbury Parish Council recognises that pre-application discussions play an important role in major planning applications, and welcomes the desire of some developers to consult both the council and the public more widely. However, the council is also aware of the importance of public perception in planning and the critical need to avoid any appearance that the council is conducting secretive negotiations or colluding with developers.

Any use of this protocol is without prejudice to the eventual decision of the Parish Council on the merits of the any application or to the determination by Wiltshire Council

### The National Planning Policy Framework

Extract:

- “39. Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better co-ordination between public and private resources and improved outcomes for the community.
- 40. Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community .....before submitting their applications.
- 41. The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits. ....”

### Pre-determination

In all meetings with developers members are reminded of the critical importance of not pre-determining their position on any future application, as this could require them to take no part in the discussion. It is noted however that expressing a pre-disposition, for example of either ‘welcome in principle’ or ‘concerns’, is permissible.

### Individual members’ discussions

Individual members may be approached by developers for informal discussions of possible future applications. Whilst it is left to the individual judgement of members whether to take part in such discussions, based on the nature and likely level of controversy of the application, they are advised:

- i. To carefully consider the public perception of such meetings.
- ii. To avoid any appearance of collusion in applications likely to cause controversy.
- iii. To avoid accepting hospitality in connection with such meetings.
- iv. To advise the Chairman, and where possible the council, of such meetings

Members must not purport to be representing the council at such meetings, unless expressly authorised to do so by the council.

### Pre application briefings

The council is, in general, willing to hold meetings with developers prior to public consultation. A sub-committee of Parish Councillors or some other delegated group may be formed to undertake the task of engaging with potential applicants. All meetings with developers/agents will be minuted by the Clerk or, in their absence, a nominated Councillor.

Under normal circumstances the Council will not hold private meetings with developers and their agents. However, on occasion this may be required if there is a necessary and compelling reason which can be justified to the public eg there is commercial sensitivity or the developer wishes to receive an initial steer before deciding whether to progress.

If the Council agrees to hold an initial meeting with a developer in private, an independent person unconnected to the Council will be appointed by the Council to attend the meeting as an observer.

Questions and comments at meetings with developers should focus on clarifying aspects of the proposal or to flag up issues of concern but they must not develop into negotiations

### Pre application public consultations

The council strongly encourages developers to carry out full public consultation before submitting plans for major developments, on the following basis:

- I. The meeting is open to the public to attend and has been reasonably advertised.
- II. An accessible and convenient venue.
- III. Sufficient publicity to likely interested parties, in good time.
- IV. Appropriate timings to allow as wide a range of people as possible to attend.
- V. A genuinely open mind and willingness to adapt plans in response to feedback.

In general members are advised not to attend separate private briefings as part of public consultation, but instead to attend with the public.