



Town & Parish Councils in Cornwall

A Model Approach To Pre-Application Discussions



Guidance for Parish Councillors and developers

The Parish Council recognises that pre-application discussions play an important role in major planning applications, and welcomes the desire of 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.

Pre-application briefings

The Council is, in general, willing to hold meetings with developers prior to public consultation on the following three conditions:

1. Full public consultation is either already scheduled, or firmly planned.
2. The meeting is open to the public to attend and has been reasonably advertised.
3. The developer meets all reasonable costs for the hosting of the public meeting including the provision of large scale paper plans for display purposes.

The policy of the Council is **not** to hold private meetings with developers unless there is a necessary and compelling reason that could be justified to the public (for example a strong commercial sensitivity, where a developer wishes to receive an initial steer before deciding whether to progress).

Pre-application public consultations

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

1. An accessible and convenient venue.
2. Sufficient publicity to likely interested parties, in good time.
3. Appropriate timings to allow as wide a range of people as possible to attend.
4. A genuinely open mind and willingness to adapt plans in response to feedback.

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

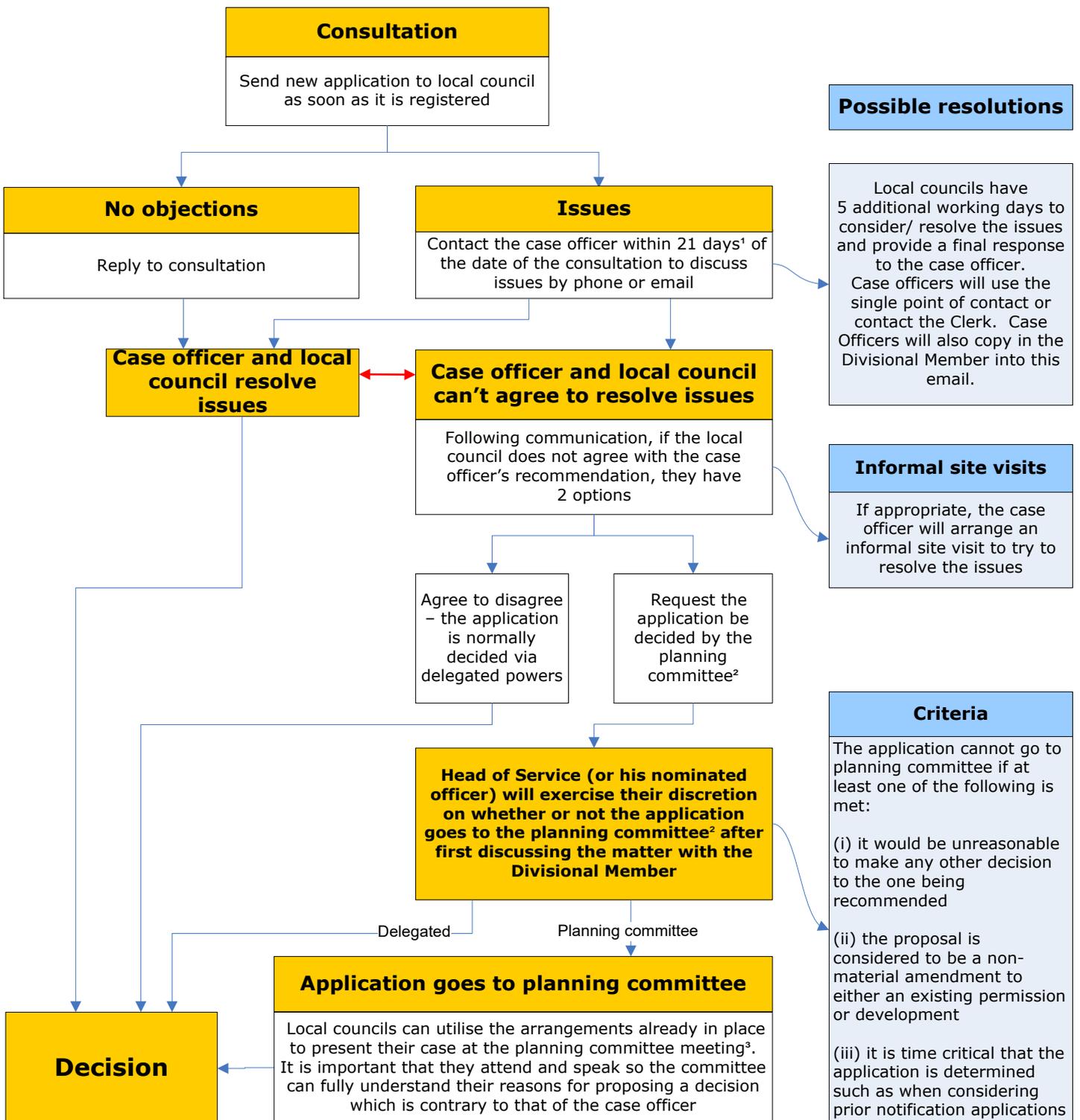
Individual Councillor's discussions

Councillors must be aware of their obligations under the Council's Code of Conduct. Individual Councillors must not enter into informal discussions of possible future applications with a developer; to do so may lead to a complaint for a potential breach of the code.

If it is considered that a site meeting is needed with the developer then individual Councillors are strongly advised to attend with other agencies (ie highways, officers from the Local Planning Authority) or the clerk and not on their own.

Pre Determination

In all meetings with developers, Councillors are reminded of the critical importance of not predetermining 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 prior view, or pre-disposition, for example of either 'welcome in principle' or 'concerns', is permissible. Taking a closed position to the development and adopting an 'over my dead body' approach to it may well be viewed as predetermination and if this is the case a Councillor would be unable to vote on the matter when it comes before their Local Council.





The objective of the Local Council and Member Protocols is to encourage dialogue and make sound planning decisions locally

Large scale planning applications that exceed specified thresholds are automatically considered by the Strategic Planning Committee.

Constitution [Responsibility for Functions]

This states that a Local Member can request any application falling under the 'Major' or 'Minor' category to be taken to a planning committee for consideration, so long as it is in writing/email and that sound planning, policy and other area reasons have been provided setting out why committee consideration is necessary.

Major and minor application types are:

- New dwellings
- Offices / research and development / light industry
- General industry / storage / warehousing
- Retail distribution and servicing
- Gypsy and Traveller pitches
- All other large scale major developments
- All other small scale major developments
- All other minor developments

Other application types are (and can be called to the planning committee by the Head of Service or his nominated officer):

- Minerals Processing (ie ancillary mineral operations defined under the GPDO)
- Change of use (no significant building or engineering work involved)
- Householder developments
 - Included in householder developments are extensions, conservatories, loft conversions, dormer windows, alterations, garages, car ports or outbuildings, swimming pools, walls, fences, domestic vehicular accesses, including footway crossovers, porches and satellite dishes.*
- Advertisements
- Listed building consents to alter / extend
- Listed building consents to demolish
- Conservation area consents
- Certificates of lawful developments
- Notifications (where no planning application is required)
- Discharge of planning conditions
- Non-material amendments
- Works to trees in a conservation area
- Works to trees covered by a Tree Preservation Order

Notes

¹21 days is the statutory time period - if an extension of time is required, the request and response must be in writing (or email) and is likely to be acceptable unless a decision is imminent.

²See page 2 for further information.

³Any written supporting statements must be submitted at least 3 working days before the committee meeting.

If a case officer is on leave or sick, contact your 'friendly link officer' who will be able to find out who is dealing with the application in the case officer's absence.



Cornwall Local Councils Pre application Protocol

The Local Council will

- publish details of its pre application procedures and Parish Pre Application Profile on its Website together with information for potential applicants
- assist in facilitating Public Meetings in suitable, pre-agreed local locations
- share notes of discussions held during the pre application process with Planning Authority. This could include minutes of meetings or a record of the discussion
- complete and refresh their Parish Pre Application Profile details annually to provide local knowledge to the applicant engaging in the pre application process
- refer requests for advice on Planning Policy to the Planning Authority

The Applicant will

- research the area of the proposed development to understand the local factors described in the Parish Pre Application Profile before approaching a Local Council to engage in a pre application process
- share plans, supporting information and guidance given by the Planning Authority with the local council before attending local meetings and will allow the information to be left for any follow up comments to be made
- respect the role of the local council during the pre application process; private lobbying of individual Local Council Members is not permitted
- meet all reasonable costs of hiring local facilities to hold public meetings

Cornwall Council will

- give a strong steer to Applicants to carry out public engagement work
- share any pre application advice given to the applicant by officers if requested (except in the case of confidential pre application enquiries)
- encourage the use of Planning Performance Agreements (PPA) including Local Council Liaison
- ensure joined-up working with other agencies in connection with pre application submissions
- encourage the use of the Cornwall Design Review Panel
- will adhere to the Pre application protocol when Cornwall Council is the planning applicant

Local Council Pre application Protocol – Planning Partnership Page Web link

<http://www.cornwall.gov.uk/environment-and-planning/planning/local-councils/planning-partnership-meetings/>



Local Council Pre-application Protocol – Registration and Profile

Name of Parish, Town or City Council: MICHAELSTOW PARISH COUNCIL

The pre-application protocol was adopted by the City/Town/Parish Council on 01 12 2016. and the following profile details are submitted.

Contact Details

Name address email & Phone number for Town /Parish contact

Simon Mitchell, Parish Clerk, c/o Fentonadle Cottage, Fentonadle, St. Breward, Bodmin, Cornwall PL30 4PJ Telephone message 01208851356 email michaelstowparish@gmail.com

Community Profile

Population, number of households, any socio-economic data, main local businesses, etc

Number of electors 200, number of councillors 5

Local Facilities

School, halls, churches recreation ground, shops, pubs, etc.

Chapel, church, butchers shop

Local Groups and organisations

Existing Plans

Neighbourhood Plans, Parish Plans, Design Statements, Housing Needs Survey, or other guidance.

No existing formal plans