



NASH MILLS

PARISH COUNCIL

NASH MILLS PARISH COUNCIL

Protocol On Pre-Application Engagement for Planning Developments Guidance For Councillors and Developers

Adopted	April 2023
Agenda Reference	22/200/FPC
Review Period Every 4 years	April 2027

Pre-Application Engagement

The National Planning Policy Framework (NPPF) encourages applicants to enter pre-application discussions (para. 188) and to engage with local communities (para. 189).

Introduction

Nash Mills Parish Council recognises that pre-application discussions play an important role in many planning applications and welcomes the desire of developers (whether for large or small projects) 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.

In March 2023 the lead planning authority (Dacorum Borough Council) invited parish councils to state whether they wished developers to be invited to engage with them in the pre-application process. This protocol (if adopted) will assist NMPC with this process.

Pre-determination

In all meetings, 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.

This protocol applies to large scale and significant new proposals. It does not apply to minor development or householder development such as extensions to houses

Pre-Application Engagement Protocol

1. **Nash Mills Parish Council welcomes early engagement with planning applicants on major or complex planning proposals.**
2. **Nash Mills Parish Council undertakes to facilitate positive pre-application discussions between applicants, its Councillors, and the community. It will also, where appropriate, participate in discussions with other planning stakeholders and decision-makers.**
3. **Nash Mills Parish Council undertakes to:**
 - Seek and encourage early engagement regarding evolving planning proposals;
 - Respond positively to requests for engagement from applicants;
 - Work constructively with applicants to identify means to mitigate any potential negative impact of a proposal;
 - Facilitate, where useful, a public meeting to allow community engagement and consultation by applicants;
 - Conduct all pre-application engagement in public (exemptions may apply see below);
 - Make all information received publicly available, usually on Nash Mills Parish Council's website, where appropriate;
 - Keep applicants informed of the process and outcomes of engagement;
 - Meet the applicant's requirements as closely as possible within available resources.
4. **Applicants seeking pre-application engagement should:**
 - Approach the Clerk in the first instance and avoid contact with individual Councillors.
 - Contact the Clerk on clerk@nashmillsparishcouncil.gov.uk at the earliest opportunity so that arrangements for pre-application engagement can be put into place.
 - Set out in writing (email preferred) the nature of the proposal with as much information as possible and the nature of engagement that is sought. In addition, any other relevant information such as supporting documentation, target dates, issues with statutory consultees or potential public concerns would also be helpful.
 - Prepare a presentation for meetings before Councillors if this will be helpful to the applicant. Where possible, these should be in PDF format and supplied to Nash Mills Parish Council at least 5 days in advance of the presentation. Supporting information should also be supplied electronically;
 - Not represent the conduct of any pre-application engagement as implied or explicit approval for any proposal;

Scheme of Delegation

1. **Who from the Local Council is empowered to speak to applicants?**

The Clerk will be the first point of contact with regards to liaison and then applicants must attend a full council meeting to present their plans.

2. **What is the mechanism by which the Council's decision or opinion is agreed?**

Opinion and decisions on planning applications are made only at full council. Council only reviews applications once they have been submitted to the lead planning authority (Dacorum Borough Council).

It must be made clear to the applicant that any comments made by the parish council as part of pre-application discussions do not guarantee a certain decision when the full application is brought to the council.

3. **How are decisions documented and recorded?**

Decisions are documented and recorded in the minutes.

Anti-bribery – As per the Pre-Application Engagement Protocol, applicants must approach the Clerk in the first instance and avoid contact with individual Councillors.

4. **Who is empowered to participate in the debate and how?**

This would be agreed on an application-by-application basis, by councillors at the full council meeting at which the pre-application is discussed.

5. **What information is required from applicants?**

Indicative Plans and Layouts

6. **When can pre-application engagement take place?**

As soon as the details are available – as early as possible

7. **What does the Parish Council do with the information supplied?**

Provide informal feedback to the applicant on the proposed application, which would be recorded in the minutes.

8. **How is the local community involved?**

Following discussion with the developer, if they are happy for it to be discussed as part of a public meeting, it could be included on the agenda as an agenda item and then the public would be made aware when the agenda is published. NMPC would encourage full transparency and public access unless there is a specific contractual reason why this cannot be undertaken in an open meeting as laid down in statute. (The Public Bodies (Admission to Meetings) Act 1960 Sec 1 (2)).

9. **What information is made publicly available?**

The discussion at a full council meeting would be in public (unless the information is clearly defined as confidential, see above) and details would be provided in the minutes which are publicly available on the website.