

HEATHFIELD AND WALDRON PARISH COUNCIL

PLANNING PROTOCOL FOR DEVELOPMENTS

Background

1. As a consultee on planning applications in the parish, the Council may be approached by developers to discuss proposals for forthcoming housing developments.
2. The developer may ask Members to attend a site visit or ask to make a pre-application presentation to Planning & Highways Committee (PH) Committee.
3. Developers may also ask for guidance when holding public exhibitions showing their plans for future housing
4. Local residents may question the Parish Council's role and responsibilities in relation to applications.

This Protocol seeks to set out guidelines for dealing with such requests

Considerations

Pre-determination

Members of the PH Committee who publicly express an opinion on a proposed development may be thought to have already made up their mind prior to the application being considered by the Committee. This is called pre-determination and could lead to a complaint from a member of the public under the Code of Conduct.

Likewise, Members who attend on site at the request of the developer/applicant or a nearby resident without formal agreement from the PH Committee might also be at risk of a pre-determination complaint, particularly if the site visit had a social element such as taking refreshments with the landowner/applicant.

A member who is directly approached by a member of the press or agent/applicant about an application or proposed development should avoid expressing any views or making any comments which could in any way be construed as being those of the Council. It should be made absolutely clear that any views are personal ones, or preferably, to refrain from commenting at all.

WDC Planning Protocol Meetings

The planning Case Officer may invite the Parish Council to send representatives to a "Protocol" meeting. Usually this is the Clerk and up to two members of the PH Committee. These meetings are an "off the record" opportunity for the Wealden Planning Officer, District Ward Member, developer and agents to discuss forthcoming applications in an informal manner with a view to raising issues, discussing designs and the timetable for the application.

Members attending these meetings should again be aware of expressing support or otherwise which could be perceived as being the view of the Parish Council. The meetings provide an opportunity for issues to be raised which apply to the local area about which the applicant and agents may be unaware.

Public Exhibitions

When major developments are proposed, the developer/agents may be encouraged to hold a public exhibition where local residents have a chance to comment on draft proposals. Whilst some residents may understandably oppose development which affects them in some way, this is also a useful opportunity for residents with local knowledge to raise issues which may not have been previously considered.

Whilst it can provide useful background information, Members of the Council attending such exhibitions should again be careful not to express an opinion which could be seen to be that of the Parish Council.

Presentations to PH Committee

With the increase in major applications particularly, there are more frequent instances where applicants are requesting the opportunity of presenting pre-application plans at a PH Committee meeting. This is permissible and will usually be added to the agenda, as an item before the commencement of the meeting itself.

At the same time, nearby neighbours may also attend the Committee meeting to give their views. The Chair of the meeting will make it clear to local residents that it is a meeting of the Parish Council held "in public" and not a public meeting. Therefore, questions from the public will be at the Chair's discretion and should only be asked through the Chair and not directly to the applicants/agents. Members of the Committee will have the opportunity to ask questions of clarification in relation to the proposed development but again, should not give an indication of support or otherwise in advance of formal consideration of the application. No other discussion or consideration of the matter will take place until such time as a planning application is submitted

Notification to Neighbours

There have been occasions when residents have complained that they have not been notified that pre-application presentations are being made to the PH Committee.

There is no responsibility on the Parish Council to notify neighbours, action groups or any members of the public about pre-application presentations. Likewise, the Parish Council does not notify local residents of applications that may affect them. All PH agendas and planning application lists are advertised in the office window prior to the meeting, as well as being available for download from the website.

Summary

- All Members must ensure that they do not express opinions during pre-application presentations, protocol meetings or approved site visits
- No Members should enter into discussions with the Press regarding planning matters – the only people authorised to speak on behalf of the Parish Council are the Clerk or the Chair of the Council (see Media Policy)
- The Chair of PH committee shall retain order during pre-application presentations and decide whether or not to allow public questions
- Members attending public exhibitions about proposed developments shall ensure that any comments made are recorded as being their own and not that of the Parish Council. It is more prudent to avoid making comments at all.
- Once a pre-application presentation has been made, there shall be no discussion about the matter until the planning application is submitted, in the usual way
- Members should be aware of the Council's policy with regard to notification to neighbours and refer any queries to the Clerk

L Hurst
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