

Briefing Note

Pre-application Protocol

1.0 BACKGROUND

1.1 The Cornwall Planning Partnership has been examining the way that developers can work with town and parish councils to run consultations and take advice from residents. Some parish councils have refused to engage with developers because they feel they may be accused of collusion or predetermination in making their eventual planning decision.

2.0 THE CHANGES

2.1 Cornwall Council has produced a protocol that sets out roles and requirements from all parties that should enable everyone to be clear about what is permissible, and how pre-apps should be managed. *Signing up to the protocol is optional.* This is an extract from the explanation that Sarah Mason, Chief Officer of CALC has written to Clerks:

It is a three part document containing the following :

- i) Pre Application Agreement – this outlines the roles of each of the parties involved in the planning process. If your parish chooses to adopt this agreement, it will define your council's role and your requirements of the applicant. It also defines the role of the planning authority in supporting you through this process. *One page of explanation.*
- ii) Pre Application Protocol – the protocol explains how your council will engage in pre application and clarifies the potential danger areas which should be avoided under the Code of Conduct. *Two pages of explanation.*
- iii) Pre Application Planning Profile – Cornwall Council will hold this register of information about your parish and share it with any potential developer seeking pre application consultation in your area. *Clerk will complete this on your behalf.*

The Planning Partnership has designed the protocol documents to help manage everyone's expectations in the pre application process.

Local Councils can feel safe that the protocol acts as a policy for pre application; it has been approved by the Monitoring Officer and councillors will remain within the principles of public life and the code of conduct if they abide by the protocol.

Applicants and Developers will need to provide financial support for public consultation and produce hard copy plans for public display. The agreement also explains the role of the parish council during pre application.

Cornwall Council will be confident that those who have signed up to the agreement are prepared to deliver a pre application process which includes robust public consultation before any plans are submitted. It will honour its commitments to give support as outlined in the agreement and require developers to do the same.

3.0 HOW THIS WILL WORK

3.1 To join the pre application agreement scheme, we need to pass a resolution to adopt the three documents at the next meeting. Clerk will complete the profile and Cornwall Council Customer Relations will hold a copy for any developers to refer to.

We undertake to:

- Publish details of our pre application procedures and Parish Pre Application Profile on our 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

4.0 CONCLUSION

4.1 Menheniot Parish Council can accommodate the changes within its current planning processes at minimal cost.

4.2 Actively cooperating with individuals and companies wishing to submit planning applications will enhance the council's reputation for progressive governance and transparency.

4.3 Will contribute towards our accreditation for Local Council Awards Scheme Quality and Quality Gold.

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