

Reviewed:  
Adopted by MPC: Dec 2016  
Next Review: May 2018



## **MAWAN PARISH COUNCIL**

### **Protocol for Pre-Planning Applications**

This protocol is applicable to all pre-planning applications received by the Parish Council and is intended to ensure that they are handled in a consistent and timely manner to meet the deadlines set by Cornwall Council. It seeks to encourage developers/agents to consult with Mawnan Parish Council at the pre-application stage. We want to work in partnership with developers/agents to achieve the best possible developments for the benefit of all concerned.

The Parish Council gives views on applications to the local planning authority, but has no powers to grant or refuse planning permission itself. Nevertheless, as a statutory consultee, the Parish Council has the power to comment on proposals, and the local planning authority has a duty to consider the Parish Council's views.

#### **Process:**

- Once a request is received the chairman and chair of planning will discuss scheduling a developer proposal presentation. (This can be in the form of a site visit or presentation.)
- This meeting is for the members of the parish council to learn about the proposed application, to identify any parish specific issues that might be known of and to discuss any outstanding issues that could be dealt with prior to submission.
- This meeting could include attendance by the local Cornwall Councillor but is not open to the public at large.
- Developers would be given the opportunity to provide outline details of their proposal including reference to the Cornwall Local Plan and NPPF, as well as the context of its effect on the parish.
- It would be expected that they would provide plans of the proposed site & expected development.
- Presentations should be no longer than 15-20 minutes plus time for questions. We find it easier to be able to ask questions as the presentation goes ahead, so find that this timing is relatively flexible.
- Because we currently have no neighbourhood plan we are only consultees on this matter and our comments or discussions have no weight on the decision made by Cornwall Councils Planning Department.

- We will not be making any kind of determination on the plan itself at this presentation. All planning applications will only be discussed at a Full Council or a Planning Committee meeting. If necessary the Clerk shall contact the planning department of Cornwall Council to request an extension period to allow this to happen.

### **Additional notes for Councillors**

- Councillors must maintain an impartial listening role and avoid expressing an opinion to the applicant which could be regarded that you have pre-determined the proposal. Questions and comments should focus upon clarifying aspects of the proposal or to flag up issues of concern but must not develop into negotiations. It is equally important at this stage for councillors not to have closed minds as to the merits of the proposal. Clearly statements such as 'I will never support this scheme' should best be avoided, however, advice such as 'I believe that local residents will be very concerned about the increased traffic and therefore we would want this issue to be fully explored further should you submit an application' is acceptable.
- It is important for the pre-planning consultation to be as open as possible therefore any comments or concerns should be identified during the presentation. We cannot and should not appear to be saying that any suggestions of changes, modifications or alterations would make the Parish Council view this proposal in a more positive light when it comes to making a planning decision.
- Any Councillor who is seen to have formed a view, for or against the development being discussed, will pre-determine their stance to the extent that they will be required to withdraw from meetings where any subsequently submitted application is discussed or decided.
- Once a formal planning application has been submitted it would be inappropriate any further discussions with developers except in Full Council meetings.

### **Additional Notes for Developers/Agents**

- As Mawnan Parish is currently not working on a Neighbourhood Development Plan discussions with the parish council are only undertaken with the parish acting as a local consultee and hold only that weight associated with this.
- The presentation can provide any relevant background information to give context to the proposal, but it should focus primarily on issues that are relevant to the planning process.
- Views expressed either by the developer, individual councillors or the parish council as a whole are not part of the determination process and any statements are "without prejudice" to the eventual determination of an application, in that councillors will have to have open mind at the point of decision making in respect of a consultation.
- Minutes of the meeting will be recorded in general terms, not verbatim, and should not then be used as reference materials other than as a general memory aid. They cannot be used as reference materials by either side for the planning application other than to show a level of 'community participation' in the pre-application discussions.