

Henfield Parish Council - Policy on Pre-application Discussions with Developers and Landowners

- 1. Discussion Requests** - Henfield Parish Council recognises that pre-application discussions can play an important role in the formulation of major planning applications and welcome requests for early discussions with the Council and the public from developers, landowners or their representatives (hereafter referred to as 'developers') about proposals for development of sites within the Parish of Henfield. These discussions need to be set within the context of the Henfield Parish Design Statement (HPDS), Horsham District Planning Framework (HDPF) and Neighbourhood Plan (HNP) which we would expect developers to have read prior to any meeting taking place. The Parish Council's agreement to meet will be dependent upon whether the development complies in principle with design criteria and policies defined in the HPDS, HDPF and HNP.
- 2. Meeting Purpose** - the main purpose of the meeting is to learn more about the development proposals and its implications, not to form a view or to make a decision. It should also be forum where the developer can gain a better understanding of the priorities of the Parish with reference to documents such as the Infrastructure Delivery Plan (IDP) which define its investment priorities. A constructive exchange of information would be considered a good outcome.
- 3. Without Prejudice meeting condition** - any meeting is conducted on a without prejudice basis with the primary goal should be an exchange of information rather than a decision making forum. Should a view or opinion be expressed, this will not bind the Parish Council to making a decision if a formal planning application should be submitted at a later date. Equally if no views are expressed this should not be seen as implicit support for a proposal. As a result of these without prejudice discussions a developer should not make any comment or claim about the Parish Council's actual or perceived position in planning applications without the express agreement of the Parish Council.
- 4. Deciding whether a meeting is appropriate** - the Parish Council should decide whether it is appropriate to meet with a specific developer and this decision should be minuted at a Council Meeting. If there is insufficient time to do this the Chairman, in conjunction with the Vice Chairman and Chairman of the Plans Advisory Committee will jointly hold the delegated authority to respond to the request but the decision and content of any meeting that may take should be noted at the next Council meeting.
- 5. Public Meeting Forum** - whenever possible and practical the developer discussion should form part of one of the Council's Plans Advisory Committees (PACs) which are public meetings with the quorum will be defined within the terms of the PAC. The developers' presence forming part of the agenda notice which is public notice. This is our preferred forum.
- 6. Public Meetings or Exhibitions** - these opportunities where people can comment upon initial development ideas promoting a healthy exchange of ideas and with local councillors in attendance, in a without prejudice capacity, are encouraged.
- 7. Private Meeting Forum** - where a public meeting is not possible or desirable and the Parish Council agrees to a private meeting with a developer this may be convened but with no less than three Parish Councillors and an Officer of the council present). It is wise to seek an agreement with the developer in advance of any meeting to the publication of a jointly agreed post-meeting statement to allay any concerns in the local community over a "secret meeting" and avoid a vacuum which local rumour may then seek to fill. Individual councillors or Parish Council staff members should not enter into one to one or separate discussions with developers. Private Meetings are not our preferred forum.
- 8. Horsham District Planning Officer presence** - where it is felt appropriate the Parish Council may invite a Planning Officer from Horsham District Council to attend.

- 9. Meeting arrangements and minutes** - the Parish Clerk or Deputy Clerk will normally make the arrangements for a developer meeting and ensure that minutes are taken.
- 10. Chairing the Meeting** - the meeting will be chaired by a Parish Councillor who will set the house rules at the start of the meeting, that the purpose of the meeting is to learn more about the development proposal and its implications, to facilitate a constructive exchange of information, that any discussions will be on a without prejudice basis, that councillors should approach the discussions with an open mind and that they should avoid taking any firm position or pre-determining any future planning application which may be submitted.
- 11. Pre-disposition and Pre-determination** - during any discussions, councillors should be open minded and generally avoid “pre-determination” which is defined as taking a conclusive view on planning applications before a councillor has seen all the information or heard all the arguments. This is not the same as “pre-disposition” which is being inclined to a particular viewpoint, either for or against a planning application, but still being open to changing/his/her mind if new arguments or information come to light. It is entirely proper for councillors to be pre-disposed to a particular viewpoint (for example “I am worried about the access arrangements and the impact on landscape or I welcome the new jobs that this will create”) whilst still being open to opposing arguments about the proposal. Councillors must demonstrably keep an open mind.
- 12. Hospitality** - no hospitality shall be offered by a developer and none will be accepted by any representative of the Parish Council.
- 13. Exceptions** - Any exceptions to this policy will need to be agreed at a full parish council meeting.

Adopted by Henfield Parish Council On: 3rd December 2019

Review Date: December 2021