

PLANNING COMMITTEE - PROTOCOL IN RELATION TO PRE-APPLICATION PRESENTATIONS

1. Introduction

- 1.1. The early engagement of councillors in relation to a potential planning application can be a positive contributor to seeking to ensure the provision of sustainable development within the area that best meets the aspirations and needs of the community.
- 1.2. The purpose of this protocol is to provide guidelines and a framework within which the Planning Committee will entertain and consider a presentation prepared for councillors by a potential applicant relating to a possible planning application that has not yet been submitted to the Council ("pre-application presentation").

2. Guidelines for identifying a pre-application presentation that might be taken to Planning Committee

- 2.1. The focus for pre-application presentations is limited to significant proposals. In considering any request for a pre-application presentation regard should be had to the following criteria for the purposes of determining those that may be suitable i.e. whether the relevant senior planning officer considers that the proposal:
 - (a) is of strategic importance to the whole or part of the Council area;
 - (b) involves a matter of significant national importance that has not previously been the subject of consideration within the Council area;
 - (c) may have a significant impact on a wide number of businesses/people and/or more than one Council ward;
 - (d) is on an extant Development Plan allocation and is important to securing one or more key Development Plan objectives;
 - (e) would provide a major development of significant importance to its locality and relates to a planning application previously refused by the Planning Committee; and/or
 - (f) any other proposal whose special circumstances the Head of Planning considers would justify a pre-application presentation being allowed.

3. General principles relating to a pre-application presentation

- 3.1. No part of a pre-application presentation or subsequent consideration / questions raised in relation to it is binding on the Council. Every observation / opinion given by any councillor or officer should be treated as provisional and no question asked should be taken as an indication of pre-determination with regard to the consideration of any planning application.
- 3.2. As a pre-application presentation is not part of an extant planning application, there is no requirement for any councillor to attend or participate in the pre-

application presentation in order to be able to vote on any related planning application that may subsequently be submitted.

- 3.3. The Protocol for Speaking / Statements at Planning Committee does not apply to a pre-application presentation. Neither questions nor statements by members of the public will normally be permitted.

4. Proceedings relating to the consideration of a pre-application presentation at Planning Committee

- 4.1. A pre-application presentation should normally consist of a presentation only. No other documents should be provided to councillors for the purposes of the pre-application presentation without the prior agreement of the Head of Planning and an officer from Democratic Services.
- 4.2. Documentation provided as part of the pre-application presentation should include:
- (a) a description of the site location,
 - (b) a plan sufficient to enable councillors to easily identify its location; and
 - (c) a description of the proposal to which the pre-application presentation relates that clearly enables councillors to understand the nature and extent of the proposal.
- 4.3. An electronic copy of any documentation produced for the purposes of the pre-application presentation (including any slides to be used as part of the presentation itself), should be provided to and accepted by both the Head of Planning (or any officer nominated by the Head of Planning for the purpose), and the Democratic Services Unit at least five clear working days prior to the date of publication of the Planning Committee meeting agenda to which it relates. All such documentation will normally form, and be made public as, part of the publication of the agenda for the meeting at which the pre-application presentation is scheduled to occur.
- 4.4. A pre-application presentation may be accompanied by such other information as the Head of Planning considers of assistance to councillors in relation to the presentation.
- 4.5. No part of the pre-application presentation, whether visual, written or verbal, should contain information of a kind that might be libellous, slanderous, abusive to any party or might result in the disclosure of any personal information for which express consent has not been given. Electronic information provided to the Council will not be accepted if it is identified as having anything on it that is considered could be an electronic virus, malware or similar.
- 4.6. The Council's adopted Access to Information Procedure Rules apply to a pre-application presentation. The expectation is that a pre-application presentation will usually be presented in public. However, subject as provided for in the Council's adopted Local Code of Best Practice relating to Planning Matters and in accordance with the Access to Information Procedure Rules, may be held wholly or partly as part of a meeting at which the public are excluded.

- 4.7. A pre-application presentation will normally take place prior to the consideration of any planning application at the Planning Committee meeting at which it is to be presented.
- 4.8. A pre-application presentation should not exceed more than twenty minutes (excluding any time taken by the Chair and/or any officer to introduce the presentation). An additional period of up to forty minutes will normally be allowed for questions to be asked. Such timings may be varied at the discretion of the Chair.
- 4.9. Any BCP councillor whether appointed to the Planning Committee or otherwise will usually be given the opportunity to attend a pre-application presentation and ask questions.
- 4.10. A councillor who wishes to speak should aim to confine themselves to only asking questions that raise issues relevant to the pre-application presentation. No speeches, statements or expressions of opinion will normally be permitted.
- 4.11. The order of asking questions is at the discretion of the Chair. However, where more than one councillor wishes to ask questions, the Chair will usually aim to give initial priority to members sitting on the Planning Committee followed by any councillor in whose ward the land to which the pre-application presentation relates is situated. In the event that there is insufficient time for all questions to be asked, councillors will be invited to send their questions to the Head of Planning for consideration and referral on as appropriate.
- 4.12. A pre-application presentation to the Planning Committee may be deferred/withdrawn:
 - (a) from a published agenda in accordance with any relevant provision in the Constitution; and/or by a decision of the Planning Committee; or
 - (b) in advance of publication of an agenda at the absolute discretion of the Head of Planning.
- 4.13. Failure to comply with the requirements of this protocol may in particular result in a pre-application presentation being withdrawn or deferred.
- 4.14. For the purposes of this protocol, references to the “Chair” and “Head of Planning” shall, unless the context otherwise requires, have the same meanings as in the Protocol for Speaking/Statements at Planning Committee.

Adopted by the Planning Committee on 17 November 2022