

**North Warwickshire
Borough Council**



**Practice Note
for
Pre-Application Planning Meetings**

March 2003

1. INTRODUCTION

- 1.1 All local Planning Authorities are encouraged by the Government to talk to prospective applicants about their thoughts, ideas and proposals prior to any submission. Also, Authorities themselves are usually keen to become involved at an early stage in the development process. This approach extends to all applicants, and to all types of applications. The householder is just as anxious to get a speedy decision for home improvements, as the big development company with funds to invest. All development proposals have to be prepared. Some early thought about the issues that are likely to be raised can speed the process once an application has been submitted. It makes sense to use this 'lead-in' time so that the applicant can adapt the proposal to stand the best chance of approval, and so that the Authority can influence that proposal to achieve the best outcome.
- 1.2 Pre-application meetings can benefit a prospective applicant by helping to identify a whole range of technical matters, issues and potential problems that need to be addressed, and to identify timescales and costs. The applicant is then better placed to assess whether to continue with the proposal, which may then have a better chance of an approval.
- 1.3 They also benefit Local Planning Authorities. They provide the best means for the Council to be involved with, and to influence, a development proposal at its formative stage. This involvement for instance can be reflected in adding quality to the final proposal, or in providing mitigation against the impact of the proposal. If all matters have been covered by the proposal and submission, there is a stronger likelihood that the application can be dealt with within the recommended **target date** without delay caused by requests for amendments, or not knowing what consultees are likely to require.
- 1.4 Pre-application meetings and discussions are not pre-determinations. They are not guarantees of recommendations of approval, let alone the grant of a planning permission. They may result in prospective applicants not pursuing their proposals following this initial advice, thus saving time and resources for all parties. In the main, they do provide a useful sounding board and a background for the submission of all types of application.
- 1.5 It is accepted that these meetings and discussions can be perceived very differently. This can range from matters being seen as 'cut and dried' before submission; to a tacit assumption that an approval will be forthcoming; or a genuine concern about the lack of involvement of the community and interest groups at the formative stages in a development's progression. This is particularly likely to be the case if that application is a "departure application", or if it is likely to give rise to local concern.
- 1.6 This Practice Note is designed to respond to these perceptions by openly showing that these meetings do take place, that they have a proper and constructive role in the development process, with the aim of making the process explicit.

2. THE MEETINGS

- 2.1 The request for a pre-application meeting usually comes from the prospective applicant. This can be by letter or by telephone call. Pre-application meetings will normally be held only if the request is accompanied by an outline of the proposal, at least in sketch form, and the background to it is also provided (see (1) below *). This is to ensure that there is a formal record of the request, and of the nature of the proposal. In the majority of cases the Council will agree to, and arrange, that meeting as soon as possible, generally within the period requested by the prospective applicant. The meeting would be held ideally at the Council offices. Prior to this meeting, the Council officers will be able to assess whether other agencies or Council Services should be involved at the initial stage, eg Environmental Health Officers and Highway Engineers. In these circumstances, the initial meeting may be delayed due to the availability of the participants. All, however, will expect to have an outline of the proposal prior to the meeting.
- 2.2 The agenda for the meeting will depend upon the circumstances of the case, but the prospective applicant is expected to open by explaining his proposal in as much detail as possible at that time. The Council will respond firstly by setting the proposal against the policy background of the Development Plan, and by offering technical advice. Officers will outline the key issues as far as the Council is concerned at this stage, and how they might be addressed. The need for further work and research will be identified, particularly in respect of the likely impact of the proposal. Officers will also cover, where appropriate, whether
- ?? the application will be a departure application;
 - ?? an Environmental Impact Statement will be necessary;
 - ?? a Section 106 Agreement will be likely, (see (2) below *).
- An outline of timescales and procedures, together with the need for further meetings will also be covered.
- 2.3 The Council officers will make and keep a written record of the meeting, particularly identifying the key points made, and the key areas for future action.
- 2.4 Future meetings will likewise be recorded. The agendas for these subsequent meetings will largely be set by the matters covered at previous meetings.
- 2.5 These records will be circulated to all parties on request.
- 2.6 From the outset it will be made clear by officers that their advice is offered on a “without prejudice” basis, as the final decision will rest with the Council following formal submission of the application, and the completion of the necessary public consultation procedures.

* *Footnotes:*

- (1) *Application Inquiry forms are available from Planning Reception for householder proposals which can be used in these circumstances.*
- (2) *Government guidance and recommendation on these three matters can be found in*
 - ?? *The Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999.*
 - ?? *The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.*

?? *Circular 1/97.*

- 2.7 If the discussion at a pre-application meeting leads to the submission of a planning application, then these written records of the meetings will be added to the application file becoming background papers. This is important. It makes explicit the contents of these meetings, and ensures that a 'trail' can be followed to explain why the proposal takes the form that it does. This will ensure that officer involvement and influence is identified. The Council will aim to ensure that the officer involved with the pre-application meetings on a particular case, is also the Case Officer once the application is submitted.
- 2.8 In the case of large and more complex applications, particularly those where there are a large number of technical and policy matters, the Council will assist the developer by seeking to identify an agreed timetable for moving the prospective application forward. This should be agreed as early as possible. It can cover dates for the submission of further information, the completion of further work and the responses from consultations with various agencies. Key dates in the application process, once the proposal is submitted, can be identified, eg **Board Meeting** dates. As in all cases of managing a large project, timetables may have to be adjusted. This should be done by agreement.
- 2.9 Large and complex applications tend to raise important policy issues, or give rise to particular local concerns. It will be for the developer to decide whether or not a prospective application be placed in the public domain prior to its submission. If this is the case, then it would be expected that Local Ward Members, the Parish Council and officers are also made aware of that event. Sometimes it may be more appropriate to have joint arrangements.
- 2.10 Once such an application is submitted, the Council, through its **Regulatory Board**, will consider the need for a site visit and whether or not there should be Member involvement in the form of a **Task and Finish Group** to oversee progress on the application.
- 2.11 In line with Government's advisory Standards and Probity in Local Government, the presentation by a developer of a prospective application **solely** to the **Board** or to other Members of the Council in advance of the submission of that application, is not accepted as good practice. It is not advocated by this Note.

3. PERFORMANCE AND MONITORING

- 3.1 This Practice Note is one of a number of measures that aim to provide an improved service by quickening procedures, and by raising understanding and the quality of submissions, (See (3) below *).
- 3.2 The overall aim is to increase quality and to reduce the time taken for the determination of all applications. The effectiveness of this Note in this overall process will be monitored by
- ?? seeking evidence that written records of pre-application meetings are placed onto application files;
 - ?? evaluating these records to show that the Case Officers have influenced the process
 - by showing that amendments to a proposal occurred prior to, and not after, submission thus avoiding delay;
 - by showing that technical consultees' requirements have been incorporated into the submission, rather than after the submission, thus avoiding delay; and
 - by showing that the outcome was influenced at pre-application stage, raising the quality of the outcome without introducing delay.
- 3.3 This procedure aims to provide evidence of the Planning Control service adding value to the quality of development proposals, and thus the quality of the outcome.
- 3.4 The Practice Note will be reviewed in **April 2004**.

* *Footnote:*

- (3) *At present these comprise the Council's Scheme of Delegation (**April 2002**) A Practice Note for handling Amendments to Planning Proposals; **Policy for Investigating Unauthorised Development and the Enforcement of Planning Control**; **Supplementary Planning Guidance on Lighting Schemes, Residential Extensions on Shop Fronts**; **A Planning Application Checklist for Applicants**; **Planning Control Service Charter**; **Planning Control Measures of Service Quality**.*