Henfield Parish Council - Policy on Pre-application Discussions with Developers andLandowners

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. Plans Advisory Committee Meetings - whenever possible and practical the developer discussion should form part of one of the Council’s Plans Advisory Committee’s (PAC’s) meeting. Members of the public may be present as they may be at any Parish Council meeting to observe proceedings. They will not be allowed to participate in the discussion beyond the usual arrangements for public participation during Open Forum. The developer’s presence forming part of the agenda notice which is a public notice. This is our first choice for such presentations.

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. Closed Plans Advisory Meetings. The Council does not believe that there is normally any justification or requirement for confidentiality in its participation in a planning matter. Therefore, by exception the Council will consider a request for the public to be excluded from a pre-application discussion only in the most exceptional circumstances. It is likely to agree only if it is satisfied that it is in the public interest to receive information which would not otherwise be shared, and without which it cannot act in the best interests of the community.

This closed meeting of the PAC may be convened but with no less than three Parish Councillors and an Officer of the Council present. 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