

Carn Brea Parish Council

Pre-App Policy

Adopted on: 17th March 2016

Minute Number: 16/03/08

Reviewed on: 15th April 2021

Minute Number: 21/04/12

Reviewed on 15th April 2021 (Minute number 21/04/12)

Part 1. Explanation.

This procedure is to be followed by Councillors following a request from a prospective Planning Applicant to discuss Pre-App advice given by a Planning Officer.

1. Developers and individuals who are considering submitting a Planning Application to Cornwall Council Planning Department have the facility and opportunity to submit an application to Cornwall Council for 'preliminary' advice prior to submitting the full Application.
2. Applicants are required to pay a fee and in return receive from a Planning Officer a letter which gives a broad indication of the planning issues which are relevant in the individual case and a 'without prejudice' indication of whether a full Planning Application might be approved, or not.
3. This process is called Pre Application, shortened to Pre-App. It clearly is of benefit to potential applicants as it highlights those planning considerations which are important and which might have been overlooked up to that point.
4. In the letter containing the Pre-App advice from the Planning Officer to the Applicant, at the conclusion of the text addressing planning issues, there will normally appear the following words: -

'If you intend to progress with an application it would be advisable to contact the immediate neighbours in order to discuss the proposal. In addition you are advised to contact Carn Brea Parish Council and the Electoral Division Member, Councillor They may be able to offer advice as to whether your scheme would be supportable by them or raise any likely objections to the development.'

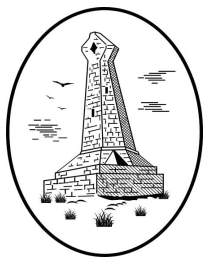
5. In addition to advising applicants at Pre-App stage to contact the appropriate town or parish council (as in 4. above) Cornwall Council Planning Department also advises some prospective developers to consider contacting the town/parish council *prior* to Pre-App stage to discuss their intentions.
6. For the sake of clarity a reference to an 'applicant' in this policy also includes an 'agent' for an applicant.
7. It is vital that the words and behaviour of the representatives of Carn Brea Parish Council, in response to an approach from a potential developer, is absolutely appropriate and cannot be interpreted by the potential developer as pre-judging the decision of the Planning Committee in the event that a full Application is submitted to Cornwall Council. There must be nothing said or done which might indicate any element of 'pre-determination'.
8. With that over-riding principle in mind the following procedure should be followed.

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Part 2. Process.

1. A written record should be kept of every request to CBPC by an Applicant in respect of Pre-App advice given to them by Cornwall Council Planning Department. The written record should be made on the Pre-App Record Form attached to this policy document.
2. A request to Carn Brea Parish Council by an Applicant should be made to the Clerk who will forward to the Chairman of the Planning Committee for action.
3. The Chairman of the Planning Committee will ensure a Pre-App Record Form is started and will liaise with the Vice Chairman of the Planning Committee.
4. A copy of the Pre-App advice letter from the Planning Officer to the Applicant will be obtained by the Clerk/Assistant Clerk for the attention of the Chairman/Vice Chairman of the Planning Committee, who should familiarise themselves with the details of the application, and the Officer`s advice.
5. A meeting with the Applicant, if appropriate, may be arranged, to be attended by the Chairman and Vice Chairman of the Planning Committee. If either Councillor is unavailable a substitute member of the Planning Committee, or the Clerk/Assistant Clerk, should attend. There should always be two representatives of CBPC in attendance at a meeting with the Applicant.
6. Advice should not be given to an Applicant by telephone.
7. The location of the meeting should be either at Treloweth Community Hall or, if thought necessary, at the site of the application.
8. The Chairman of the Planning Committee (or responsible councillor as in para 5 above) will be responsible for making a record of the meeting, as per the Pre-App Record Form.
9. At the meeting with the Applicant the Councillors representing CBPC should not give any indication to the Applicant of how CBPC Planning Committee will decide a full Planning Application based on the same facts. This is to avoid any suggestion of 'pre-determination'.
10. Expressions such as '*we would support.....*' or '*we would not support..*' should not be used. It would be appropriate to adopt a style that is suggestive, such as '*have you considered doing*' or '*have you thought about....*'. This style is not prescriptive and can be used to guide or steer an Applicant towards a final product which could be more likely to achieve approval.
11. The Pre-App Record Form should be completed by the Chairman of the Planning Committee (or Responsible councillor under para 5) and given to the Clerk/Assistant Clerk within 24 hours of the meeting.

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Carn Brea Parish Council

Pre-App Record Form

(To be used when CBPC is approached by an applicant/agent in response to advice given in a Pre-App letter from a Planning Officer.)

Serial Number:			
Record of Initial Contact:			
Date:		Time:	
Method: (letter/telephone)			
Name:			
Address:			
PA Reference:		Copy attached:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Details of Meeting:			
Date:		Start Time:	Finish Time:
Meeting arranged by:			
Location:			
Councillors Present:	(1)	(2)	
Other Persons Present:			
Planning matters discussed:			
Signature of Chairman of the Planning Committee*:		Date:	
Signature of Vice Chairman of the Planning Committee*:		Date:	
(* or responsible councillor attending the meeting)			