

Hartlepool Planning Services

Regeneration and Neighbourhoods

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HARTLEPOOL BOROUGH COUNCIL'S

GUIDE TO

PRE-APPLICATION DEVELOPER FORUMS



FOREWORD

This guide illustrates the structured approach to the way that Hartlepool Borough Council intends to operate its Pre Application Developer Forum.

Constructive pre-application discussions between potential applicants and planning officers have long been recognised as a means of helping to ensure all relevant considerations are addressed when an application is submitted in order to enable determination of the application in a timely manner bringing more certainty into the process.

The document 'Positive Engagement - A Guide for Planning Councillors' promotes the involvement of Councillors in pre-application discussion stating 'The engagement of local Councillors as leaders and representatives of the community is vital in the delivery of positive outcomes from the planning process.'

Officers can benefit from Councillors being more fully informed as this may well be able to assuage any unfounded fears their local communities may have for pre-application developer forums as a proposal emerges.

This forum along with any pre-application advice is given in good faith, however any advice given will not fetter the discretion of the Local Planning Authority in the actual determination of any planning application.

This guide has been prepared to set out the Council's procedures to ensure the process is transparent and consistent.



Andrew Carter
Planning Services Manager

WHAT ARE PRE-APPLICATION DEVELOPER FORUMS?

Pre-Application Developer Forums are part of the Council's One Stop Shop, pre-application advisory service which provides advice on planning matters prior to the submission of a formal planning application.

The forums will be open meetings to allow potential developers to present their planning proposals prior to the submission of a formal planning application.

These forums provide a clear context for Councillors to listen to proposals and offer views as to what issues need to be dealt with in any formal submission of a planning application. They are arranged, publicised and chaired by the authority.

WHO CAN ATTEND?

The developer/applicant for a significant planning proposal is invited to attend and present their proposal.

The public can attend but not to speak to keep the meeting focused on issues to be considered.

Interested parties such as consultees, parishes, amenity societies, and public representatives (such as a representative of a residents group as outlined in the Council's Statement of Community Involvement 2010) are invited to speak, following an officer introduction and developer explanation of the emerging proposals.

WHEN WILL A PRE-APPLICATION DEVELOPER FORUM BE HELD?

A guiding principle to development which would be the subject of a 'Pre Application Development Forum' should be that the proposals are of a significant scale and complexity to necessitate such an event.

WHAT IS THE PROCESS FOR THE FORUM?

The Chair of the Pre-Application Developer Forum (who is also the Chair of the Planning Committee) will introduce the applicant/developer to the forum.

Councillors will be reminded that this is an information gathering exercise and is not an opportunity to express their support or otherwise for a proposal. If members do express a view either for or against a proposal, this may automatically exclude them from voting on the application when it comes before the Planning Committee formally.

The applicant/developer will present the proposal for a maximum of 15 minutes to the forum. PowerPoint will be available for use by the applicant/developer.

Councillors will be given an opportunity to seek clarification on a proposed submission; however this is not a forum to express their views.

Interested parties will also be given the opportunity to seek clarification or raise issues. A time limit of 4 minutes is attached to this which is in line with the Planning Committee procedures. It should be noted that this is not a forum for objecting to a proposal it is to seek clarification or raise planning issues which should be considered in any formal planning submission. Any interested party wishing to participate in the forum should declare their interest to the Planning Technician, Gill Scanlon (contact details contained at the end of this guidance) in advance of the forum.

Minutes of the meeting will be taken by an officer present and these will be made publicly available on the Council's website.

Applicants/Developers of significant proposals are encouraged to consult publicly on any proposal separate to this process.

In order to keep the event focused the forum will run for approximately 45 minutes to 1 hour.

WHAT ARE THE BENEFITS OF A PRE-APPLICATION DEVELOPER FORUM?

Early discussions between applicants/developers and planning officers will provide the opportunity to steer projects in the right form that will be attractive to the community and acceptable to the Local Planning Authority. They can be of great benefit to the applicant by identifying the key planning issues, avoiding abortive work and speeding up the statutory process.

There are tangible benefits from well managed engagement prior to the submission of a planning application. These include:

- improved quality of the proposed development;
- opportunities for better co-ordination of investment in an area;
- improved efficiency for all users by reducing wasted time and money spent on abortive work or going over old ground;
- avoidance of incomplete / invalid applications;
- identification of who should be involved from the early stages and opportunities created for them to be heard in an effective way;
- additional clarity and certainty for both applicants and the community;
- Reinforcing Members roles in their communities.

Pre-application discussions are not a substitute for the formal consultation and the processing of an application and they are not held to conduct negotiations in public, or to allow objectors to frustrate the process

ADVICE TO COUNCILLORS

Councillor engagement in pre-application discussions is not intended to bring forward their views on the proposal as such.

Planning Committee members' role in pre-application discussions is to learn about the emerging proposal, identify issues to be dealt with in any further submissions, but not to express any initial view on the proposal as to pre-determine their view on any formal application.

Any Planning Committee Member who elects to support a view for or against the development being discussed will predetermine their position to the extent they will be advised to declare a prejudicial interest, and be free to represent their community views to the planning committee in the event of the committee considering a subsequent application, but not to engage in the debate or vote on the application.

DISCLAIMER

As part of the One Stop Shop service the Council offers any advice given by Council officers at pre-application developer forums is not a formal planning decision by the Council as Local Planning Authority. Officers will provide the best advice possible based on the information available. This advice will be offered in good faith and to the best of officers' ability, without prejudice to any formal consideration of any planning application following statutory consultation and the evaluation of all available information.

Officers cannot guarantee that any application subsequently received will be made valid or approved. However, pre-application advice should assist in helping applicants ensure that all necessary information, including the correct fee is provided. This will reduce the risk of any subsequent application being declared not valid and it should assist applicants by increasing their awareness of the relevant planning issues which will inform any subsequent decision as to whether or not an application will be approved.

SERVICE COMPLAINTS

The Local Planning Authority is committed to providing an effective and efficient pre-application planning service. If you are not satisfied with the service provided by officers you should write to or discuss any concerns with the Planning Services Manager. If the concerns are not addressed to your satisfaction the Council has a formal complaints procedure, details of which are on the Council's website or can be produced on request.

CONTACTS

If you have any queries or comments on this Guide, or any other aspect of the Pre-Application Developer Forum, or the One Stop Shop process please contact:

Gill Scanlon
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Regeneration and Neighbourhoods
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Victoria Road
Hartlepool
TS24 8AY

Tel: 01429 523741

Email: developmentcontrol@hartlepool.gov.uk

Finally if you have any complaints about the service please contact:

Andrew Carter
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