

Report of Chief Planning Officer

Report to Scrutiny Board (Housing and Regeneration)

Date: 29 January 2013

Subject: Good practice guide to pre-application engagement

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. A guide was requested by the Scrutiny Board (Housing and Regeneration) which sets out the Council's expectations of developers of major schemes at the pre-application stage in relation to community and Ward Member engagement.
2. The draft guide has been before the Board previously, as Members initially wished for a more prescriptive guide, but upon the draft guide's second presentation, acknowledged that due to the wide variety of size, scale and impact of proposals a proportionate approach is more appropriate. However, the Board requested that a flowchart showing the steps developers should follow at the pre-application stage should be included and the revised draft guide with this addition is now presented to the Board.

Recommendations

3. Members are recommended to
 - I. note and comment on the draft guide as they feel appropriate

1 Purpose of this report

- 1.1 The good practice guide to pre-application engagement has been revised to incorporate a flow chart which clearly shows the steps in the pre-application process and is presented to the Scrutiny Board for comment.

2 Background information

- 2.1 The Scrutiny Board (Housing and Regeneration) requested that a good practice guide for developers of major schemes at the pre-application stage was produced.
- 2.2 The draft guide went before the Board in September 2012, where members commented that they would like a more prescriptive guide. The draft guide was amended and went back to Scrutiny in November. At this meeting members acknowledged that whilst it would be useful to be able to state at the outset in a public document the type and level of engagement needed on a proposal, each proposal is different and needs a bespoke approach according to the context, impact of the development and the communities involved. However, a simple flow chart has been incorporated to clearly show the steps the Council would expect developers to follow, starting at the earliest stage with contacting planning services and elected members.

3 Main issues

- 3.1 Pre-application engagement with the local planning authority or communities is not mandatory. The government has not yet announced the thresholds for major developments where there will be a mandatory requirement to consult at the pre-application stage. Therefore, following the advice in the guide is voluntary, but is considered to be beneficial and more likely to achieve a successful outcome to a development proposal.
- 3.2 The guide is presented to the Board with the addition of a flow chart showing the steps the Council would wish developers to take at the pre application stage to ensure there is proper engagement with ward members, officers and the community.
- 3.3 Whilst a proportionate bespoke approach to the type and amount of engagement is advocated (in discussion with planning officers, ward members and developers), the guide also covers the principles of good engagement which can be applied to every development proposal. Crucially this includes ward member involvement at the earliest stage.
- 3.4 Although the primary focus of the guide is on major proposals, a section has been included to cover engagement on smaller schemes as all schemes irrespective of their size can benefit from talking to neighbours or communities and legitimate planning concerns taken into account.

4 Corporate Considerations

4.5 Consultation and Engagement

4.5.1 Members of the development industry, agents, developers, planning lawyers, Planning Aid and Civic Trust have been involved in discussions about pre-applications. The Executive Board Member for Neighbourhoods, Planning and Support Services has also been consulted.

4.6 Equality and Diversity / Cohesion and Integration

4.6.1 Greater and more efficient engagement of the community is likely to result in more people being aware of development and planning issues and allows communities to have a greater input to what happens in the communities in which they live and work, aiding community cohesion. Communities have different needs and may require different approaches to engagement which takes this into account. Access, language and cultural needs of communities and individuals should be borne in mind when delivering community consultation.

4.7 Council policies and City Priorities

4.7.1 The effective and expedient determination of planning applications contributes to the overall prosperity of the City and plays a key part in the regeneration and growth agenda. The service makes a key contribution to the delivery of housing growth, a priority in the City Priority Plan 2011-15.

4.8 Resources and value for money

4.8.1 Pre-application engagement is the responsibility of the applicant who will fund and resource any activity. There are some resource implications for the council in advising about engagement and attending events in terms of staff time and expenses. Some of these costs for major schemes can be recouped from pre application charges for meetings with applicants.

4.9 Legal Implications, Access to Information and Call In

4.9.1 There are no legal implications arising from the report

4.10 Risk Management

4.10.1 This section is not relevant.

5 Conclusions

5.1 Although the Government has pledged to introduce pre application consultation as a requirement for major applications, currently pre application engagement is not mandatory and therefore the information contained within the guide is advisory. The guide shows the steps the Council expects developers to follow at the pre-application stage and good practice engagement principles are included which can be applied to every development.

5.2 The guide also describes the standard requirements which would be suitable for most developments, but with a caveat to ask for more or less, depending on the context and impact of the scheme. The decision on what engagement should take place will be reached by ward member, officers in discussion with the developers and this will be in proportion to the scale and impact of the development.

5.3 Although the main focus of the guide is on pre-application engagement on major schemes a brief section on engagement on small scale applications has been included as talking to neighbours and others before an application is submitted will often save time, reduce risks and can result in a better scheme.

6 Recommendations

6.1 Members are recommended to

- I. note and comment on the draft guide as they feel appropriate

7 Background documents¹

7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.