



LYDNEY TOWN COUNCIL

Planning Pre-application Policy

[Adopted Date 11/11/2024]

Guiding principles

Pre-application discussions have an important role in all types of planning applications.

Lydney Town Council are aware of:

- the importance of public perception in planning and
- the need for transparency in their relationships with developers.

This guidance aims to support Lydney Town Council in its role when working with:

- developers and
- Forest of Dean District Council on pre-application proposals.

1. Introduction

Lydney Town Council recognises that pre-application discussions play an important role in major planning applications and welcomes the desire of many developers to consult both the Council and the public more widely.

Good engagement with developers should ensure that communities have a genuine opportunity to have their say in shaping development proposals prior to submission of a planning application.

Lydney Town Council is also aware of the importance of public perception in planning and the critical need to avoid any appearance that the Council is conducting secretive negotiations or colluding with developers.

2. Lydney Town Council's involvement in pre-application discussions

As a statutory consultee in the planning process, the Town Council should be involved in the pre-application process for the following reasons:

- It has a good understanding of its area and the community.
- It is keen to ensure growth within the town is of the right type and in the right location.

- It provides an advocacy role for its residents, effectively representing their views when they feel they are unable to.
- The Town Council may be a party to Section 106 negotiations on community assets required for the town. The Town Council may also be a recipient of an element of New Homes Bonus and Community Infrastructure Levy, or other government schemes.
- In addition to developments that are subject to the Town and Country Planning Act 1990, the Town Council may be party to discussions of developments that are subject to other consenting regimes, eg National Infrastructure

3. Pre-determination

- 3.1 In all meetings with developers, members must be mindful of the critical importance of not pre-determining their position on any future application, as this could require them to take no part in the discussion.
- 3.2 It is noted, however, that expressing a predisposition, for example of either 'welcome in principle' or 'concerns' is permissible.

This emphasises that any opinions given at this stage are not pre-judging a proposal in advance of a formal planning application.

4. Pre-application discussions/briefings

- 4.1 Pre-application discussions will consist of a presentation to either the Planning & Highways Committee and/or the Full Council Meeting.
- 4.2 Before a pre-application presentation to the Full Council Meeting, there should be an initial representation from the developer to the Planning & Highways Committee.
- 4.3 Individual Councillors, on being approached directly by a developer, should refrain from expressing a view that could be thought of as the view of the Town Council.
- 4.4 Lydney Town Council is, in general, willing to hold meetings with developers before public consultation on the following conditions:
- Full public consultation is either already scheduled or firmly planned.
 - Meeting notes are published.
 - A genuinely open mind and willingness to adapt plans in response to feedback.
 - Where possible the meeting is open to the public to attend and has been reasonably advertised.
 - The developer meets all reasonable costs for the hosting of the public meeting, including the provision of large-scale paper plans for display purposes.

- 4.5 The Town Council is mindful of its duties under the Freedom of Information Act 2000 and the need to ensure that as much information as possible is available to the public.
- The Town Council understand there may sometimes be a need for developers to seek confidential discussions with the Town Council.
 - The policy of the Council is not to hold private meetings with developers unless there is a necessary and compelling reason that could be justified to the public (for example a strong commercial sensitivity, where a developer wishes to receive an initial steer before deciding whether to progress).

All councillors should be informed about these discussions and should have the opportunity to attend the meeting.

5. Pre-application Community Engagement (PACE)

5.1 The Council encourages developers to carry out full public consultation before submitting plans for major developments, on the following basis

- An accessible and convenient venue.
- Sufficient publicity to likely interested parties, in good time.
- Appropriate timings to allow as wide a range of people as possible to attend.
- A genuinely open mind and willingness to adapt plans in response to feedback.

5.2 In general, Councillors are advised not to attend separate private briefings as part of public consultation, but instead to attend with the public.

6. Individual Councillor's discussions

6.1 Councillors must be aware of their obligations under the Council's Code of Conduct.

6.2 Individual Councillors must not enter into informal discussions of possible future applications with a developer; to do so may lead to a complaint about a potential breach of the code.

6.3 If it is considered that a site meeting is needed with the developer then individual Councillors are strongly advised to attend with other agencies (i.e., highways, officers from the Local Planning Authority) or the clerk and not on their own.

6.4 If councillors are unsure of the guidance, seek advice from the clerk.