



DEVELOPERS PROTOCOL

Background

1. Parish Councils do not have decision making powers regarding Planning applications, but they can provide valuable input in their role as statutory consultees. Parish Councils must be notified of all Planning applications within their area and are typically given 21 days to respond. Applications are discussed and comments are collectively agreed at regular Planning Committee meetings. Formal responses are submitted by the Clerk to the Local Planning Authority (South Downs National Park Authority or Mid Sussex District Council). Feedback must focus on planning-related issues such as highway safety, scale and design, Neighbourhood Plan compliance.
2. Parish Councillors can represent residents' views and share their knowledge of drainage problems, traffic issues and other local concerns that may not be evident to the Planning Officer. Public input is welcome at Planning Meetings during the "Public Participation" agenda item and Parish Councils can encourage residents to submit their own comments, especially in controversial cases.
3. Pre-application discussions between the Parish Council and landowners / developers can be useful to ensure information about new sites and their potential impact on the village are fully understood. Early intervention can steer developers to acknowledge local issues and plan developments accordingly. Communication can benefit both parties, but it is important Councillors follow this protocol to avoid any suggestion of pre-determination¹, bribery or lobbying by the developer.

¹ 'Predetermination occurs where someone has a closed mind, with the effect that they are unable to apply their judgment fully and properly to an issue requiring a decision. Decisions made by members and co-opted members of relevant authorities later judged to have predetermined views have been quashed.' (Explanatory notes to the Localism Act 2011, s.25)

Meetings with Developers

4. The Council is generally willing to hold pre-application meetings with developers, landowners and agents to discuss proposed developments affecting the Parish. Meetings should be organised by the Clerk and attended by at least two members (normally Chair of the Council and Chair of the Planning Committee).
5. Individual Councillors may not attend meetings or hold discussions with developers or their agents unless they are attending in a personal capacity and are in no way purporting to represent the Council. Personal interests should be declared at Council meetings to avoid any conflict of interest, in accordance with the Code of Conduct.
6. If appropriate, meetings with developers can be held privately to enable discussion of commercially sensitive matters, or to allow a developer to seek an initial steer on a proposal before deciding how or whether to proceed. A note of these discussions will be recorded and shared with members of the Planning Committee as a confidential agenda item. It should be noted that this information and all correspondence could be subject to future disclosure under Data Protection and Freedom of Information legislation.
7. Developers should note that any communications or meetings cannot bind the Council into making any decision. Any views expressed are, at best provisional because not all the relevant information will be available to the Council and formal consultations will not have taken place, at this stage. Councillors should refrain from stating how they might vote if a Planning application were submitted in the future.
8. Developers are encouraged to carry out a full public consultation, to seek wider resident input, before submitting plans for any large-scale development in Hassocks.
9. Following the submission of a Planning application any discussions the Council has with the developers will only be held in the presence of the Planning Officer or during a public session at a Parish Council meeting.