

West Hill Parish Council

PRE-APPLICATION MEETINGS WITH LANDOWNERS, DEVELOPERS OR THEIR AGENTS

ADOPTED at WHPC Meeting 3rd February 2026 Min 26/040 (Amended document)

Use of this protocol is without prejudice to the eventual judgement of the Parish Council on the merits of any final application, even if a good engagement process has been agreed and followed.

1. Guidance

West Hill Parish Council ('the Council') recognises that pre-application or in-application discussions can play an important role in planning applications and welcomes the desire of developers to consult with both the Council and public more widely. The Council is also aware of the importance of public perception in planning matters and the critical need to avoid any perceptions that the Council is conducting secret negotiations or colluding with developers.

Pre-application discussions offer a valuable opportunity for parish councils, developers, and the LPAs to engage constructively at an early stage in the development process. This approach is supported in the **NPPF 2024**:

Para 40 Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

Experience has shown that this collaborative approach can bring a wide range of benefits to all concerned:

- **Early Identification of Community Concerns:** Parish and town councils can highlight emerging or existing community concerns at a formative stage of the development proposal, allowing developers to address these early on.
- **Better Informed Councillors:** Involvement in pre-application discussions keeps parish councillors better informed about major development proposals affecting their communities.
- **Addressing Issues Before Formal Submission:** Engaging early allows for the identification and discussion of issues that will need to be dealt with in a formal planning application.
- **Sharing Local Knowledge:** Parish councillors possess valuable local knowledge, including insights into technical matters such as drainage and flooding, which can benefit developers and the LPA's Planning Officers.
- **Potential for Improved Proposals:** Constructive discussions can help ensure all relevant considerations are addressed, potentially leading to more appropriate and beneficial development proposals.
- **Speeding Up the Determination Process:** By addressing issues early, pre-application discussions can potentially speed up the determination of a planning application, whatever the outcome.
- **Reducing Uncertainty and Commercial Risk for Developers:** Developers can identify and address potential issues raised by parish councils early, reducing uncertainty and commercial risk.

- **Reinforcing the Role of Parish Councils:** Pre-application involvement reinforces the role of parish councillors as representatives of their communities.

2. Pre-application meetings

While there is an emphasis on early and positive pre-application engagement in major development proposals, the approach should also apply to smaller developments in the area because these can have at least as much impact as larger ones

In considering a request to meet with a developer prior to formal submission of a planning application, the Parish Council would expect that:

1. The meeting is open to the public to attend and has been reasonably advertised.
2. The developer meets all reasonable costs for the hosting of the public meeting including the provision of large scale paper plans for display purposes.
3. A public consultation or engagement event is either already scheduled, or firmly planned.

The Parish Council may wish to combine a public engagement event with a scheduled local council meeting rather than a separate event. Whilst for large developments an initial pre-app meeting and the community engagement event may be far apart in time, for smaller applications, these could effectively be undertaken at the same meeting.

The Parish Council will **not** normally hold private meetings with developers unless there is a necessary and compelling reason which 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).

3. Pre-application community engagement (PACE)

The Parish Council will encourage developers to carry out engagement with the local community before submitting plans for significant or complex developments. Any PACE meeting must meet the following expectations:

1. The venue is convenient and accessible in the community.
2. Sufficient and timely publicity within the community and to all likely interested parties. The timing of the meeting should be appropriate to allow as wide a range of people as possible to attend.
3. That there is a genuinely open mind and willingness to adapt plans in response to community feedback.
4. The developer meets all reasonable costs for the hosting of the public meeting including the provision of large scale paper plans for display purposes.

Councillors are advised not to attend separate private briefings as part of public consultation, but instead to attend a public event.

4. EDDC Members Advisory Panel

As well as working with the Parish Council on a public engagement event, developers also have the option of a formal pre-application community engagement process, the Members Advisory Panel, operated by East Devon District Council for major applications. Further details on these

formal options are found on East Devon District Council's website at: [Members Advisory Panel - East Devon](#)

5. Individual Councillor's discussions

Councillors must be aware of their obligations under the Council's Code of Conduct. Individual Members may be approached by developers for informal discussions of possible future applications. Whilst it is left to the individual judgement of Members whether to take part in such discussions, Members are advised not to agree to one-to-one discussion. However, based on the nature and the likely level of controversy of the application, should they decide to participate, they are required to:

1. carefully consider the public perception of such meetings
2. avoid any appearance of collusion in applications
3. avoid accepting hospitality in connection with such meetings
4. advise the Chairman, Clerk and where the possible, the Council of such meetings
5. ensure they are accompanied by the Clerk and at least one other councillor.

Members must not purport to be representing the Council at such meetings, unless expressly authorised in writing to do so by the Council.

6. Pre Determination

In all meetings with developers, Councillors are reminded of the critical importance of not predetermining their position on any future application, as this could require them to take no part in the discussion. It is noted however that expressing a prior view, or pre-disposition, for example of either 'welcome in principle' or 'concerns', is permissible. Taking a closed position to the development and adopting an 'over my dead body' approach to it may well be viewed as predetermination and if this is the case a Councillor would be unable to vote on the matter when it comes before their Local Council.

PROTOCOL BETWEEN DEVELOPERS AND THE COUNCIL

- The developer must provide information about the proposed development affecting the Parish area in writing
- Even if the developer considers that information provided to a local council is sensitive, this will not require the council to treat it as confidential. From the outset, the developer must identify information they want to be treated as confidential and explain the reasons in writing. If the developer has a legitimate expectation for confidentiality about the proposed development, the Council will keep a written record of the confidential and non-confidential issues.
- Information held by the Council about a proposed development is subject to disclosure under the Freedom of Information Act 2000, subject to the Act's published exceptions.
- Informal meetings and telephone conversations between a developer and individual councillors or staff will be documented in writing and are subject to disclosure under the Freedom of Information Act 2000. A Council Officer will arrange and attend meetings between councillors and developers in all cases and will send a follow-up letter containing minutes of the meeting.
- The meetings of a local council and its committees are open to the public (Section 1(1) Public Bodies (Admission to meetings) Act 1960).
- The developer may attend but not speak at a Council or Committee meeting unless they are invited to address the meeting or have an opportunity to do so during the part of the meeting designated for public participation. The developer may regard information about the proposed development as either confidential or 'sensitive' and therefore not suitable for discussion at a meeting open to the public. However, it is the Council who will decide if there are grounds to exclude the public from the meeting when the proposed development is being discussed and considered. A Council or Committee meeting may exclude the public if publicity about a matter being considered at the meeting would prejudice the public interest due to its confidentiality or for other special reasons (section 1(2) Public Bodies (Admissions to Meetings) Act 1960).
- The minutes of the Council, Committee and Sub-Committee meetings which record the discussions and submissions made at them are available to all via the council's publication scheme, a requirement of the Freedom of Information Act 2000.
- The Council may invite developers to attend an assembly of the Parish Meeting, which is also open to the public (Section 1(1) Public Bodies (Admission to meetings) Act 1960), to present or discuss their proposals for a proposed development affecting the parish or neighbouring area.
- It is an offence under section 1 Bribery Act 2010 for a developer or his agent to promise or give a financial or other advantage to a Council, Officer or Member with the expectation of an improper consideration of any planning application. If the developer is an organisation, for example a charity or company, the council may request sight of their anti-bribery policy.

[Version History](#)

Adopted at WHPC Meeting:

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