

Applying the Pre-Application Community Involvement Protocol for Pyrton Parish: Guidance Notes

1. Introduction

1.1 The aim of the Pyrton Pre-Application Involvement Protocol is to enable open, agreed and well-structured working between communities, applicants/developers, local authorities and elected members in advance of planning applications, thereby helping to deliver better quality development for all.

1.2 The Protocol has been kept deliberately short. The guidance notes – drafted to assist all parties - elaborate some of the key points about how Pyrton will use and apply the Protocol.

1.3 This guidance is also supported by examples of the sort of process that might be used for different types of projects.

1.4 The guidance notes apply as Pyrton Parish Council has formally adopted the Protocol.

If any applicant refuses to use the Protocol this could weigh against them at determination stage, i.e. to reverse the NPPF statement, their project could be 'looked on less favourably'.

1.5 There may be occasions where full use of the Protocol is either not possible or inappropriate. Partial use can still be of value if this enables key points to be discussed and agreed.

1.6 The introduction of this Protocol is not intended to suggest completely new practice but to act as a guide of best practise for all.

2. Elaboration of Principles

2.1 Applicant Leadership but Shared Responsibility

2.1.1 It is the applicant's role to lead, drive, manage and mainly fund pre-application involvement to an agreed standard (see below).

2.1.2 Ensuring a positive and professional relationship also depends on contributions from the other key parties, especially the Pyrton community.

2.1.3 For large projects a 'Consultation Steering Group' can be of value, with representation from the applicant, Pyrton and, if relevant, South Oxfordshire District Council.

2.1.4 Pyrton will make available to each applicant, an Addendum of local information and contacts to supplement the Protocol. (See Section 3.1)

2.1.5 Pyrton Parish Council will also assist the applicant with finding venues for events and with their promotion. If appropriate, cost coverage for such tasks can be agreed with the applicant.

2.1.6 Pyrton Parish Council should make available any relevant information about their strategic plans (e.g. relevant policies), standards (e.g. for parking) and procedures (e.g. key Committee dates).

2.2 Openness and Transparency

2.2.1 This Protocol is designed to build trust between all parties to deliver an agreed outcome.

2.2.2 As far as possible, all aspects of the process should be open and transparent for all, so regular sharing and regular feedback, especially to the community, is crucial. Where appropriate, this will be done on behalf of all parties rather than one (e.g. a jointly produced leaflet or newsletter).

2.2.3 Closed session meetings, e.g. between applicant and Pyrton Parish Council or between applicant and SODC, may be needed on occasion but should be carefully recorded and the minutes agreed between all parties before being openly available and included in the summary report (see below).

2.2.4 There can, however, be issues of genuine commercial confidentiality for an applicant, (e.g. on an option for a site or if bidding for one), or Pyrton Parish or residents where they hold land or access to it. Though commercially confidential, key final outcomes should be shared openly.

2.3 Agreed Community

2.3.1 The 'community' is not just those living next door to a site or with direct views of it (or any future development). It includes all those whose lives, work or responsibilities could be noticeably affected by it. Because there is no precise definition for this, Pyrton Parish Council will take the broadest view.

2.3.2 It can for example include:

- those potentially affected by traffic or noise or visual impact some way away from a site;
- some apparently external event, e.g. Natural England if there is a wildlife impact, or the Chiltern AONB.

2.3.3 It is important to secure an informal written agreement to any definition, while recognising that some aspects of it can, and perhaps should, change as a project evolves.

2.4 Agreed Scope

2.4.1 It is noted that for some projects there can be many aspects up for discussion, for others the list can be very short. See Section 6 for a possible long list.

2.4.2 Where appropriate, definitions of the scope for change will be agreed in writing at the outset between applicant and Pyrton Parish Council. It is noted that aspects of the scope for community input can change as a project evolves.

2.5 Agreed and Delivered Process

2.5.1 It is noted that there needs to be mutual recognition that any agreed consultation process can change as work proceeds. See examples in Section 6.

2.5.2 Pyrton Parish Council recognises that the key to success is to discuss, agree and record the process to be followed, be that long or short, small or complex according to the situation.

2.5.3 The process will include opportunities for discussion and dialogue between parties. Although some element of 'presentation' is necessary at some stage, the aim will be to avoid the late introduction of essentially fixed and detailed proposals; as consulting early on principles and initial ideas is crucial.

2.5.4 A report, appropriate to the proposed development will be made of all consultation by the applicant and agreement recorded.

2.5.5 If Pyrton Parish Council does not support the applicant's report, and cannot negotiate to secure agreement of it, it can submit its own report based on its own thorough records.

2.5.6 All of this is without prejudice to the eventual judgement of SODC on the merits of any application.

3. An 'Addendum' of Local Information

See Template attached.

4. Roles for Key Parties

4.1 Applicant

4.1.1 Pyrton Parish Council recognises that there are different types of applicants (large or national companies, a local landowner or a single home owner) and that the protocol applies equally to them all.

4.1.2 The key role and responsibilities of the applicant is to make contact with Pyrton Parish Council and SODC, the planning authority, as early as possible while respecting any commercial constraints. Pyrton Parish Council particularly values meeting the applicant at the earliest opportunity.

4.1.3 If lobbying of elected members is done, it will be recorded by both parties with agreed notes.

4.1.4 The applicant should see and read material supplied by both SODC and the Pyrton Parish Addendum (Section 3)

4.1.5 Pyrton requests that the applicant's Consultants/architects should not produce detailed drawings before open discussion of the Pyrton Design principles with Pyrton Parish Council.

4.2 Pyrton Parish Council

4.2.1 If approached by a potential applicant, the Council's first task is to check that they have or shortly will contact South Oxfordshire District Council (SODC).

4.2.2 If a Planning Performance Agreement (PPA) is to be used, the community involvement procedures of the Protocol should be included within that and ideally that should be done jointly with SODC.

4.2.3 If no PPA is to be used, then the Pyrton Addendum will be used, (see Section 3)

4.2.4 The SODC basic planning information contains specifically relevant policies and supplementary information plus links to others (e.g. AONB). This also includes information from others, notably the County Highways Department, together with links to them.

4.2.5 After an initial applicant contact, all Councillors will be made aware, briefed on the proposed procedure and their roles clarified.

4.2.6 After an initial applicant contact, local people will be made aware of the application and the use of the Protocol.

4.2.7 Potential applicants will be made aware of the Protocol.

4.2.8 At the outset any applicant will be provided with a copy of the Pyrton Parish Addendum (Section 3)

4.2.9 All in the agreed 'community' will be made aware about the potential proposals, the agreed process and the timescale for their opportunity to contribute.

4.2.10 Pyrton Parish Council will avoid any active role in local campaigns for or against a particular development or aspects of it. Any Councillors who consider that they must attach themselves to any campaign will make that clear and play no part in managing the Protocol processes.

4.4 The Media

4.4.1 It is noted that inappropriate media involvement can damage even a fully agreed involvement process. Therefore, the Council will seek that all communications with the press are prepared jointly between the Council and applicant.

5. Unallocated Sites and Very Small Projects

5.1 There are two basic forms of 'unallocated' site. Some small and very small sites will never have been identified and proposed through the Local or Neighbourhood Plan and are most usually termed 'windfall'. (NB. Windfall sites are not included in any specific calculations about housing or employment land needs for specific villages/towns; they are additional.) The others are usually larger and purely speculative, targeting areas of land either looked at previously and dismissed or completely new sites.

5.2 As a matter of principle for all such sites, it will stand Pyrton in good stead to at least offer, at the outset, to use the Protocol and develop some community involvement. If the potential application proves to be fundamentally unacceptable (check with the planning authority) or the applicant is clearly uncooperative, a judgement can then be made about how to work with the applicant or whether to do so at all.

5.3 It is of course likely that, for many windfall projects, the first anybody hears is when an application is made. Assembling wider community feedback rather than just stating an objection from Pyrton Parish Council should now carry greater weight with the Protocol in place given its reference to the NPPF encouragement of involvement. Over time local applicants should grow to realise the impact of the Protocol and the implications of not undertaking consultation, in which case normal Protocol procedures would apply.

5.4 For larger, speculative projects it is very likely that the applicant would not enter into any consultation process precisely because the site is outside the plan. In general, it is not anticipated that the same extent of involvement would take place for such sites, although applicants are still encouraged to contact the Pyrton Parish Council for their views and their possible involvement. The Council, on behalf of the community, then will make a judgement about providing support as outlined earlier, e.g. on venues for events etc. Planned involvement of the wider community may then take place (which is valuable to generate robust evidence about local views) but (a) it would be led entirely by the applicant and (b) Pyrton Parish Council almost certainly will submit its own report on that and any of their own involvement work (e.g. a public meeting) when the application is made.

5.5 For unallocated sites as above, any decision by Pyrton Parish Council to not engage with an applicant cannot be used against the Council by the applicant.

5.6 It should be noted that the largest percentage of applications considered by Pyrton Parish Council includes apparently minor issues, e.g. small extensions, garages, changes to trees etc. Formally invoking the Protocol may be disproportionate for such proposals and the Council will use its discretion whether they wish to require the use of the Protocol on such projects or perhaps simply use its existence to encourage applicants to make contact and share emerging proposals with themselves and immediate neighbours.

6. What is Open to Change?

6.1 There is not endless scope for a community to influence an application, even if involvement starts very early; this is all a matter for discussion and negotiation. However, here are some that Pyrton Parish Council will bear in mind:

- If a site is allocated in the Local/Neighbourhood Plan, that plan may well dictate basic uses, numbers, sizes, even general locations and access points. These factors are not absolutely fixed but good evidence would be needed to change them (not least because a developer will have based any financial calculations on those factors).
- Pyrton Parish Council also has other policies that need to be noted, although again there is scope to vary if good local information is produced. As above, these will be made available to the applicant if needed.
- If a site is unallocated, any list of uses, numbers etc. that a developer proposes is their idea only; it has no planning status other than where it potentially meets policy.
- Once the PNP is accepted by SODC, the community will have more influence as the Plan embodies a Design Statement to guide an applicant's design.

6.2 Some of the aspects that are most likely to be open for discussion at pre-application stage are as follows, in no particular order and not applicable on every occasion:

- Landscaping
- Overall character
- Building design
- Design of aspects such as paths, landscape, signs, street lamps
- Choice of materials
- Housing densities
- Parking standards
- Vehicular traffic impacts off-site, including safety
- Vehicular traffic impacts on-site, including safety
- Public transport links
- Footpath and cycle routes around, on and across a site
- Provision of amenities such as open space, play areas, meeting rooms etc.
- Lighting
- Wildlife and ecological impacts
- Noise and nuisance
- Sensitivity to historic buildings and conservation

- Known archaeological features
- Signage
- Views in and out
- Overshadowing and loss of light

Flooding/surface runoff

6.3 Construction period impacts (e.g. site traffic through the neighbourhood and site working times) are not a factor for pre-application agreement in themselves but can be raised during pre-application discussions. It is possible to begin to plan ahead and ensure best practice, for example by preparing for a local monitoring group or contact person if site management problems arise at construction stage.

Template

Addendum for Pyrton Parish Council

The Pre Application Community Involvement Protocol and completed addendum were adopted by the Pyrton Parish Council on 26th October 2017.

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Basic Profile

Based on the 2011 Census there are 227 people dwelling in the parish from 90 households in 93 separate dwellings.

As a rural parish the only businesses based in the parish are in agriculture although there are several homebased businesses that appreciate the recent arrival of high speed broadband.

Local Facilities

As it is a small agricultural parish, Pyrton has three types of local services and facilities, the Church of St. Mary, Pyrton village hall and two Charity fields.

Local Groups and Organisations

There are no societies or clubs based solely in the parish but the village hall is used on most days of the week as the meeting place for a variety of groups which include but are not limited to: Yoga, Keep Fit, Painting and a Silver Band Practise.

Plus, the parish organises a highly successful annual Fete which raises money for St Mary's Church and charities, a Litter Blitz, and a Harvest Supper.

Existing 'Plans'

The Pyrton Neighbourhood Plan is at an advanced stage and all documents together with the Housing Needs Survey, Design Statement and all other background material is available on the Parish website: www.pyrton.org