

Appendix 2 – Summary of responses received following consultation on the draft pre-application policy.

There were 20 responses to the consultation that raised the following matters that are summarised as below, comments on the matters raised are made in red below each comment:

- *The proposed aim is misleading and may be misinterpreted as providing certainty of a recommendation*
Paragraph 1.2 does clarify this point
- *Needs to be made clear that where pre-application advice has been given both the enquiry and the advice will be published on the Council's website with the application documents*
This is clarified in Paragraph 1.4
- *Cornwall Council is a good example of pre-applications being published online*
- *How do planners respond to comments from the community and Parish/Town Councils, and what do they do if suggestions are not taken up*
All comments received will be forwarded to the developer/applicant as set out in paragraph 2.5
- *How do the community and Parish/Town Councils get feedback on their responses*
As set out in paragraph 2.5
- *Why was the consultation document not circulated to Parish/Town Councils directly*
Parish and Town Councils were consulted
- *In relation to paragraph 1.2 – the second sentence could be misinterpreted as suggests view of Planning Officers will be adhered to irrespective of views of local community or other third parties*
This is addressed in paragraph 1.3
- *Concern regarding Ward Members being invited to attend pre-application meetings as it would be difficult for them not to express a view. Should only be involved once the local community are also given the opportunity to engage in the process*
It is considered that Ward Members would be able to attend without expressing a view.
- *In relation to paragraph 6.1 the Council needs to identify and assess the proposal against the policies and proposals of emerging and adopted Neighbourhood Plans*
Paragraph 6.1 has been revised to refer to Development Plan Policies that includes Neighbourhood Plans
- *In relation to paragraph 7.5 – the words 'where more than 3 dwellings' should be omitted and the sentence changed to 'Within a rural parish or smaller local centre, where small scale development could be considered significant ...'*
It is considered that the proposed policy set out in paragraphs 7.4 and 7.5 is proportionate to the scale of development proposed
- *In relation to paragraph 8.1 – definition of minor development needs to be amended*
It is considered that definition is suitable
- *Definition of Major Development should be consistent with the NPPF*
The definition is consistent with the NPPF
- *Need to highlight the different definition for major development in the AONB*
This is not considered necessary for the purposes of the pre-app process. Part of any pre-app assessment for proposals within an AONB will be to consider if it constitutes major development in the AONB context
- *Low threshold for Large Scale Major Developments could result in significant levels of community/stakeholder engagement at a very early stage for relatively small scheme*
This concern is covered in paragraphs 7.6 and 7.7 with an appropriate level of community engagement agreed at a scoping meeting.

- *Threshold for PPA appears low with no justification, and provides no certainty about the cost of pre-application advice. Council should define cost of meetings and hourly charges*
In the context of the council area 31 dwellings isn't a low threshold
- *Publication of pre-application enquiries on the Council's website would assist and provide transparency*
See paragraph 1.4
- *No explanation as to why charitable trusts are no longer exempt from pre-application fees – this approach should be re-instated*
The fees and charges are set annually and not through this process
- *Should be potential for early confidential discussions where there is commercial sensitivity*
As set out in paragraph 1.4
- *Needs sign-posting to other statutory and non-statutory consultees who provide pre-application services*
The policy sets out how the council will deal with pre-application enquires
- *Direction to seek specialist pre-application advice on protected landscape matters directly from the South Devon AONB Unit in specified instances*
If the proposal is of a scale that the South Devon AONB would be consulted if an application was submitted then comments would be sought as part of the pre-app process
- *Reservations about charging for smaller scale developments*
The fees are commensurate to the scale of the development. The Council does not have the capacity to offer a free pre-app process
- *Time limits for responses should not become the standard response times*
It is not the intention that these become the standard response times
- *How will compliance with community consultation requirements in the revised NPPF be confirmed, will amendment to planning application form be required*
The planning application form is set at a national level
- *No indication of how much officer time included in meetings*
It is not possible to do so as will depend on the complexity of the case and site specific constraints.
- *Consultation procedure to enable identification of proposals/infrastructure for inclusion in Heads of Terms for any Section 106 Agreements*
Included in paragraph 6.1
- *Document should not give the impression the result of pre-application advice will be a foregone conclusion – could be addressed with grammatical changes*
See paragraph 1.2
- *Need notes of all meetings*
A written response will be made following the conclusion of the pre-app with notes following scoping meetings
- *At what stage will minutes/notes of meetings be published on the website*
The pre-app submission and the written response of the Council will be published when a subsequent planning application is submitted.
- *Needs clear advice on when public engagement should be carried out*
It is considered that section 7 does make this clear – the Council cannot insist that public consultation is carried out in most cases.
- *Time scales seem ambitious, pre-applications can't overtake the importance of formal applications*
The timescales are challenging but achievable
- *Fees paid need to be proportionate to Officer time spent*
The scale of the fees has been assessed based on time spent
- *Parish/Town Councils should be included in circulation of pre-application enquires at the same time as Ward Members*

There are a number of pre-applications that are commercially sensitive and should not be circulated in the public domain.

- *Parish/Town Councils should be directly involved in Development Forums*
Parish/Town councils are invited to Developer Forums
- *No specific text around importance of heritage considerations*
The document sets out how the Council will process pre-app enquiries and doesn't need to set out planning considerations
- *Parish/Town Councils should be contacted at scoping stage for Neighbourhood Plan comments*
No consultations are undertaken at a scoping meeting stage, if there is merit to the scheme the developer will be encouraged to engage with the local community as set out in section 7
- *Parish/Town Councils should be invited to pre-application meetings*
The developer is encouraged to engage with Parish/Town Councils
- *Transparency requires that any discussion on development, whether initiated by the developer, the council or any other party, be treated as a pre-application enquiry. This should be made clear.*
Not all discussions on development are pre-application enquiries
- *Timescales for public/parish consultation are not realistic or achievable*
There are no timescales set out for public consultation
- *Relationship between this process and 'Permission in Principle'*
Not considered relevant to this process
- *Planning Officer should resist giving any indication of the outcome of the planning process*
A planning officer should be able to give their professional opinion on a proposed development
- *DMC should not be involved at both decision making meetings*
There is only one decision making meeting which is for planning applications
- *Document is too long, terminology unclear*
All of the sections in the document are considered necessary
- *Development Forums should be held in the relevant parish*
This can be considered on a case by case basis
- *Capacity and capability of parish and town council websites to host consultation surveys, what support will be made available?*
This would be a matter for the Parish to liaise with the developer
- *5 working days should be sufficient for registration, additional 10 working days for meeting to be arranged. Meeting within 20 working days from registration, written note of meeting within 5 working days of the meeting*
The timescales are considered appropriate
- *Applicants need to be advised in advance of Ward Member attendance at meetings (at present they seem to invite themselves along)*
This is not considered necessary.
- *What is penalty for not meeting pledges within document e.g. refund if responses not sent set prescribed time. Should be given equal priority to formal applications*
This would be looked at one a case by case basis depending on the reason for the delay