Broomfield Parish Council

Policy relating to early consultation regarding prospective planning applications and general engagement prior to contractual agreements with third parties.

Broomfield Parish Council recognises that Developers may wish to consult with the Council in certain circumstances. It may be that it is at the pre-application stage of the planning process or early within the planning process. Indeed, it is noted that the National Planning Policy Framework reinforces such consultation. Whilst recognising the benefits of such communication, the Parish Council is mindful of the obligations within the Localism Act 2011 which require Councillors to act without bias and to approach issues without a predetermined view.

It is recognised that as this Parish falls within an area designated for development within the Chelmsford City Council local plan, there may be liaison between developers and this Council regarding future development set out in principle within that plan, including housing development, roadways and new infrastructure.

It is recognised that any final agreement must be ratified by Full Council but that there is a need for information gathering and for the position of the Council to be appropriately represented in the process.

Whilst recognising the importance of such engagement, the Council is mindful that only the Council as a whole may decide and agree upon its position both of a general nature and in relation to specific applications and issues.

To act in a fair way and to comply with Councillors obligations the Council has agreed a procedure in relation to the above situations.

Early liaison or pre-application consultations by developers with the Council.

1. Any approach from a Developer should be to the Parish Clerk who will acknowledge the approach and Councillors will not enter into any communication with the Developer.
2. The Developer may be invited to attend a Council meeting or committee meeting and may be permitted to make a presentation within the public session of that meeting. Such presentation will be in the public forum, and a note of the presentation will be included in the minutes.
3. The Developer will be advised of the time limit that his or her representative has to present at the meeting and such time limit will be at the discretion of the Chair.
4. In circumstances where the developer has yet to draw up substantive plans and is seeking initial feedback on the potential for the development of an areas and the requirements for the area, Councillors will be permitted to summarise the particular needs of the Parish but must not provide a view on how they would subsequently view a formal planning application.
5. In circumstances where the developer has launched a formal public consultation prior to the submission of a planning application the appropriate forum for Councillors to seek further information will be at such an external consultation event. It should be noted that in attending such an event no views should be expressed to the developer or others by the Councillor.
6. In the event that a developer addresses the Council during a pre-application consultation period, questions may only be asked by Councillors at the discretion of the

Chair and via the Chair and no views will be expressed or decisions made so as to comply with the duty not to be predetermined upon the issue.

7. If any members of the public are in attendance at the meeting, they may not ask questions directly of the developer but may only ask questions if permitted to do so by the Chair and such questions must be directed to the Chair of the meeting.

Development within the current Chelmsford City Council local plan

8. Within the emerging development in this area under the agreed Chelmsford City Council local plan, it is likely that developers will wish to liaise with the Council regarding certain aspects of the development. Such liaison may take place at meetings, workshops, task force groups arranged by the developers and/or other local authorities. Where questions are asked of Councillors who may attend such meetings only the general agreed and considered ethos of the Council in relation to development may be expressed and individual Councillors will not be permitted to agree or make representations in relation to specific aspects of a planning applications or planning conditions. Such issues would need to be considered by the Council as a whole or its planning committee alongside consideration of a specific planning application. Councillors will be at liberty to ask pertinent questions in order to feedback information to the Council as a whole or its planning committee.

Stewardship negotiations

9. Within the emerging developments in the area an aspect that has been identified as requiring specific consideration by both developers and local authority stakeholders including this Council, is the issue of a Stakeholder agreement regarding the maintenance of common areas and community assets. Certain Councillors will be attending meetings that will be arranged in this regard and may only express the agreed position of this Council and will not be permitted to agree terms and conditions that would bind this Council in relation to any future contractual relationship. Any specific decision on the terms and conditions of a future agreement will need to be specifically agreed by the Council as a whole and this may be subject to acquiring specialist legal advice.

This policy was adopted by the Council at the meeting held on 14th October 2026