



P25-028 PLANNING DEVELOPMENT WORKING GROUP

(a) To hear a proposal for engaging professional services to support the Council in the consideration of the proposed major planning development from Taylor Wimpey.

The Working Group has identified a need for professional advice to support the Parish Council (PC) in its consideration of the anticipated major planning application from Taylor Wimpey. This is deemed to be specifically needed where legal or technical expertise is required beyond council members' knowledge.

The Clerk has sought initial legal advice through professional bodies such as the Society of Local Council Clerks (SLCC) and the Surrey Association of Local Councils (SALC), which included feedback from a solicitor and the Chief Planning Advisor at SALC. The purpose of this was to clarify when and how the parish council should engage different types of consultants or professional advisors and at what stage the Council could determine a standing of being for or against the development.

Types of Professional Advice and Their Use:

Planning Consultant (e.g., Planning Review Experts):

- Provides technical evaluation of planning applications, conditions, and site-specific issues (e.g., environmental impact, sustainability).
- Offers factual analysis (site reviews, policy interpretation) such as assessing whether sections of land remain designated as green belt.
- Can aid in developing responses based on planning policy and local context.

Barrister or KC (King's Counsel):

- Engaged for expert opinion and advocacy when robust legal representation or highly specialised advice is needed, for example, in appeals or complex legal challenges.
- Often informed by factual groundwork provided by planning consultants.
- If required, engagement typically follows initial consultant reports that give the facts on which legal opinion can be formed. NPC could consider legal advice from a planning law specialist as an alternative to a planning consultant or barrister (in particular around non-contentious or procedural issues)

Supporting Decision-Making:

- A Planning Consultant's input will enable the council to make informed decisions on whether to object to or support planning proposals effectively.
- The factual findings from a planning consultant inform the legal opinion given by the KC (if deemed to be required), particularly around complex issues such as green belt

boundaries, sustainability conditions, or procedural compliance (e.g., implications of non-determination if the local planning authority misses statutory deadlines).

Recommendation from the Clerk: Engage a Planning Consultant

Arrange a meeting with the three shortlisted consultant candidates to clarify expectations, deliverables, and cost, with an aim to undertake a site review and an initial analysis on whether the site would be viewed as a sustainable green belt location, plus a statement of facts which could be used for a KC to take a view.

The Council in this case would still have the option in future of considering a planning law specialist or barrister/KC if this was deemed useful.

Matters for consideration:

1. Do the Council agree to engage a Planning Consultant?
2. If so, up to what budget (committee delegated budgets is no greater than £5,000 ex. VAT.)

(b) To receive an update from the working group in relation to consulting residents on the proposed major planning development.

The public consultation by the developer (TW) typically must occur before the formal planning application is submitted. This ensures genuine pre-application engagement and meaningful input from stakeholders and residents.

A consultation by the Parish Council held too early risks claims by the developer that the council's or public's views were gathered "before all facts were known," potentially weakening the weight of any data gathered. The advice is to wait for the second consultation when fuller plans and data will be available.

Recommendation from the Clerk: Deliver a public consultation

Design and launch NPC's public consultation process to coincide with the developer's next (second) consultation to ensure timeliness and relevance. The consultation should include multiple feedback channels; online and paper surveys, public meeting with a proposed date 30 November).

Clerks Recommendations:

- Wait until the developer's second public consultation for the parish council's consultation to ensure it is informed and genuinely reflective of the proposals.
- Councillors will be aware that the Nolan Principles provide a foundation that helps parish councillors maintain a balanced, evidence-based, and transparent approach to planning consultation and representation. This aligns with the advice to await full planning applications to allow informed views and make well-supported, legitimate representations in the community's interest. These principles are embedded in local councils' Codes of Conduct, guiding councillors' planning roles to ensure probity and public trust throughout the planning process.
- Allow residents to make up their own minds on the development by offering a balanced view in The Villager; to include NPC, NAG and TW.
- Plan to start the NPC consultation closely aligned with the developer's second event (the day after their event, open for three weeks with a public meeting held at 3.5 weeks) Planning committee to have a working group specifically for design and delivery of

consultation. This approach balances the need for timely engagement with the effectiveness and relevance of parish council representations in the planning process.

Matters for consideration:

1. Do Members agree with the proposals on consultation?
2. If so, who would like to be on the working group for planning the consultation process?