

## 16. COMMITTEE SITE VISITS

16.1 Site visits can be useful to identify the physical attributes of a site and features of a proposal which may be difficult to convey or conceive in a written report, but site visits can also cause delay, additional cost and should only be used where the expected benefit is substantial.

16.2 Site visits **should**:

- be used sparingly and where the expected benefit could be substantial - this does **not** mean there should be no site visits (but they should meet the criteria in this paragraph 16.2);
- be made only for planning reasons;
- focus on factors exclusively relevant to the application and subsequent planning decision;
- **not** be an opportunity for further engagement of the applicant or members of the public; i.e. it should not be an opportunity for lobbying, public address, debate, submission of new information and hearing representation from members of the public or the applicant (this being a matter for when Committee formally sits);
- **not** be used as an opportunity to defer consideration or determination of an application;
- should involve the whole Committee, though it is obviously realised this may not always be possible;
- always involve officer representation;
- be carefully conducted in order that there can be no accusation of bias, pre-determination or other impropriety against Members of the Committee;
- be monitored in terms of costs and impact on planning decisions;
- be led by the Chairman and with advice from appropriate officers and the said officers should be present at all times during any arranged visit.

16.3 It is important to remember that site visits are 'visits' and not meetings with applicants and other members of the public. Site visits are an opportunity for Members of the PCC to see the site and have the proposal explained by the appropriate planning officer(s), with an opportunity to ask questions of the officer about the proposal. The site visit is **not** an opportunity to engage directly with members of the public, Ward Councillors not on the Planning Control Committee, the applicant or any consultees, landowners, supporters or objectors to a planning application.

16.4 A protocol for site visits is attached at Appendix 1.

## **APPENDIX 1**

### **PROTOCOL FOR SITE VISITS**

In order to ensure that all official Member Site Visits relating to planning matters are dealt with consistently and fairly, the following protocol and code of practice will apply (it should be noted that reference to titles of Council officers shall include successors in title and/or general functions):-

1. Site visits shall, in accordance with its usual protocols, only be held following either:
  - 1.1 a majority resolution of the Planning Control Committee whom, on hearing the application and representations thereto, by majority consider such a visit will for planning reasons be of substantial benefit to the decision-making process;
  - or**
  - 1.2 as may otherwise be authorised by the Chair in consultation with a Development Manager or other appropriate planning officer, where for example, a planning application is a major development, has received a significant number of objections, or is unusual in its nature to warrant a visit by Members of the PCC in the opinion of the said officers.

In the case of 1.2, a site visit may be arranged, but should not take place until the Agenda of the Planning Control Committee and the reports therein have been published. Following publication of the Agenda, the site visit may take place at any reasonable time during any working day (including the day of Committee) before the Committee formally convenes to decide upon the related application.
2. A written record of the decision to attend or not attend a site visit, whether in accordance with 1.1 or 1.2 above, should be formally recorded by Democratic Services.
3. Site visits shall only be attended by appointed Members of the Planning Control Committee along with the appropriate Council officers.
4. For the purpose of making logistical arrangements such as access to the site, the applicant shall be notified in writing of the proposed date and time of the

site visit, but shall be informed that they, or any landowner or other interested person(s) should not approach or attempt to speak to or engage with any Member or officer of the Council about the application immediately before, during or immediately following the site visit. Where it is not possible to access the site for any reason, Members will be directed by officers to appropriate vantage points. No other person is required to be notified of the date and time of the site visit.

5. Site visits are an integral part of the Committee decision-making procedure. Therefore, all Members of the Planning Control Committee should, where possible, attend the site visit together with appropriate officers and not individually, or in small or separate groups.

### **Procedure at the Site Visit**

The site visit will be conducted in the following manner:-

- a) Officers on the site visit should explain to any person present that they should not approach or attempt to engage with the Members on the site visit.
- b) The Development Manager and/or other appropriate planning officers shall be invited by the Chairman to explain the proposal to the Members, which shall include a summary of the relevant objections to the proposal.
- c) Members shall then be invited by the Chairman to ask any questions concerning the proposal to the respective officer(s)
- d) The Development Manager or other appropriate planning officer(s) shall then where they consider, in the context of the particular planning application, that it is necessary, reasonable, appropriate and practicable, guide Members to various parts of the site or vantage points to view the site.
- e) Members should remain together at all times during the site visit and should not attend separately on their own or in small or separate groups.
- f) Members shall during any site visit respect and adhere to any health and safety and other on-site requirements of the landowners or operators of facilities on the land

where applicable (for example, when viewing an operative industrial facility or active building site)

- g) A record shall be made by the Democratic Services officer of the site visit, including viewing points and all questions to the appropriate officers. Such a record shall form part of the Committee Minutes.
- h) No decision on any application shall be taken at a site visit and Members should be mindful at all times that they should not provide any indication of the likely outcome of the application.
- i) Members shall be mindful at all times of the need to avoid allegations of pre-determination and bias, as well as avoiding the fettering of discretion in relation to a planning application; the need to uphold probity in planning decisions is of paramount importance for Members of the Committee, both individually and collectively.
- j) Members should not allow themselves to be approached or addressed by any persons other than appropriate officers. It is accepted that this can be difficult and even unavoidable at times. Where an attempt is made by any such other person, including the applicant and if applicable any Councillors not on the Planning Committee, Members should politely, but firmly and immediately, discourage and curtail any such dialogue or any other form of engagement and react in accordance with the guidance on lobbying in part 6 to this Protocol, above. This should then be reported to the Democratic Services officer in attendance. Remaining together on the site visit at all times in accordance with e) above will minimise the risk of being approached.
- k) In order to ensure that, as far as possible, all Members of the Planning Committee have the same information before them, the Development Manager or other appropriate planning officers shall provide a brief summary update to Members of any significant additional information or issues raised at the site visit prior to formal deliberation by the Members on the related planning application.
- l) Members of the Planning Control Committee that are not able to attend the arranged site visit should, following the update by the Development Manager, or other appropriate planning officers in accordance with k), above, consider whether they feel capable of making a decision in relation to the application, having not had the

benefit of the site visit themselves. The non-attendance of Members at the arranged site visit shall not of itself mean that Members should not be able to decide on the related application, simply that they themselves should consider whether probity in planning is being upheld and whether in the circumstances they feel they are able make an informed, objective and appropriate decision on the basis of the information before them.