

Teesdale District Council

Planning Committee Site Visit Protocol

1.0 Introduction

- 1.1 This protocol is intended to guide Members of the Planning Committee when making requests for site visits to assist them in the determination of planning or other applications.
- 1.2 It is also intended to inform other stakeholders with an interest in planning applications e.g. applicants, objectors, agents, Parish Council and so on with regard to procedural matters.
- 1.3 It is important that requests for site visits are dealt with in a consistent and organised manner and that administrative and procedural arrangements on site are understood so that all parties involved in the process are dealt with fairly.

2.0 The Legal Position

- 2.1 The purpose of the site visit is to enable Members of the Planning Committee to:
 - more fully understand the details of a development proposal in the context of the application site and the surrounding land and buildings;
 - more fully understand issues raised by interested parties.
- 2.2 Site visits should not be undertaken to defer difficult decisions on controversial applications; because applicants or objectors request them; or so that Members can placate their Ward constituents.
- 2.3 Although decisions to visit sites are made by formal resolution of the Planning Committee, Members should familiarise themselves with sites **before** the Committee meeting in order to make informed comments on them. Requests for site visits should only be made after the Members have thoroughly read and considered the reports prepared by planning officers.
- 2.4 Undertaken for proper planning reasons site visits can assist the decision making process; undertaken for wrong reasons, site visits simply delay the whole planning process unnecessarily.
- 2.5 Members are reminded that the Town and Country (General Development Procedure) Order 1995 (Article 20) requires planning authorities to

determine applications within 8 weeks of receipt or 13 weeks for a major application. The significance of the 8 (or 13) week date is twofold. First, it is the date by which most local authority performance is judged. Second, and most importantly, it enables the applicant to appeal to the Planning Inspectorate against “non determination” of applications, at which point the local authority cannot continue to determine the application. It is inevitable that **all** applications which are deferred for a site visit will go beyond the 8 week date. This would allow an applicant to immediately proceed to appeal at the expiry of the 8 week period without a site visit having taken place.

2.6 There are 3 key points for Members to note:

- Site visits are not formal meetings of the Planning Committee and no decisions can be taken at the time of the site visit.
- Members should always, as far as possible, avoid discussion or other actions which could be construed as amounting to bias or predetermination. Any debate on the merits of the application should be left to the formal meeting of the Planning Committee.
- The Council’s Code of Conduct still applies to Members during site visits. Everyone attending a site visit should be treated with courtesy and respect.

3.0 Site Visit Procedures

3.1 Requests for Site Visits:

- Requests for site visits on applications shall not be made until the Planning Officer has made his or her presentation to Committee.
- Members proposing or seconding a request for a site visit **must** clearly state:
 - the planning reasons for visiting the site.
 - how a visit to a site will assist the whole Committee in determining the proposal.
- Before taking a vote on whether to visit a site, the Chairman of the Planning Committee will ask the Planning Officer for her/his opinion of the benefit to be gained from a site visit.
- The planning reasons and perceived benefits of the site visit will be recorded in the minutes.

3.2 Arranging Site Visits

- When a resolution has been made to undertake a site visit the Democratic Services Manager will notify the applicant or their agent of the time and date of the site visit, requesting they be in attendance only on sites where access to private land will be

required. The Democratic Services Manager will advise the applicant and their agent of this protocol for the conduct of site visits

- The Democratic Services Manager will liaise with the Chairman of the Planning Committee, other Members and the Planning Officer to arrange the time and date of site visits. Site visits will normally take place on the day of the day of the Planning Committee
- The Democratic Services Manager will organise the necessary transport for the site visit
- On occasion, officers of other authorities or statutory bodies may be invited, after consultation between the Chairman and the Planning Officer, to attend a site visit to clarify factual matters

3.3 Procedure at Site Visits

- The Chairman of the Planning Committee will oversee the conduct of site visits
- It is normally expected that those Members proposing and seconding a request for a site visit will be in attendance
- Site visits will start promptly at the time notified to Members
- At the request of the Chairman, the Planning Officer will describe the proposal to Members and will display the plans of the proposal. It is expected that Members will be familiar with the Planning Officer's report. The Planning Officer will indicate the matters of fact in relation to the proposal and surrounding land which Members should take account of
- Members of the Planning Committee may ask the Planning Officer for factual clarification of any planning matter relating to the proposal or surrounding land, for example, distances to adjoining or objectors' properties or the location of parking spaces. **At no time during** the site visit should Members debate the planning merits or otherwise of a proposal.
- **At no time during the site visit will the applicant, their agent, any objector or any other member of the public be allowed to address Members.**
- Any third party person present at the site visit should **not** be directly engaged by Members and all Member questions should be addressed to the Planning Officer through the Chairman. In order to assist in ensuring that this does not happen and to ensure Members retain their objectivity, Members should keep together in one group with the Chairman and the Planning Officer and not break away into small groups.
- At the end of the site visit the Chairman will declare it closed and Members should leave the site promptly. If necessary they will drive or be transported to the next site visit where the same procedures as above will apply

- The Planning Officer will keep a record of Members and observers who attended site visits and pass this information to the Democratic Services Manager. This will be available for inspection.

Notes

In the interests of sustainability it is requested that, unless a minibus has been organised, car sharing opportunities be used where practical to minimise travelling and parking. Members should be aware that it may sometimes be necessary to walk some distances to sites or that some sites may operate bio and other security or safety measures. They should dress accordingly.

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