



Site Inspection Protocol

Introduction

Official site visits by members of the Development Management Committee can play an important role in ensuring that Members make decisions on a sound understanding of the relevant issues. However, care must be taken to ensure that site visits are not misused as a lobbying device to help ensure a particular outcome in respect of controversial applications, or to defer consideration of an application to a subsequent meeting. It is also important that there is a clear understanding by members of the public as to why certain applications require a site visit and others do not.

"Site visits cause delay and additional costs and should only be used where the expected benefit is substantial; they should be carefully organised to ensure that the purpose, format and conduct are clearly established at the outset and subsequently adhered to throughout the visit"

(PAS "Probity in Planning" 2013 para 11.2)

Decision to hold Site Inspection

The decision to hold a site inspection is usually taken in committee, resulting from a resolution carried by the committee following a proposal, duly seconded. The specific planning reason why such an inspection is believed necessary should be given by the Member proposing a site inspection, and should be recorded in the minutes.

Occasionally, when an application raises issues which clearly require a site inspection, the Head of Development Management in consultation with the Chairman of the Development Management Committee may arrange a pre-committee site inspection. The reasons for calling a pre-committee inspection shall be recorded in the minutes of the following committee.

Role of Site Inspection

A site inspection is a fact-finding and information gathering exercise. It is **not** a decision-making meeting. A site inspection is intended to supplement the officer report and committee room presentation, in particular when the impact of the proposed development is difficult to visualise.

Composition of Site Inspection Panel

All members of the Development Management Committee have the right to attend a site inspection, however there should be at least **four** and normally no more than **six** Members in attendance. The membership and chairmanship of the Site Inspection Panel should be determined in committee when the decision to hold a site inspection is made.

Attendance at a Site Inspection

A site inspection can only take place on land with the consent of the land owner. In the unlikely event that the land owner refuses permission for a specific person or group to enter onto the land, who would otherwise usually be entitled or expected to be present, the Site Inspection Panel Chairman should seek legal advice before proceeding.

Those usually in attendance are:

- i) Members who have been appointed to the Panel by the Development Management Committee
- ii) The case officer, together with any other officer who the case officer believes it appropriate to attend (eg Historic Buildings Officer, Trees & Landscape Officer, Head of Development Management)
- iii) The Applicant &/or Agent
- iv) One representative of the relevant District / Borough Council
- v) One representative of any statutory consultee whose comments are pertinent to the planning issues under consideration (e.g., Highway Authority/ Environment Agency)
- vi) One representative of the relevant parish/town council
- vii) A clerk to take minutes of the panel proceedings

Conduct of Site Inspection

The site inspection procedure is as follows:

- i) The Panel Chairman will welcome those attending and explain the purpose of the site inspection and the procedure to be followed. It will be emphasised that no decision will be made on site and that the application will be determined at a subsequent meeting of the Development Management Committee.
- ii) The case officer will describe the application, and outline the relevant planning considerations and policies, paying particular attention to the specific issues that warranted the need for the site inspection, using plans if necessary

- iii) Any other officer of the Authority wishing to advise Members will present their advice
- iv) Any person representing a statutory consultee will give their comments
- v) The **one** authorised representative of the Parish Council and **one** authorised representative of the District/Borough Council will be invited to point out matters of fact relating to the site by the Panel Chairman
- vi) The applicant and/or agent may be invited by the Panel Chairman to respond to any questions

NB the applicant / agent shall have no right to address Members or make any presentation, or draw their attention to any matter, except as invited by the Panel Chairman in response to a question from the Panel Chairman. The District/Borough and Parish/Town Council representatives will restrict their comments to facts related to the site and its surroundings. They shall not be invited to relay personal opinion or amplify points raised in consultation responses.

- vii) Any further questions from Members
- viii) The Chairman will close the site inspection, thank all parties for their attendance and inform them of the date and time of the Development Management Committee at which the application will be reported

After the Site Inspection is Closed

Following the closure of the formal site inspection by the Panel Chairman, it is customary for Members to move out of earshot of others and discuss briefly with the case officer issues raised in the light of the site inspection.

However, the Site Inspection Panel is **not** a decision-making body and the Panel should not take any form of straw poll or vote, or attempt to reach a collective view.

“Councillors should take care about expressing an opinion that may be taken as indicating that they have already made up their mind on the issue before they have been exposed to all the evidence and arguments”

“Members of the committee should not decide or declare which way they will vote in advance of the planning meeting, or before hearing evidence and arguments on both sides”

(PAS “Probity in Planning” 2013 para 6.2 and 6.5)

The Clerk will prepare a brief summary of proceedings which will form the minute of the site inspection to be presented at the following Development Management Committee. The Case Officer will prepare and present an update report in the light of the site inspection. This report will reflect on any matters or updates following the site inspection and shall include a recommendation. The summary report will be accompanied by any previous officer report relating to the application already presented in committee. The report will either confirm the previous officer

recommendation, or make a different recommendation, giving full reasons for any change in recommendation.

When the matter is next before the Development Management Committee, it shall be customary for the Chair of the Committee to invite the Chair of the Site Inspection Panel, and then other members of that Panel, to speak first in debate (after the Case Officer's presentation and any public participation).

01 November 2019

Key Points to note

It is recognised good practice for councils to adopt criteria for site visits:

- they should only be used where there will be substantial benefit*
 - the purpose, format and conduct must be clearly established and adhered to*
 - the reasons for site visits should be recorded in the minutes*
 - preferably it should involve inspection by panel or subcommittee only, with officer assistance; otherwise all parties must be treated fairly and equitably*
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- site visits are intended to be **fact-finding** exercises*
 - you should use the opportunity to **establish the relationship** of the site / buildings with surrounding buildings / features / characteristics*
 - it is not part of the formal consideration of an application*
 - the **applicant/agent may not address the meeting**, except to establish points of fact (for example, identify location of development proposal within the site)*
 - there is **no public right of attendance** and they are not permitted to address the meeting*
 - the **planning officer must attend to explain the proposal** and answer questions*
 - wherever possible you should **make notes** so that you can accurately recall the visit when the application is formally considered at the committee meeting*
 - in preparing for the committee meeting if you believe the visit highlighted issues that are not addressed in the officer's report, **liaise with the officer prior to the meeting***

Planning Advisory Service