

19TH FEBRUARY 2015

REPORT OF HEAD OF REGULATORY SERVICES

ARRANGEMENTS FOR SITE INSPECTIONS FOR PLANNING APPLICATIONS

1. PURPOSE OF THE REPORT

- 1.1 This report is intended to invite the Committee to discuss the current arrangements for the site inspection of planning applications and whether it is desirable for them to be amended.

2. RECOMMENDATION

- 2.1 **That the Committee recommends no change to the existing arrangements (reproduced as Appendix A to this report).**

3.0 BACKGROUND

- 3.1 Members will be aware of the current site inspections arrangements for planning applications and that has evolved over time, and form part of the constitution. The existing approach is attached as Appendix A.
- 3.2 The Council's Constitution describes the purpose of site inspections as follows: "*The purpose of a site visit is for Members to gain factual knowledge and make a visual assessment of the development proposal, the application site and its relationship to adjacent sites*". Members will recall that the adequacy, or otherwise, of our arrangements was called into question following a complaint by Freeby Parish Council in October 2014 and it was resolved to undertake a review.
- 3.3 One aspect of the complaint was that individuals (normally, but not exclusively, objectors) wish the Committee to view a proposal from a specific vantage point in order to appreciate their individual concerns, but were not aware they could make such a request. One of the immediate steps taken following the complaint was to amend the notification letter in order to invite interested parties to alert us to any vantage point they saw as necessary or preferable. This has appeared in every notification since and has had some limited benefit in that a very small number of people have asked us to visit specific view points, and we have been able to incorporate these requests. This has been achieved with minimal impact and as such it is recommended it remains our practice. For information, the notification letter sent is attached as Appendix B with the wording referred to here highlighted.
- 3.4 A further criticism made of the procedure in the complaint made by Freeby Parish Council was that the Committee did not take in sufficient, or the optimum, viewpoints in order to fully acquaint themselves with the relationship with surrounding sites. The Committee's attention is drawn to para. 7 of the existing protocol (Appendix A below) and it is submitted that this makes sufficient provision for this eventuality.
- 3.5 It is worth bearing in mind that it is Members own and individual judgement as to whether they are sufficiently familiar with a proposal and its likely impacts in order to make a decision. There is no compulsion for a site inspection to be carried out and Members are not prevented from participating in a decision if they have not had a

visit, provided they have sufficient understanding of the issues from other sources (i.e., the Committee report, plans, representations received etc).

4. **CONCLUSION**

- 4.1 It is considered that the current arrangements make adequate provision for site inspections in order to fulfil their stated purpose and that no amendments are necessary.
- 4.2 In the event that the Committee wish to make amendments, it would be necessary to submit this recommendation to Full Council for consideration as part of the next available review of the Council's constitution.

APPENDIX A: EXISTING ARRANGEMENTS FOR SITE INSPECTIONS (CONSTITUTION PART 5, APPENDIX 3)

CONDUCT OF THE SITE INSPECTION

1. Site visits will be carried out prior to the Committee Meeting and will not constitute a part of the meeting.
2. The site visit will consist of an inspection by Members of the Planning Committee and the Ward Member(s) only, accompanied by the Head of Regulatory Services (or their representative). The inspection should be unaccompanied (ie. without the applicant/agent and or objectors/supporters or any representatives of the local community)
3. The Chairman will invite the Head of Regulatory Services (or his representative) to describe the proposal. She/he will explain:
 - What is proposed
 - Where it will be positioned on the site (including details of access, windows)
 - What physical features that will be affected by the proposal (e.g. any trees or hedges requiring removal, any demolition etc.)
4. Members of the Committee will be invited to ask any questions of clarification of the Head of Regulatory Services (or their representative) or any other party, but should not express their opinion on the merits of the application, nor enter into any debate on the merits of the application with other Members.
5. For particularly contentious applications objectors/supporters may be at the site (or gathered on public land nearby) and will be looking to make representations verbally to Members or to hand out material to support their case. In these instances Members (supported as necessary by officers) should explain that the purpose of their visit is to view the site and its surroundings and that they cannot enter into any discussion in respect of the merits of the application, and cannot accept any written or other material.
6. If the applicant/agent needs to be present to provide access to the site they should be requested to allow Members to view unaccompanied. An exception to this would be where the applicant/agent is required to show the Members around – for instance for security purposes or where the inspection involves looking inside an occupied building. In such cases the applicant/agent will be asked not to speak on any issues concerning the merits of the application.
7. The Chairman will ask the Committee if they wish to view the site from any other vantage points.

APPENDIX B: SITE INSPECTIONS NOTIFICATION LETTER

I refer to the above planning application.

It is intended that the application will be considered by the Planning Committee on . at Parkside, Station Approach, Burton Street, Melton Mowbray, Leics, LE13 1GH, commencing at 6:00 pm.

The Council has adopted a procedure to allow the applicant or agent, and an objector to address the Committee and will allow speakers up to 3 minutes each for this purpose. If you have previously sent us your comments and wish to speak, please contact the Committee Clerk on 01664 502427 or developmentcontrol@melton.gov.uk to register. You will then be sent a 'speaker's guidance leaflet' outlining the procedures for speakers. Please note, if you wish to speak you need to contact the Committee Clerk not later than 3 working days before the scheduled meeting – only in exceptional circumstances will the Chairman allow speakers who have not registered to address the Committee.

If you do not wish to speak, you are nevertheless welcome to attend the meeting and observe the determination of the application. **The meeting will be preceded by a site inspection by the Committee in order to familiarise themselves with the site and its surroundings. If there are particular viewpoints you wish the Committee to visit please let us know and these will be brought to the attention of the Committee.**

Due to unforeseen factors, applications occasionally are not considered at the meeting as was originally intended. It is advisable to check with the case officer or web site that the application remains on and the Committee agenda prior to attending.

The Committee papers, including a report on this application will be on the website <http://www.melton.gov.uk/meetings> (using the 'Find out about my Councillor' icon, then select 'Agendas, minutes and meetings' and finally 'agendas, reports and minutes' where you can select this meeting. They are also available from the Council Offices one week before the date of the meeting. Alternatively, if you would like a copy to be e-mailed to you in advance of the meeting, please contact the Committee clerk on 01664 502427 or email developmentcontrol@melton.gov.uk