



## **GREATER CAMBRIDGE SHARED PLANNING**

### **PLANNING COMMITTEE PROTOCOL FOR OFFICER-LED SITE VISITS**

**Planning Committee Date:** 18 January 2023

**Report to:** South Cambridgeshire District Council Planning Committee

**Report by:** Phil McIntosh, Interim Delivery Manager (West) and s106, Greater Cambridge Shared Planning Service.

Email: [phil.mcintosh@greatercambridgeplanning.org](mailto:phil.mcintosh@greatercambridgeplanning.org)

**Ward/parishes affected:** All

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## **1. Executive summary**

- 1.1 The report is being referred back to SCDC planning committee following debate at the meeting on 14 December 2022.
- 1.2 Procedural guidance on the conducting of committee site visits can be found in Part 6 of the Cambridge City Council Constitution and Part 4 of the South Cambridgeshire District Council Ethical Handbook (May 2020). The District's Ethical Handbook does not form part of the District's Constitution, but supplements some of the documents that are, such as the Code of Conduct.
- 1.3 On occasions, the South Cambridgeshire District Council Planning Committee (SCDC PC) may wish to visit a site, where development is planned, before making a decision. This report confirms the procedure for requesting site visits and the conduct of site visits, that will be followed on those occasions when such site visits take place

1.4 The Greater Cambridge Shared Planning Service is supported by three planning committees, and as such the need for consistency in arranging and undertaking planning committee site visits is recognised. A planning committee protocol for officer-led site visits (Appendix A) has been prepared which sets out the approach which will be followed by all three planning committees - JDCC, Cambridge City Council Planning Committee and South Cambridgeshire District Council Planning Committee. It is the intention that this protocol will supplement the City and District Councils' existing procedural guidance on the conduct of site visits.

## **2. Recommendation**

2.1 Officers recommend that the South Cambridgeshire District Council Planning Committee:

- (i) Notes this report and the accompanying planning committee protocol for officer-led site visits.
- (ii) Confirms the protocol for officer-led site visits for the South Cambridgeshire District Council Planning Committee.

Subject to the following amendments to the protocol:

- Requests for site visits to include local ward members
- The attendance of site visits to include local ward members, who must abide by the terms of the protocol, and be briefed on the site visit protocol procedures and conduct in advance of that visit, by the lead Delivery Manager or planning case officer.
- Modest changes to the protocol relating to points of clarification and textural changes to avoid repetition.

With officer delegation to carry out these proposed changes.

### **3. Background**

- 3.1 Planning committee site visits are helpful in enabling Members to see the site of a planning application, so that they gain a better understanding of its location, physical characteristics and relationships to neighbouring uses, before the application is determined.
- 3.2 During a planning committee site visit, the merits of the application are not discussed, nor is a decision reached at this time. The proper forum to discuss the application is at the Planning Committee meeting, when all information is in the public arena, and Councillors' debate and decide on the full proposal.
- 3.3 The purpose of the protocol for officer-led site visits is to guide the conduct of Planning Committee site visits, to enable Members to ensure that such visits are conducted in accordance with the Councils' procedural guidance.

#### **Requests for SCDC PC Site Visits**

- 3.4 The decision on whether to organise a formal SCDC site visit will rest with the Delivery Manager, taking into consideration the views of the SCDC PC Chair.
- 3.5 A site visit can result from any one of the following:
- (i) A request by a Councillor of the SCDC PC in writing (giving reasons why the site visit is considered necessary) during the time that an application is being processed.
  - (ii) The Director of Planning and Economic Development, or Delivery Manager considers that one is necessary in the interests of proper decision making.
  - (iii) The SCDC PC calls for a site visit following a deferral of a decision purposely for a site visit.
- 3.6 The site visit will take place at a date and time fixed by the Delivery Manager, following discussion with the Chair of SCDC and Democratic Services.
- 3.7 For complex or sensitive applications which are being referred to SCDC, a site visit agenda as appropriate will be prepared by the planning case officer and circulated to Members in advance of the site visit. The site visit agenda will confirm the meeting point, set out the purpose and format of the visit, and highlight any important notes such as the need for appropriate attire.

- 3.8 Members will be encouraged to attend organised site visits: in the event that this is not possible, and Members wish to independently visit, the site visit should be undertaken from public land only; contact with applicants and objectors should be avoided. By failing to do so a perception of bias could arise, which in turn might lead to the SCDC PC's decision being susceptible to challenge.

### **Conduct of SCDC PC Site Visits**

- 3.9 SCDC PC site visits are solely for the purpose of viewing the site, understanding its location and immediate environs to be able to put the development proposal into context, and discussing the facts of the application. It is not a meeting to discuss the planning merits of the scheme or to make decisions.
- 3.10 SCDC PC site visits will be led by the Delivery Manager and/or the planning case officer with support from the Chair of SCDC PC. On occasion, technical officers of the Council or officers from other authorities may be invited to attend a site visit by the planning case officer to clarify factual or technical matters.
- 3.11 The site visit will only be attended by Members of SCDC PC, unless there are circumstances where it is necessary for the landowner or their representatives to be in attendance. As a private meeting, public rights of attendance and speaking do not apply.
- 3.12 Members will travel to the meeting point for the site visit independently, unless the Director of Planning and Economic Development or Delivery Manager agrees that alternative arrangements shall be provided by the shared planning service.
- 3.13 Members may ask their questions including any requests for specific information from the Applicant (or any representatives of the Applicant) if they are present. Members should ensure that they can hear the Officers' presentation and the questions and answers.
- 3.14 Before closing the site visit, the Delivery Manager or planning case officer will seek confirmation that Members are satisfied they have seen everything they need to make a decision, after which will draw the site visit to a close.
- 3.15 Members should avoid engaging in private conversations with each other on the subject of the application or with the Applicant (or any representatives of the Applicant) if they are present at the time of the site visit. Questions regarding points of clarification in relation to the proposed development may be asked at the discretion of the Delivery Manager/planning case officer.

- 3.16 For the purposes of factual record, attendance at a site visit will be recorded by officers including the locations visited. No formal notes of a site visit will be recorded.

## **4. Implications**

### **Financial Implications**

- 4.1 The cost of the SCDC PC meetings are covered within existing budgets. The introduction of a planning committee site visit protocol is not anticipated to increase the frequency of SCDC PC meetings or its caseload so as to introduce significant additional costs. The arrangement and attendance of SCDC PC site visits is also not anticipated to introduce significant additional costs. Officers will nevertheless keep these ongoing costs under review.

### **Staffing Implications**

- 4.2 There are no staffing implications arising from this report.

### **Equality and Poverty Implications**

- 4.3 An Equality Impact Assessment (EQIA) has not been undertaken in respect of this report, because the site visit protocol relate to the terms of reference of a committee and no material changes are proposed to the operation of the Committee meetings which will follow existing practices.

### **Environmental Implications**

- 4.4 None.

### **Procurement Implications**

- 4.5 None.

### **Community Safety Implications**

- 4.6 None.

## **5. Consultation and Communication Considerations**

5.1 No formal consultation has been undertaken in the preparation of this report. The committee site visit protocol is a matter for the Local Authorities and no formal consultation is required.

## **6. Background Papers**

6.1 Background papers used in the preparation of this report:

- South Cambridgeshire District Council Ethical Handbook (May 2020) [Ethical Handbook.pdf \(moderngov.co.uk\)](#) and Constitution. [Agenda for Constitution on Thursday, 9 June 2022 \(moderngov.co.uk\)](#)

## **7. Report Author**

Phil McIntosh, Interim Delivery Manager (West) and s106, Greater Cambridge Shared Planning Service.

Email: [phil.mcintosh@greatercambridgeplanning.org](mailto:phil.mcintosh@greatercambridgeplanning.org)

## **APPENDIX 1:**



### **PLANNING COMMITTEE PROTOCOL FOR OFFICER-LED SITE VISITS**

**JOINT DEVELOPMENT CONTROL COMMITTEE (JDCC); CAMBRIDGE CITY COUNCIL PLANNING COMMITTEE (City PC); SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL PLANNING COMMITTEE (SCDC PC)**

### **FORMAL PLANNING COMMITTEE PROTOCOL FOR OFFICER-LED SITE VISITS**

**JOINT DEVELOPMENT CONTROL COMMITTEE (JDCC); CAMBRIDGE CITY COUNCIL PLANNING COMMITTEE (City PC); SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL PLANNING COMMITTEE (SCDC PC)**

#### **Purpose of a Planning Committee Site Visit**

Planning committee site visits are solely for the purpose of viewing the site, understanding its location and context immediate environs to be able to put the development proposal into context, and discussing the facts of the application.

Site visits will be led by the relevant Lead Delivery Manager (Lead DM) and/or the planning case officer with support from the Chair of Planning Committee. On occasion, technical officers of the Council or officers from other authorities may be invited by the planning case officer to attend a site visit to clarify factual or technical matters.

A site visit is not a meeting to discuss the merits of a development proposal, and no decisions will be made at the site visit by the Planning Committee. The Lead DM/planning case officer will make this clear at the beginning of the visit within their introduction.

As a private inspection to gain an understanding of the facts relating to an application, site visits are not part of the formal consideration of the application, and public rights of attendance and speaking do not apply.

## **Requests for Site Visits:**

The decision on whether to organise a formal committee site visit rests with the relevant Lead DM. For the JDCC this is the Strategic Sites Delivery Manager and for the City PC and SCDC PC this is the Delivery Manager or Area Delivery Managers. The Lead DM will take into consideration the views of the relevant Planning Committee Chair with regard to:

1. The complexity or sensitivity of the development proposal.
2. The characteristics of the site and its surroundings.

A site visit can result from any one of the following:

1. A request by a Member of the JDCC, City PC or SCDC PC in writing (giving reasons why the site visit is considered necessary) during the time that an application is being processed.
2. The Director of Planning and Economic Development, or Lead DM considers that one is necessary in the interests of proper decision making.
3. The JDCC, City PC or SCDC PC calls for a site visit following a deferral of a decision purposely for a site visit.

The site visit will take place at a date and time fixed by the Lead DM and/or the planning case officer following discussion with both the Chair of the relevant Planning Committee (or if they are not available, the Vice Chair), and the Committee Services Manager.

Members will travel to the meeting point for the site visit independently, unless the Director of Planning agrees that alternative arrangements shall be provided by Greater Cambridge Shared Planning (GCSPS).

For complex or sensitive applications which are being referred to a Planning Committee, a site visit agenda as appropriate will be prepared by the planning case officer and circulated to Members of that committee in advance of the site visit. The site visit agenda will confirm the meeting point, set out the purpose and format of the visit, and highlight any important notes such as the need for appropriate attire.

Members are encouraged to attend organised site visits. In the event that this is not possible, and Members wish to independently visit, the site visit should be undertaken from public land only and contact with applicants and objectors should be avoided. By failing to do so a perception of bias could arise which in turn might lead to the Planning Committee's decision being susceptible to challenge.

## **Conduct of Site Visits:**



- Members will view the site from the nearest public space and any other public spaces as considered appropriate by the planning case officer. Should access to the application site (or any other private land) be considered necessary to view the site, the planning case officer will seek the consent of the relevant landowner in advance.
- The site visit will usually only be attended by Members of the Planning Committee unless there are circumstances where it is necessary for the landowner or their representatives to be in attendance.
- Officers will open the site visit; give a brief presentation on the site, the setting of the proposed development and the specific reasons why the site inspection was requested.
- Members may ask their questions of officers including any requests for specific information that may be required to assist their consideration of the item at the Committee meeting. Exceptionally, questions may be asked directly to the Applicant's representative should they be present. Members need to ensure that they can hear the officers' presentation and the questions and answers.
- Before closing the site visit the Lead DM or planning case officer will seek confirmation that Members are satisfied that they have seen everything they need, after which will draw the site visit to a close.
- Members should avoid engaging in private conversations on the subject of the application with each other during the site visit as this can give the wrong impression to others present or anyone observing the site visit outside of it.
- Members should avoid engaging in conversations with the public should any be present at the time of the site visit.
- Members should avoid engaging in conversations with the applicant (or any representatives of the applicant) if they are present at the time of the site visit. Questions regarding points of clarification in relation to the proposed development may be asked at the discretion of the Lead DM/planning case officer.
- For the purposes of factual record, no formal notes of the site visit will be made. The Lead DM or planning case officer will make a record of the date and time of the site visit, attendance and the locations visited.