

Report to: **Development Management Committee**
Date: **23 November 2016**
Title: **REVIEW OF SITE INSPECTION PROTOCOL**
Portfolio Area: **Customer First**
Wards Affected: **All**
Relevant Scrutiny Committee: Overview and Scrutiny Panel

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: The Committee recommendations will be presented to the Council meeting on 15 December 2016 for approval.

Author: **Pat Whymer** Role: COP Lead Specialist – Development Management

Kathryn Trant Senior Case Manager

Contact: **Email: pat.whymer@swdevon.gov.uk
kathryn.trant@swdevon.gov.uk**

RECOMMENDATION:

That the Development Management Committee RECOMMEND to Council to adopt the revised Site Inspection Protocol as presented at Appendix A of the report; and

Authority to make minor amendments be delegated to the COP Lead Specialist Development Management, in consultation with the Chairman of DM Committee

1. Executive summary

- 1.1 The Council has an adopted Site Inspection Protocol. Following the Planning Peer Review, an action plan was produced. One of the recommendations from the Review was to 'Review Committee Site Visit protocols to ensure planning decision making is as efficient as possible'.
- 1.2 As a result, a small group of Members was invited to come together as a Working Group to discuss the current Site Inspection Protocol, and make recommendations to amend the protocol to improve efficiency of planning decision making. The resulting amended protocol is attached at Appendix A.

2. Background

- 2.1 South Hams District Council has a Site Inspection Protocol in place that guides Members on how a Site Inspection should be conducted and includes details of who is able to take part.
- 2.2 Currently, the majority of site inspections are referred from the previous Committee meeting, following a presentation of the facts of the application by the Case Officer.
- 2.3 Paragraph 5.10 of the Final Report of the Planning Peer Review states the following:

“In order to aid efficiency in decision making the peer team recommend a review of the site visit protocols at both Councils.’
‘Deferrals for site visits introduces delay, additional costs and continued uncertainty for applicants. Site visits are an important part of the decision making process where appropriate and the Councils could consider their use before Committee with the Chair and Community of Practice Lead discussing a forward agenda list of items that includes the recommending of site visits. The ward councillor (s) could also be invited on these visits, provided they are made aware that it isn’t a lobbying opportunity or the place for a debate of the proposal.”
- 2.4 In line with the Planning Peer Review Recommendations and Action Plan, a Working Group was convened to discuss the existing Site Inspection Protocol and asked to consider possible changes to both the process and the timing of site inspections. The Working Group met on Monday 17 October, 2016 and included Cllr I Bramble, Cllr J Pearce and Cllr R Steer.

3. Outcomes/outputs

- 3.1 Members of the Working Group had a full discussion on the site inspection process. The current protocol was critically assessed to understand where efficiencies could be made.
- 3.2 In terms of process, the Working Group concluded that Site Inspections should continue to be public meetings and that agents or applicants should be in attendance to assist with access. The Group felt strongly that agents/applicants should mark out proposed developments, in particular and whenever possible, by indicating height as well as floor area. In exceptional circumstances, the Chairman may ask the agent/applicant questions of clarity.
- 3.3 In discussing the role of Town and Parish representatives the Working Group felt that whilst members of the Town and Parish Councils could attend, they should not be offered the opportunity to speak, other than to ask questions of or provide answers of clarity. Currently, Town and Parish Council representatives could speak either at the site inspection or at Committee. The Group felt that it was important that any discussion or views expressed by the Town/Parish representative should be heard by all Members in the Chamber at the Committee meeting as part of the debate on the application.
- 3.4 Members of the Group then discussed the timing of the site inspections. A proposal was put forward that when a Member asks for an application to be called to Committee, in line with the Scheme of Delegation, they confirm at that point to the Case Officer if they feel a site inspection will be required. When the Committee Briefing meeting takes place with the Chairman and Vice Chairman, the Chairman and the COP Lead Development Management then decide which of the applications will be included on the Site Inspection Itinerary. The Site Inspection Itinerary will be included with the agenda papers, and the site visits will take place on the Monday prior to the Committee meeting on the Wednesday.
- 3.5 This will facilitate site inspections prior to presentation at Committee, and the significant advantage is that it reduces the time taken to make a decision on the application. This can be demonstrated as follows:

	Currently:	Proposed:
Member requests application to Committee on	23 November	23 November
Application referred for site visit on	9 January	14 November
Application presented back to Committee for decision on	18 January	23 November

- 3.6 The Working Group felt that the time saved in making decisions by holding site inspections prior to the Committee would have a significant impact on performance statistics and should be included in the proposed protocol. However, the new protocol should not preclude an application being referred for site inspection at the Committee meeting in exceptional circumstances.
- 3.7 As a result of their discussions, the Working Group have agreed the proposed Site Inspection Protocol as attached at Appendix A.

4. Options available and consideration of risk

- 4.1 The Site Inspection protocol guides Members on conduct at a site inspection. It is an important part of the planning decision making process. Members have considered a number of ways of making that process more efficient and at the same time considered the associated risks. The process of including Town and Parish Council representatives at the site visit ensures transparency, as does only allowing their views to be expressed at the Committee. Restricting any debate or discussion to the Council Chamber ensures that those empowered to make the decisions hear all of the relevant facts and views.
- 4.2 Whilst the change to the timing of the inspections may cause concern and will require revised dates to be set, the Working Group felt that the significant improvement in time taken to determine applications as a result was worth the change.

5. Proposed Way Forward

- 5.1 Following the support of the Member Group, a revised Site Inspection Protocol has now been produced. The Working Group consider that the proposed amendments to the current protocol will improve efficiency of decision making. Members are therefore requested to approve the revised document.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Council Constitution includes the ability for Members of the Development Management Committee to attend site inspections. It is best practice for site inspections to be carried out in a lawful and transparent way and a written protocol supports this

Financial	Y	There are no direct financial implications but the revised protocol will deliver efficiencies in both officer and member time
Risk	Y	These are addressed in the body of the report.
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	These are considered within the planning application process
Safeguarding	N	
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	N	

Supporting Information

Appendices:

1: Proposed Site Inspection Protocol

Background Papers:

Planning Peer Review Action Plan