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**NOTICE OF EXECUTIVE DECISION TO BE MADE**

10 November, 2017

The following Executive Decisions are due to be made by the CABINET MEMBER FOR ECONOMIC GROWTH on FRIDAY, 10 NOVEMBER 2017.

Part 1(Public Information)

1. Planning Delegation Scheme and Committee Procedures (EG350L)  
(Pages 3 - 24)

Reports relating to the decision(s) to be taken are attached to this notice, unless they contain confidential or exempt information. A meeting will not necessarily take place when the decision is made. Please contact Democratic Services for more information.

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## FOR PUBLICATION

### REVIEW OF DELEGATION SCHEME AND PLANNING COMMITTEE PROCEDURES (EG350L)

**DATE:** 10 NOVEMBER, 2017

**REPORT BY:** DEVELOPMENT MANAGEMENT AND CONSERVATION MANAGER

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**WARD:** ALL

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#### **1.0 PURPOSE OF REPORT**

1.1 To consider a review of the Councils agreed delegation scheme relating to application determination and planning committee procedures including public speaking and site visits following consideration by planning committee.

#### **2.0 BACKGROUND**

2.1 Chesterfield Borough Council has an agreed delegation scheme which is part of its Constitution and which was last reviewed in 2009 along with its guidance documents relating to the operation of planning committee, namely:

- Your View Your Voice – speaking at Planning Committee;
- Planning Committee site visits
- Planning Committee procedures

2.2 In May 2017 planning committee expressed concerns that few items were being reported for their consideration inferring therefore that some decisions were perhaps being taken by officers outside the agreed delegation scheme and which should actually have been reported to planning committee. No examples could however be given at the time however in response it was agreed to undertake a review / refresh of the delegation scheme and the procedure notes referred to above.

2.3 Planning committee considered this report on 30<sup>th</sup> October 2017 and resolved to accept the recommendations put forward and which would be referred to the Cabinet Member for Planning for a decision.

### **3.0 GOVERNMENT APPROACH**

3.1 Government advice in National Planning Guidance sets out the process and expectations on planning performance and decision making. It makes it clear that once a planning application has been validated, the local planning authority should make a decision on the proposal as quickly as possible, and in any event within the statutory time limit unless a longer period is agreed in writing.

3.2 [Section 62B of the Town and Country Planning Act 1990 \(as amended\)](#) allows the Secretary of State to designate local planning authorities that “are not adequately performing their function of determining applications”, when assessed against [published criteria](#).

Those criteria relate to:

- the speed of decisions made by local planning authorities for applications for major and non-major development, measured by the percentage of applications that have been determined within the statutory period or such extended time as has been agreed between the local planning authority and the applicant
- the quality of decisions made by local planning authorities for applications for major and non-major development, measured by the proportion of decisions on applications that are subsequently overturned at appeal (including those arising from a ‘deemed refusal’ where an application has not been determined within the statutory period)

If a local planning authority falls below the performance thresholds set out in the criteria it may be designated for its performance in relation to applications for major development, non-major development, or both.

3.3 [Section 101 of the Local Government Act 1972](#) allows the local planning authority to arrange for the discharge any of its functions by a committee, sub-committee, or an officer or by any other local authority. The exercise of the power to delegate planning functions is generally a matter for individual local planning authorities, having regard to practical considerations including the need for efficient decision-taking and local transparency. It is in the public interest however for the local planning authority to have effective delegation arrangements in place to ensure that decisions on planning applications that raise no significant planning issues are made quickly and that resources are appropriately concentrated on the applications of greatest significance to the local area.

### **4.0 THE CURRENT DELEGATION SCHEME AND COMMITTEE PROCEDURES**

- 4.1 The current agreed Delegation scheme sets out the framework for the split between officer decisions and those which need planning committee consideration. The scheme is arranged such that the committee considers those proposals which are more controversial or complex and which add value through planning committee consideration. This generally results in a more transparent decision being taken.
- 4.2 The agreed scheme says:  
 P140D To determine all applications for planning permission EXCEPT for the following categories. These excepted categories are shown in column 1 of the following table, and are for determination by the planning committee. In some cases there is a qualification, shown in column 2. Where there is a qualification shown in column 2, applications within the scope of that qualification are for determination by the delegated officers

<b>Col 1 - Planning Committee</b>	<b>Col 2 - Delegated Officers</b>
Where the proposal is contrary to the policies of the adopted development plan.	Where the proposal is contrary to the development plan but <input type="checkbox"/> nevertheless accords with surrounding uses or <input type="checkbox"/> permission is to be refused
Where the proposal involves the Borough or County Council either as applicant or land owner and the scheme is of a major nature.	Where the proposal involves the Borough or County Council either as applicant or land owner and the scheme is of a minor nature.
Where the applicant is a councillor.	
Where the applicant is an officer of the Council who could be seen as having a direct input to, and therefore influence on, the application decision.	
Where the application is for telecommunications development and one or more objections is received.	Where the application is for telecommunications development and no objection is received.
Where the application is for dwelling/s or residential development where any objection is received.	Where the application is for dwelling/s or residential development where any objection is received, and <input type="checkbox"/> the proposal is contrary to a policy (or policies) of the adopted

	Local Plan or Local Development Framework and is recommended by the Development Management and Conservation Manager to be refused or <input type="checkbox"/> the only objection is from the Highway Authority and is not on the grounds of public safety or <input type="checkbox"/> the substance of all objections received does not constitute any material planning consideration
Where five or more objections are received to the proposal.	Where up to four objections are received to the proposal.
Where a Chesterfield Borough councillor makes a written or e-mail request for any application to be considered by planning committee.	
In any case where the Development Management and Conservation Manager considers that the application should be considered by planning committee.	

#### 4.3 Analysis of last 2/3 years decisions:

Year	Total decisions	No of meetings	Committee decisions	% Delegation/Committee split
2015	489	17	62	87.3/12.7
2016	507	17	68	86.6/13.4
2017 so far	385	12	40	89.6/10.4

NB: the number of decisions referred to in the table excludes Prior Approvals; Non Material Amendments, Tree applications, CLOPUDs, Temporary Permitted Development submissions, EIA determinations and those applications which have been withdrawn.

#### 4.4 Breakdown of committee decisions by category

Year	Committee decisions	Delegation scheme category	Site visits	speakers	Decisions contrary to officer recommendation

2015	62	2 Departures 1 Telecom 40 housing 13 5+ objection 7 Officer referred	61	68	4 1 Highfield Road 33 Westmoor Lane Walton Works Dunston Lane
2016	68	7 Departures 1 CBC applicant 46 housing 10 5+ objection 11 Officer referred	68	74	1 195 Old Hall Road
2017 so far	40	1 Departures 1 cllr referred 26 housing 10 5+ objection 6 Officer referred	38	45	7 1 Branton Close Oldfield farm The Shrubberies Troughbrook Road Thompson Street Rear Crispin PH x 2

## 5.0 BENCHMARK WITH OTHER DERBYSHIRE AUTHORITIES DELEGATION SCHEMES

- 5.1 In general all Derbyshire authorities have delegation schemes similar to Chesterfield whereby all planning application decision making is permitted by officers with a number of exceptions which are set out. Each authorities scheme is however subtly different but all such schemes include opportunities for local members to request a committee consideration with adequate reasons being provided and for officers to refer proposals to committee where it is considers to be of significant public interest and / or would have major impact on the environment for example.
- 5.2 Most schemes allow a number of objections before the item is turned into a committee item however the High Peak scheme does not base itself on the number of objections received in any of its categories but does set thresholds of site area, floorspace or number of dwellings proposed (15 and over).
- 5.3 The North East Derbyshire scheme has however more complicated elements in that it requires that where a delegation decision is to be taken contrary to any material representations received, detail of the intended decision has to be forwarded to the relevant ward councillors and chair of committee and they are allowed 48 hours to determine that the matter should be a committee matter. No response results in the default to an officer decision. It is also a requirement that full reasons for the decision are required.

5.4 Without exception all Derbyshire Authorities have procedures set out which allow the public to address planning committee and all schemes general follow similar limitations and processes however there are inevitable differences.

## 6.0 CONSIDERATION OF POTENTIAL FOR CHANGE

6.1 There is an opportunity to change the delegation scheme if it can be shown that it is in need of change.

6.2 For planning application determination an assessment suggests that the scheme is sufficiently refined and generally working well however there is an omission in that it does not refer to the opportunity for the local MPs to call a scheme to committee (with adequate reasoning) in the same way as local members can do. This opportunity should be included in an updated Delegation scheme.

6.3 It is also considered that some clarification/qualification would be useful in so far as the requirement to report to planning committee where 5 or more objections have been received. It is considered that this should be on the same basis as for objections to dwellings with a qualification that it can still be delegated to officers if the proposal is contrary to a policy (or policies) of the adopted Local Plan or Local Development Framework and is recommended by the Development Management and Conservation Manager to be refused or if the substance of all objections received does not constitute any material planning consideration. The opportunity should also be taken to include this in the Delegation scheme.

6.4 The determination of EIA development (scoping and screening) is currently delegated to the Economic Growth Manager under reference P760D. It states: *in connection with any application for planning permission, to carry out any function of the Council as local planning authority under the TCP (Environmental Impact Assessment) (England and Wales) Regulations 1999, including:*

- *determining whether any development is Environmental Impact Assessment development;*
- *requiring an Environmental Statement.*

This requires an update to make reference to the current regulations which are the TCP(Environmental Impact Assessment)(England and Wales) Regulations 2017 and to change the delegation to the Development Management & Conservation Manager.



- 6.4 The existing Delegation scheme is generally resulting in an appropriate split between delegation and committee and which generally accords with the 90/10 split which was advocated by the government and which was a few years ago a bvpi target.
- 6.5 In the meeting in May 2017 a request was made for consideration of the suggestion of a chair and vice chair meeting on all decisions to decide on which applications can be dealt with at officer level. Such a scheme would effectively result in no delegation to officers and which would not be appropriate. Decisions are taken on a daily basis and, with the current volume of applications, often results in many decisions being issued on day 55/56 (out of 56) and such a process would inevitably result in delay and decisions being taken beyond the timeframe having the consequence of resulting in poor performance on timely decision making. This would also result in regular (if not daily) meetings with the chair and vice chair which is not practical.
- 6.6 Planning committee business can vary from one meeting to the next with periods of less activity and those where many major or complex proposals are being reported. There have been meetings which have been cancelled because of lack of business and meetings where up to 10 items have been considered (30<sup>th</sup> August 2016). It is considered that there is no ideal number of items for committee consideration at each meeting. Evidence since 2015 shows that the committee most often includes between 3 and 4 items (average) and regularly takes between 1 and 2 hours to debate and decide the most controversial applications. Meetings usually finish between 17:00 and 18:00 however they have extended beyond this for the larger agendas.
- 6.7 It is agreed however that appropriate short breaks are introduced in a structured way into meetings which extend beyond 2 hours. Officers have recently dealt with a complaint from one attendee of planning committee earlier in the year (3<sup>rd</sup> April 2017) who alleged that the item she was attending for was not given appropriate and full attention and consideration by members because they had already considered 4 items over 2 hours without a break. For larger agendas it is also useful to predetermine the agenda order so that prior arrangements can be made to delay those arriving for later items to avoid wasting their time in attending for other items. This is already referred to in the agreed speaking at committee leaflet but will need to be built into the committee process and procedure guidance leaflet.
- 6.8 The updated leaflets showing the changes which have been made are attached at Appendix A

## 7.0 CONCLUSIONS

7.1 With addition of the opportunity for the local MPs to call matters to planning committee it is considered the right balance is already provided for within the delegation scheme and that there is no real need to change the scheme. As with most delegations schemes across Derbyshire, Members need to be more proactive to make sure they are aware of the applications which have been submitted in their wards and the opportunity for them to call matters to planning committee if they consider it appropriate and necessary. This opportunity in the scheme has generally not been used over the last 3 years however in respect of the item on Thompson Street (CHE/17/00344/FUL) Councillor Innes and Toby Perkins MP both requested it should be considered by planning committee.

## 8.0 RECOMMENDATIONS

8.1 That the delegation scheme be amended to include the following addition to the table:

<b>Where a local MP makes a written or e-mail request for any application to be considered by planning committee.</b>	
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8.2 That the general reference to objectors in the existing scheme be amended as follows:

Where five or more objections are received to the proposal.	Where up to four objections are received to the proposal or where <input type="checkbox"/> <b>the proposal is contrary to a policy (or policies) of the adopted Local Plan or Local Development Framework and is recommended by the Development Management and Conservation Manager to be refused or</b> <input type="checkbox"/> <b>the substance of all objections received does not constitute any material planning consideration.</b>
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- 8.3 That the delegation reference at P760D concerning EIA Development be changed to the **Development Management & Conservation Manager** and be updated to include the latest regulations as follows:  
***in connection with any application for planning permission, to carry out any function of the Council as local planning authority under the TCP (Environmental Impact Assessment) Regulations 2017, including:***
- ***determining whether any development is Environmental Impact Assessment development;***
  - ***requiring an Environmental Statement.***
- 8.4 That the the Planning Committee site visits guidance note and the Planning Committee procedures guidance note be amended as attached at Appendix A of this report.

P STANIFORTH  
DEVELOPMENT MANAGEMENT & CONSERVATION MANAGER

***Further information on this report can be obtained from Paul Staniforth on 345781.***

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## Appendix A

### Planning Committee Process and Procedure

#### 1. Introduction

This guide is intended to assist members of the public in understanding the Planning Committee processes and procedures.

Under the Local Government Act 2000 the Council is required to establish committees to undertake non-executive functions. Most planning matters are not executive functions and under the law they cannot be discharged by Cabinet. The Planning Committee deals with planning and listed building applications and enforcement cases which fall outside of the agreed officer delegation scheme. Such applications generally are the more major and controversial schemes where consideration by committee is necessary.

#### 2. Composition of the Committee

The committee comprises a total of ~~47~~<sup>15</sup> elected Chesterfield Borough councillors. Membership is split to reflect the political division of the Council. The quorum of the committee is three members. All members and officers present will display a name plaque directed toward the public gallery and each member and officer present will introduce themselves to those members of the public in attendance. All members of the committee will have received training on planning matters and on the Planning Code of Conduct. Training for committee members is ongoing and a record of member training is kept.

#### 3. Committee Meetings – When and Where?

Planning Committee meets every three weeks on a Monday afternoon starting at 15:00. The meetings take place in the Town Hall and are preceded by site visits where appropriate. On some occasions it is necessary to hold the committee meeting in a larger venue. Planning Committee agendas will be available five clear working days prior to the meeting in line with legal requirements. The dates of Planning Committee meetings together with past agendas and minutes are available on the Councils website at [www.chesterfield.gov.uk](http://www.chesterfield.gov.uk). The report can be found under Council Services tab – Your Council – Committees, meetings and decisions.

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#### 4. How the committee Meeting is conducted

##### Who chairs the meeting?

The meeting will be chaired by the Chair of Planning Committee unless he or she has declared an interest in an item or is absent. In those cases the appointed Vice Chair will preside. The order of business for the meeting may be changed at the discretion of the Chair for the convenience of the public in attendance or who wish to participate.

##### Who may attend?

The public may attend all meetings of the committee except when exempt or confidential information is being considered. In those cases the press and public are excluded. The public are allowed to listen to the debate about each

application and hear the decision that is made. In certain circumstances the public can speak at the committee meeting however they must have arranged this first with the planning officer before the meeting. More information on speaking at planning committee is included in a separate guidance leaflet, "my view, my voice". Apart from this the public are not permitted to take part in the meeting.

#### What does the Committee do?

The meeting will consider the following agenda items:

- Declarations of personal or prejudicial interest – Members and Officers
- Consideration of the minutes of the previous meeting
- Making decisions on planning applications
- An appeals report
- The delegation report
- An enforcement report
- Consideration of any further matters within the committees Terms of Reference
- Any Late items
- Any exempt or confidential matters

#### How is Business Dealt With?

The chairperson will announce each item. There is normally a comprehensive written report, which is available five working days before the meeting. Members of the committee will have read each report before the meeting takes place and they will have had the opportunity to look at the case file and the plans and supporting information during the preceeding week. Relevant drawings are displayed on the screen boards in the committee room during the consideration of each item~~however this is likely to be replaced with power point type presentations in the near future~~. The committee will have visited some of the sites. The planning officer will present a summary of the report, which is followed by any public speaking, which has been arranged, and questioning of those addressing the meeting in accord with the separate public speaking protocol. The applicant will usually speak last in the order of speakers. The chairperson will then ask committee members for any questions for officers, which is followed by a debate on the item, by councillors resulting in a mover and seconder for a particular recommendation. Any councillors not present for the complete presentation and debate will not be able to vote on the recommendation.

Committee members will ensure that they do not disrupt the decision process through discussion between themselves and by ensuring mobile phones are turned off. This will ensure that the committee process is viewed as a professional and transparent service.

It is usual practice for the committee to bring forward to an earlier part of the meeting those applications where notice has been given that applicants and objectors wish to speak or where members of the public have come to hear the debate. The Committee Clerk will ask all those present which item they are in attendance for prior to the start of the meeting.

Although the committee will try and deal with applications which the public are interested in as soon as possible, often the agendas can be quite long and the committee may want to enter into detailed discussion and debate over particular cases. This means that the public may have to wait for some time however in notifying interested parties of the intention to report applications to particular committees, estimated times of consideration of the proposal will be given where possible so that delayed attendance for later items can be arranged.

Where appropriate a comfort break will be taken generally after 2 hours at the discretion of the committee chair.

#### Speaking at Committee

Addressing the committee by applicants and members of the public will be permitted in line with the separate speaking at committee protocol.

#### What is the basis for a decision?

Decisions must be based on planning issues for example:

- Central Government, Regional or Local plan Policy
- Highway safety
- Landscape Impact
- Local amenity, noise, privacy
- Case Law and previous decisions
- Conservation of Buildings, trees etc
- Appearance

The following examples are not normally planning issues:

- Affect on Property Values
- Ownership disputes
- Business Competition
- Moral considerations
- Restrictive covenants
- Personal circumstances
- Matters controlled by other legislation (eg licensing)

Even if many objections are received to an application, permission cannot be refused without good planning reasons. A retrospective application submitted after work has been carried out has to be determined like any other application on its own individual planning merits.

#### 5. Voting

All members of committee are entitled to vote and the chair of the meeting has the casting vote should the voting be equal. Decisions are made on the basis of a simple majority of votes cast. Voting will be by show of hands following a mover and seconder of a recommendation.

What decisions can the Committee make?

- Approve the application: Usually this will be subject to planning conditions, which must be reasonable and relate to the development

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proposed. Sometimes planning policy or other reasons to resolve issues with the application mean that a legal agreement will be required. These are called 'Section 106 Agreements' or 'Planning Agreements' and will be required when a developer is required, for example, to pay a contribution for % for Art-play or affordable housing provision.

- Refuse: Sound planning reasons must be given which the authority have to substantiate if the decision is challenged on appeal. The applicant has a period of 6 months to lodge any appeal to the Secretary of State (8 weeks for signage, householder and minor commercial).
- Defer: If members feel that they do not have enough information before them to make a decision or they consider a site visit is required, they may defer the application to a subsequent meeting.

The agenda for the meeting consists of reports written by Council Planning Officers recommending a particular decision. Planning Committee members may vary or overturn the recommendations against the planning officer advice however sound planning reasons have to be given at the meeting for deviating from the report recommendations.

#### 6. Recording of Decisions

Minutes of the meeting will be taken indicating any reasoning and changes to the recommendations. The minutes will be posted on the Councils website within 7 working days of the meeting.

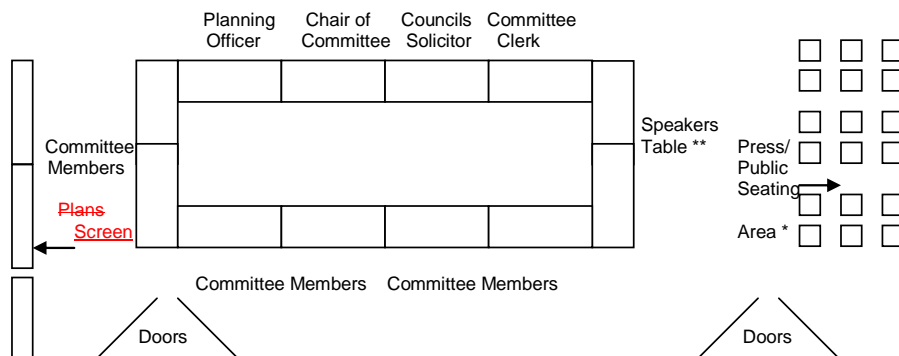
#### 7. What if you don't like the decision?

The applicant may appeal to the Secretary of State against a refusal or the imposition of a condition.

A third party, such as a neighbour, has no right of appeal but the following actions are possible:

- Complaint under the Councils Complaints Procedure;
- Complaint to the Local Government ombudsman about the way the application has been handled but not about the decision taken;
- a legal challenge to the decision ('judicial review') in the High Court.

#### Layout of committee room 1



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\* Seats are taken on a first come first served basis and availability cannot be guaranteed however sufficient chairs will be provided where possible.

\*\* If you are going to address the committee, the chairperson will call your name at the appropriate time and invite you to sit at the speakers' table

This leaflet is provided by the Planning Service to help members of the public understand the workings of Planning Committee. It is not an authoritative statement of the law. Any further questions should be put to staff in attendance at the meeting before the meeting begins.

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## **Protocol for Planning Committee Site Visits** **Chesterfield Borough Council**

### 1.0 Background

1.1 This protocol is intended to guide members of the planning committee when carrying out site visits as part of the determination process 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 Councils, with regard to procedural matters.

1.3 It is important that 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 transparently and fairly.

### 2.0 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 can cause delay to the planning process and are only necessary when a benefit to the planning process can result. Their purpose is to enable committee members to see the application site, its physical features and the context in which it is set, to visualise the proposed development, and to assess its impact on the locality.

2.3 Site visits should be held where:

- the impact of the development is particularly difficult to visualise, or
- planning committee requests it, or

- there is good reason why the comments of applicant and objectors cannot be adequately expressed in writing, or
  - the right to address the committee has been requested (where objectors have raised issues relating to impact and amenity), or
  - the proposal is particularly contentious.
- 2.4 Site visits requested by ward councillors will not usually be appropriate unless one of the above factors also applies.
- 2.5 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.
- 2.6 The decision to undertake a committee site visit will involve prior consultation with the committee chairperson.
- 2.7 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 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.
- 2.8 Site visits are part of the meeting of the planning committee. Councillors intending to declare a prejudicial interest and withdraw from the meeting on the matter the subject of the site visit, should not attend the site visit. If the interest is not prejudicial the councillor may attend the site visit.
- 2.9 Only planning committee members who attend the site visit will be permitted to remain at the meeting to consider the item the subject of the visit. It is important that all members considering the matter have the same information before them. Those planning committee members who do not attend the site visit will be permitted to remain in the committee room during the item concerned.

### 3.0 Arranging Site Visits

3.1 When a site visit is considered necessary, Planning Services will notify the applicant or their agent together with other interested parties such as objectors of the time and date of the site visit, requesting they be in attendance only on sites where access to private land is required.

Officers will have arranged the visit in advance with relevant parties however there is no right to enter on private land without permission of the owner, and if permission is not given the site will have to be viewed from public highway.

3.2 Ward members will be invited to attend the site visit.

3.3 A copy of the agreed Site Visit Protocol is to be available on the Council website~~sent to all those notified of the site visit.~~

3.4 Site visits will normally take place on the day of planning committee giving sufficient time to arrive back at the Town Hall at least 30 minutes before the start of the committee meeting.

3.5 Some members of Planning Committee may find attendance at some site visits difficult due to a disability. Where this is the case officers will discuss with the member a reasonable adjustment to enable the member to participate without necessarily attending on site (e.g. viewing photographs of relevant features with an explanation by the planning officer). However it is acknowledged that viewing the site first hand is the best way of understanding the issues which triggered the need for a site visit.

### 4.0 Procedure at Site Visits

4.1 The Chairperson of the planning committee will oversee the conduct of site visits. They will start promptly at the time notified to members and interested persons.

4.2 Councillors should either travel to the site at the same time as (or with) the planning officer attending the visit or meet the officer on site. If present at the site before the visit begins particular care should be taken to ensure that they maintain

their objectivity. Hospitality or lifts should not be accepted from applicant or objector as this could be seen to show favour.

- 4.3 Members and officers should ensure that mobile phones are turned off or are on silent during the site visit.
- 4.4 At the request of the Chairperson, the planning officer will describe the proposal to members and will display plans or drawings of the proposal. It is expected that members will already be familiar with the planning officer's report. The planning officer will indicate matters of fact in relation to the proposal and surrounding land which members should take account of.
- 4.5 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. Member questions should be addressed to the planning officer through the Chairperson. **At no time during** the site visit should members debate the planning merits or otherwise of a proposal. Members should not discuss the merits of the application as the proper time for this is in the committee room after presentation of the officers report and any additional representations. To do so might imply that the members mind is made up. Even comments on the scenery or locality could be perceived as a comment on the appropriateness of the proposal.
- 4.6 The public right to address planning committee does not arise until the item is reached on the committee agenda. 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. The site visit is not for further representations to be made however occasionally it may be appropriate for them to be asked, through the chairperson, to point out important or relevant site features however they should not be encouraged to express opinions. The chairperson may ask any ward member present, if not a member of planning committee, for any comments.
- 4.7 In order to assist in ensuring that members retain their objectivity, they should keep together in one group with the

chairperson and the planning officer and not break away into small groups.

- 4.8 At the end of the site visit the 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.
- 4.9 The Planning Officer will keep a record of members attendance at the site visits and pass this information to the committee clerk for minute purposes.

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