



COUNCIL – 17TH NOVEMBER 2015

SUBJECT: MEMBERS' PLANNING SITE VISITS

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER

-
- 1.1 The attached report, which was presented to the Planning Committee on 4th November 2015, advised Members of the Royal Town Planning Institute (RTPI) research in relation to the operation of Planning Committees in Wales and their recommendations in relation to site visits. In order to meet the requirements of the Planning Wales Act 2016, the views of the Committee were sought on the suggested changes to the current site visit process, prior to the report being presented to Council for consideration.
 - 1.2 In support of the Planning (Wales) Act 2015, the RTPI undertook research into the operation of Planning Committees in Wales and made a number of recommendations in relation to site visits which impacts on this Planning Authority's current site visit practice as outlined in the Constitution.
 - 1.3 Officers presented to the Planning Committee the recommendations of the RTPI and the changes proposed to enable the introduction of a procedure compliant with these recommendations. Members were asked to note in particular the proposed change that requests for an application to be reported to Planning Committee should be made in writing to the Case Officer (or in their absence, any other officer of the Development Management Team) within 21 days of receiving the weekly list of planning applications, together with the proposed change that all site visits take place on the Monday before Planning Committee for applications being reported to the Committee. It was also explained that requests for formal site visits made at Planning Committee will only be allowed in exceptional circumstances.
 - 1.4 During the course of the ensuing debate, concerns were raised in respect of the impact of the reduced timeframe for requesting that an application be brought to Planning Committee. Officers explained that recent Welsh Government (WG) legislation has determined that failure to determine "householder" applications within 16 weeks and other applications within 24 weeks will result in the return of the planning application fee and thus there is a need to expedite the determination of planning applications in order to avoid these sanctions. It was explained to Members that Planning Officers would be mindful of applications where site visits might be requested and would interact with interested parties accordingly. Members were also advised that the amended site visit protocol would be reviewed after a 12-month period.
 - 1.5 Discussion took place regarding the RTPI recommendation that site visits be identified by officers in consultation with the Chair. A Member suggested that this recommendation be extended within the revised protocol to include reference to the Vice-Chair. A query was also raised regarding the final decision in the event of any dispute about the need for a site visit and it was confirmed that this will be taken by the Chair and/or Vice Chair in consultation with the Head of Planning and Regeneration and/or the Development Control Manager, and be reflected in the revised protocol accordingly.

- 1.6 A concern was raised regarding the proposal to cease the informal part of the site visit (which permitted members of the public to enter into discussion with Officers and Members). Officers emphasised the need for site visits to become more efficient and undertaken in a more formal manner, and explained the potential issues arising if an application was subject to judicial review, in that the informal part of site visits are not minuted by Officers.
- 1.7 Members referenced the proposed change that Committee Services Officers no longer attend the site visits to take minutes and that Planning Officers instead prepare a briefing note to be presented at the Planning Committee. Concerns were expressed that the sense of impartiality in the preparation of additional information or matters arising from site visits could be lost.
- 1.8 Members were advised that in complying with the RTPI recommendations and WG legislation, it would not be possible to compose several site visit reports between the Monday site visits and the Wednesday Planning Committee meeting. Such reports would also have to be tabled at the meeting, which is not the preferred option in presenting information to Members. Assurances were also given that all Planning Officers are completely impartial when dealing with planning applications. The Development Control Manager advised that he would take these comments back to Committee Services for further discussion and also enquire with other local authorities as to their site visit procedures.
- 1.9 Following consideration and discussion of the report, and subject to the inclusion of the amendments/comments raised by Members (as detailed in the amended site visit protocol appended to this covering report) the Planning Committee unanimously recommended to Council that for the reasons contained therein:-
- (i) subject to the foregoing amendments, the proposed changes to the site visit protocol as outlined in the Officer's report (and appended to this report) be approved;
 - (ii) the Council's Monitoring Officer be authorised to make the relevant changes to the Council's Constitution.
- 1.10 Members are asked to consider these recommendations.

Author: R. Barrett, Committee Services Officer, Ext. 4245

Appendices:

Appendix 1 Amended Site Visit Protocol

Appendix 2 Report to Planning Committee on 4th November 2015 – Agenda Item 21