

DEVELOPMENT CONTROL BOARD SITE VISIT PROCEDURE

In some instances, before reaching a decision on an application, members of the Development Control Board may consider it useful to visit a site before making a decision on the application. Site visits are usually arranged prior to a Board meeting, so as not to delay consideration of any applications. However, a site visit may take place following deferral of an application by the Development Control Board.

1. Purposes

The purposes of a site visit are:

- (i) to enable Board members to obtain a better understanding of the proposal and of the issues involved and to understand aspects of the proposal that may not be readily apparent at the Board meeting, e.g., relationship to adjoining properties, topography etc.
- (ii) to provide applicants and/or their agents with the opportunity to more fully explain their proposed development on site and to answer Members' questions where this cannot be readily achieved at the Board meeting, due to the site's character; and
- (iii) to permit at the discretion of the Chairman any interested parties who may be in attendance to clarify matters raised by Board members.

It is expected that Board members who propose and second a site visit should be in attendance at the visit to explain the particular circumstances they wish to view on site. Any request for a site visit should demonstrate a clear and substantial benefit to Board members based on sound and proper planning grounds in line with *Dartford Borough Council's Probity in Planning Protocol*.

If Board members express an opinion, they should make it clear that they will only be in a position to take a final decision after having heard all the relevant evidence and arguments at the Board meeting.

2. Procedure

The onus is on Members to identify those cases where they think a site visit would assist in the decision making process before the meeting.

Requesting a site visit

The draft agenda will be published on the Wednesday, 15 days before the Board meeting and will be sent to all Board Members and councillors who are trained to sit as a substitute. The draft agenda will identify the applications to be reported to the next meeting, along with the case officer and the likely recommendation. The draft agenda will contain hyperlinks to the relevant application record on the Council's website.

Any Board Member requesting a site visit will need to notify the Planning Services' administration team by midday on the Monday in the week before the Board meeting. It will be helpful for Board Members to copy in the Chairman of the Development Control Board to this request. Notification should be made by phone to 01322 343071 or via e-mail to planning.admin@dartford.gov.uk. The timetable may need to be altered occasionally to accommodate Bank Holidays.

Confirmation of details

The Development Manager will agree the order and time of the site visits with the Chairman once all requests are known. The administration team will contact applicants/agents to confirm the details of the visit. Any variations to the running order that may be necessary will be discussed with the Chairman, including cases where it may not be possible to contact the applicant/agent. Once the final details are confirmed, they will be circulated to Members by Planning Services' administration.

Third parties and those who made representations will not be formally invited to the site visits but will not be precluded from attending.

Applications considered by the Board

Occasionally, during consideration of an application at a Board meeting, Board members may decide that they need to visit the site before they can make a decision. In these circumstances, consideration of the application may be deferred to enable a site visit to take place. Board members will be notified of the arrangements for the site visit/s, along with the applicant/agent.

3. Conduct of site visits

Site visits will take place on the Saturday morning before the next available meeting of the Development Control Board.

Board members should make themselves available to attend the site visit; in the event of unavailability, a substitute should attend.

The Chairman will decide where best to commence the site visit. This may be on or near the application site. Sometimes, neighbours may wish Board members to view a proposal from their property as well. It is entirely at the

discretion of the owner/applicant and other parties as to whether or not they will allow on to their land, persons attending the site visit. The Chairman will decide whether it is necessary or helpful for Board members to view a proposal from different vantage points.

The visit normally commences with an introduction by the Chairman.

The Chairman will emphasise that for a decision to be open, fair and impartial, Board members:

- should not have a disclosable pecuniary interest or prejudicial interest in the planning application;
- should consider whether the decision on the planning application is in their interest, as this may give rise to apparent bias. This is the case even if the interest in the matter does not arise via a link with the applicant for permission and/or if there is no legally-binding agreement with the applicant;
- should avoid giving the appearance that they have conclusively decided how they will vote on the planning application at the Board meeting, such that nothing will change their mind.

The Chairman will ask Board members to identify themselves and declare any interests they may have in the application (refer to the para. 4 below). Parish or Town Councillors may be asked to identify themselves.

The planning officer in attendance then explains the proposal, summarises the nature of representations received and assesses the proposal on the basis of the issues involved.

The Chairman then usually invites Board members to ask questions of the planning officer and depending on the nature of the proposal, questions of other officers e.g Kent County Council who may be present and to the applicant/agent. Finally, any third parties present may at the discretion of the Chairman be invited to make comment. Comments/questions should only be made through the Chairman and only when invited to do so.

It should be appreciated that no formal decisions are made at Board members' site visits. Following a site visit, the relevant application is usually placed on the agenda of the next available meeting of the Development Control Board when a decision can reasonably be expected to be reached. The Board meeting is open to the public and public speaking is permitted.

4. Interests, predetermination, bias and predisposition

Interests: Any Councillor (including Board members) with a disclosable pecuniary interest or prejudicial interest in a planning application, must not attend a site visit relating to that application.

Predetermination (approaching a decision with a closed mind): Board members who have fettered their discretion by publicly committing themselves

to a particular point of view (e.g. supporting or opposing a planning application or declaring their voting intention or a firm view on the merits of an application before the Board meeting) cannot attend the site visit relating to that application. Members in this position should be mindful that they must not attempt to lobby other Board members about the matter at any time nor should they attempt to use their status as a Member to influence consideration of a submission, or try to get officers to change a decision or recommendation.

Bias: Where a Board member's interest in the planning application may give rise to an appearance of potential bias, they should not participate in the site visit.

Predisposition (without amounting to apparent bias): Where Board members have formed a provisional view towards a particular outcome, but remain prepared to consider and weigh relevant factors in reaching the final decision, they may attend a site visit and raise questions etc.

See the guidance on [Predisposition, Predetermination and Bias](#).