



TYNEDALE LOCAL AREA COUNCIL

DATE: 9 OCTOBER 2018

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## DETERMINATION OF PLANNING APPLICATIONS

**Report of the Executive Director of Place**

**Cabinet Member:** Councillor JR Riddle

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### **Purpose of report**

To request the Local Area Council to decide the planning applications attached to this report using the powers delegated to it.

### **Recommendations**

The Local Area Council is recommended to consider the attached planning applications and decide them in accordance with the individual recommendations, also taking into account the advice contained in the covering report.

### **Key issues**

Each application has its own particular set of individual issues and considerations that must be taken into account when determining the application. These are set out in the individual reports contained in the next section of this agenda.

### **Author and Contact Details**

Report author	Flo Churchill Interim Director of Planning 01670 625542 Flo.Churchill@Northumberland.gov.uk
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## **DETERMINATION OF PLANNING APPLICATIONS**

### **Introduction**

1. The following section of the agenda consists of planning applications to be determined by the Tynedale Local Area Council in accordance with the current delegation arrangements. Any further information, observations or letters relating to any of the applications contained in this agenda and received after the date of publication of this report will be reported at the meeting.

### **The Determination of Planning and Other Applications**

2. In considering the planning and other applications, members are advised to take into account the following general principles:
  - Decision makers are to have regard to the development plan, so far as it is material to the application
  - Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
  - Applications should always be determined on their planning merits in the light of all material considerations
  - Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
  - Where the Local Area Council is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward
3. Planning conditions must meet 6 tests that are set down in paragraph 206 of the NPPF and reflected in National Planning Practice Guidance (NPPG, March 2014 as amended). They must be:
  - Necessary
  - Relevant to planning
  - Relevant to the development permitted
  - Enforceable
  - Precise
  - Reasonable in all other respects
4. Where councillors are contemplating moving a decision contrary to officer advice, they are recommended to consider seeking advice from senior officers as to what constitute material planning considerations, and as to what might be appropriate conditions or reasons for refusal.
5. Attached as Appendix 1 is the procedure to be followed at all Local Area Councils.

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## BACKGROUND PAPERS

These are listed at the end of the individual application reports.

### Implications

<b>Policy</b>	Procedures and individual recommendations are in line with policy unless otherwise stated
<b>Finance and value for money</b>	None unless stated
<b>Legal</b>	None unless stated
<b>Procurement</b>	None
<b>Human Resources</b>	None
<b>Property</b>	None
<b>Equalities</b> (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Planning applications are considered having regard to the Equality Act 2010
<b>Risk Assessment</b>	None
<b>Crime &amp; Disorder</b>	As set out in the individual reports
<b>Customer Consideration</b>	None
<b>Carbon reduction</b>	Each application will have an impact on the local environment and it has been assessed accordingly
<b>Wards</b>	All

<b>Policy:</b>	Procedures and individual recommendations are in line with policy unless otherwise stated
<b>Finance and value for Money:</b>	None unless stated
<b>Human Resources:</b>	None
<b>Property:</b>	None
<b>Equalities:</b>	None
<b>Risk Assessment:</b>	None
<b>Sustainability:</b>	Each application will have an impact on the local environment and it has been assessed accordingly
<b>Crime and Disorder:</b>	As set out in the individual reports
<b>Customer Considerations:</b>	None
<b>Consultations:</b>	As set out in the individual reports
<b>Wards:</b>	All

## APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES

### Chair

Introduces application

### Planning Officer

Updates – Changes to Recommendations – present report

### Public Speaking

Objector(s) (5mins)

Local Councillor/Parish Councillor (5 mins)

Applicant / Supporter (5 mins)

NO QUESTIONS ALLOWED TO/ BY PUBLIC SPEAKERS

### Member's Questions to Planning Officers

### Rules of Debate

Proposal

Seconded

DEBATE

- No speeches until motion is seconded
- Speech may not exceed 10 minutes
- Amendments to Motions
- Approve/ refuse/ defer

### Vote (by majority or Chair casting vote)

Chair should read out resolution before voting

Voting should be a clear show of hands.