



Kington Town Council

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Minutes of the Planning Committee Meeting

held on via video conferencing on Monday 15th March 2021 in accordance with The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020

PRESENT

Cllr. F. Hawkins - Chair
Cllr. E. Banks
Cllr. T. Bounds
Cllr. T. Bennett
Cllr. J. Cooke
Cllr. P. Edwards
Cllr. M. Fitton
Cllr. E. Rolls
Cllr. I. Spencer
Cllr. R. Widdowson

IN ATTENDANCE

Liz Kelso – Town Clerk
Cllr. J. Dennis

Minute	Agenda item
Plan-018-21	<p>1 Apologies, declarations of interest and requests for dispensation There were no apologies. Cllr. T. Bounds declared a non disclosable interest in agenda item 6 referring to land to the West of Kingswood Road and Cllr. Rolls declared a disclosable pecuniary interest in planning application reference 210401. There were no requests for dispensation.</p>
Plan 019-21	<p>2 Minutes of the previous meeting Minutes of the meeting held on 15th February were approved and the Chair was authorised to sign the Minutes as a true record of proceedings at that meeting.</p>
Plan 020-21	<p>3. Planning Applications now due for comment Ref: 210316 Site: Unit 7, Hatton Garden Industrial Estate, Kington Dev: Proposed single storey extension to existing industrial unit for forestry and agricultural machinery repairs and fabrication Obs. After due consideration, Members resolved to support the proposed development but noted that the application refers to the use of oil on the premises and members felt that a catchment pit should be added to avoid spillages so close to a water course.</p> <p>Ref: 210401 Site: 10 Duke Street, Kington Dev: Proposed works to remove a tree due to boundary causing excessive shading to garden and prevent damage to property at boundary wall</p>

Obs: This application was considered at the end of the meeting to enable Cllr. Rolls to leave the meeting, having declared a disclosable pecuniary interest in this application.

After some discussion, members agreed to object to the application on the grounds that statements made in the application form appeared to be contradictory and further clarification is needed. There was further comment that this is the wrong time of year for tree work which is not on health and safety grounds.

Ref: 210512&3

Site: 38 Duke Street, Kington

Dev: Proposed erection of single storey rear extension to provide toilet & lobby

Obs: After due consideration, members had no objection to the proposed development although it was noted that this is a listed building.

- Plan 021-21 4 Applications under permitted development rights**
None to note
- Plan 022-21 5. Planning decisions by Herefordshire Council since last meeting**
Ref: 210279
Site: 4 Black Barn Close, Kington
Dev: Garage extension
Note: Approved with conditions
- Plan 023-21 6 To note TPO – Land West of Kingswood Road, Kington**
Members noted the TPO on Land West of Kingswood Road.
- Plan 024-21 7 Update on enforcement action**
There was nothing further to report on this item.
- Plan 025-21 8 Protocol on pre-application discussions with developers**
The Clerk presented the background to the protocol, aimed at making it clear to developers and the town council about how pre-application discussions can take place. After some discussion it was agreed to recommend to Full Council that this protocol as attached to these minutes, be adopted.
- Plan 026-21 9 Update on Neighbourhood Plan**
Members noted that following advice from Herefordshire Council resulting in a pause on development affected by the Lugg restrictions, work on the revised NDP has been paused and the special meeting has been cancelled.
- Plan 027-21 10 Tollhouse**
Members noted that although the Tollhouse is outside the Town Boundary, it forms an iconic entrance to the Town at Headbrook. Cllr. Fitton agreed to discuss the application with English Heritage and it was agreed to discuss this further in Full Council so that input can be heard from the Ward Councillor.

Plan 028-21 **11** **Items for the next agenda**
There were no items raised for the next agenda.

Plan 029-21 **12** **Date and time of next meeting**
The next meeting will take place on Monday 19th April 2021 at 6.00pm.

There being no further business, the Chairman declared the meeting closed at 6.40pm.

Chairman

KINGTON TOWN COUNCIL

Guidance on meetings with developers

DRAFT

1. Introduction

The National Planning Policy Framework (“NPPF”) encourages developers to enter into pre-application discussion with planning authorities and where relevant with statutory and non-statutory consultees before submitting their applications so that issues can be resolved at pre-application stage.

Herefordshire Council is the planning authority for Herefordshire. Kington Town Council (“KTC”) is a consultee and welcomes the desire of developers to consult with both the Town Council and the local community and has adopted this protocol to ensure that developers, councillors and staff understand their role in this process to avoid improper lobbying by a developer and to avoid creating a perception that the Town Council has a predetermined position on a proposed development.

2. Predetermination

In all meetings with developers, Town Councillors are reminded of the need to abide by the Council’s Code of Conduct and the critical importance of not pre-determining their position on any future application. It is noted that expressing a pre-disposition (for example ‘welcome in principle’ or ‘concerns’) is permissible. However, should a Town Councillor demonstrate a pre-determination of their view about a specific planning application and not approach the matter with an open mind, then they should not take part in the formal consideration of that matter at a meeting of the Council or of its Committees.

3. Pre Application meetings with Developers

The Town Council is willing, in principle, to meet with developers in accordance with the following protocol:

- All meetings with developers must take into account public perception of such discussions and will therefore take place in a formal meeting of the Town Council or Planning Committee which is open to the public and is held in accordance with the Town Council’s Standing Orders and Code of Conduct
- A developer/applicant is reminded that no matter can be discussed at a Town Council meeting or a meeting of a Town Council Committee unless that matter is clearly specified on the agenda for the meeting
- If a developer initially approaches an individual Town Councillor, he/she should refer this to the Clerk. Councillors should refuse any hospitality in connection with such

discussions/meetings and must not represent the Town Council in any such discussions unless expressly authorised to do so by the Council as a Corporate Body.

- Generally, all meetings with developers will be held in public and developers should acknowledge that whilst they may consider information provided to the Council to be sensitive, any information provided to the Council may be subject to a Freedom of Information request and be disclosable.
- The format for any meeting will be agreed in advance of the meeting but will usually consist of a presentation by the developer for a period to be agreed followed by a question and answer session. It is important that all parties recognise that the purpose of the meeting is not to form a view or make a decision but to gather information. Should a view be expressed within the meeting, this will not bind the Town Council to make a decision on any subsequent formal application in line with that view. If no view is expressed, this cannot be taken as an expression of no objection to the proposed development.