

Luxulyan Parish Council **DRAFT** Minutes  
Ordinary Meeting, THURSDAY 9 MARCH 2023  
6.00 pm, at Luxulyan Memorial Institute

**PRESENT:**

Cllr Keith Bilston (Vice-chair), Cllr Dan Cordy, Cllr Helen Francis, Cllr Michael Grindley, Cllr Bob Hatton, Cllr Margaret Higman, Cllr Francis Payne, Cllr Carl Tonkin.

**ALSO PRESENT:**

Clerk to the Parish, Mrs Christine Wilson, Lockengate Ward Member Cllr Peter Guest, and 3 Members of the Public.

**ABSENT:**

Cllr Michaela Linfoot (Chair), Cllr Sarah Kemp, Luxulyan Ward Member Cllr Colin Martin.

**ABBREVIATIONS:**

Councillors may be abbreviated with their initials; Luxulyan Parish Council (LPC), Cornwall Council (CC), Cornwall Assoc. of Local Councils (CALC), Footpath (FP), Community Land Trust (CLT), \*\*\* indicates the Consultee Comments submitted to the Planning Authority; the general points are proposed and decided by LPC; formal submission is delegated to the Clerk.

**NOTE ON NUMBERING:**

The prefix will follow the Municipal Year which begins in May. January-April will carry the 22/ prefix. At the May 2023 meeting the first item on the Agenda will be 23/01.

**MINUTES:**

*The meeting began at 6.00 PM and the Chair welcomed all.*

22/180 Apologies

Apologies were received from ML.

22/181 Declarations of interest or requests for dispensation.

None.

22/182 Public Session

A Two members of the public attended to hear the council's discussion and decision on the Treskilling application, PA23/00848.

B Another member of the public asked about the proposed development at Chapel Field across from the Village Hall (ref Jan23 minute 22/152.A). They will contact Coastline Housing for more information.

22/183 Meetings and governance

A The council **RESOLVED** that the minutes, as read, of the meeting held on 9 February 2023 are a true and correct record (proposed MG, 2<sup>nd</sup> MH) and they were duly signed.

B The council **RESOLVED** (proposed KB, 2<sup>nd</sup> HF) that it would keep the same internal auditor, Rob Larter, at the increased fee of £175.

22/184 Finance

A There were no questions about the accounts and the council **RECEIVED** the Clerk's reports, *Bank Reconciliation*, *Budget Comparison* and *Cash Flow* to the end of February



developments, I will keep the Parish Council updated.

You will know that there was a vote that passed an increase in Council Tax of 4.99% in the coming year. It was a decision that wasn't taken lightly, but, given the rising costs of inflation and the ever-growing adult social care costs among other pressures, it was a rise that we had to make. Along with the improved local government settlement [more than was expected, but still not enough!] we managed to produce a balanced budget for 2023/2024. The opposition voted against the budget as a whole, but despite offers from our Cabinet to work with them, they did not do so and did not offer an alternative budget.

I also met with both the Transport portfolio holder and the boss of the bus company to discuss the unreliability of the Route 26 service [Victoria to St Austell]. This was on the bus company's radar. They are aware of the problems with it, but I was given reassurance that solving this is now a high priority. I'd be interested to hear of any 'Bus Issues' that you may have and I'd be quite happy to include them in the work currently going on to improve services to our patch.

A couple of weeks ago, I was interviewed on Roche Rock by R.T.S. [Swiss national television] who are making a documentary about Lithium. I gave it a positive spin, talking about the potential economic benefits to the area [job creation etc], played down the environmental impacts as these will be mitigated by regeneration and generally 'bigged up' our patch. You never know, we may be invaded by coachloads of yodelling Swiss tourists, as long as they spend money in the village, they'll be made welcome!

As you may know, I made a small donation to help set up a warmth hub in Luxulyan. The ones in Roche, Whitemoor and Bugle go from strength to strength and I'm looking forward to a positive uptake within the village. Thank you to everyone involved for their efforts. Unfortunately, I seem to spend most of my time in County Hall at the moment, but, if I get the chance, I will try and pop in.

At the end of May, Luxulyan Parish will join the Clay Country Community Network Panel as part of the general re-structuring. You can be sure of a warm welcome.

I've finally got the funding for the Reperry junction highway works. I can't give you a starting date yet, but it is long overdue and will hopefully make that stretch of road safer.

My next project is the work at Lockengate, again, funding will be available, but I need to get the proper costings done first.

In addition to his written report, Cllr Guest advised that the energy grants for park homes are just now coming through.

F Cornwall Councillor Colin Martin's report to the Parish (Luxulyan Ward). None.

22/186 Considerations

- A The council **RESOLVED** (proposed KB, 2nd BH) that A&A Garden Services would carry out maintenance of the Footpaths and the Verges.
- B The CLT is ready to hold a meeting on a date yet to be determined. See 22/184.B.
- C There was no proposal for a response to the consultation on Cornwall's Off Street Parking Order as there are no CC car parks in the parish.

22/187 Planning

- A Beswetherick update. See 22/187.C.iv.

<p>B Planning issues and correspondence. Planning decisions are reported in Clerk’s Notes and on the website.</p>
<p>C Applications for consultee comments and Pre-applications for comments submitted to the case officer.</p>
<p>i. <b>PREAPP. PA23/00144/PREAPP   Pre application advice for proposed development of a 4-bedroom residential dwelling.   Land North Of Tretharrup Treskilling Luxulyan Cornwall PL30 5EL</b></p> <p>The council discussed the pre-application and <b>RESOLVED</b> (proposed FP, 2nd MG) to submit the following comments to the case officer:</p> <p>*** In defiance of the Cornwall Local Plan and the Luxulyan NDP, this proposal is in the open countryside and entirely unsustainable. Luxulyan Parish Council <b>OBJECTS</b> strongly to any building on this agricultural land, far from any other development.</p>
<p>ii. <b>PA23/00848   Application for Outline Planning Permission with some matters reserved for the construction of a dwelling namely access only.   Land North Of Damarcris Treskilling Luxulyan Cornwall PL30 5EL.</b></p> <p>The council heard from neighbours who had sent their objections by email. The council also looked at the planning history of the neighbouring properties and <b>RESOLVED</b> (proposed FP, 2nd MG) to submit the following consultee comments:</p> <p>*** Luxulyan Parish Council <b>OBJECTS</b> to this application in the open countryside for all the reasons stated in the REFUSAL of PA18/04942. PA18/04942 is on adjoining land which is similarly situated next to the road. The Refusal Notice begins, “The location of the proposed new dwelling is divorced from the built form of any identifiable settlement on land which is not previously developed land.” This REFUSAL is supported by 12 distinct policies in the Local Plan and 10 distinct sections in the National Planning Policy Framework 2018. The Local Planning Authority concludes, “the issues are so fundamental that it is not possible to negotiate a satisfactory way forward due to the harm that has been clearly identified within the reason(s) for refusal.” PA18/04942 was also REFUSED at Planning Committee.</p> <p>Furthermore, since the REFUSAL of PA18/04942, the parish has a Neighbourhood Development Plan and neither policy <i>LH1 New Housing</i> nor policy <i>LH2 Rural Exceptions for Local People</i> could support this application.</p> <p>Luxulyan Parish Council, therefore, strongly <b>OBJECTS</b> to PA23/00848.</p>
<p>iii. <b>PA22/11440   Proposed first floor extension   Rosemelling Cottage Rosemelling Luxulyan Bodmin Cornwall PL30 5EQ.</b></p> <p>The council discussed the application and <b>RESOLVED</b> (proposed DC, 2nd HF) to submit the following consultee comments:</p> <p>*** Luxulyan Parish Council is not satisfied with the inharmonious aspect of this extension. It does not blend in with the original cottage and is clearly visible from the road. The Council does not, in principle, object to an extension on this cottage, but would like to see one that is more in keeping with the local vernacular. Therefore, Luxulyan Parish Council has <b>NO OBJECTION</b> if the extension can be brought into harmony with the original building and its environs.</p>
<p>iv. <b>PA23/00781   Two detached dwellings with car parking and garages.   Land At Southern End Of Beswetherick Field Beswetherick Field Luxulyan PL30 5FB</b></p> <p>The council discussed the application and <b>RESOLVED</b> (proposed FP, 2nd DC) to submit the following consultee comments:</p>

\*\*\* Luxulyan Parish Council OBJECTS to this application principally because 1) it contravenes the original planning for three affordable houses on this plot (C2/08/01791), and because 2) the Luxulyan Neighbourhood Development Plan (LNDP) policy LH1 does not support this application. 3) This proposal does not acknowledge the need for completion of the outstanding works. It also contravenes Local Plan policies 2, 21 and 23.

Local Plan Policy 2 – Spatial Strategy.

The plans do not comply with the concept of open and spacious development. In fact, the reverse would seem to be the case. The current application C2/08/01791 proposed a terrace of three houses: two, two-bedroom end terrace houses and a three-bedroom unit in the centre of them. This layout left much more room at the sides of the terrace which would enhance the openness of the development. Both proposed houses appear to be squeezed into the same overall space and a central narrow double access way used to gain access to the rear gardens. This access way would be concealed behind gates, therefore blocking any impression of openness. The proposal only shows very narrow spaces between the site's boundaries on the eastern and western edges, which would be concealed by the sites retaining wall on its eastern side and the boundary fencing on its western one. This does not comply with the Local Plan's Policy 2 for spatial development and is out of keeping with the other houses in the area.

Local Plan Policy 21 – Best use of land.

Local housing demand shows that the largest demand is for affordable housing, not open market housing. The Luxulyan Neighbourhood Development Plan (LNDP) confirms this.

At the time the original plans for this site were approved in 2008 (C2/08/01791) the site was donated free of charge, by a local benefactor and was designed to create 13 affordable homes for local people. The last 3 of which have never been built. The housing need survey used by the LNDP committee (2016/2017) showed a need for some 16 plus affordable homes within the parish. More recently planning application advice has been sought by Coastline Housing through both Cornwall Council and the Parish Council which would suggest that our affordable housing need is now in excess of 30 units.

Clearly it can be seen that it is now more important than ever to use the available development land within the parish for affordable housing.

As the original consent was given for a terrace of three affordable units on this site, all our efforts must be used to ensure that this site remains for its intended donated use.

Policy 23 – Natural Environment

The whole of this development has been devoid of any attempt to enhance our natural environment, not one tree, bush or shrub has been planted by Quay Developments Ltd. This proposal does show that 4 trees/bushes shall be planted at the front and 4 more at the rear of the site, however these are shown to be planted right up against a 1.8 metre boundary fence which suggests that they are superficial and there to aid planning approval. Too little, too late.

Overall site responsibility:

The parish council together with the Luxulyan Community Land Trust requested the development contract that controls this site be taken back by Cornwall Council's legal

department so that our combined efforts can be centred around the site’s successful completion of the full complement of affordable houses, the pavements and the street lighting, in line with the original intention of the land donation, the original planning (C2/08/01791) and the LNDP Policy LH1.

The unitary council’s legal department commenced proceedings to achieve this on the 20th December 2020 and this application needs to be viewed with this knowledge.

A reinvigorated Luxulyan Community Land Trust is preparing to complete this site. Clearly, it must be seen that the best use of this land is not to allow yet more open market houses to be built on this donated land. All our efforts must be given over to supporting all the efforts to fill our housing needs for affordable housing on every site that is available.

**Outstanding Works.**

The proposal offers no responsibility for the completion of any of the outstanding works left unattended, for years, by Quay Developments Luxulyan Ltd and should be rejected for this reason alone. This will allow Cornwall Council, Luxulyan Parish Council and the Luxulyan Community Land trust to finish the site correctly and in accordance with the aims of the people who kindly donated the land to the community for the purpose of affordable housing.

*MG left the meeting because of another engagement.*

**22/188 Highways & Flooding**

A The day before the meeting British Rail cleared the leat of silt at Bridges, which was very welcome and long overdue. BH will send a photo to the Clerk of the Highway runoff silt nearby, which is blocking the drain so badly and is so compacted that it can be walked on. The Clerk will advise Highways of its duty to clear this.  
ACTION: BH & Clerk

**22/189 Assets – reports and maintenance**

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| A | Playing Field. Playing Field inspections for month were received and <b>NOTED</b> . The inspection contractor has picked up the HDPE sheets to renew the roofs on the Junior and Toddler Multi-plays. It may take a few weeks to do the work.  |
| B | Cemetery. Please note that for a few hours in the morning of Saturday, 1 <sup>st</sup> April, the Cemetery car park will be used as a relief station for a running event.  |
| C | Footpaths.   |
|   | i. The Clerk reported that there is a Definitive Map Modification Order (DMMO) application for the path from Tywardreath to Pons Mill to be made into a Public Right of Way. This would link up to the St Blaise Parish footpath 425/8/1 at the A390.  |
|   | ii. MH reported that a path on her farmland from Rock Mill to FP 408/16/2 has been cleared. Signs saying ‘private property’ have been removed and a gate has been taken off its hinges and left far from the entrance it was meant to protect.<br>ACTION: The Clerk will investigate all DMMOs in Luxulyan Parish. |
| D | Luxulyan Memorial Institute.   |
|   | i. There was a meeting of the Committee this month. The problems with a water leak have been solved. It was <b>AGREED</b> that the direct debit to the Pennon Water Services Ltd should be re-started as requested by the Institute Committee.   |

ii. The council **RESOLVED** (proposed CT, 2<sup>nd</sup> DC) to allow the Seed & Swap to sell any leftover Jubilee and Coronation Mugs (purchased for the school children) at cost (£5.50 Jubilee mugs and £6.50 Coronation Mugs) for the benefit of the Institute.  
\* If you would like a mug, come to the Seed & Swap, 1<sup>st</sup> Saturday of the month, 10am

E Village Toilets. BH would like the council to consider their refurbishment.

F Other matters for report

22/190 Parish Matters – reports

A Luxulyan Parish Community Fund. Nothing to report.

B Luxulyan Valley Partnership will have an online meeting on 15<sup>th</sup> March.

C Village Hall Committee. No meetings have been held.

22/191 Correspondence & Invitations

Nothing to report outside these Minutes and Clerk’s Notes.

22/192 Business for the next meeting

Quotes for the refurbishment of the Public Toilets. YE Accounts.

22/193 Second Public Session for feedback from the public

A member of the public requested information about the planning process and the council’s function within it. Cllr Guest was able to explain the process.

22/194 Dates of next meetings.

A The Audit Panel will meet one hour before the April ordinary meeting at the Institute.

B Ordinary Meeting 13 April 2023, 6.00 pm at the Luxulyan Memorial Institute.

C An extraordinary meeting may be called by the Chair if needed for planning or other business. An agenda would be posted 3 clear days before.

*The meeting closed at 7.25 pm and the Chair thanked everyone for attending.*

*Mrs C Wilson ~ Parish Clerk ~ 13 March 2023*

**SIGNED:**

**THESE ARE DRAFT MINUTES.**

Chair: \_\_\_\_\_ Date: \_\_\_\_\_