

Luxulyan Parish Council **DRAFT** Minutes
Extraordinary Meeting, THURSDAY 26 MARCH 2026
10.30 am, at Luxulyan Memorial Institute

PRESENT:

Cllr Michaela Linfoot (Chair), Cllr Keith Bilston, Cllr Helen Francis, Cllr Michael Grindley, Cllr Francis Payne, Cllr Keith Westmacott.

ALSO PRESENT:

Clerk to the Parish, Mrs Christine Wilson, and one Member of the Public.

ABSENT:

Cllr Dan Cordy (Vice-chair), Cllr Margaret Higman, Cllr Carl Tonkin.

ABBREVIATIONS:

Councillors may be abbreviated with their initials; Luxulyan Parish Council (LPC), Luxulyan Parish Community Fund (LPCF), 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.

MINUTES:

The meeting began at 10.30 am and the Chair welcomed all.

25.26/183 Apologies and Declarations of interest

Apologies were received from MH, CT.

25.26/184 Public Session

None.

25.26/185 Meetings and governance

The minutes were not yet distributed and council **DEFERRED** approval.

25.26/186 Planning

A Correspondence and planning of note.

- i. The clerk reported on development at the Breney Common car park, PL30 5DU, which possibly resulted in knocking over the PROW signpost for FP 408/19/1.
- ii. The Chair reported on development associated with PA20/01724/PREAPP.

B Applications for consultee comments.

- i. **PA26/00850 | Modification of S106 Agreement dated 23.11.2009 relating to decision C2/08/01791 | Land Off Cyriac Beswetherick Field Luxulyan Cornwall.**
The council discussed the application at length along with the history of applications for this site and the council RESOLVED (proposed ML, 2nd HF) to submit the following consultee comments:
*** Luxulyan Parish Council OBJECTS in the strongest terms to this application. The land for this development was donated for affordable housing by a generous parishioner, after which, planning for building mainly affordable with some market value homes was approved (C2/08/01791). A Planning Obligation By Agreement (S.106) document was signed by Cornwall Council, by the landowners donating the plot, and by the developer in November 2009. The developer is now, with this

current application, attempting to revise the S.106 Planning Obligations By Agreement so that his obligation to return undeveloped land to Cornwall Council will be swept away. By deleting Sections 3.2d-e from the Agreement, the developer’s obligation (Section 3.2d) to deliver “all of the Affordable Housing units” on donated land will not exist; his obligation (Section 3.2e) to “offer all outstanding Affordable Housing Plots to the Council at nil cost” will not exist; his obligation (Section 3.2f) to “transfer the Outstanding Affordable Housing Plots together with the necessary rights and easements for use of the land for the provision of affordable housing at nil cost” will not exist.

Luxulyan Parish Council asks Cornwall Council and the Planning Authority to support the Agreement signed in 2009, to further the affordable housing stock in Luxulyan, which is so desperately needed.

The current applicant, a director of many businesses including Quay Developments Luxulyan Ltd (Co. Reg. No. 7017223) which signed the Agreement, is still under Enforcement Notice (EN20/00457) at this development. Companies House shows that the confirmation statement for Quay Developments Luxulyan Ltd has been overdue since September 2025. The council has little confidence that money procured in the sale of the self-build plots with planning permission PA25/06656, will be used to fulfil his obligation to complete the road so that it can be adopted.

Cornwall Council and the Planning Authority must not turn their back on the residents of Beswetherick and Cornwall Council’s own Agreement by approving this application.

25.26/187 Correspondence & Invitations (complete list in Clerk’s Notes)

Nothing to report outside these Minutes.

25.26/188 Business for the next meeting

No business was requested.

25.26/189 Dates of next meetings.

A The Audit Panel will meet one hour before the ordinary meeting on 9th April 2026.

B Ordinary Meeting Thurs, 9th April, 6.00 pm at the Luxulyan Memorial Institute.

The meeting closed at 11.35 am and the Chair thanked everyone for attending.

Mrs C Wilson ~ Parish Clerk ~ 26 March 2026

SIGNED:

THESE ARE DRAFT MINUTES.

Chair: _____ Date: _____