

Luxulyan Parish Council **DRAFT** Minutes  
Extraordinary Meeting, WEDNESDAY 18 NOVEMBER 2020  
11.00 am, ONLINE via Zoom

**PRESENT:**

Cllr Michaela Linfoot (Chair), Cllr Keith Bilston (Vice-chair), Cllr Michael Grindley, Cllr Bob Hatton, Cllr Francis Payne.

**ALSO PRESENT:**

Clerk to the Parish, Mrs Christine Wilson and no Members of the Public.

**ABSENT:**

Cllr Kay Baker, Cllr Dan Cordy, Cllr Margaret Higman, Cllr Sarah Kemp, Cllr Michele Latham.

**NOTE ON JOINING THE MEETING AS MEMBERS OF THE PUBLIC:**

Members of the public must request online Meeting details in advance from the Clerk in order to join the meeting online. All participants that join the meeting start in the 'waiting room' and are admitted by the clerk as soon as possible.

**ABBREVIATIONS:**

Councillors are abbreviated with their initials; Luxulyan Parish Council (LPC), Cornwall Council (CC), Cornwall Assoc. of Local Councils (CALC), Footpath (FP), \*\*\* 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 11.00 am and the Chair welcomed all.*

20/126 Apologies

Apologies were received from KBa, DC, MH, MLa.

20/127 Declarations of interest or requests for dispensation.

None.

20/128 Planning

A Planning issues and correspondence. Planning decisions are reported on the website.

- i. **PA20/02706/PREAPP** | Pre-application advice for the carrying out of land filling with inert material from local develop sites to reinstate and reshape a small section of Prideaux Woods. Link the fill with an existing old tip. | Wood View St Blazey Par Cornwall PL24 2SR  
The council **NOTED** the Preapp. Consultee comments are not requested for Preapps. The council wondered whether the watercourse could be adversely affected and MLI said she would consult with CC Cllr Colin Martin, Chair of the Luxulyan Valley Partnership.  
**ACTION: MLI**

B Applications for consultee comments.

- i. **PA20/07078** | Replacement of existing domestic garage and carport with new domestic garage with room over for domestic office amenity as an annexe to main dwelling incorporating balcony. | Cross Cottage (formerly 1 And 2 Cross) Luxulyan Bodmin Cornwall PL30 5DP.  
The council discussed the application and **RESOLVED** (proposed FP, 2nd MLI) to

<p>submit the following consultee comments:                  *** Luxulyan Parish Council has NO OBJECTION to this application as long as Highways is satisfied that the access is safe.</p>
<p>ii. <b>PA20/07022</b>   Addition of 5 Mobile Homes (Statics) to existing Traveller Site   Eden Meadows Carne Cross St Blazey Par Cornwall PL24 2SX                  The council discussed the application in detail and <b>RESOLVED</b> (proposed MLi, 2nd KBi) to submit the following consultee comments:                  *** Luxulyan Parish Council OBJECTS to this application. SEE BELOW.</p>
<p>iii. <b>PA20/06870</b>   Retrospective application for the construction of sunroom and proposed porch to existing dayroom.   Pitch 2 Eden Meadows Carne Cross St Blazey Par Cornwall PL24 2SX                  The council discussed the application and <b>RESOLVED</b> (proposed MLi, 2nd KBi) to submit the following consultee comments:                  *** Luxulyan Parish Council OBJECTS to this application.</p>
<p>iv. <b>PA20/07413</b>   Retrospective Householder Application for single storey rear extension to form playroom incorporating raised decking and access steps down to garden level.   4 Beswetherick Field Luxulyan Bodmin Cornwall PL30 5FD                  The council discussed the application and <b>RESOLVED</b> (proposed KBi, 2nd MLi) to submit the following consultee comments:                  *** Luxulyan Parish Council OBJECTS to this application. The extension is not in keeping with its surroundings and could be considered unattractive. It has been built without regard to Condition 2 (C2/08/01791 decision notice) which requires prior planning approval in order to avoid this type of development and protect the character and appearance of the Beswetherick Field development as a whole.</p>
<p>v. <b>PA20/08275</b>   Erection of a single two-storey three bed house   Carminnow Road From Junction South Of Roseney Mill To Gattys Bridge Luxulyan PL30 5EA                  The council discussed the application and <b>RESOLVED</b> (proposed MLi, 2nd FP) to submit the following consultee comments:                  *** Luxulyan Parish Council has NO OBJECTION to this application.</p>

20/129 Assets – reports and maintenance

<p>A Playing Field. The new picnic tables for the playing field will be delivered 19<sup>th</sup> January. A&amp;A will be there to position them. MLi will remove the old tables.  <b>ACTION: MLi</b></p>
<p>B Footpaths. Footpath 408/15 is overgrown again at the steps by St Julitta. The clerk will write to Ocean Housing about it.  <b>ACTION: Clerk</b></p>
<p>C Luxulyan Memorial Institute. MLi is the Chair of the Trustees and will call a meeting shortly. MLi and FP will sort out a Christmas Tree for outside.  <b>ACTION: MLi and FP</b></p>
<p>D Village Toilets. FP has written to South West Water about the holes in the pavement around the manhole cover outside the toilets. He has had no reply and the clerk will now send a message to SW Water. It is a worsening health and safety hazard, especially for the residents living nearby.  <b>ACTION: Clerk</b></p>

20/130 Parish Matters – reports

A Loud noise from police training near the Quarry is disturbing some residents. The clerk was not informed about this training and it would be considerate if the Police would advise when they will be training. FP will find out who to speak to.  
**ACTION: FP**

20/131 Correspondence & Invitations (complete list in Clerk’s Notes)

None.

20/132 Business for the next meeting

Nothing mentioned.

20/133 Second Public Session for feedback from the public

None.

20/134 Dates of next meetings.

A Ordinary Meeting 10 December 2020, 6.00 pm ONLINE via Zoom.

B 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 12.30 pm and the Chair thanked everyone for attending.  
Mrs C Wilson ~ Parish Clerk ~ 19 November 2020*

**SIGNED:**

**THESE ARE DRAFT MINUTES.**

Chair of meeting: \_\_\_\_\_ Date: \_\_\_\_\_

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20/128.B.ii Consultee comments.

Site description: Currently this site carries planning consent for three traveller pitches, it also forms part of the St Austell China clay; main area. The boundary on its western side joins to an SSSI. The Parish Council’s comments are made in the light of this knowledge.

Luxulyan Parish Council wishes to OBJECT to this development for the following reasons:  
Effect on Luxulyan Neighbour Development Plan (LNDP):

The LNDP has a requirement for around 16/18 houses to be constructed before 2030. It recommends that these houses are sited in or close to existing settlements. And proposes two main sites for them, these and other potential sites comply with the plan. Development of the type proposed in this application is for mobile homes. This type of living accommodation is not supported by the LNDP.

LH1 QUOTED HERE:- *New Housing Development Small-scale incremental housing development of an appropriate scale, density, character and appearance that complies with the Cornwall Council Design Guidance and reflects and enhances the village and Parish of Luxulyan shall be permitted where this: (a) is proportionate with and will help to support social and community facilities available in the Parish; Page | 15 (b) provides suitable infrastructure, including safe access to adjacent main roads and with safe walking and cycling access to the village amenities (where possible); and, (c) is either: i. a proposal for an affordable housing Rural Exception Site (in accordance with CLP Policy 9), which is non-contiguous and a minor*

*development of 10 or less houses; ii. the conversion of suitable disused buildings within the Parish; or, iii. Housing for a rural worker where there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.*

The LNDP plan gives support to the Cornwall Local Plan policy 9, copied in red below. This policy is designed to reinforce LH1 above. To ensure that the targeted housing quota is supplied by the 2030 deadline and with properties of a sustainable development standard. This proposal does not offer homes of this quality and longevity and is therefore not supported by the LNDP.

*LH2 QUOTED HERE:- Rural Exceptions Housing for Local People Affordable homes will be permitted to meet a local need where this need is evidenced and where the development does not have an unacceptable impact on the visual and landscape amenity of the area. This may be acceptable in the case of either new build dwellings or conversion of traditional buildings. In each case ancillary works such as access, outbuildings and curtilage boundaries should not have an unacceptable impact on the visual and landscape amenity of the area. New dwellings will be supported where the following criteria apply: 1. The proposal is to deliver an affordable home for discounted sale or rent 2. The proposal should be well-related to existing settlements and hamlets 3. The property has a maximum of 3 bedrooms although up to 4 bedrooms may be considered in exceptional circumstances 4. Applications to extend or otherwise enlarge these properties will not normally be supported unless material considerations indicate the development should be an exception.*

The site on which this proposal is based is bordering and adjacent to a SSSI, The NPPF states that no development should be sited on or next to an SSSI. In order to maintain the character of the parish, the LLNE1 requests that “where appropriate” planning applications should be accompanied by an assessment statement. (see policy detail below in Red) The council considers that this proposal will not benefit the Landscape character of the parish and therefore should be rejected.

*LLNE1 QUOTED HERE:- Local Landscape Character. Where appropriate, planning applications should be accompanied by a statement setting out how proposals are of an appropriate scale, density, character and appearance that reflects and enhances the village and Parish of Luxulyan. Development in the area highlighted in yellow in Figure 6 will be required to maintain the open aspect between the settlements and not result in a reduction in the visual and actual separation of the settlements. Proposals that detract from, or have an adverse impact on existing landscape characteristics identified in the Luxulyan Character Assessment or the 2007 Landscape Character Assessment (CA 20 Mid-Cornwall Moors and CA 39 St Austell Bay and Luxulyan Valley) will not be supported.*

PA/07022 Conflicts with the Cornwall Local Plan

1, Presumption in favour of sustainable development: this can be defined as. Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Both the parish and Cornwall council have within the last few months seen it fit to allow consent to be granted at Croft Farm, Luxulyan. For a considerable increase in the number of mobile homes with approval for permanent residential occupation. The council therefore considers that this proposal does not comply with excepted definition of Sustainable development at the present time as demand has been met elsewhere.

2, Spatial Strategy:

This proposal requires that five units are placed in a row in close proximity to each other with a small space of one car to be parked in-between each unit. The council does not believe that this

can enhance the concept of openness which lies at the heart of Cornwall's Council's policy on Spatial development.

6, Housing Mix:

This proposal does not recognise this policy. Other developments within the parish cater for different sizes and types of housing, thus allowing for a mixed community. This leads to understanding between differing peoples through social mixing. This proposal, if successful, would not enhance social mixing through the principles of policy 6.

7, Housing in the countryside:

The first part of this policy deal with the replacement of existing buildings. That is clearly not the case with this application. As is sections 2 and 3 of this policy. Section 4 is concerned with temporary housing for seasonal agricultural workers and owing to the type of agriculture practised throughout the parish with its predominance of grassland farming due to its undying granite outcrops the area is not used for arable vegetable production. It therefore has no need for seasonal agricultural workers. Section 5 is concerned with replacement agricultural staff. Because of the higher skill levels that are required with the staff that is used to operate our animal based farming systems, these highly trained and skilled operators are housed in permanent accommodation, alleviating the need for temporary accommodation.

Policy 11, Gypsies, Traveller and Travelling show people.

Because the site is already consented as a traveller's site the council considers that the current proposal contravenes policy 11 by:

4. QUOTED HERE:- *Provide safe road access and sufficient space within the site for parking and turning of vehicles as well as the storage of equipment, and for transit sites, are located reasonably close to, or easily accessible from the primary or road network; county*

The area that is intended to site these five mobile homes is the only area on the site where the space needed for operations such as those described above could be conducted.

7. QUOTED HERE:- *Provide opportunities for travellers to live and work from the same location where this can be sensitively designed to mitigate potential impacts on the site surroundings or other residential uses near to the site;*

As above, without the use of this area the council cannot see how this site can comply with the requirements of paragraph 7.

QUOTED HERE:- *Permission will not be granted for the redevelopment for alternatives uses of a Gypsy and Traveller site unless it can be demonstrated that an alternative site of similar or better quality and location has been provided within the Plan area to meet the needs of Gypsies and Travellers.*

The council finds that it cannot support this proposal in the light of the final paragraph of policy 11, with a shortfall of around 300 traveller's pitches needed within the county any restriction of the size of any existing site must be opposed as it does not fit in with the ethos of a traveller site.

Policy 13, Development standards

The council finds that it cannot offer its support to this proposal under policy 13, the standards required under this policy are based on national set guidelines on space and other comforts connected to homes. If a proposal such as this was to be given consent. These guidelines would become unenforceable.

Policy 14, Renewable and low carbon energy:

The current proposals offer no information on energy usage within the development. The use of solar power must be considered if the country is to hit its target of zero emissions by 2050. The council therefore cannot support this application under the guidelines given in policy 14.

Policy 27, Transport and accessibility:

This site is unsuitable for the elderly and disable. There are no pavements or street lighting within miles of it. It does not have any form of public transport running along its road frontage. The nearest shopping facilities are around a 2/3 mile distance in all directions and all journeys if made on foot would be along unlighted and unpaved country lanes. The council opposes the proposal for these reasons of suitable pedestrian access.