

Luxulyan Parish Council **DRAFT** Minutes
Ordinary Meeting, THURSDAY 11 MARCH 2021
6.00 pm, ONLINE via Zoom

PRESENT:

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

ALSO PRESENT:

Clerk to the Parish, Mrs Christine Wilson, Ward Member Cllr Sally-Anne Saunders, and no Members of the Public.

ABSENT:

Cllr Dan Cordy, Cllr Kay Baker, Cllr Sarah Kemp.

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.

NOTE ON NUMBERING:

The prefix will follow the Municipal Year which begins in May. January-April will carry the 20/ prefix. At the May 2021 meeting the first item on the Agenda will be 21/01.

MINUTES:

*The Chair was not present at the start of the meeting and the Vice-chair presided.
The meeting began at 6.05 PM and the Chair welcomed all.*

20/194 Apologies

Apologies were received from DC.

20/195 Declarations of interest or requests for dispensation.

None.

20/196 Public Session

None.

20/197 Meetings and governance

A The council **NOTED** the resignation of Cllr M Latham from the parish council. The council will not advertise the vacancy so close to the May election.

B The council **RESOLVED** that the minutes, as read, of the ONLINE meeting held via Zoom on 11 February 2021 are a true and correct record (proposed FP, 2nd KBi). The Chair's signature will be obtained by post.

C The council **RESOLVED** (proposed MG, 2nd KBi) to approve the *Data Protection, Retention and Disposal Policy*. The Chair's signature will be obtained by post.

The Chair and Cllr Hatton arrived at the meeting and the Cllr Linfoot took the Chair.

D	The council RESOLVED (proposed ML 2nd FP) to approve the <i>Data Asset Register March 2021</i> . The Chair's signature will be obtained by post.
E	ANNUAL PARISH MEETING. The council RESOLVED that the date for the Annual Parish Meeting will be Thursday, 15 th April 2021, held online via Zoom.
F	ANNUAL MEETING OF THE PARISH COUNCIL. The date must change from the second Thursday because of the election. The council RESOLVED (proposed ML, 2nd KBi) that the Annual Meeting of the Parish Council will be held Thursday, 20 th May 2021 at 6.00 pm. If possible, it will be online. If not, the agenda will be kept to a minimum and it will be held on the playing field.
G	Ordinary May Meeting. At this time, it is unknown whether the government will extend the council's ability to hold meetings online. The date of the ordinary May meeting will be chosen when it is known whether the meeting can be held online or must be held in person.

20/198 Finance

A	There were no questions about the accounts and it was RESOLVED (proposed KBi, 2nd BH) to receive the Clerk's reports, <i>Bank Reconciliation, Budget Comparison and Cash Flow</i> to the end of February 2021, as a correct record.																					
B	The council RESOLVED (proposed ML, 2nd KBi) to appoint the same internal auditor as last year, Rob Larter.																					
C	The council RESOLVED (proposed MG, 2nd FP) to approve the annual corporate membership in the Friends of Luxulyan Valley at £25. The clerk will request electronic copies of the FOLV Newsletter for all members. ACTION: Clerk																					
D	The council AUTHORISED payments for March 2021 totalling £1,326.86 (proposed KBi, 2nd MG). <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Description</u></th> <th style="text-align: right;"><u>Amount with VAT</u></th> <th style="text-align: right;"><u>VAT</u></th> </tr> </thead> <tbody> <tr> <td>Clerk's salary and expenses</td> <td style="text-align: right;">1,069.20</td> <td></td> </tr> <tr> <td>HMRC payment</td> <td style="text-align: right;">104.18</td> <td></td> </tr> <tr> <td>Clerk's Pension</td> <td style="text-align: right;">36.07</td> <td></td> </tr> <tr> <td>Playground inspections</td> <td style="text-align: right;">60.00</td> <td></td> </tr> <tr> <td>Public Conveniences, electricity</td> <td style="text-align: right;">14.41</td> <td style="text-align: right;">0.68</td> </tr> <tr> <td>FoLV membership 2021</td> <td style="text-align: right;">25.00</td> <td></td> </tr> </tbody> </table>	<u>Description</u>	<u>Amount with VAT</u>	<u>VAT</u>	Clerk's salary and expenses	1,069.20		HMRC payment	104.18		Clerk's Pension	36.07		Playground inspections	60.00		Public Conveniences, electricity	14.41	0.68	FoLV membership 2021	25.00	
<u>Description</u>	<u>Amount with VAT</u>	<u>VAT</u>																				
Clerk's salary and expenses	1,069.20																					
HMRC payment	104.18																					
Clerk's Pension	36.07																					
Playground inspections	60.00																					
Public Conveniences, electricity	14.41	0.68																				
FoLV membership 2021	25.00																					

20/199 Reports

A	Report on Actions. Further to the discussion of traffic at Rosemelling at the February meeting, a resident requested a traffic speed survey for the main road past Rosemelling into Luxulyan village.
B	Chair's report. The Chair had a detailed conversation with the Highways Manager about the issues in the parish, the potholes at Bodwen and the flooding at Challow Terrace, etc. Highways has promised a survey of the traffic past Rosemelling.
C	Crime & Prevention. There have been a number of telephone and email scams having to do with the Census. The clerk will post anti-scam information on the Facebook page. ACTION: Clerk
D	Cornwall Councillor Saunders' report to the Parish <ul style="list-style-type: none"> • The team leader for the Leat improvements at Cornwall Council will be leaving. They

are looking for a replacement, but in the meanwhile B Skinner or D Martyn will be the contact for this project. The assessment and planning stage is coming to an end and the work should begin shortly.

- There were complaints from elderly residents about the Police training near the village. They had not seen the training dates posted at the village shop.

20/200 Considerations

A	The council thought it would be more convenient to have a site visit to find the best place for the Luxulyan Valley Partnership information panel. The clerk will arrange the meeting. ACTION: Clerk
B	The council RESOLVED (proposed KBi, 2nd FP) to approve and sign the 2021 Grass Cutting Agreement with Cornwall Council, which remains the same amount as last year.
C	The council RESOLVED (proposed KBi, 2nd ML) to approve the annual ‘Non-commercial Play Area’ inspection by RoSPA at £68.50 + VAT.
D	The council RESOLVED (proposed ML, 2nd Kbi) to approve purchase of signage showing ownership, with appropriate contact details, on the gates of the children’s play area and the playing field. ACTION: Clerk
E	The item on fly tipping and litter was DEFERRED because the councillor that requested it on the agenda was not present.
F	CONSULTATION about stopping up of the unclassified road at Roseney Mill and Roseney Farm, Lanlivery, in the parish of Lanlivery. After lengthy discussion the council RESOLVED (proposed KBi, 2 nd BH) to OBJECT to the proposal and send the following comment to Transport & Infrastructure Service, Cornwall Council, Ref: S/406/1: *** Luxulyan Parish Council OBJECTS to the stopping up of the unclassified road at Roseney Mill and Roseney Farm, Lanlivery. This ancient highway formed part of an access way to a mill and would have been in regular use in times gone by. With the modernisation of highway construction methods, highways such as this have fallen into disrepair, and become uneconomical to maintain. It is the parish council belief that this public asset should not be allowed to become closed to all traffic and should remain open for the use of future generations on horseback, bicycle and foot, thus allowing future users the right of free and unrestricted access to this asset should desire or need arise. This parish council therefore requests, if this order is not granted, that the highways department re-signs this highway as “unsuitable for motor vehicles” and that the highways department together with Lanlivery Parish Council ensures that it remains open for public use in the near future and for future generations to come.
G	CONSULTATION: St Austell China Clay Restoration & Tipping Supplementary Planning Document. There was no proposal for a response.
H	CONSULTATION: Climate Emergency Development Plan Document (DPD) Pre-Submission. The clerk will re-send the document with the dates for the online events and it was agreed to DEFER this item to the April meeting for a considered response.

20/201 Planning

- | | |
|---|--------------------------------------------------------------------------------------|
| A | Planning issues and correspondence. Planning decisions are reported in Clerk’s Notes |
|---|--------------------------------------------------------------------------------------|

and on the website.

- i. **PA21/00499/PREAPP** Pre-application advice for conversion of a redundant Calf barn to a 1No. private residential dwelling. - Lower Harros Farm Roche St Austell PL26 8LN. Though LPC is not consulted on pre-applications, it is possible to send the case officer comments and after lengthy discussion, the council **RESOLVED** (proposed FP, 2nd MG) to send the following comments:

*** Background.

Members of the parish council were able to visit this site two months ago in connection with PA20/02819/PREAPP [Pre-application advice for the conversion of a redundant open front barn to a private residential dwelling. | Lower Harros Farm Roche St Austell Cornwall PL26 8LN]. Also, the applicant's agent attended the public session of our monthly meeting at that time. The council was told that both these applications were connect to the need for housing for family housing, as family member whose relationship had broken down since the previous application.

Luxulyan Parish Council cannot allow such factors to influence its decision-making process and needs to justify planning comments against policy criteria. The parish council also rejects any proposal that may be put forward of Agricultural need for this conversion, as the property would be too small to economically justify any land-based enterprise under its current management structure.

Considerations aligned to Luxulyan Neighbourhood Development Plan.

LH1, New Housing Development:

Whilst LH1 concerns itself with new housing the following parts of the policy can offer some limited support to this proposal. A combination of policies LH1(c)i & ii would enable LPC to offer support, in a limited way, if a full application were to follow.

LH2, Rural exception sites:

If the applicants are mindful to submit a proposal based on a property conversion which is tied to a section 106 of the Town and Country Planning Act of 1990 agreement, which will safeguard its use for future generations linked to the policy above. Luxulyan Parish council will support such an application on this site.

LH3: Housing on Farms:

As mentioned in the introductory comments Luxulyan Parish council does not consider this to be a viable agricultural holding, therefore this section of the neighbourhood plan is irrelevant to this application.

LLNE1 Local Landscape Charter:

Lower Harros borders Criggan Moors which is an SSSI and also a county wildlife site, for this reason Luxulyan Parish council would expect any full proposal to incorporate a large tree planting programme on the adjoining land that is owned by the applicants. So that the overall nature of the mid Cornwall moors area would be enhanced for the future.

Cornwall Council has set itself stringent targets of carbon emissions, as a result of declaring a climate emergency. If these targets are to be achieved future planning proposals must include heavy commitments to tree planting as a matter of urgency. Also, sites such as this present an opportunity for an array of solar panels to be included in its design. Luxulyan Parish Council would request that consideration is given to these aspects of development in order to offer its support for any proposal that may be forth coming.

Lastly:

Luxulyan Parish Council wishes to express concerns over the future of the area surrounding the site of PA20/02819/PREAPP [Pre-application advice for the conversion of a redundant open front barn to a private residential dwelling. | Lower Harros Farm Roche St Austell Cornwall PL26 8LN]

The council does not wish this area to be subjected to any further applications and to that end it requests that a condition of any full proposal submitted includes the demolishing of the dilapidated pole barn that is standing on it. With three dwellings sited at the end of a very long narrow lane, the population of Lower Harros could increase dramatically in the future, well over and above the level of today. The area of land under and surrounding this site (PA20/02819/PREAPP) is the only suitable turning space for commercial vehicles such as waste disposal vehicles and the vehicles used by the emergency services. Please refer to: NPPF, Paragraph 110d, Considering development proposals.

- ii. **PA21/00384/PREAPP** Pre application advice for erection of four holiday lodges on site Land North Of South Barn Luxulyan Bodmin PL30 5DR.

The council **RESOLVED** (proposed ML, 2nd FP) to send the following comments:

*** Background.

Members of the Parish council are familiar with the site in question. It was visited by some councillors in 2019, when the outline application PA19/03778 [Outline permission with some matters reserved for the construction of a dwelling | Land North Of South Barn Luxulyan Bodmin PL30 5DR] was processed.

This preapp seeks to change this outline consent from a domestic dwelling to a terrace of four holiday lets, which would form part of a family business. Luxulyan Parish Council recognises the site as being classed as infill which therefore allows it some advantage over a green field site.

Luxulyan Neighbourhood Development Plan.

The LNDP supports holiday let accommodation on agricultural/rural business sites under policy *LN3 housing on farms*. Development can be supported as a means of economic support for agricultural/rural businesses.

As it is a business enterprise, the council's only concern was that this development should include some provision for green energy use. It is noted that the applicants are hopeful that these units, if approved, will be occupied throughout the year, thus requiring heating through the winter months.

For example: an underfloor heating system based on a heat pump, or solar panels on the roofs which would require the units to be rotated by 90 degrees so that the roof ridge line ran east/west to allow panels to be placed along its southerly aspect.

It was thought that this would be a suitable site that could take a leading role for the future design of similar units, support the Cornish tourism industry and help Cornwall achieve its targets for a carbon neutral climate in the near future.

- iii. **PA19/08569** | Submission of reserved matters (appearance, landscaping, layout and scale) following outline approval PA18/10874 for a single dwelling | Land North Of Fairhaven Rosemelling Luxulyan Bodmin PL30 5EQ.

The council **NOTED** a letter from the landowner which explained their planned purchase of the land behind the property and the council values their statement that the use of the purchased land will not change and will remain agricultural.

B Beswetherick update. Nothing to report this month.

C StARR project update. Nothing to report this month.

D Applications for consultee comments.

i. **PA21/01250** | Non material amendment to decision PA20/05053 for changes to walls, doors, windows and roof. | Lower Harros Farm Access To Lower Harros Farm Roche PL26 8LN.

The council discussed the application and **RESOLVED** (proposed ML, 2nd BH) to submit the following consultee comments:

*** Luxulyan Parish Council has NO OBJECTION to this non-material amendment. It is happy that the roof will be lowered. It can not be considered a major development in the open countryside.

20/202 Highways & Flooding

See Minute 20/199.B.

20/203 Assets – reports and maintenance

A Playing Field. Playing Field inspections for month were received and **NOTED**.

B Cemetery. Nothing to report.

C Footpaths. LPC **RECEIVED** an excellent detailed report on Luxulyan’s footpaths submitted by a member of the public to the parish council, also sent to the Footpath Committee, Cornwall Council Countryside Access Team and the Ramblers’ Association.

D Luxulyan Memorial Institute. The institute is still closed due to the pandemic.

E Village Toilets. Water is constantly running from the Wallgate unit in the disabled toilet. The repair has been ordered, but until it is fixed the toilet will remain closed.

20/204 Parish Matters – reports

A Luxulyan Parish Community Fund. The Panel will hold its AGM on 13th April. Vacancies exist on the panel and they are looking for residents in the parish who would like to serve on the panel. If you are interested, contact a member of the panel. Details are available on the parish council website, though the council is waiting for a report from the LPCF for more up to date information.

B Luxulyan Valley Partnership. No report.

C Village Hall Committee. There was a recent meeting which discussed improvements to the Hall including a new floor and new curtains. The pandemic grant has made progress possible.

20/205 Correspondence & Invitations (complete list in Clerk’s Notes)

None.

20/206 Business for the next meeting

None was suggested.

20/207 Second Public Session for feedback from the public

None.

20/208 Dates of next meetings.

A Ordinary Meeting **8th April 2021**, 6.00 pm ONLINE via Zoom.

B Annual Parish Meeting (meeting of the electors) Thursday, 15th April 2021 , 6.00 pm online via Zoom. The Zoom details will be published with the Notice & Agenda.

C Annual Meeting of the Parish Council Thursday, 20th May 2021 , 6.00 pm online via Zoom.

The meeting closed at 9.15 pm and the Chair thanked everyone for attending.

Mrs C Wilson ~ Parish Clerk ~ 15 March 2021

SIGNED:

THESE ARE DRAFT MINUTES.

Chair of meeting: _____ Date: _____