

OUTLINE PLANNING APPLICATION FOR THE PROPOSED CONSTRUCTION OF AN  
AGRICULTURAL WORKERS DWELLING | DESIGN, ACCESSIBILITY & PLANNING APPRAISAL

ADDRESS: LITTLE CALLESTOCK FARM, ZELAH, TRURO, TR4 9HB

CLIENT: MR & MRS DOWN

DATE: NOVEMBER 2023



planning | architecture | landscape

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## 1.0 EXECUTIVE SUMMARY

Laurence Associates is retained by Nick and Liz Down ('the applicants') to progress an outline planning application for the proposed construction of an agricultural workers dwelling at Little Callestock Farm, Zelah, Truro, TR4 9HB.

The Design, Accessibility and Planning Appraisal has been prepared to support the planning application.

The site is surrounded by agricultural fields, and there are a number of existing agricultural buildings on the premises, along with a farmhouse.

The proposed development has responded to the physical constraints and opportunities of the site as well as the needs and aspirations of the applicant.

It is considered that the proposal is entirely consistent with policies contained within the Cornwall Local Plan 2010-2030, the National Planning Policy Framework (2023) and guidance contained within the Cornwall Design Guide (2021). In addition to this, consideration is given to the Perranzabuloe (DRAFT) Neighbourhood Development Plan and the Cornwall Climate Emergency DPD.



## 2.0 EXISTING SITE

The site is surrounded by agricultural fields, there are a number of existing agricultural buildings on the premises, along with a farmhouse. The application site is located in a rural setting approximately 1.4km northwest of the settlement of Zelah.

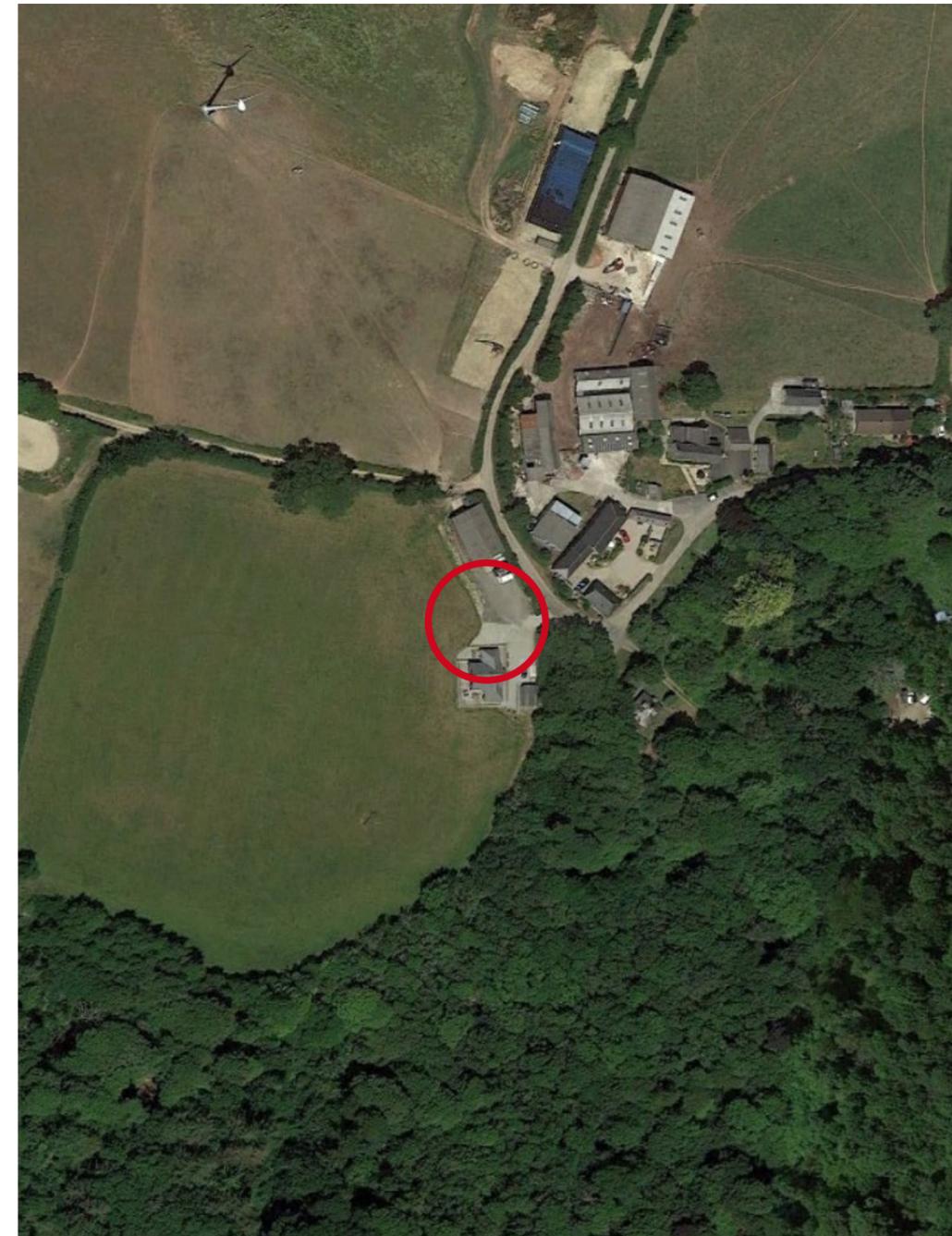
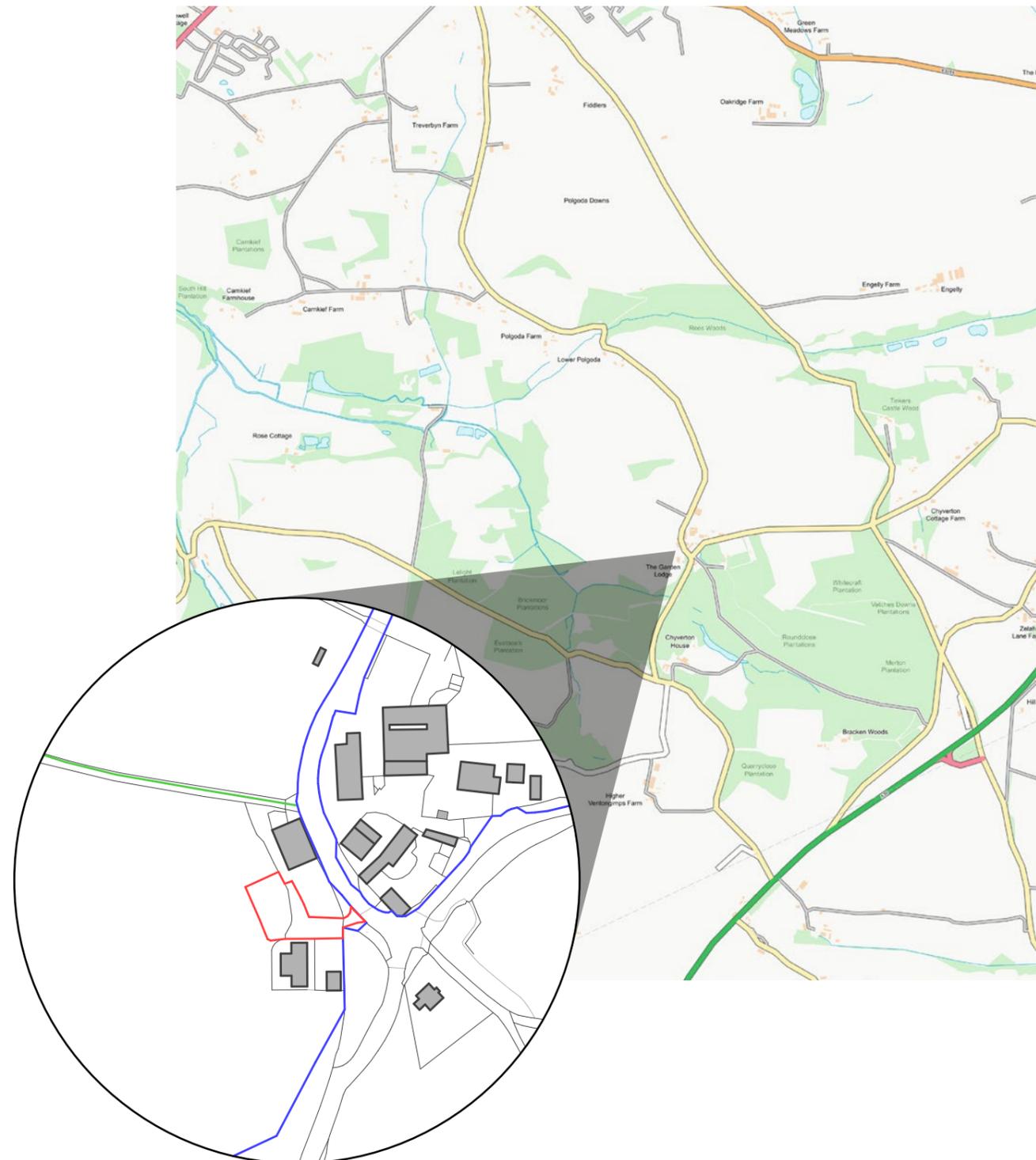
A review of site constraints has been carried out and has identified the following constraints for consideration. The site lies within a Site of Special Scientific Interest Impact Risk Zone, the Penhale Dunes Special Area of Conservation, the Fal and Helford Special Area of Conservation and an area susceptible to ground water flooding. The site is adjacent to the Chyverton Park Registered Park and Garden.

There does not appear to be any other statutory designations within or immediately adjacent to the site which would preclude the grant of planning permission.

To the north of the site is a Gold priority Public Right of Way under reference 314/70/1. However, given existing built development between the PRow and the proposed development, the proposal should not negatively impact upon the viewpoints from the PRow.



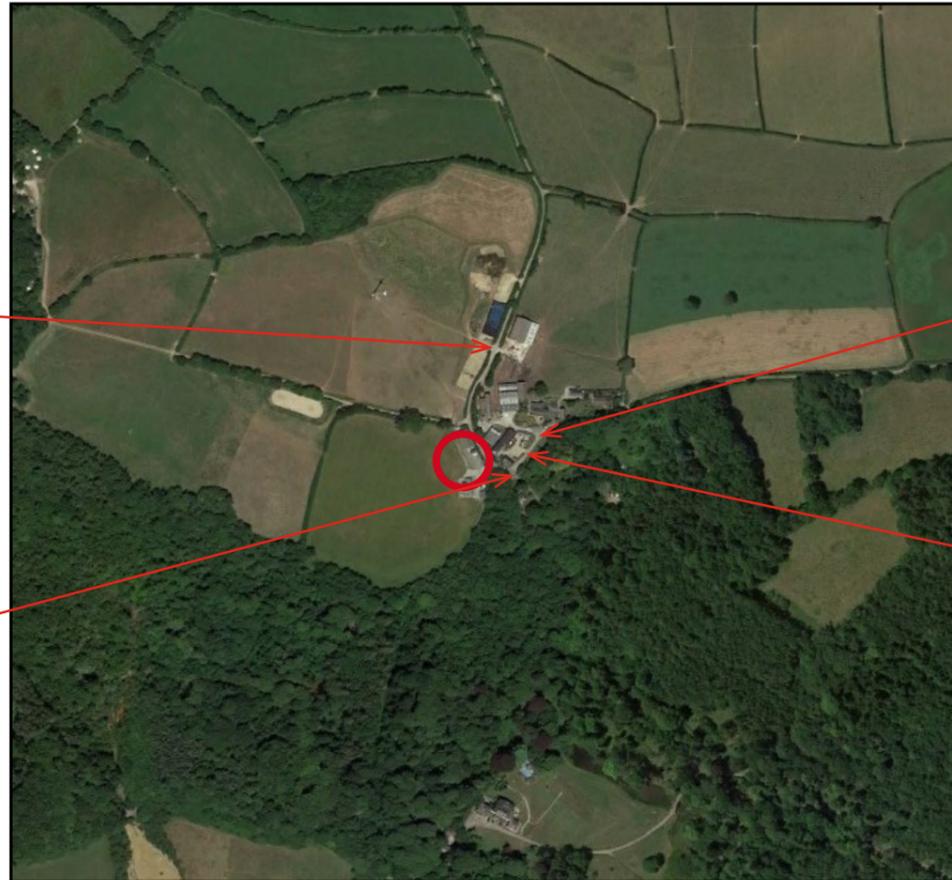
## 2.1 SITE LOCATION



LITTLE CALLESTOCK FARM, ZELAH | SITE LOCATION



## 2.2 LOCAL CHARACTER



2.3 EXISTING SITE PLAN



NOT TO SCALE



### 3.0 PLANNING HISTORY

A search of Cornwall Council’s online planning register reveals that there is no planning history which relates directly to the site which this application relates.



## 4.0 PROPOSED DEVELOPMENT

The Outline Planning Permission proposes a new Agricultural Workers Dwelling to be located on the agricultural holding for the applicants son, who helps with the day-to-day running of the farm to live with his family.

It is proposed to locate the dwelling immediately to the west of the main farmstead at Little Callestock and immediately south of an existing agricultural building.

Given the application at this stage is seeking outline permission, all matters except for access are reserved for determination at a later date. Having said this, the application is accompanied by an indicative Site Plan which shows how a new dwelling including associated amenity space and parking could be comfortably accommodated on the site. The site is to be accessed via the existing access off the C0178 road which runs to the east of the site and serves the agricultural building to the north and the holiday home to the south.

### Development Rationale

The applicant seeks permission for an agricultural workers dwelling at Little Callestock Farm for his son who plays a pivotal role in the farming business to reside in with his family.

The applicant and his son run a successful and lucrative dairy farming enterprise milking Jersey cows from the farm which comprises just over 200 acres. Until recently, the applicants son had successfully run his own Agricultural Contracting business for the last 14 years since leaving college and recently purchased 55 acres of farmland adjacent to the applicants farm. As a result, there are now 150 cattle on the farm who require full attention at all times. The farm is an RSPCA assured enterprise and the applicants farm to high welfare standards to ensure a good price for their milk. In order to ensure high welfare standards, it is important to ensure there is at least one worker on the site permanently to monitor the health and wellbeing of the cattle, and act quickly in the case of an emergency.

With a farm business of this scale, it is essential that active workers reside within sight and sound of the livestock. The presence of someone on site is essential to ensure regular checks of stock, both day and night and to provide prompt attention in emergencies. The keen eye of an experienced worker is essential to ensure that all of the cattle are feeding properly, and they should be knowledgeable and competent in a wide range of animal health and welfare skills, which should include handling skills; preventing and treating lameness; preventing and treating internal and external parasites; giving medicines by injection; providing appropriate care to sick and injured animals; and management of animals to minimise aggression.

Badly managed and unhealthy cattle will not survive, and it is essential that the herdsman should look for signs of distress, disease or aggression towards an animal by others in the group. To do this, it is important that herdsman has enough time to inspect the livestock, check equipment and take action to deal with any problems that may occur. The herdsman should be able to anticipate problems or recognise them in their earliest stages and, in many cases, should be able to identify the cause and put matters right immediately. All farmed cattle must be managed in accordance with the Codes of Recommendations for the Welfare of Livestock, in particular, the Codes for Cattle. As with all livestock holdings, in addition to complying with the Welfare Codes, there are other instances when emergencies can occur which demand an immediate response and so all herdsman should be aware of the importance of regular inspections and be familiar with the normal behaviour patterns. Therefore, it is considered there is a need that relates to a full-time requirement.

In addition to the animal welfare, there is a regular need to care for the land holding which involves land and pasture maintenance including weed control, topping, spraying, dung spreading and essential application of additive replacements such as lime and potash or artificial fertilisers. Similarly, there is a regular on-going maintenance or repair programme including hedges, fences, gates, ditch clearance and essential drainage works.



The applicant is 68 and whilst he is currently active in the business and day to day running of the farm, providing a new workers dwelling on the farm for his son and family to reside will ensure that the applicant's son (who is already heavily involved in the running of the farm) is on site at all hours of the day to work on the stock and be on hand overnight at short notice in case of emergency and during the calving season as the farm does not employ any relief staff. The applicants son intends to move onto the farm site, and in time will takeover the running of the farm to allow his father to take a step back from the business.

It should be noted that the main farmhouse where the applicant lives is not restricted by an occupancy condition and the applicant fully intends on continuing to reside there once they have retired.

The applicant's wife has developed a successful self-catering holiday cottage business, which has been running for over 25 years on the farmstead. There are a number of cottages attached to the farm that are used as part of this business and it would not be viable to use these building to house the applicant's son, as it is necessary to retain them as part of the holiday business to ensure income security for the farm as part of farm diversification.

As such the applicants are in need of an additional dwelling on the site for the applicants son and family to live in to support the established agricultural enterprise which comprises a medium-scale dairy farm enterprise.



## 5.0 PLANNING POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise; meaning amongst other things any other supplementary / supporting planning documents and the government's guidance set out in the National Planning Policy Framework (NPPF) (2023).

The statutory development plan for the site consists of the Cornwall Local Plan 2010-2030 (CLP) (2016), whilst material considerations in this instance comprise national policies set out within the National Planning Policy Framework (2023) and guidance contained within the Cornwall Design Guide (2021). In addition to this, consideration is given to the Perranzabuloe (DRAFT) Neighbourhood Development Plan and the Cornwall Emergency DPD.

The relevant policies are appended to the end of this document.



## 6.0 MATTERS FOR CONSIDERATION

### **Amount**

The proposal seeks the construction of one agricultural workers dwelling.

### **Layout**

The layout of the proposed development is reserved for determination at later date however it should be noted that the land in which the development is to be located upon is an area that is considered to be infill between an existing holiday cottage and the farm buildings and would therefore not be removing any land from agricultural production.

### **Scale**

The scale of the proposal, for one agricultural workers dwelling, is appropriate to the size of the site. Details relating to the size and scale of the building are reserved for determination at a later date.

### **Design**

Details relating to the design of the building are reserved for determination at a later date.



# 6.1 INDICATIVE SITE PLAN



NOT TO SCALE



## 7.0 PLANNING ASSESSMENT

### Principle of Development

The purpose of the application is to provide an agricultural workers dwelling on site at Little Callestock Farm. New residential development which is located within the open countryside requires special justification under Policy 7 of the Cornwall Local Plan. Of relevance to this application, part 5 of the policy advises that support can be given for full time agricultural workers dwellings where there is up to date evidence or an essential need of the business for the occupier to live in that specific location. Furthermore, paragraph 80 of the NPPF (2023) sets out that “planning policies and decisions should avoid the development of isolated homes in the countryside unless specific circumstances apply, including where there is an essential need for a rural worker, including those taking majority control of a farm business to live permanently at or near their place of work in the countryside”.

Section 4 of this document sets out in full the justification for the essential need for a new workers dwelling on the holding with specific regard to how the holding operates. In summary, the applicant currently lives on site in a dwelling which is not subject to an agricultural occupancy condition. The applicant’s son is heavily involved in the day to day running of the farm, and in time is set to take over the running of the farm from his father once he retires. The applicant has lived on the farm for over 28 years, and intends to remain living on the farm when the time comes to retire. To this note, there is established case law which states that a retiring farmer should not be expected to vacate their home to make way for an incoming worker and as such the applicant is taking this forward-thinking approach now to ensure that when the time comes there will be a seamless hand-over between himself and his son who will takeover the complete running of the farm. In addition, due to the number of livestock on the holding there is justification for the employment of at least two full-time workers on the site at this time.

Taking the above into account, it is considered that the provision of a workers dwelling in this location would accord with Policy 7 of the Cornwall Local Plan. The applicant acknowledges and accepts that any approved workers dwelling will be subject to the necessary occupancy planning condition/restrictions.

Whilst it is acknowledged that there are a number of holiday accommodations on the farm, these would not be available for the applicants son to move into as they play a key factor in ensuring the applicants farming business is maintained and remains viable. As such it is not up for debate

that one of these holiday accommodations be used by the applicants son as their residence on the farm.

In terms of sustainability and accessibility, due to the site’s accepted existing use, it can be considered that the site has the provision of acceptable access and it is therefore considered that the proposal is supported by policy 27 of the Cornwall Local Plan.

### Heritage Assessment

Adjacent to the site is Chyverton Park, which was first registered on 18th January 1992. The Heritage Gateway listing describes it as a late C18 park developed as pleasure grounds from the mid C19, with a C20 woodland garden.

In the medieval period Chyverton was the property of the Arundell family, and subsequently passed to a tenant, John Rosogan. In 1724 it was purchased by John Andrew of Trevallance. Chyverton was inherited by his great-grandson, John Thomas, a lawyer from Truro who served as Vice-Warden of the Stanneries for thirty-four years. In the 1760s Thomas remodelled the existing house, and moved his business activities from Truro to Chyverton (Pett 1998). Some ten years later a park and an eyecatcher folly were created to complement the remodelled house. Gilbert (1820) noted that despite unpromising surroundings, ‘by industry and expense, Chyverton displays many beauties, consisting of neat sheets of water, fine gardens, and thriving plantations’. In the early C19 the property passed by marriage to the Peter family. John Thomas Henry Peter (1810-73) married the daughter of John P Magor of Penventon, who in 1849 inherited Lamellan, Cornwall (qv). Chyverton remained in the Peter family until 1924 when it was sold to Treve Holman, who planted an extensive collection of rhododendrons and magnolias with the advice of Sir Harold Hillier (1905-85). After the Second World War Holman concentrated on extending his collection of magnolias, work continued by his son and daughter-in-law who succeeded to the property in 1959. Today (2000) Chyverton remains in divided private ownership.

As the proposed development is to be sited within an existing farm complex, there should be no additional negative bearing of the development on the historic site.

It is therefore concluded that the proposed development would have negligible impact on the Registered Park and therefore be in compliance of policy 24 of the CLP.



## 8.0 CONCLUSION

The applicants are looking to secure the future growth of the farm business and this new dwelling would allow the applicant son to remain in close proximity to the farm to tend the livestock appropriately and continue a high standard of animal welfare as a sustainable form of rural development.

It has been demonstrated that there is a need for the applicant's son to live on the holding, in line with Policy 7 of the CLP and paragraph 80 of the NPPF and other relevant planning policies and it is considered that there are no other overriding material considerations which justify refusing planning permission.

Taking these factors into account, on balance, it is considered that the proposal is acceptable.



## APPENDIX 1

### THE DEVELOPMENT PLAN

#### The Cornwall Local Plan

**Policies 2 and 2a** relate to the spatial strategy and key targets respectively. Policy 2 sets out how new development proposals must be of a high-quality design and consider any potential impacts on both the natural and built, historic environment.

**Policy 3** relates to the role and function of places. It provides a settlement hierarchy through which new housing, employment, community and leisure developments are to be delivered. The policy also sets out how the scale and mix of uses of development and investment in services and facilities should be proportionate to the role and function of places.

**Policy 5** concerns proposals for new or enhanced business and tourism developments. The relevant part of the policy to this application is Part 1, which states that:

*'1. To ensure a continued supply of appropriate business space, proposals for new employment land and uses should be:*

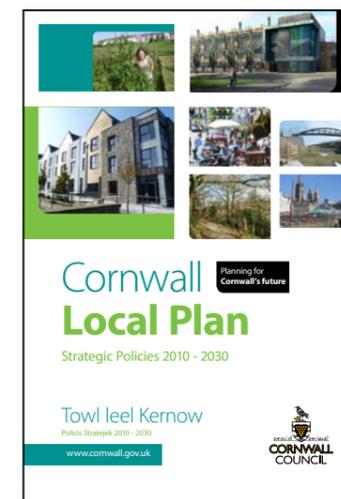
- a) Well integrated with our city, towns and villages; or*
- b) Within areas that are well served by public transport and communications infrastructure; or*
- c) In the countryside and smaller rural settlements be of a scale appropriate to its location or demonstrate an overriding locational and business need to be in that location such as farm diversifications; or*
- d) An extension to an existing business where re-location would be impractical or not viable'*

**Policy 12** deals with design issues, while **Policy 13** relates to development standards. Both seek good practice in terms of fundamental design and the relationship of the development to its surroundings.

**Policy 21** relates to best use of land and existing buildings.

**Policy 24** relates to the historic environment. It states that development within the World Heritage Site should accord with the WHS Management Plan. All development proposals should be informed by proportionate historic environment assessments and evaluations, identifying the significance off all heritage assets that would be affected by the proposals.

**Policy 27** relates to transport and accessibility. It states that new development should provide safe and suitable access to the site for all people and not cause a significantly adverse impact on the local or strategic road network that cannot be managed or mitigated.



## MATERIAL CONSIDERATION

### National Planning Policy Framework (NPPF) 2023

The NPPF is a material consideration in the determination of this application as per **Paragraph 2** of the Framework and Section 38(6) of the Planning and Compulsory Purchase Act 2004. It sets out Government planning policies for England and how these are expected to be applied.

**Paragraph 7** of the NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The golden thread running throughout the NPPF is the Government's presumption in favour of sustainable development (**Paragraph 11**) whereby developments which correctly balance the requirements of economic, social and environmental issues should be granted planning permission unless there are strong reasons that permission should not be granted.

**Paragraph 8** sets out three dimensions to sustainable development: economic, social and environmental; all of which give rise to the need for the planning system to perform several mutually dependent roles.

At **Paragraph 12**, it is made explicitly clear that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

**Paragraph 28** states that LPAs should approach decisions on proposals in a positive and a creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.

**Paragraph 81** states that policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

**Paragraph 119** states that decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

**Paragraph 120** makes it clear that planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
- e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.



**Paragraph 124** sets out that planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

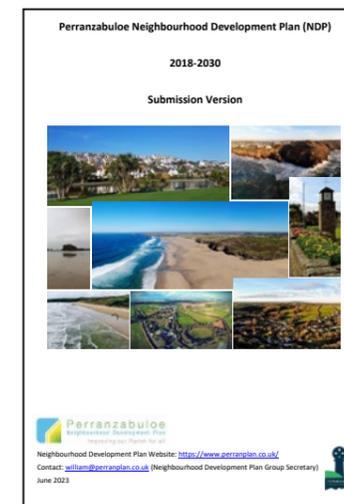
**Paragraph 126** places a strong emphasis on achieving high quality designs in new developments and states that good design is a key aspect of sustainable development.

**Paragraph 130** further provides several design related criteria that is to be achieved during the decision-making process.

**Section 16** of the NPPF focuses on conserving and enhancing the historic environment.

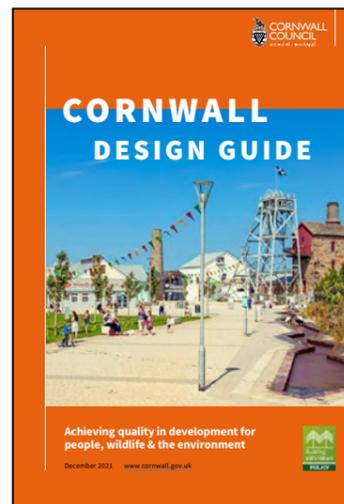
## **Perranzabuloe Neighbourhood Development Plan (DRAFT)**

**Policy SD1: Development Boundaries** – Outside of the Development Boundaries proposals will be supported where the development meets the development plan policy requirements for housing or other development in the countryside.



## The Cornwall Design Guide 2021

The Cornwall Design Guide sets out the importance of an effective design process, and highlights that there are many factors to consider in designing a successful scheme, including the nature of the site itself, its surroundings, community needs and opinions, good design principles and local policies.



## Cornwall Council Climate Emergency Development Plan Document

**Policy C1 – Climate Change Principles:** Development in Cornwall should represent sustainable development and manage our natural, historic and cultural assets wisely for future generations, contributing in line with the scale and type of development to achieving the following objectives:

- Make the fullest contribution to minimising GHG emissions in accordance with the energy and waste hierarchies
- Mitigate against and improve resilience to the effects of climate change
- Contribute positively to the health, wellbeing and resilience of our communities and the natural world

**Policy G1 – Green Infrastructure Design and Maintenance:** Green infrastructure should be central to the design of schemes, ensuring permeability of the site for wildlife and people and creating a multi-functional networks of spaces and uses. All developments should be planned around the protection and enhancement of nature.

**Policy RE1 – Renewable and Low Carbon Energy:** Proposals for renewable and low carbon energy-generating and distribution networks, will be supported in the context of sustainable development and climate change, where:

- They contribute to meeting Cornwall’s target of 100% renewable electricity supply by 2030
- They balance the wider environmental, social and economic benefits of renewable electricity
- Where the current use of the land is agricultural, the use allows for the continuation of the site for some form of agricultural activity proportionate to the scale of the proposal and provides for 10% biodiversity net gain

