

PLANNING AND PEOPLE

MAKING IT WORK

In a nutshell, we have taken a derelict quarry and abandoned farmland and turned it into a nature reserve, rewilding scheme and regenerative agriculture project, combined with sustainable heritage industries, and a couple of live work units, in order to create a climate resilient, biodiverse and beautiful community hub.

Rather than doing all of these in separate zoned areas, we have tried to blend all of these together to see if one can actually make the industrial estate and the nature reserve symbiotically exist.

Since the early 1800's, Trevone Quarry was used for granite extraction until the quarry ceased trading in the mid-1980s and was left derelict. We purchased it in 2009 with extant permission for the extraction of a further million tonnes of granite (10 times the size of the 200 year old quarry). But, rather than quarry it for gravel, we created a haven for art and nature to thrive together. We have transformed the site into a 22-acre woodland, nature reserve and a micro community of creative professionals and heritage crafts people.

My original vision for the overall site has been to recreate the amazing creative community that I had spent the previous 20 years working in, down in a local boat yard with people tinkering in small home-made workshops making and restoring beautiful things. What the boat yard lacked was connection to natural wilderness and biodiversity which, to me, is an essential part of a healthy life and artistic creativity.

Another World Is Possible

The quarry, and its surroundings, is a deeply scarred manmade landscape that in 2009 nature had already started to heal and recover in a beautiful way. This is essentially a 'brown field' site, strewn with massive boulders and industrial waste, and its consequent uselessness to farming had saved it from becoming intensively cultivated unlike most of the surrounding area. Quarries are built where the granite is very near the surface, which means that the soil quality is usually poor. We have a pH of 4.5 which makes it very unsuitable for agriculture, but it's highly productive for apples, blackberries and blueberries, and nut trees don't seem to mind too much either. So this has provided a perfect place to allow the indigenous temperate rainforest to re-establish itself and for a creative community to organically form itself. Over the years, a most productive regeneration has come about, almost spontaneously (plus of course, lots of work). Improvements on behalf of nature achieved here include:

- Three acres of new West-country rare-variety orchards and two acres of cultivar nut orchard.
- Eleven acres of new native woodland for biodiversity.
- Twelve very productive beehives
- A local organic distillery producing artisan rum - botanics grown, brewed and distilled on-site.
- Ongoing works for a

beaver release site to improve biodiversity and water quality for Argal Reservoir. • Numerous nesting boxes, and otter, owl, bat and reptile rewilding habitats.

And, for the benefit of local people: A community hub, community garden and public orchard, public bike repair stand and free e-bike charging points, a community 'swap shop' cupboard, free access to a water-sports social and recreational space for the three hamlets around the site, and

supporting traditional crafts and industries. We work with Sustrans and others to improve the local bridleway, and the cycle and walking routes between Penryn, Mabe and the surrounding area.

And for ourselves: the skills and facilities assembled onsite are remarkably various. We have:

- Two traditional forges, running regular blacksmith training sessions
- A workshop for an author, woodcarver, historian, and folklorist;
- A stone mason's workshop specialising in historical building renovation,
- Jewellers;
- A micro-recording studio documenting traditional Cornish music, sea shanties, and local history podcasts.

Theatre is a big part of how we reach out to the wider world: Oceanic environmental awareness performance companies, Apocalypse Theatrics and Ocean Rebellion originated and are based here. Then there is a national touring-theatre props and dance company involved with Trebah Gardens, Exeter Tremough University and local schools and parks, and we also work for Cornish creative companies like Kneehigh Theatre, Miracle Theatre, the Eden Project, as well as international work for Disney, The Science Museum, BBC and Warner Bros.

Sculpture is another aspect of our arts output: Royal Academician Tim Shaw's *The Drummer* sculpture, commissioned by Cornwall Council, and *Man On Fire*, a permanent sculpture for the Imperial War Museum North, were made here, as were *The Restless Temple*, a 10-ton wind operated sculptural Acropolis installed at Tremenheere sculpture gardens; and *The Sinking House*, an award-winning environmental awareness sculpture launched on the Thames, and exhibited in the V&A exhibition on Activist architecture.

"The principle of direct action is the defiant insistence on acting as if one is already free."
— David Graeber

In short, here we have 12 nano-businesses paying peppercorn rents (£40—£240 pcm) to enable them to flourish and preserve the Cornish creative industries, sustain at-risk heritage crafts and build local climate resilience: a sustainable community of low impact workplaces and dwellings. The need is to radically rethink what local industry can look like, making an industrial estate that also directly and actively improves the immediate biodiversity. *And* this is all in alignment with the Cornwall Council Climate Emergency development plan document.

There was no master plan for how this would happen at the start, but by giving artists the freedom to build their own workshops exactly how they want, we have found a wonderful model that could be replicated as a genuine solution to the climate, housing and cultural crisis that we face.

Obstacle Course

We have met with two significant hurdles, but both could be overcome with more sensible legislation: One: Planning permission is too restrictive and takes too long to respond to people's urgent needs for workshops (usually due to eviction/redevelopment of the previous workshop for sale as something residential). Two: Planning permission, once gained, results in the need to comply with building control, which takes away any true sustainability or creativity from the design process, and massively increases the cost: meaning the work can no longer be done cheaply to the standard required by the person that just wants a quiet little shed to get on with whatever they wanted to get on with.

The workaround for us has been to do the building work without planning permission, and to apply for retrospective planning permission (if and when the LPA requests it) on the basis that forgiveness is much more likely than permission, and thus life can continue, rather than being ground down in years of unnecessary bureaucracy.

A better solution would be that planning policy reflected the need for nano-businesses in the creative industries to work out of small sheds/barns in the backs of farmyards and other Brownfield areas and that these could be exempted from building regs, as are farm buildings, caravans, boats and other temporary structures. And that local authorities and planning policy should acknowledge the difference between a micro business (less than £2 million turnover and under 10 employees), and *nano-business*, literally one about 1,000 times smaller than that. So no employees, and turnover under £20k for example. In this model, the concept of industrial development of open countryside is very different, and can have a little bit more common sense involved when it comes to someone tinkering in a shed in the corner of a field.



Trevone Quarry from the air

Either that, or just genuinely interpret the planning term "*de minimis*" as what it really is, an acknowledgment that things that are so small should not need planning. As in, "The Law does not concern itself with trifles".

The general model here at Trevone is that the person who wants a workshop builds it themselves to a pre-agreed standard and design, so that it stands a good chance of getting retrospective planning upon any subsequent enforcement. The capital cost of building these self-designed, self-built workshops is relatively negligible – being simply the cost of mainly scrap salvaged materials (usually about £6,000). Thus the rent for the workshops can be very low, and further, the labour that the tenants have put into the building of their workshops offsets their rent for the first few years. This provides the perfect start-up economics for a small business. We've found that, if the tenant builds and then lives in the workshop, then it and its surrounding area becomes an abundant garden, and provides a significant proportion of their food and leisure and social life. If the tenant does not live in the workshop and it is treated solely as a place of work, then the broader social and environmental benefits to the community are significantly reduced.

Tenant selection is based on informally meeting and discussing what they plan on doing, seeing whether we think that they would fit in well with the community, and with the Bologna pact model, where access to live and work on the land is based on what they will contribute, not to the land itself, but to the broader community and environment, so that whatever is created on site has greater impact and benefits beyond just our site itself. I believe that by providing a space where people can build their own workshops and homes, they can generate a love and a connection with the place and a sense of community and common ownership that cannot be created by simply arriving at a pre-existing structure, or renting a unit in an industrial estate (which, by definition would be too expensive, so would not be available anyhow to the individuals that have made their places here).

We also now operate a No Four-wheeled Vehicle access policy, and have no pets, other than livestock which may be beneficial to rewilding. There is a four day training for new tenants, and an e-bike custom building workshop so that they have

a customised bike and trailer set up for their specific needs, in order to make sure that the transition from car culture is minimally sacrificial, but instead actually provides an improved experience to have more fun, riding bikes in nature.

Devil's In The Detail

Of course, there are counter arguments to what we are doing here: the main one being that this would open the floodgates for the urbanisation of the rural environment. This would have some validity, if it were not for two obvious issues:

1. The current volume housebuilders could not be doing a worse job of this already, so any alternative experiments are desperately needed, and

2. Decent planning legislation could easily be written to make sure that this model of living on the land was significantly unappealing to any speculative property developers or people wanting to bring an urban lifestyle to a rural environment. For example, capping house size to be too small to fit in all those white goods (a Tiny Homes ethos), stopping four-wheel vehicle access at least 500 yards before your residence, to break the car culture addiction and make it thus relatively far easier to use bicycles and bike trailers. (A bike shed with wet weather gear to hand is a helpful asset here).

Over the 25 years that I have been professionally involved in the Cornish creative industries, I have watched them being progressively squeezed out of existence, mainly through the loss of the small affordable start-up units, old barns and derelict warehouses which have all been smartened up and converted to housing, or industrial units that the endangered crafts and creative industries simply cannot afford. The arts and crafts are historically a big part of the fundamental USP of Cornwall, and without them, a very important cultural and economic sector of our society will die. Live-work units are such a clear and simple way to create a truly climate resilient, community building, nature enhancing future vision for Cornwall and its creative industries; and the wider world also. I am very interested in finding a way to formalise this model of development so that other land owners can lawfully use it to share their land more equitably.

Town Hall Troubles

The biggest factor preventing the grassroots movement from living more connectedly and sustainably on the land is so

often ... the Council. It needn't be this way and perhaps soon it won't be this way. They are making the policies to enable this, but they need to speed up, and acknowledge we are not the problem, it is their own legislation that needs to change.

Bureaucracy, has, needlessly, made everything so much more difficult. The time spent on it over the years is incalculable. This includes years of lobbying, and collaborating with the Cornwall Council's policy-making team and councillors to declare a climate emergency and bring in the planning policies of the climate emergency DPD (based on Wales' OPD). I have particularly tried to put across to them the vision to create the triple bottom line, as stated on page 2 of the NPPF, of balancing economic, social and environmental threads, so that developments today do not undermine our children's future.

This policy succinctly encapsulates the shared ethos of what we are trying to achieve here. We are clearly in full compliance, not just with the technical points but with the spirit and essence of the "presumption in favour of sustainable development". We have actively created the very developments that these planning documents advocate, so why has our journey with the planning enforcement department been so difficult?

Deal? What Deal?

In 2013 we agreed with Cornwall planning department to relinquish our quarrying licence and our rights to blast up to one million tonnes of granite, with the huge environmental and social impact this would cause, in return for the right to develop the site as a hub for artists and crafts-people to work in, and as a nature reserve. We were told at the time that there was not a specific planning category for these artists' workshops, and that B2 and *sui generis* were the closest category, and this could be designated along with the understanding that planning would look favourably on our applications as we developed this hub for non-quarrying activities, with the associated much lower environmental and social impact.

So we did that, but then Enforcement came back eight years later saying it looked "visually objectionable" (we'd have said, "loved and beautiful"). We were then enforced against in relation to not quite fitting a planning category decided by default by the council who acknowledged that it didn't quite fit before deciding how to classify it in the first place.

In essence we were asking Cornwall Council to honour the agreement that we made that, in return for not blowing up a temperate rainforest for road-stone, we would be allowed to restore it as a sustainable, low impact exemplar of post industrial heritage restoration. But they refused to honour the written agreement. We have, obviously, met and far exceeded our side of this agreement.

So then, rather than celebrating what we've achieved, as an exemplar of best practice for living and working in harmony with nature, the Council instead tried to evict both families and 12 businesses. We're on an old disused brownfield site, most units have had planning

Trevone Quarry Village Hall



for a decade, but because they now look beautiful and ecologically abundant, they were accused of being residential.

The enforcement was due to two main factors:

- complaints from our multimillionaire litigious neighbour living in his complex of empty holiday homes next to us,
- A disconnect in the council between emerging, sustainable planning policies and the outdated attitudes of the Planning Enforcement department, with their resistance to understanding what true sustainability looks like; and the officers' subconscious bias against any truly grassroots ecological development: as shown by calling any development that had been particularly loved and nurtured "visually objectionable".

So, after the first round of enforcement, we won the right to have industrial use on 12 formerly asbestos-strewn derelict quarry buildings, now renovated, some of which we had got retrospective B2 pp for back in 2013, and others which no longer needed pp, having been there and used for considerably more than four years, (making their uses lawful according to the sadly now defunct four-year rule). Then in 2018, they came back saying "we think it's taken on a residential appearance".

In April 2022, after nearly three years of discussions about Trevone quarry with the Enforcers, no formal planning enforcement action had been taken and no enforcement notice had been served. Cornwall Council's enforcement team refused to explain to us what we should retrospectively apply *for*, and failed to engage with the tenants. Then came a letter, explaining multiple absurd reasons why they thought we were not compliant: essentially "although the building has no running water, kitchen, cooking facilities, bathroom, bed or bedroom, it does have a wood burner and the tenant could warm up food on this. Therefore, the Council does consider that the development as a whole is a breach of planning control". The very next day 19 identical enforcement notices landed, giving us no time to counter their assertions based on their (wrong) assumptions, or submit retrospective applications.

The enforcement notice demanded the removal of all heating, furniture, bathroom, toilet and food preparation facilities from all of the tenants' workshops and dwellings; that most be demolished and the rest stripped down to unheated bare boxes. This would be against basic HSE guidelines and against common sense, and would also result in the tenants' businesses being extinguished.

These tenants have made their inexpensive units into idyllic custom-made artists' studios with beautiful gardens. The "problem" arose because, although the planning permission on these units is for an industrial estate, Trevone looks like a community of engineers, craftspeople and artists making wonderful things in beautiful spaces (because that's what it is). That's not what a standard industrial estate looks like, or what a standard residential area "should" look like. A *standard* industrial unit still provides heating, toilets and cooking facilities, yet they don't contribute visually and environmentally to the locality as these units do. But this argument didn't work with the planning enforcement officer.



Home is where the work is.

We appealed, an incredibly absurd, stressful and Kafkaesque process. Four years after the enforcement investigation began, we finally managed to get the actual planning policy writers and heads of planning (rather than just the enforcement team) to visit the site, and they seemed to realise that they were not going to win. But, by acknowledging that, they would be liable for costs, so the best strategy for them would be to sit on the fence and allow the inspectorate to grant permission. That way, the problem would go away for them, and save them from admitting their mistake. So we had a further year of frustration until the planning inquiry, where the inspectorate granted us planning on every single development. And the "multi-day" enquiry collapsed within hours. Despite self representing, it cost us approximately £80,000 to defend as "the onus is on the appellant" i.e. you are guilty until you prove your own innocence.

So, although the costs, financial, emotional and mental, were painful, on balance we don't regret it. We have won, and set a very useful precedent, and it has been a deeply interesting journey into understanding what is stopping our society from rapidly transitioning to more sustainable land use and lifestyles, and what is wrong with our current system and what we could do about it.

If we had put in a request for planning permission to do any of what we have done here, prior to doing it, the answer would have likely been NO to everything. So our advice is, a nutshell, get on with it and do whatever sustainable thing you want to do, and rely on the fact that sustainable development is the direction of travel of LPA's, and common sense does (usually) kick in at the appeal stage, and even if it doesn't, at least you've spent five years doing what you've loved rather than arguing with a faceless bureaucratic system that says you can't do what you want. And in a further five years (about how long it takes to get bureaucracy to that stage) the planning system will undoubtedly be more favourable than it is right now.

— **Rob Higgs**

Appeal Ref: APP/D0840/C/22/3298025 Land at Trevone Quarry, Penryn, Cornwall, TR10 9JQ. Inspector: PN Jarratt.

99p Films: <https://www.youtube.com/watch?v=8hTTChR2p3U>

2024 New building regs legislation: <https://www.planningportal.co.uk/applications/building-control-applications/building-control/building-regulations/exemptions-from-building-regulations>