



Appeal Decision

Site visit made on 8 May 2025

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Appeal Ref: APP/D0840/W/24/3357057

Lower Forge Farmhouse, Nancekuke, Redruth, TR16 5UE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Burley against the decision of Cornwall Council.
 - The application Ref is PA24/05078.
 - The development proposed is demolition of existing dwelling and construction of new replacement energy efficient dwelling and associated landscaping works.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing dwelling and construction of new replacement energy efficient dwelling and associated landscaping works at Lower Forge Farmhouse, Nancekuke, Redruth, TR16 5UE, in accordance with the terms of the application Ref PA24/05078, and the plans submitted with it, subject to the conditions listed in the Annex to this decision.

Application for Costs

2. An application for costs was made by the Appellant against Cornwall Council. This application is the subject of a separate decision.

Preliminary Matters

3. On 12 December 2024, after the application was refused planning permission, a revised version of the National Planning Policy Framework (NPPF) was published. However, the policies that are relevant to this appeal have not changed and I have not, therefore, sought the parties comments on the revised NPPF. Both parties have also had an opportunity to comment on the revised NPPF in their appeal submissions.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the surrounding area, with particular regard to the loss of the host property as a non-designated heritage asset.

Reasons

5. The appeal site forms part of a larger 25 acre small holding with the host property itself comprising a two and part single storey detached former farmhouse which I understand has been vacant since 2023. The host property is set well back from

the main road to the east, from which it is accessed via a long track. The small holding extends to the north in the form of two well landscaped fields. Running along the northern boundary of these fields is a narrow lane on the alignment of the former Poldice Mineral Tramway. The boundary between the two is formed by Cornish Hedging and mature tress affording glimpsed views of the host property from the lane. The small holding extends to the south of the host property into a number of open fields and to the west of the host property to a cluster of medium and large sized agricultural buildings that are constructed from a mixture of timber, dark profiled steel, slate/tiles and stone.

6. The appeal proposal involves the demolition of the host property and its replacement with an energy efficient dwelling and associated landscaping works. The main part of the new dwelling would be two storeys with a single storey glazed link to a rear addition that would include a garage and kitchen/dining area on the ground floor and a part mezzanine, above the garage, shown as a study/snug.
7. The parties refer to the host property as a non-designated heritage asset (NDHA). I understand that this designation first arose from the Pre-Application Advice sought by the Appellant and that the host did not previously form part of a Council list or publication of NDHA's. That is not uncommon. The Planning Practice Guidance chapter on the 'Historic Environment' (PPG) recognises that NDHA's are sometimes defined at the application stage. Even so, paragraphs 39 - 40 of the PPG state that only a minority of buildings have enough heritage significance to merit identification as a NDHA. The latter is important in that I am not convinced on the evidence before me that the host property has enough heritage value and significance to be a NDHA.
8. Based on the Pre-application Advice, the Appellants Heritage Impact Assessment (HIA) and my own observations on site, the host property does not appear unusual and appears to be a farmhouse design that is not unique and commonly found in Cornwall. I note that the Pre-application Advice states that it "*could*" be locally significant with the Council's submissions indicating that, in their view, it makes a positive contribution to the area's setting and the Poldice Mineral Tramway. I do not agree. The Council do not allege that the host lies within the setting of the World Heritage Site or that it would have any effect on it. There is also no substantive evidence before me to support the statement that the host property has any historical or functional links with the former Tramway.
9. The HIA indicates that the host property was constructed sometime between 1840 and 1875 and that the former Tramway closed in 1865. It appears that the original property contained the northern double fronted element which was then extended to the south (two storeys) and to the west (single storey) between 1880 and 1907. At the same time, outbuildings were constructed to the west of the host, since removed. I agree with the HIA that both extensions are poor and they are not subservient or sympathetic to the original house. The ridge and eaves heights differ as do the window/door proportions, manmade roof tiles and tile hanging have been used, with a brick chimney and other non-traditional facing materials. Further alterations include UPVC windows, doors and rainwater pipes, as well as the pebble dashing of a number of the elevations to the original and extended house.
10. Overall, the host property has been significantly adapted, extended and altered since 1840 and that has resulted in the majority of its original value and character being lost or eroded. I viewed the host both outside and inside and in terms of the

latter there was also nothing, in my view, of any historical value. Even so, I agree with the HIA that the only value of the host property derives from the quality of the materials and window/door proportions on the original east elevation (excluding the southern two storey extension).

11. The evidence before me and my observations on site also lead to the finding that the host property is in a very poor condition. This is due, for example, to the lack of insulation, the extensive areas of pebble dash that were likely to have been applied to address damp ingress and the cement mortar applied to masonry joints that will have sealed in moisture, all limitations on retaining the existing structure. Internally the stairs, passage ways and ceiling heights fail to meet modern living standards or regulations, all providing significant constraints to the sustainable and viable reuse of the host property.
12. As well as the unsuitability of the host property for retrofitting as is, I agree with the Appellants that its demolition and replacement by an energy efficient new dwelling would be more sustainable. The evidence indicates that the new dwelling would secure significantly greater total energy use reductions compared to the retrofit of the host property. The whole life carbon savings from the new dwelling would also be substantially greater than retrofitting and the proposal would also enable the Passivhaus standards to be targeted and met. I attach significant weight to those measures and benefits.
13. For all the above reasons, I am more persuaded by the Appellants evidence and find that the significance of the host property as a NDHA is limited and that the scale of its loss through demolition would also be limited due to its low value both historically and architecturally. The limited value lost would, in my judgement, be more than mitigated for by the high quality energy efficient design of the proposal with its low carbon output. I am also satisfied that demolition and its replacement would be necessary to secure the long term use of the site and to ensure that the living accommodation meets modern day standards and regulations.
14. The main two storey element of the proposed dwelling would be largely constructed on the footprint of the host and would have a similar traditional profile other than where the ridge would be carried through from the existing southern extension. Reclaimed natural stone with lime mortar would be used on the walls with natural slate to the roof. The proposed front (east) elevation, as with existing, the principal elevation of the new dwelling would include window and door openings to reflect existing, with other original details reinstated. As the photo montage within the HIA shows (I appreciate that a level of caution is needed when viewing such images) the view of the proposal from the east would largely replicate the existing view. As I confirmed earlier, some of the materials and openings on this east elevation are the only elements of value and these would be reused, retained and enhanced.
15. Turning to the rear addition, this would incorporate a contemporary design and would, in part, reflect the historic building footprints referred to in the HIA. It would be stepped back from the internal access road and due, in part, to the topography of the site it would sit at a lower level to the main building. It would be constructed from vertical timber cladding with a natural slate roof reflecting the local character and vernacular of the agricultural buildings to the west. Its ridge and eaves height would be much lower than on the new main house and it would not interfere with the view from the main road of the principal east elevation.

16. The proposed single storey glazed link from the rear addition to the main two storey dwelling would provide a clever visual distinction between the two. It would also highlight the traditional form, historic footprint and double fronted layout of the main dwelling. Overall, the rear addition would appear subservient to the main house and relate well with the agricultural farm buildings to the west and at the same time enhance the glimpsed views of the site from the former Tramway. It would not appear incongruous or out of character and on the contrary the proposal would sit comfortably within its verdant setting, supported by new tree planting and landscaping. As such, the proposal would integrate well with its landscape setting and would not result in any harm to the rural or natural environment or to the key characteristics of the Cornwall Character Areas, CCA 14 St Agnes and CCA 09 Silverwell to Camborne, that cover the appeal site and its surrounds.
17. The Council contend that the glazing on the rear elevation of the new main house would not be as symmetrical as that on the proposed front elevation but provide no reasoning as to why this should be the case. It is not uncommon for front and rear elevations to differ in this way and the proposed glazing/openings and small timber clad dormer are an attractive detail and features that work well with the contemporary design of the glazed link and rear addition.
18. The Councils Statement of Case (CSOC) alleges that the significance of the existing host property as a NDHA arises from its interplay with the former mining activities and the countryside in which it is located. For the reasons set out earlier, I do not agree. As I confirmed, there is no substantial evidence of any functional or historical link between the host and the former Tramway. Even if there was, the proposal would largely replicate the historical form and footprint, and reuse and improve the elements of the existing east elevation of value.
19. The Council infer that the retrofitting of the host could secure the same energy and carbon savings but provide no substantive evidence to support these statements. This conflicts with the Appellants evidence that I referred to earlier and which I concur with, namely that the proposal would clearly outperform any retrofit in these respects, evidence which has essentially not been challenged. The Council also suggest that they were not convinced that the energy and carbon saving benefits required the whole of the host building to be demolished. This statement is again not expanded further and as I have found above the energy and carbon savings are part of the justification and reasoning for the replacement of the host property by a high quality new dwelling that meets modern day living standards and regulations.
20. The approach I have adopted to the NDHA is as set out in paragraph 216 of the NPPF, which states that when considering the effect of an application on the significance of a non-designated heritage asset, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. As I have found earlier, the evidence submitted is not convincing in terms of whether the host property has the level of heritage value to be defined as a NDHA. Even so, I have proceeded on the basis that it is an NDHA and found that it is of low value and that its demolition and replacement would not result in the loss of an asset of any value and neither would there be any harm given that the host is not of any significance. Also, that any historic value of the materials and openings on the east elevation would be reused, preserved and enhanced through the appeal proposal.

21. Whilst I have not identified any harm, paragraph 2016 of the NPPF and paragraphs 39 - 40 of the PPG do not require the harm to a NDHA to be weighed against any public benefits. The latter requirement only applies to designated heritage assets as it made clear in paragraph 214 of the NPPF, where substantial public benefits are required to outweigh substantial harm to a designated heritage asset, and paragraph 215, where public benefits are required to outweigh less than substantial harm to a designated heritage asset. This approach to designated heritage assets is reaffirmed in paragraph 20 of the PPG.
22. In relation to policy 24 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (CLP) I have already found that the appeal proposal would not, through the loss of the NDHA, lead to any harm and that demolition is justified. There is no need, therefore, to assess any harm against the public benefits of the proposal as policy 24 goes onto require. As I confirmed above, the policies of the NPPF do not require an assessment of public benefits where there is harm to the significance of a NDHA. Indeed, the NPPF's policy on NDHA's appears to be reflected in paragraph 2.189 of the CLP, which essentially repeats the approach set out in paragraph 216.
23. Even so, if there were harm to the significance of the NEDG and the approach in policy 24 of weighing this against public benefits was applied, which is not the finding I have reached, the appeal proposal would still be acceptable when weighed against the public benefits that it would secure. These would include securing a viable reuse for the site, a significant improvement to the housing stock, bringing back into use a vacant property, retaining, reusing and enhancing the qualities of the materials and openings on the east elevation of the host and retaining the historic footprint/form of the former farmhouse. The appeal proposal would also retain the original gate posts at the entrance to the site and allow the potential to reveal and reuse benchmark stone behind the pebbledash. There would be the economic benefits from construction and the potential for increased spend from new residents supporting local services. Combined, I would accord significant weight to these benefits.
24. In relation to policies 1, 2, 12, and 24 of the CLP, insofar as these seek to promote sustainable development, preserve, conserve and enhance the natural and historic environment and secure a high quality design, the appeal proposal would accord with and meet these requirements. The proposal would also accord with policy C1 of the Climate Emergency Development Plan Document (DPD) in that it would conserve and enhance the natural and historic environment (part (7)) and minimise greenhouse gas emissions (part (1)). Although not referenced by the Council, the proposal would also comply with policy SEC1 of the DPD through embedding the 'Energy Hierarchy' within the new dwellings design and by prioritising fabric first, orientation and landscaping to minimise energy demand.
25. The Council have also referred to various paragraphs from the Cornwall Design Guide (CDG). For the reasons set out above, I am also satisfied that the appeal proposal would be consistent with this guidance, in that it would preserve and enhance the character and appearance of the site and surrounding area, secure a high quality design that draws on the limited elements of value of the host, responds to the local landscape and traditional forms/materials, as well as responding to climate conditions, and respects the character of the area.

26. Accordingly, I find that the loss of the NDHA would be justified and that the appeal proposal would preserve and enhance the character and appearance of the site and surrounding area, and would thus comply with policies 1, 2, 12, 23 and 24 of the CLP, policies C1 and SEC1 of the DPD, the guidance within the CDG and the corresponding policies of the NPPF.

Conditions

27. The Council has suggested various conditions that I have considered against the advice in the NPPF and the Planning Practice Guidance chapter on the 'Use of planning conditions'.
28. Conditions relating to compliance with the approved plans and requiring the submission and approval of all external materials, contamination and ground stability conditions and any remedial work and bat/bird boxes, are necessary and reasonable in the interests of securing a high quality development, reflecting the details submitted with the application, to minimise the risks during construction and for future occupiers and to secure net gain in biodiversity.
29. I also consider that a condition requiring the tree protection measures and works to be carried out in accord with the approved details, and as suggested by the Appellant, for the development to be constructed in accord with the approved energy and water efficiency measures, are also reasonable and necessary in order to protect the health of retained trees and secure the approved sustainable energy and construction details included in the application.

Conclusions

30. For the reasons given above and having taken all other matters raised into account, I conclude that the appeal should be allowed

G Roberts

INSPECTOR

Annex – Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the plans listed below:
 - Site/location Plan 3914-PBA-02-XX-DR-A-1001-S2 P04
 - Proposed 3914-PBA-02-XX-DR-A-1104-S2 P02
 - Proposed 3914-PBA-01-XX-SH-A-7001-S2 P02
 - Proposed 3914-PBA-02-XX-DR-A-1102-S2 P05
 - Proposed 3914-PBA-02-XX-DR-A-3002-S2 P05
 - Proposed 3914-PBA-02-XX-DR-A-3003-S2 P05
 - Proposed 3914-PBA-02-00-DR-A-2002-S2 P06
 - Proposed 3914-PBA-02-01-DR-A-2003-S2 P05
 - Proposed 3914-PBA-02-RF-DR-A-2004-S2 P05
 - Proposed 3914-PBA-02-XX-DR-A-4002-S2 P05

- Proposed 3914-PBA-02-XX-DR-A-4003-S2 P03
- Submitted Plan EV-4628-C-TCP-TPP

- 3) No development involving the use of external materials shall take place until details of all materials to be used in the construction of all external surfaces (including doors/ windows/ lintels/ sills/ stonework/ pointing/guttering and downpipes/ roof slates and method of fixing) of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.
- 4) The development hereby permitted shall be carried out wholly in accordance with the avoidance measures, mitigation and enhancement recommendations contained within section 5.3 of the submitted ecology report: Extended Habitat Survey by Spalding Associates Dated April 2024.
- 5) Prior to the construction of the dwelling hereby approved, a scheme for the incorporation of bat boxes and bird boxes and bee bricks shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the location and specific details of each feature. The approved features shall be installed prior to the occupation of the dwelling and shall thereafter be retained and maintained as such.
- 6) No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the Local Planning Authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the Local Planning Authority.

The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the Local Planning Authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the Local Planning Authority within 28 days of the report being completed and approved in writing by the Local Planning Authority.

- 7) Before the development hereby permitted is commenced, an assessment of the site to identify any ground instability shall be submitted to and approved in writing by the Local Planning Authority. If instability is identified on the site, a scheme for on-site investigations, an assessment to identify the extent of unstable ground and the measures to be taken to avoid risk to buildings when the site is developed, shall also be submitted to and approved in writing by the

Local Planning Authority. The approved scheme shall be fully implemented and completed before the development hereby permitted is first occupied.

- 8) The development hereby permitted shall be carried out in accordance with the energy and water efficiency measures and renewable energy provisions detailed in the approved Energy Statement prepared by Method Consulting Dated 31 July 2024. The agreed details shall be implemented in conjunction with the construction of the new dwelling and thereafter retained and maintained.
- 9) Tree protection measures and tree works (to include facilitative felling and pruning) shall be implemented in strict accord with the submitted documents Tree Protection Plan EV-4628-C-TCP-TPP and Report EV-4628-C-T5-CA AIA Dated February, May and June 2024 by Evolve Tree Consultancy. Unless otherwise specified within the above documents or drawings:
 - Tree protection fencing (in accord with BS 5837:2012 Par. 6.2.2 and Fig.2) shall be installed prior to the commencement of any works associated with the development and shall be maintained intact and retained in situ until the completion of the development.
 - A pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant and the main contractor's site manager/foreman to discuss details of the working procedures and to confirm the precise position of the approved tree protection measures.
 - No works associated with the development including storage, access, cement mixing, bonfires, excavations or other level changes shall occur within the protected areas.

End of Annex.