
Appeal Decision

Site visit made on 31 January 2017

by I Jenkins BSc CEng MICE MCIWEM

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 March 2017

Appeal Ref: APP/J4525/W/16/3163434

21 The Village, Ryhope, SR2 0NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr R Tinmouth against the decision of Sunderland City Council.
 - The application Ref 16/00213/FUL, dated 11 February 2016, was refused by notice dated 1 November 2016.
 - The development proposed is conversion of barn to single dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider that the main issue in this case is the effect of the proposal on the character and appearance of the appeal property, the locality and the Ryhope Village Conservation Area.

Reasons

3. The appeal barn forms part of a group of former farm buildings comprising the farmstead of Willow Farm. This barn adjoins the eastern side gable of the former farmhouse and the pair front onto The Village. Their rear elevations face towards, and are visible from, Cliff Road across the former farmyard, which contains a number of other buildings. The former farmstead and its surroundings are situated within the Ryhope Village Conservation Area.
 4. Section 72(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)* requires special attention be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The Framework indicates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration of a heritage asset.
 5. The Council's *Ryhope Village Conservation Area-Character Appraisal and Management Strategy* (CAMS) indicates that Willow Farm is an example of one of the original 18th Century farmsteads that characterised the village. I consider that whilst the locality now contains a wide variety of built development, the single-storey appeal barn retains a simple, traditional character and appearance, not least due to its unbroken dual-pitch slate roof,
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- a characteristic it shares with the former farmhouse. It contributes positively to the character and appearance of the locality and the significance of the Conservation Area.
6. The proposed conversion of the appeal barn into a dwelling would include the provision of living accommodation within the roof space, served in part by 3 new dormer windows which would be added to the northern roof slope of the barn, facing across the former farmyard towards Cliff Road. In my judgement, the proposed dormer windows would give the northern elevation of the barn an unusually cluttered appearance and would detract significantly from the simple, traditional character of the barn.
 7. I understand that planning permission was granted in 2012¹ for the conversion of 2 of the other farmyard buildings into dwellings and the erection of a new dwelling and garages. Whilst the appellant has suggested that those works may restrict views of the appeal barn from Cliff Road, in the absence of any details of the approved scheme, I give this assertion little weight. Based on what I saw of the ongoing construction works, it appears likely to me that the appeal barn would continue to be visible from Cliff Road from vantage points such as the entrance point to the former farmyard.
 8. I saw that there are a small number of dwellings with dormer windows in the locality. However, none of the buildings are directly comparable to the appeal barn in terms of its simple, traditional character and appearance. In my judgement, the existence of those other dormers would not justify harmful development of the appeal property.
 9. I conclude that the cluttered northern roof slope of the appeal barn, which would result from the proposal, would have a significant detrimental effect on its simple, traditional character, to the detriment of the character and appearance of the locality. In this respect it would conflict with the aims of: Policy B2 of the *City of Sunderland Unitary Development Plan, 1998* (UDP) insofar as it requires the scale, massing and layout of development to respect the best qualities of the locality; and, the Framework as regards adding to the quality of the area. I give this significant weight. As a consequence of the impact on the character and appearance of the appeal barn and the locality, the proposal would also harm the character and appearance of the Ryhope Village Conservation Area. While it attracts great weight, I consider that the resultant harm to the significance of this designated heritage asset would be less than substantial, due to the relatively small size of the building and limited visibility beyond its immediate surroundings.
 10. The scheme would conflict with UDP Policies B4 and B6 as well as CAMS Objective 4 insofar as they require development to preserve or enhance the character or appearance of the Conservation Area. However, they go beyond the requirements of the Framework, which identifies that while account should be taken of the desirability of sustaining and enhancing the significance of heritage assets, where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, such as a Conservation Area, that harm should be weighed against the public benefits of the proposal. Under these circumstances, I give the identified conflicts with UDP Policies B4 and B6, and CAMS Objective 4 only moderate weight.

¹ Ref. 12/01169/FUL.

Other matters

11. I acknowledge that the proposal would re-use an existing building and would make a small contribution to the supply of housing in the area, and in these respects it would gain some support from the Framework, which gives encouragement to the re-use of buildings and the provision of housing. Although the appellant has suggested that the proposal would benefit the local economy, no details are given. It appears to me that whilst some economic benefit may be associated with construction activity, due to the small scale of the proposed development, it is likely to be short lived and limited. Whilst the patronage of local shops and services by future residents of the appeal barn may contribute to the local economy, there is no evidence to show that it would be significant. I give these factors little weight. The appellant has indicated that the dormers are required to allow adequate first floor space. However, it appears to me that they would add little in this regard and I give this little weight.
12. Although I understand that the appeal building is no longer required for agricultural purposes, when I visited it was not vacant and was being used for storage. The appellant's Structural Inspection report indicates that there are no obvious concerns regarding the overall structural stability of the building and there is no compelling evidence before me to show that its future would be under threat in the event of the planning permission for the proposal being withheld.
13. There is no dispute that the proposal would respect the existing pattern of land use hereabouts, which is primarily residential, in keeping with the aims of UDP Policy EN10. The scheme would make adequate provision for access to the site and parking provision for future residents, in keeping with the aims of UDP Policies T14 and T22. Furthermore, in my judgement, the proposed development would not harm the setting of any Listed Buildings, in keeping with the aims of UDP Policies B8 and B10. Nor would it harm the living conditions of neighbouring residents, in keeping with the aims of UDP Policy B2 insofar as it seeks to safeguard privacy. However, these are common requirements of development and I give them little weight. Whilst the Council has made reference to a document entitled *Good Practice Guide on the Conversion of Traditional Farm Buildings* by Historic England, I have not been provided with a copy and so give the references to it little weight.
14. Although I understand that no objections to the scheme were received from consultees, an absence of consultation responses cannot, in my view, be automatically interpreted as a sign of support. The appellant has expressed concerns regarding the manner in which the Council dealt with his planning application. However, they do not alter the planning merits of the scheme upon which my decision is based. I give those concerns little weight.

Conclusions

15. I conclude on balance, having regard to the likely economic, social and environmental impacts of the scheme, that any benefits of the proposal would be significantly and demonstrably outweighed by the harm that it would cause, with reference to the character and appearance of the appeal barn, the locality and the Ryhope Village Conservation Area. It would not amount to sustainable development under the terms of the Framework and I consider that it can be

regarded as being in conflict with the Development Plan taken as a whole.
For the reasons given above, I conclude that the appeal should be dismissed.

I Jenkins

INSPECTOR