
Appeal Decision

Site visit made on 21 November 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 08 December 2017

Appeal Ref: APP/J4525/W/17/3181530

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 17/00871/SUB, dated 27 April 2017, was refused by notice dated 20 June 2017.
 - The development proposed is conversion of barn to single dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of barn to single dwelling at 21 The Village, Ryhope SR2 0NQ in accordance with the terms of the application Ref 17/00871/SUB, dated 27 April 2017 and subject to the conditions in the schedule at the end of this decision letter.

Procedural Matter

2. Both the Council and appellant have confirmed that the proposal on which the Council's decision was based is that which would incorporate no dormer windows on the front elevation of the building and two dormer windows on the rear elevation. My decision relates to the relevant drawings accordingly.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host building, the wider Ryhope Village Conservation Area (CA) and the setting of the Grade II listed Former Chapel, with particular regard to the proposed rear dormer windows.

Reasons

4. The appeal site comprises a former 18th Century barn. The barn adjoins a former farmhouse with which it was associated as part of Willow Farm. These buildings face the main road known as The Village. To the rear of the site, further redundant farm buildings, also associated with the former Willow Farm and constructed in a traditional courtyard arrangement, are subject to conversion and redevelopment.
 5. The CA comprises buildings of varying age, form and appearance, centred on a traditional village green. The former agricultural connections of the appeal site and the presence of mature trees in the wider area contribute to the verdant and rural character of the CA.
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6. The Council is concerned that the introduction of two dormer windows to the rear roof plane of the barn would result in harm to the character and appearance of the barn and wider CA. I have had regard to advice issued by Historic England concerning the conversion of traditional farm buildings, which I acknowledge states that new dormer windows are generally inappropriate in all farm-building adaptations except where there is already evidence of their use¹.
7. However from my visit it was evident that the enclosed courtyard arrangement and redevelopment of buildings there would serve to substantially screen the rear elevation of the barn from any potential public viewpoints to the side and the rear. The only significant exception to this would be via the vehicular access point serving the rear courtyard area. However the rear of the barn would only be revealed when the tall entrance gates serving this area were opened and even then, only fleetingly when passing this location.
8. Whilst part of the outer-most rear dormer would be visible from viewpoints along The Village, via gaps between built development, its limited scale, position on the roof set in from the gable and its visibility against a backdrop of mature tree planting assimilating the development to a degree, would give the feature a recessive and subordinate appearance that would not tend to draw the eye as an obtrusive alteration.
9. In terms of detailed design, the proposed dormers would be relatively small and visually balanced in terms of their positioning on the roof plane. Accordingly they would not dominate the rear elevation of the barn. Whilst I acknowledge that a previous proposal to convert the barn was dismissed following an appeal, the development in that case would have utilised three dormer windows. The Inspector in that case concluded that this would clutter the northern roof slope. Furthermore the decision was made at a time when the degree of visibility of the site was uncertain, given the context of ongoing construction works. I do not therefore consider that case to be comparable to the current appeal.
10. In terms of the front elevation of the building, the development would substantially make use of existing openings, generally acknowledged to be good practice in the conversion of former farm buildings. The roof alteration to the front would be limited to the insertion of three rooflights, flush with the roof plane. From viewpoints where the barn is most prominent, along The Village, the conversion would therefore primarily be seen to incorporate modest alterations which would respect the traditional character of the building. Whilst the Council has also raised concerns about the detailed design of windows, a condition could be imposed to allow control to be exercised over this matter.
11. Drawing the aforementioned considerations together I am satisfied that the proposal would constitute a sympathetic conversion, which would secure a viable use for the building and the long term retention of a heritage asset.
12. In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 I have a statutory duty under section 72(1) to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. I conclude for the above reasons that the proposed development would preserve the character and appearance of the CA.

¹ Historic England: Adapting Traditional Farm Buildings – Best Practice Guidelines for Adaptive Reuse

13. I have a further duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the effect of the proposal on the setting of the Former Chapel, situated to the west of the farmhouse, which is a Grade II listed building. It seems to me that the special interest of this building derives from its age, form and appearance. The elements of setting that contribute to its significance include its relationship with the street. The appeal site is substantially separated from this property due to the presence of an intervening building and there is little intervisibility between the two sites. In that context, I consider that the appeal site contributes little, if anything, to the significance of the building or its setting and there would be no harm in this regard.
14. The Council has also referred to the presence of the listed house known as The Wilderness, located to the north of the site. I am satisfied, however, that this property is too far away from the appeal site for the proposal to result in any harm to its setting.
15. The proposal would preserve, rather than enhance, the character and appearance of the CA, therefore falling short of Management Objective 4 in the Ryhope Village Conservation Area Character Appraisal and Management Strategy, which seeks all new development to enhance character and appearance. However in preserving the CA and not causing harm to the setting of nearby listed buildings I am satisfied that the proposal would accord with the National Planning Policy Framework and Policies B4, B6 and B10 of the City of Sunderland Unitary Development Plan 1998 insofar as they seek a high standard of design that conserves or enhances the historic environment.

Other Matters

16. I acknowledge that the appellant has set out within his statement, that he is aggrieved over how the Council has dealt with his planning application. This however is a matter between the parties and is not for my deliberations in this appeal.

Conditions

17. I have considered the conditions suggested by the Council. Conditions specifying the plans and requiring details of the external materials are needed to provide certainty and to safeguard the character and appearance of the area. Conditions requiring archaeological observation of the development and associated reporting are required in order to ensure that any archaeological remains on the site can be preserved wherever possible and recorded. A condition requiring the location of car parking to serve both the proposed dwelling and adjacent farmhouse to be identified and implemented is required in the interests of the living conditions of residents and highway safety.
18. I have made minor alterations to the wording of some of the suggested conditions for clarification and to ensure they meet the tests for conditions as specified in national planning guidance.

Conclusion

19. For the reasons given above, and having considered all other points raised, I conclude that the appeal should be allowed.

Roy Merrett

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: SCC/MI/100; SCC/MI/200 Rev:C; SCC/MI/800; SCC/MI/801 Rev:B.
- 3) No development shall take place until samples and details of all materials and finishes to be used for the external surfaces of the building, including walls, roofs, doors and windows, have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved details.
- 4) No development shall commence until an archaeologist has been appointed to undertake a programme of observations of groundworks and works to the building to record any historic fabric which is presently hidden, in accordance with a specification to be provided by the local planning authority. The appointed archaeologist shall be allowed access at relevant times during the development, with a programme of visits to be agreed in writing by the local planning authority, prior to development commencing.
- 5) The dwelling shall not be occupied until a report of the results of observations pursuant to condition 4 has been submitted to and approved in writing by the local planning authority.
- 6) The dwelling shall not be occupied until space has been laid out, in accordance with details to be previously agreed in writing with the local planning authority, to allow for car parking in connection with the dwelling hereby permitted and the adjoining farmhouse. That space shall thereafter be kept available at all times for the parking of vehicles.

END OF CONDITIONS SCHEDULE