
APPLICATION DETAILS

| | |
|------------------------|-------------------------------------------------------------------------------------|
| Application No: | 20/0692/FUL |
| Location: | Ryehill House East Brass Castle Lane, Middlesbrough |
| Proposal: | Permanent siting of restored railway carriage for use as guest accommodation |
| Applicant: | Mrs Susan Holmes |
| Agent: | Mr M Carr |
| Ward: | Marion West |
| Recommendation: | Approve with Conditions |

UPDATE (to previous report presented 8/3/2021)

1. The application was deferred at Planning and Development Committee on the 8th March 2021 to allow the applicant to provide further detail on how the access and parking would be accommodated relative to this proposal and taking into account the access, parking and turning associated with the existing use. This report should be read in conjunction with, and as an update to the main report from the 8th March 2021 (full report at appendix.3).

Proposed parking and turning (carriage)

2. The applicant has advised that the proposed carriage is intended to be converted into accommodation, either as a single large suite or two smaller suites providing accommodation for no more than two families at any one time. Target customers are indicated as being those who want to stay either four or seven days (or longer) and considers that no more than 2 cars will need to be accommodated at any one time. The applicant has highlighted an area at the side of the drive as being the parking area and has indicated this provides space for approximately 6 cars. See appendix 1.
3. The existing drive has grass / soft verges either side of it which could easily accommodate several parked cars. The parking and movement of vehicles within the verge will leave the drive unobstructed.
4. The applicant has advised that parking for the carriages will also include a small turning area to allow vehicles to enter the site, park, turn and leave the site without the need to drive down to the main house, thereby preventing the need to park and turn at the main house.

5. Notwithstanding this and for information purposes, the applicant has provided parking details associated with the main house (existing B&B). The B&B is indicated by the applicant as having four guest rooms and being operated solely by family members. The applicant suggests that, normally only three rooms are booked at any one time and anything up to three visiting vehicles would be there at any one time, with the vehicles being parked overnight and gone after breakfast the next morning. The applicant advises that there is guest parking for 6 vehicles at the house with 3 areas where cars are able to turn around to exit as well as additional parking places for family, friends and visitors etc. The applicant has advised that guests of the B&B enter and leave via their driveway.
6. The applicant has further advised in respect of a café which has been mentioned within comments received in relation to the application. The applicant has advised that they operate a 'Terrace Bar' which consists of a small bar area with 5 tables where B&B guests would normally eat breakfast and an afternoon menu. There is a small terrace outside with a further seven tables and although this is not promoted as a separate facility to the bed and breakfast use there is a pedestrian entrance to the garden from the public bridle way which borders the Ryehill House garden and which often attracts visitors to the Terrace Bar. The applicant advises this tends to be dog walkers, cyclists and is extensively walk in business.
7. In view of all these matters, it is considered that the proposed carriage and associated parking and turning, can be reasonably achieved without unduly affecting the existing B&B operation and its existing parking needs as well as without unduly affecting other persons / premises within the wider area.
8. Some comments were raised by objectors in regards to through traffic from Ryehill House along the continuous driveway surface through into the area where Ryehill Cottages / Farm are located. In view of the proposed development demonstrating the ability to turn within the site, it is considered unnecessary to consider the issue of the through route any further. Should this be taking place currently, or should it be allowed by the applicant in the future, this is not a planning matter, it would instead be a civil matter relative to any rights of access that may or may not exist.

Siting of the proposed Carriage

9. Committee also sought additional information in relation to the precise manner in which the carriage would be fixed in place. The applicant has confirmed that a contractor will be used to lay two x 36ft tracks supported by sleepers on which to support the carriage which is in turn sat on stone ballast. The Carriage is indicated as being secured to the track to prevent movement by 8 separate chains and tighteners. See Appendix 2. Officers consider there to be no specific concerns in relation to the proposed method of siting the carriage.

Other matters

10. Reference was made in the previous committee to the potential for asbestos within the carriage being brought to site. The applicant has advised that the carriage would be booked in with a contractor to undertake all the exterior renovation as well as inspection for asbestos and in the event that any asbestos is found the removal will be subcontracted to a specialist removal company prior to any restoration work commencing. Presence of asbestos within a structure and working to remove asbestos is not a planning matter and is dealt with under other legislation.
11. The applicant has advised that they would be amenable to provide additional landscaping at the site.

Overall considerations

12. It is considered that the additional information adequately demonstrates that there is sufficient space for parking and turning of vehicles associated with the proposed accommodation subject to it being provided and laid out, that this will not affect the existing operation of the B&B or properties in the wider area. It is further considered that the carriage can be adequately fixed in position and subject to details required by conditions recommended within the main report in relation to refuse and drainage, the proposed use will not unduly affect the immediate surroundings.

13. Officers maintain to recommend approval with conditions in line with the recommendation within the main report although this does not include a condition for additional landscaping.

Recommendation

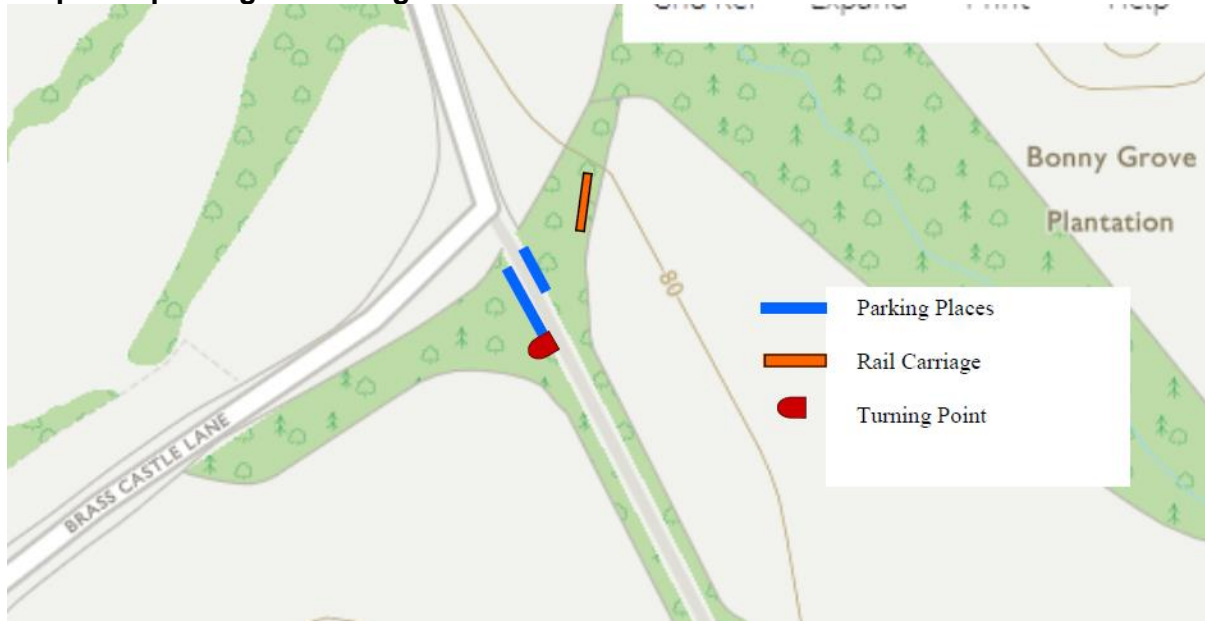
Approve subject to conditions as detailed within the main report.

Case Officer: Joanne Lloyd

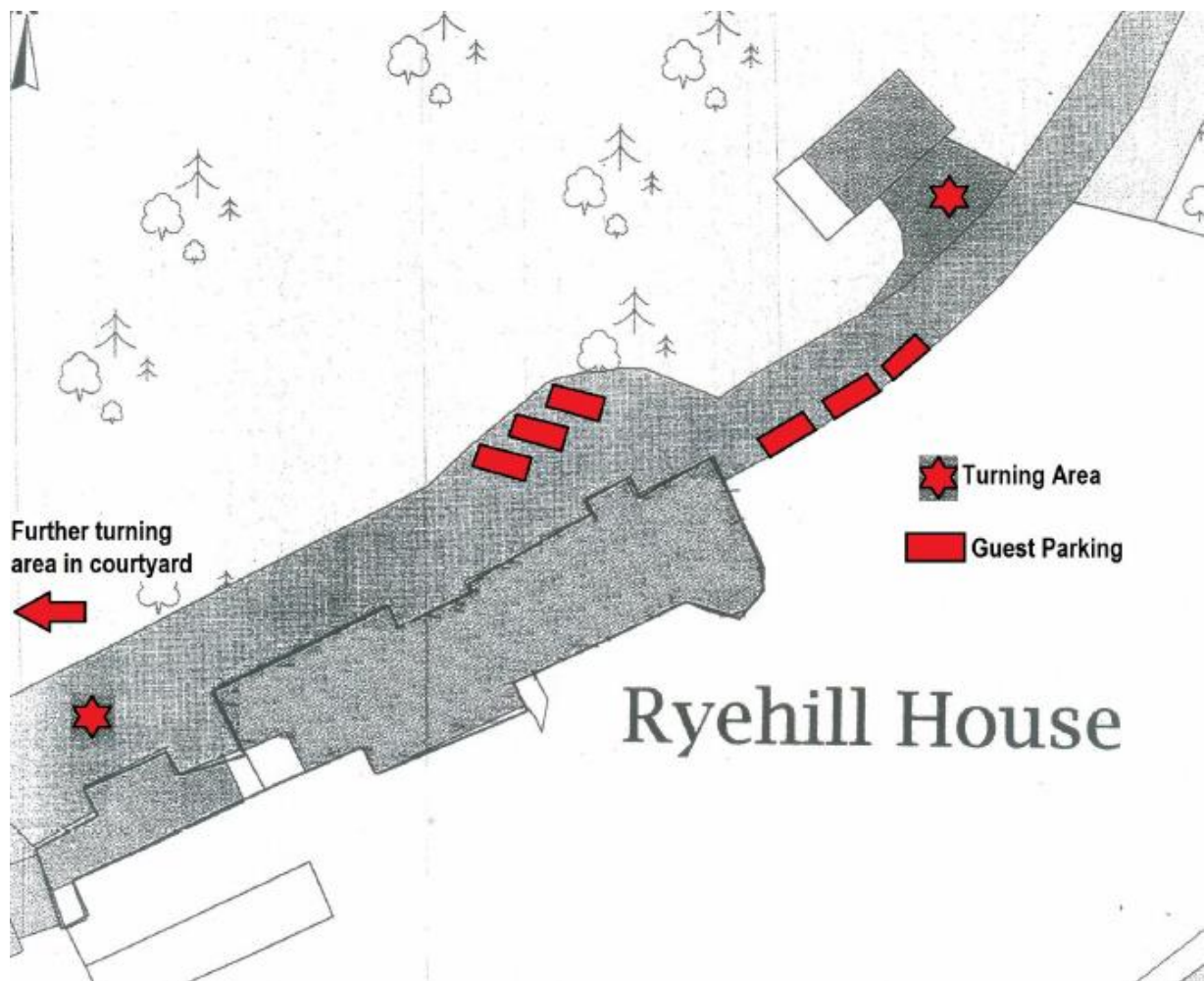
Committee Date: 9th April 2021

Appendix 1. Parking arrangements at Ryehill House

Proposed parking for carriage

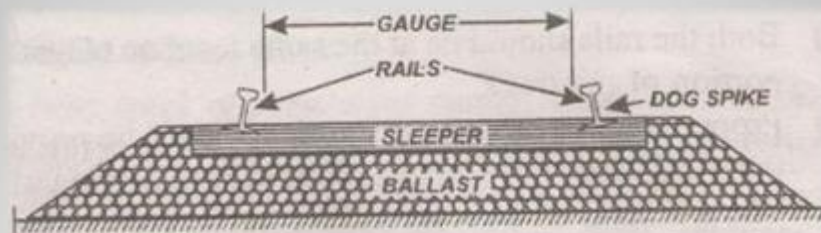


Existing parking for main house



PERMANENT WAY

Permanent way is a track which is permanent in nature which handles the normal commercial traffic.



SECTION OF A RAILWAY TRACK SHOWING GAUGE



COMMITTEE REPORT

Item No

APPLICATION DETAILS

| | |
|------------------------|-----------------------------------------------------------------------------------------|
| Application No: | 20/0692/FUL |
| Location: | Ryehill House East Brass Castle Lane Middlesbrough TS8 9ED |
| Proposal: | Permanent siting of restored railway carriage for use as guest accommodation |
| Applicant: | Mrs Susan Holmes |
| Agent: | Mr M Carr |
| Ward: | Marton West |
| Recommendation: | Approve with Conditions |

SUMMARY

The application seeks planning approval for the permanent siting of a restored railway carriage for use as self-catering guest accommodation.

The key issues with the application relate to design, appearance and siting of the proposed railway carriage, impacts of the surrounding landscape, along with access/egress arrangements, parking provision, and the waste storage.

Following consultation seven objections have been received in relation to the proposal raising issues including the visual impact of the development on the character of the area, traffic, refuse and drainage.

It is considered that the railway carriage and its proposed use will not prejudice the character and function of the local area or the open countryside and will not significantly affect the special landscape area or prevent adequate and safe access to the site. The use will complement the rural and agricultural uses of the area and it will not be detrimental to any surrounding or nearby properties. The traffic generated, car parking and noise associated with the use will not be of a level likely to result in an unacceptable impact on nearby premises.

SITE AND SURROUNDINGS AND PROPOSED WORKS

Ryehill House is a two-storey property accessed off a private driveway on the south side of Brass Castle Lane. The application site is one of a small number of properties in this local

area, which is principally characterised by open countryside and copses of trees and other landscaping. Recent development of the Bridlewoods development of 5 houses will, when complete, somewhat alter the character to the north of the site.

The application seeks planning consent for the permanent siting of a restored railway carriage for use as guest accommodation in association with the main building.

PLANNING HISTORY

20/0259/DIS Discharge of condition 2 (Scheme for storage & removal of refuse) and condition 4 (Parking plan) on planning application 17/0419/COU
Full Discharge Conditions - 17th June 2020

17/0419/COU Change of use to Bed and Breakfast
Approve with Conditions - 1st December 2017

PLANNING POLICY

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities must determine applications for planning permission in accordance with the Development Plan for the area, unless material considerations indicate otherwise. Section 143 of the Localism Act requires the Local Planning Authority to take local finance considerations into account. Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires Local Planning Authorities, in dealing with an application for planning permission, to have regard to:

- The provisions of the Development Plan, so far as material to the application
- Any local finance considerations, so far as material to the application, and
- Any other material considerations.

Middlesbrough Local Plan

The following documents comprise the *Middlesbrough Local Plan*, which is the Development Plan for Middlesbrough:

- Housing Local Plan (2014)
- Core Strategy DPD (2008, policies which have not been superseded/deleted only)
- Regeneration DPD (2009, policies which have not been superseded/deleted only)
- Tees Valley Joint Minerals and Waste Core Strategy DPD (2011)
- Tees Valley Joint Minerals and Waste Policies & Sites DPD (2011)
- Middlesbrough Local Plan (1999, Saved Policies only) and
- Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).

National Planning Policy Framework

National planning guidance, which is a material planning consideration, is largely detailed within the *National Planning Policy Framework* (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The NPPF defines the role of planning in achieving economically, socially and environmentally sustainable development although recognises that they are not criteria against which every application can or should be judged and highlights the need for local circumstances to be taken into account to reflect the character, needs and opportunities of each area.

For decision making, the NPPF advises that local planning authorities should approach decisions on proposed development in a positive and creative way, working pro-actively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and that at every level should seek to approve applications for sustainable development (paragraph 38). The NPPF gives further overarching guidance in relation to:

- The delivery of housing,
- Supporting economic growth,
- Ensuring the vitality of town centres,
- Promoting healthy and safe communities,
- Promoting sustainable transport,
- Supporting the expansion of electronic communications networks,
- Making effective use of land,
- Achieving well designed buildings and places,
- Protecting the essential characteristics of Green Belt land
- Dealing with climate change and flooding, and supporting the transition to a low carbon future,
- Conserving and enhancing the natural and historic environment, and
- Facilitating the sustainable use of minerals.

The planning policies and key areas of guidance that are relevant to the consideration of the application are:

Housing Local Plan (2014)

H1 Spatial Strategy

Core Strategy DPD (2008)

CS4 Sustainable development
CS5 Design
DC1 General Development

Saved Local Plan Policies

E20 Limits to Development
E21 Special Landscape Areas

Minerals and Waste

MWC4 Deep Minerals – Salt
MWC4 Shallow Minerals

Other

Middlesbrough's Urban Design Guide

The detailed policy context and guidance for each policy is viewable within the relevant Local Plan documents, which can be accessed at the following web address.
<https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy>

CONSULTATION AND PUBLICITY RESPONSES

Planning Policy -

The use as guest accommodation is in-keeping with the use of the main building and is therefore an appropriate use in this location. Careful consideration must be given to the siting of the railway carriage in relation to this special landscaped area, should it be considered that it would distract from the quality of the landscape or is detrimental to the character and appearance of the surrounding area, it could be contrary to policy.

Highways –

No objection

Environmental Health –

No Comments

1 Ryehill Farm Cottage , Brass Castle Lane

Loss of privacy/ Traffic /Highway safety/Parking provision

The B&B and Café situated next to my cottage creates a lot of traffic. The guests often travel passed my cottage to gain access to the B&B. I have installed a gate to stop this happening however the Holmes family refuse to shut the gates leading to the farm and my cottage. The also instruct guests to leave through the farm, which results in traffic passing by my cottage at all hours. I do not have a path, my cottage leads straight to the drive. I have attached images of guests and delivery drivers passing. With two small children and two dogs this creates a lot of disruption. The noise upsets my dogs who then bark. I am worried about the increased traffic should the above plans be given the go ahead. The speed in which people pass in their cars is also a worry, I have CCTV footage of this as we have had it installed due to safety worries.

Susan Holmes requested in the original planning in 2018, a one way system for guests to travel through the B&B drive way, passed my cottage and through the farm yard onto the private road, which then leads back onto Brass Castle Lane. This provided concerns for the council so it was withdrawn by Susan Holmes. It has however been the way in which guests often enter, it continues to be a major issue for myself and two young children. Gates being left open by guests makes the farm and my cottage unsecure and encourages people to enter.

Guests park outside my cottage, often blocking access for myself and parents next door. We have had verbal abuse from the Holmes family and guests when asking them to keep access clear and to not park in my parking area. Parking planning was submitted in May 2020 for the B&B guests which is not followed. It showed that there was no resident or guest parking in the drive outside our homes, again this is not the case. The Café that is currently being run creates more traffic as this was not in any plans. The café can be seen from their website and on social media. This is used daily dog walkers and passers-by. It has resulted in foot traffic passing my cottage into the private farm yard. We have dog waste being left and dogs running on private land off lead which is a concern.

Guests and delivery drivers often turn in the area outside my home, which results in cars edging within inches to my front door. I worry for the safety of myself and family when leaving my home.

Adding more guest accommodation is a major worry as there is not enough parking for the Holmes residents and B&B guests. This is without taking into account the Café guests.

Noise

With the Café creating gatherings on the patio to the rear of the property in larger numbers, it can become very loud during the daytimes. Music can often be heard on an evening/night time as well as drunken guests in the hot tub etc. I am concerned about the increase in guests and how I foresee it creating my noise for ourselves. Again the noise from cars leaving, often late at night wakes my son regularly as his bedroom is above the drive way guests have been using.

Government Policies

The Holmes family have never contained their waste, recycled or stored it correctly! I have an ongoing complaint within the refuse team, a Bupa bin has been stored outside our property with overflowing rubbish which has been there since January 2019. Not just the bin but the waste itself. I have photos which I will attach. I am beyond frustrated that this is still an ongoing issue and this creates vermin problems for myself and parents living next door. They do not adhere to Government waste guidelines, they dispose of waste on their land, they burn waste regularly that then creates smoke that blows into our open windows and onto our washing outside.

The Holmes family also operate a food produce company which they then dispose of rubbish from this onto their land. I am at a loss as to how this is still happening and how adding further guests will impact on this.

Planning was never submitted for The Café which runs for passing guests and they also serve alcohol to on an evening. This has resulted in drunken guests leaving Ryehill house late at night.

Appeals and Previous decisions

It has been the trend that what is submitted for planning has not been what has come to pass and I worry about what will happen if this planning is approved. Susan Holmes is unapproachable and shows little regard for her neighbour's safety. I have attached photos of guest's vehicles parking outside my home, passing by my front within a few inches and delivery drivers gaining access through the farm yard passing my property alarmingly close in a lorry.

East Close Farm, Sedgfield,

We are the owners of the agricultural land adjoining the proposed development site. Having studied the planning application, we would like to make the following comments:

It is stated that foul sewage is to be disposed of by septic tank but we understand that regulations changed on 01/01/2020 and now a sewage treatment plant needs to be installed for a new development.

The site can be seen from the footpath approximately 400m to the south of the development and also quite easily seen from Brass Castle Lane, especially since the 'non-existent' trees on the site are in the process of being felled and logged. We saw this for ourselves when we visited the site on 8th January.

No mention is made regarding the supply of mains water and electricity to the site, so presumably, both supplies will be required by guests staying in the carriage and electricity for lighting the surrounding area. Again, this will be very noticeable from Brass Castle Lane. The person who completed the planning application obviously knows very little about siting a heavy object onto bare land. Materials required for vehicle access and hard standing are put on the form as 'not applicable'.

In its permanent position, will the carriage wheels be sited on railway lines supported by sleepers or will the wheels be placed directly onto the ground? In either case, because of the large size and weight of the carriage, it will be necessary to remove many tonnes of soil from the final position and replace with many loads of stone in order to establish a hardcore base. Without this solid base the carriage would be dangerously unstable and sink into the soft ground. The crane brought in to move the carriage will also require an area excavated

and filled with hardcore to act as a crane pad for lifting the carriage from the delivery vehicle and repositioning it on its final site. This crane pad will need to be plate tested before any work commences for safety reasons.

Finally, and most importantly, does the restored railway carriage have a safety certificate covering the materials with which it is constructed?

We ask this question because, when the carriage was built back in the 1950's, the main material used at that time for insulation purposes was asbestos. If this is still present within the body of the carriage then it has the potential to become a serious hazard to public health, the health of any guests staying in the carriage and also to the wider environment.

The carriage is already 70 years old and obviously not as robust as when it was first constructed. It is intended that this will be situated in an exposed position open to all weather conditions which, most probably, will cause further deterioration. The only way to prevent any future incidents would be to insist that all hazardous materials including asbestos are removed before the carriage is delivered to site. This should be part of any planning approval conditions.

In our opinion there are two noteworthy features on the Ryehill House site, one being Ryehill House itself and the other being the beautiful tree-lined entrance road surrounded by attractive, mature woodland on either side. By their own admission the applicants have stated that the carriage is not suitable to be placed near to the house. Why therefore, will it be suitable to place it on or near the other site of outstanding beauty?

3 Bridlewoods, Brass castle Lane, Marton, Middlesbrough

I object to the proposed scheme at the entrance to Ryehill house/Bridlewoods. I feel that should this be allowed it will have a detrimental impact on the aesthetics of the surrounding area. Not only this but given that its location at the entrance gates, which are permanently open, is clearly visible from the road a used railway carriage would likely attract antisocial behaviour when uninhabited.

Although I am not in the hospitality industry, I am concerned that should this idea prove not to be a viable business investment what then will happen to a permanently sited railway carriage? In this case I expect if planning was granted for the permanent siting of the carriage it would be more cost effective for the owner to simply leave it to rot.

I do not object to the principal of a railway carriage being used for accommodation, however I feel it could be better sited out of public view, within the grounds of the house, to avoid loss of privacy and amenity to the Bridlewoods Development. Therefore I urge the council not to approve this application at the entrance to my home.

1 Bridlewoods Brass Castle Lane Marton Middlesbrough

I would like to lodge an objection to the proposed siting of a former railway carriage next to my, soon to be built, new home.

Myself and my architect have spent a lot of time and effort on the design of my new property in order to appease concerns raised by the planning department and local residence. The design we now have approval for is for of a semi sunk courtyard property with a sedum roof. This specialised design will add great cost to the build but massively reduce its visual impact. I feel this will have all been a waste of time, effort, and money if this application is approved.

I urge the planners and the committee to consider the detrimental impact on the surroundings, my property being overlooked, the integrity of the bridlewoods development and the fact that the application is against the local development plan. I feel should the proposed railway carriage be given the in-depth consideration my property had it will surely be declined on the grounds of its impact on the surrounding areas.

Kelt Properties LTD - Developer of Bridlewoods, Brass Castle Lane, Marton, Middlesbrough TS8 0UF

We object to the siting of a railway's carriage at Ryehill house. If this application were to be approved, it would have a detrimental effect on not only the whole Bridlewoods development but also the surrounding area of brass castle lane.

The chosen location is clearly visible from brass castle lane and the bridlewoods development. Not only that but it seems clear that tree felling is required to house the carriage and make provision for car parking thus increasing its visibility.

We have been sympathetic to the 'countryside' location in our development of Bridlewoods. Every provision has been made to make sure not only does our development have a reduced impact on the area but also improves it where it can. We feel our efforts and investment will have been wasted should the council/committee allow a used railways carriage to take up a prime position directly at the entrance to bridlewoods.

4 Bridlewoods, Brass Castle lane

I wish to object to the planning application for the following reasons.

1. The carriage to be in full view from Brass Castle Lane.
2. An area of natural beauty with no history of railways.
3. Railway carriage not in keeping with other buildings on brass Castle Lane.
4. Adverse effect on the landscape.
5. Further accommodation if needed should be located nearer to the property.
6. Any accommodation needed should be of brick build.

I would also like to add that I am building my house in an area of natural beauty and I believe this would hinder the landscape terribly. For these reasons I wish to strenuously object to the planning application. I am also prepared to speak at any planning committee meeting or hearing.

2 Ryehill Farm Cottage, Brass Castle Lane

After reading all relevant documents concerning the planning application for permanent siting of a railway carriage for use as guest accommodation, I have very serious concerns. The small courtyard area directly in front of my home is owned by Mr and Mrs Holmes and they have access across the farmyard to Brass Castle Lane. Despite voicing our concerns over the volume of customers and deliveries passing my cottage, it continues to happen. Customers and delivery drivers do not have access through the farm, only residents, and the Holmes family instruct them to do so. The customers also use the area in front of our home to turn, which is extremely unsafe and results in them pulling within inches of our cottages. I have had 2 cars hit my parked vehicle and customers regularly move our property to allow for enough room to turn around, including our wheelie bin and wheelbarrow. Customers often park in front of our cottage, often blocking our access and blocking our cars in. We have 2 young grandchildren living next door and the vehicles manoeuvrings and speed give me great cause for concern. The parking planning submitted in May 2020 for the B&B states that the parking is situated alongside the Holmes residence and there is ample room for turning, this is not the case. There is also a drop in cafe situated within the B&B that results in not only customers arriving in cars but also on foot as there is a public walkway running through the farm, these customers use private land to access the cafe often leaving farm gates open.

The Holmes residence fail to contain their waste and store refuse which I contacted the Refuse department regarding this in October 2019. This then went to the complaints department as even after the bin storage planning was submitted in May 2020, it still was not adhered to. This is an ongoing problem. It has created a vermin problem for myself. I had a consultation with a pest controller who identified that the tunnelling is coming from the Holmes land and that the waste collecting in front of my property is the food source. The

Bupa bin outside has been there for 1 year, without being emptied in this time. I worry about the effect more customers would have on this issue.

The site states that there is available space for the railway carriage to be erected yet there has been mature trees felled and disposed of onto the private farm land running alongside of the Holmes property. Mr Holmes clearly states on the application that no work has yet been started.

Now as I type this during another nation lockdown, I have had 3 different cars pass through the farm yard from the Holmes residence, 2 of which are not the Holmes family. I have not seen these vehicles before or the people opening our gates to access the Farm yard. Both leaving Gates open as they go. The Holmes family want to add parking do their large existing drive way yet often refuse to customers to access it, which confuses me as to how more customers will not add to our existing problems. I have had CCTV installed for our own safety and will attach images for you to see that the large numbers of traffic are causing major safety worries and stress for ourselves.

Public Responses

| | |
|--------------------------------------------|----|
| Number of original neighbour consultations | 12 |
| Total numbers of comments received | 7 |
| Total number of objections | 7 |
| Total number of support | 0 |
| Total number of representations | 0 |

PLANNING CONSIDERATION AND ASSESSMENT

Overview

1. The application before Members is a full application for the permanent siting of a restored railway carriage as guest accommodation in addition to the current bed and breakfast use of the main building, Ryehill House East. The main issues to consider with the application are the principle of the use of the application site, the siting and design/appearance of the restored train carriage, vehicular access/egress arrangements, and the potential impacts on the residential amenities of the occupiers of neighbouring properties. These and other material planning considerations are considered as follows.

Relevant National and Local Policies

2. National guidance relating to development that supports economic prosperity in rural areas is contained within the National Planning Policy Framework (NPPF). Local authorities are encouraged to recognise the role that rural areas play in supporting the local economy, and to encourage and support economic growth in rural areas. The NPPF recommends that local authorities take a positive approach to sustainable new development in order to create jobs and prosperity in these rural areas. Local authorities should also support and promote the development and diversification of rural businesses, as well as to support sustainable rural tourism that bring benefits to the rural area.
3. The relevant policies in the Local Development Plan regarding this application are DC1 (General Development) and CS4 (Sustainable Development) and CS5 (Design) of the Core Strategy (adopted 2008), H1 (Spatial Strategy) of the Housing Local Plan DPD (adopted 2014) and E20 (Limit to Development) and E21 (Special Landscape Areas) of the Local Plan (adopted 1999) and MWC4 (Minerals and Waste). Policies

DC1 and CS4 seek to achieve high quality development that is situated in the right place and minimises the impact on neighbouring occupiers.

4. The application site is located close to the southern edge of the borough, beyond the limit to development and within defined special landscape area. Any proposed development beyond these boundaries must be considered against the criteria within Policies E20 and E21. Policy E20, in the interests of protecting the open countryside. These policies identify a limit to development beyond which development will be strictly controlled, with allowable development referenced as including tourism proposals which are compatible in scale, materials, and appearance with a rural setting and designed to be integrated with the surrounding landscape.
5. Policy E21 determines special attention will be given to the protection and conservation of the scenic quality and character of the landscape in the areas designated as Special Landscape Areas. With development only permitted where it will not detract from the special scenic character and quality of the landscape, is of a high standard of design and is carefully located to reflect the traditional scale and character of buildings and landscape in the area and that the use of material is sympathetic to the locality, and does not have a detrimental impact on features important to the landscape, such as trees and hedges.
6. Policies CS4 and CS5 require development to demonstrate sustainability and high quality design, preserving the character or appearance of areas of special interest. Policy DC1 requires development to take account of the visual appearance and layout of the development and its relationship with the surrounding area in terms of scale, design and materials.

Proposal and principle of the development

7. The proposal seeks the permanent siting of a classic railway 'sleeper' carriage for guest accommodation associated with the existing bed and breakfast venue operating from Ryehill House East, which is a large country home. In terms of the actual train carriage its internal fixtures and fittings will be updated, restored and intended to be renovated to provide modern luxury accommodation to offer visitors to the town and rail enthusiasts the unique experience to be accommodated overnight in a traditional sleeper carriage. Externally there will be no additional buildings or fabrication added to the carriage. The carriage is approx.. 21m in length, 4m in width and 4m in height. The train carriage is intended to sit separately to Ryehill House East adjacent the private road, to the north of the site but south of Brass Castle Lane. Access to the site will be via the existing entrance to Ryehill House, off Brass Castle Lane. Car parking for carriage guests will be available immediately inside the gate. The carriage will be for the use of self-catering guests accommodating one or two families at any one time for stays between 3 and 7 days.
8. In principle, the proposed development is considered to be in accordance with the national guidance, as it would bring people and visitors to the area and support, not only the immediate rural economy, but also the wider economy, albeit on a small scale.
9. The countryside at this location is defined in part by the nature and appearance of Brass Castle Lane, a rural road without footpaths, as well as the golf course, open fields and areas of wood / copses. The recently approved and partially developed Bridlewoods development will represent a clear change in character to this area, providing 5 houses, and entranceway / feature adjacent to Brass Castle Lane in close proximity to the application site. These changes will therefore create a less rural aspect to the wider site setting. The train carriage will be visible from outside of

the site to some degree, adding an interesting feature within the landscape which is complimentary to the other tourist and accommodation attractions in this location. However the immediate area is lined with trees and the surrounding area is heavily wooded. Given the size, scale and location of the carriage the significant landscape features would continue to dominate the local landscape and would provide a backdrop of trees from several aspects. It is therefore considered that this small scale proposal would therefore have only a low impact on the special landscape and scenic character of the area which is considered to be acceptable without undermining the principles of saved Local Plan Policy E21.

Impacts on Privacy and Amenity

10. The proposed holiday accommodation unit is set away from other residential properties by sufficient distance to prevent this proposed residential use having an undue impact in relation to privacy and amenity. Access/egress arrangements, parking provision, and waste storage that are associated with this type of accommodation and its operation must also be considered, and it is noted that a number of concerns have been raised by occupiers of neighbouring properties with regards to the current arrangements at Ryehill House East. However it is noted that these concerns largely refer to the existing Bed and Breakfast use at the main building rather than at the proposal site which although is a similar use will operate separately and will occupy a fairly secluded position to the north of the main building away from existing residents.
11. The supporting documentation contained with the application is limited although given the size of the site the limited traffic which is likely to attend the accommodation, the need for only a limited amount of parking, and waste storage arrangements can all be reasonably accommodated within the curtilage of the site without detrimentally affecting the character and appearance of the open countryside or amenities associated with neighbouring properties. A condition is recommended to address these matters. In principle, therefore, the proposed development is considered to be acceptable and in line with Policy E20, CS4 and DC1 in these regards.

Highways impacts

13. Highways concerns have been raised by various local residents. The site plan submitted in support of the application, indicates that guests arriving to the site will enter via the private track road south of Brass Castle Lane and that six parking spaces will be made available for guests adjacent the train carriage, three either side of the road, although it is anticipated there will only be two spaces required at any one time. Assuming guests would use the carriage as a base and would go out on day trips, the guests would exit and enter once or twice per day. Access and parking arrangements in association with the carriage accommodation are adequate in this case and will have minimal impact on other residents in this area. There are no Highway objections to the use and siting of the railway carriage in accordance with DC1.
14. Concerns have been raised in respect of the carriage being brought to site and the impacts this will have. This is not specifically a material planning consideration unless it requires specific development works requiring permission for this to be undertaken. The applicant has advised that it will be winched on rails from a roll on roll off lorry rather than craned in and it is considered this is likely therefore to have only a temporary implication. Any operations in or adjacent to the highway by the haulier or others will need to adhere to relevant highway legislation / safety requirements.

Trees

15. Concerns have been raised regarding a number of trees that have been recently removed on site. The applicant has confirmed that two large trees have been felled, one that was leaning dangerously and was unsafe and one that was diseased and unsafe with further suggestion that hedge trimming and removal of small self seeders will continue as part of normal annual maintenance. There is no specific requirement for trees to be removed as part of this scheme and the surrounding trees are not protected by TPO status.

Other Matters

16. The applicant has advised that they have made tentative enquiries regarding drainage. The two options available are Mains Drainage or a septic tank but have yet not had a quotation for either option but will choose one or the other. As such a condition is recommended to address this matter
17. Waste and recycling from the site will need to be left at the nearest highway point (Brass Castle Lane) for collection. The commercial waste bin is also sited just inside the Ryehill House entrance, and will be available for Carriage Guests to use. The bin is currently emptied weekly. The contract could be amended should the need arise.

Conclusion

18. On balance, the proposal is considered to constitute an acceptable form of development and the provision of relatively unique guest accommodation within the site of existing tourist accommodation is considered to complement the offer without unduly undermining the rural and agricultural character of the area. The use as guest accommodation is in-keeping with the use of the main building and is therefore an appropriate use in this location.
19. Overall, the principle of the use and siting of the train carriage is considered to be acceptable, and the detailed matters of the highways implications, parking arrangements and waste storage are not considered to result in harm to the local rural area, which is designated as a special landscape area and beyond the limit of development. Officer recommendation is to approve subject to conditions.

RECOMMENDATIONS AND CONDITIONS

Approve with Conditions

1. **Approved Plans**

The development hereby approved shall be carried out in complete accordance with the plans and specifications below and shall relate to no other plans.

- a. Location plan received 16th December 2020.
- b. Carriage details received 16th December 2020.
- c. Proposed site plan (showing access, parking provision and refuse arrangement) received 22nd February 2021.

Reason: To ensure a satisfactory form of development and for the avoidance of doubt.

2. **Time Limit**

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

3. Removal of carriage

The carriage shall be removed from site when no longer used or required as holiday accommodation for more than a 12 month period.

Reason: To prevent the building having an unjustified impact on the character of the area and to retain the character of the area outside the development limits.

4. Drainage, Waste Storage, Vehicle Parking & Carriage base

The development hereby approved shall not be brought into use until schemes for foul and surface water drainage, waste receptacle storage, vehicle parking and a base on which the carriage will stand have been submitted to and approved in writing by the local planning authority. The approved development shall only be used whilst the approved schemes of drainage, waste storage and vehicle parking are provided and operational. Should the carriage be removed from the site in accordance with the requirements of conditions hereby imposed or for other reasons, then any areas, equipment and any structures associated with drainage, waste receptacles, vehicle parking and carriage base, as approved by this condition, shall be removed from the site within 3 months of the carriage being removed.

Reason: To prevent long term unjustified impacts on the character of the area from the approved matters.

REASON FOR APPROVAL

This application is satisfactory in that the siting of the railway carriage for use as guest accommodation accords with the principles of the National Planning Policy Framework (NPPF) and the local policy requirements (Policies DC1 (General Development) and CS4 (Sustainable Development) and CS5 (Design) of the Core Strategy (adopted 2008), H1 (Spatial Strategy) of the Housing Local Plan DPD (adopted 2014) and E20 (Limit to Development) and E21 (Special Landscape Areas) of the Local Plan (adopted 1999) and MWC4 (Minerals and Waste).

In particular, the railway carriage and its proposed use will not prejudice the character and function of the local area or the open countryside and will not significantly affect the special landscape area or prevent adequate and safe access to the site. The use will complement the rural and agricultural uses of the area and it will not be detrimental to any surrounding or nearby properties. The traffic generated, car parking and noise associated with the use will not be of a level likely to result in an unacceptable impact on nearby premises.

The application is therefore considered to be an acceptable form of development, fully in accordance with the relevant policy guidance and there are no material considerations, which would indicate that the development should be refused.

Case Officer: Joanne Lloyd

Committee Date: 5th March 2021