

**DELEGATED**

**AGENDA NO 6**

**PLANNING COMMITTEE**

**25 MAY 2016**

**REPORT OF DIRECTOR,  
ECONOMIC GROWTH AND DEVELOPMENT  
SERVICES**

**15/2082/FUL**

**Land East Of 2 Bentley Wynd, High Street, Yarm**

**Construction of 20 bed boutique hotel and related bar and bistro and creation of vehicular access.**

### **Update Report**

Since the publication of the committee report, Highways, Transport and Environment have given further consideration to the highway safety concerns they had relative to the scheme and these considerations are appended to this update report. It is now suggested that to remove the concerns regarding use of the layby the layby is not provided and that servicing is undertaken from within the site. The considerations advise that servicing vehicles using the layby as proposed would have been required to reverse into the application site to undertake a 3 point turn and re-enter the High Street, rather than taking a more problematic route around West Street which was the approved approach in relation to the extant consent. The service vehicles will still undertake the same manoeuvre but will also load and unload on the service road within the site.

This proposal is acceptable in terms of highway safety given it is not requiring additional manoeuvres than would already take place. The removal of the layby from the scheme would reduce the impacts on the amenity of the approved but yet to be built mews development on the opposing side of Bentley Wynd as service vehicles would no longer be parked directly in front of those properties. Instead, the service vehicles would be within the walled parking area associated with the proposed use. The additional impacts on the adjacent residential property of 2 Bentley Wynd as a result of removing the layby would relate to movement of goods into and out of service vehicles. The existing high wall between the two sites would limit any visual impact and reduce some of the associated noise impacts. Given the position of the layby initially proposed only being several metres away, given there being likely to only be a small number of service vehicles attending the site and given the ability to limit the hours when the premises can be serviced (away from the early or late hours and only limited servicing on weekends), it is considered that this would not be a significant impact on the amenity of the adjacent property.

### **Recommendation**

It is recommended that the application be approved in line with the recommendation within the main report subject to the amendment of conditions 11, 12 and 13 which control the provision of parking, the layby and layby management. It is recommended that these be amended to ensure only staff use the on-site parking to prevent visitors vehicles making awkward manoeuvres into and out of the site when there is insufficient capacity for all visitors, for control over servicing hours and for the agreement of a service arrangements management plan to be agreed as detailed below.

### ***Replacement condition 11 – Parking***

- 11 *The four parking spaces shown on the approved plan shall be used by staff only and shall be provided and brought into use prior to the development hereby approved being brought into use and shall remain as available staff parking for the lifetime of the development.*

*Reason: In order to limit the impacts of the development on the parking in Yarm centre and provide for the demands of the scheme and to prevent undue impact on amenity to immediately adjacent neighbour)*

**Replacement condition 12 - Provision of Access and Footpaths**

- 12 *Notwithstanding the plans hereby approved, the layby indicated to be provided on Bentley Wynd shall not be constructed, and the development shall not be brought into use until the proposed access into the site and footpaths adjacent to the site have been provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.*

*Reason: In order to ensure adequate provision is made to serve the development and to prevent undue traffic impacts for other road users.*

**Replacement condition 13 – Servicing and Deliveries**

- 13 *The commercial use of the building hereby approved shall not commence until a scheme of servicing and deliveries has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be restricted to defining the hours of servicing to the site. The commercial uses on site and their associated servicing will be operated in strict accordance with the approved scheme of servicing and deliveries.*

*Reason: In order to prevent unnecessary manoeuvring within the surrounding highway environment and to prevent undue impacts on residential amenity in accordance with the requirements of the National Planning Policy Framework.*

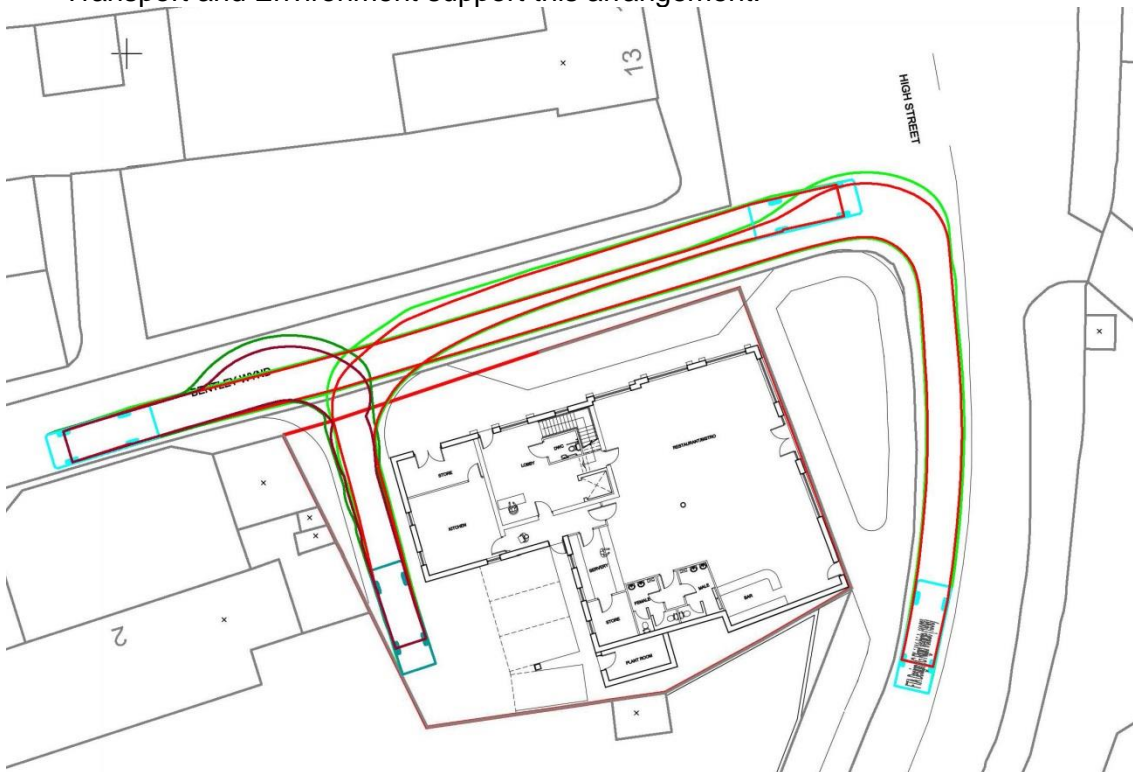
## **Appendix1:**

### **Update to previous Memo (dated 17/05/16) by Highways, Transport and Environment**

In order to overcome the highways safety concerns, previously set out, associated with the provision and management of the drop-off / service layby on Bentley Wynd it is the LHAs opinion that the lay by should be removed and that servicing arrangements should be undertaken from within the proposed in-curtilage car park.

The current proposals require all service vehicles, having exited the proposed lay by, to reverse into the hotels site access from Bentley Wynd before re-joining the highway in a forward gear. The removal of the lay by would still require this manoeuvre to be undertaken with service vehicles reversing into the site access, stopping to carry out any deliveries / collections, and then re-joining Bentley Wynd in a forward gear.

The continuance of service vehicles along West Street is not practicable and it was always the intension of the applicant to use Bentley Wynd both for an access and egress. Highways, Transport and Environment support this arrangement.



#### **Auto-tracking of revised servicing facilities**

By re-locating the proposed external door to the store room from the frontage of the building on to the gable end all deliveries / collections could be taken directly between the car park and the building. This arrangement would also allow for the temporary storage of refuse bins, within the car park, prior to collection removing them from the frontage of the building.

In order to remove any potential conflict between hotel patrons using the substandard car park and service vehicles the car park should be dedicated for staff use only. This would reduce the number and frequency of vehicle movements at this location to certain times during the day associated with the arrival / departure of staff and it would be possible to co-ordinate service deliveries to further minimise the potential conflict. It would also prevent hotel residents entering into the car park as they would be unaware that there wasn't sufficient in curtilage car parking spaces to serve all the proposed rooms. In addition, drop off would most likely occur which would lead to the space

becoming over parked. This would result in cars reversing out onto the highway, which is both contrary to the Highway Code and a highway safety issue.

A car park / service delivery management plan, as previously proposed, could then be agreed by condition to control the use of this private area by:

- Reserving the parking spaces within the in-curtilage car park for staff use only with signs stating 'No Public Access' at the entrance to dissuade guests at the hotel utilising this area;
- Restricting the hours within which service vehicles can enter the premises e.g. between 10:30 am and 3:30 pm;
- Restricting the number of vehicles which can be on the premises to 4 cars and one service vehicle at any time.

This proposed arrangement, with the removal of the lay by, would not require the implementation or enforcement of Traffic Regulation Orders by the LHA and could therefore rely wholly on the Planning Act. It would also enable the LPA, through a controlling condition, to agree the proposed arrangements to the frontage of the building and provide the opportunity for an enhanced street scene.

Highways, Transport and Environment consider that the substitution of hotel resident parking with staff parking should bring forward the necessary highway safety improvements and reduce the instances for enforcement action that may need to be undertaken due to unauthorised uses of the lay by. However, the revision will not result in any additional car parking spaces as such the car parking provision for the proposed development remains inadequate.

Highways, Transport and Environment do not support this proposal for the reasons detailed previously, however, it is considered that with the removal of the highway safety concerns should the application be conditioned as set out above there are insufficient grounds to object in this instance.