

Reference number: 15/504345

Attention is drawn to condition 6 requiring submission of a traffic management plan which shall include measures to restrict commercial vehicle access to the site to the south via Hunt Street only.

However signage is already in place to this effect, being the traffic management measures secured in connection with planning permission ref:MA/10/0839 (being the application permitting live/work use of this building). As such condition 6 is not necessary for this reason. Notwithstanding this, any traffic on Mill Lane is not considered to be objectionable on highway safety or amenity grounds, and as this is a private lane, this is a civil matter.

In addition, it is not reasonable to expect the applicant to be able to control the routes taken by drivers of commercial traffic to and from the site, and the applicant does not have the power to stop use of Mill Lane. Any condition to control traffic would therefore not pass the test for planning conditions laid out in Government guidance.

Policy ENV45:

The report states the application is in line with all the exceptions set out in policy ENV45 of the adopted local plan. However this is not strictly correct as no evidence has been provided of attempts to find a commercial reuse of the flats nor does the building have acknowledged heritage merit.

Notwithstanding the above, as the exterior of the building is as originally approved, updated guidance on rural development set out in the NPPF postdating policy ENV45, that agricultural buildings can now be used for a variety of purposes (including residential) as permitted development and that it was not possible to secure a live/work use as approved, it is considered appropriate to recommend approval for the application even though all the requirements of policy ENV45 are not met.

Recommendation remains unchanged subject to the removal of condition 6.