

**Item 4a**                    **11/00989/FUL**

**Case Officer**            **Matthew Banks**

**Ward**                      **Lostock**

**Proposal**                **Section 73 application to remove Conditions 2 (use of building) and 5 (personal permission) attached to planning approval 10/00563/COU.**

**Location**                **Jumps Farm 147 South Road Bretherton Leyland Lancashire**

**Applicant**               **Mr SJ Wignall**

**Consultation expiry:** **28 December 2011**

**Application expiry:** **5 January 2012**

**Proposal**

1. Section 73 application to remove Conditions 2 (use of building) and 5 (personal permission) attached to planning approval 10/00563/COU.

**Recommendation**

2. It is recommended that this application is approved subject to conditions.

**Main Issues**

3. The main issues for consideration in respect of this planning application are:
  - Background information;
  - Principle of the Development;
  - Design and impact on the streetscene;
  - Impact on neighbour amenity;
  - Access and parking;
  - Impact on the Bretherton Conservation Area;

**Representations**

4. To date (27 January 2012), a total of five neighbour objections have been received concerning this application. The points raised in these letters can be summarised as follows:
  - The recently authorised enforcement action at the Council's Development Control Planning Committee on the 13<sup>th</sup> December 2011 is relevant to the application and concerns the building subject of this application;
  - The development has arrived as a result of planning by stealth;
  - A holistic approach should be taken to regularise the use of the site;
  - If the Council is initiating enforcement action the application should not be determined and should be withdrawn;
  - Building A was re-built as a wood workshop but was never laid out in this way.
  - The wording of both conditions is defective and confused, however the reasons for the conditions are not.
  - If the application is approved, a number of conditions should be imposed to control development of the site, these include:
    - A condition restricting hours of operation and use of Building A;
    - A condition requiring the submission of car parking scheme and landscaping;
    - A condition requiring details of foul drainage;
    - A condition requiring the unity of occupation at Jumps Farm;
    - A condition restricting the use to that which meets the needs of a local business;
    - Neighbour nuisance has been present at the site for some time;
    - The site is within the Bretherton Conservation Area which should remain largely undisturbed;
    - The B5247 is the main route for many HGV's and is heavily trafficked at all times;

- Many properties on South Road have no off-road parking facilities;
- The latest application will result in an increase in commercial vehicles to and from the site;
- The access to Jumps Farm is not particularly wide and vehicles related to the landscaping business often have difficulty in entering and leaving the site, temporarily blocking the road;
- The access is directly opposite a thriving village primary school, with breakfast club and after-school facilities, operating from 08.00am until 18.00pm daily;
- The increase in traffic will be a real danger to both pupils and parents and the road safety hazard is most relevant to the proposed permission;
- The removal of the occupancy condition will result in a material change in the character of the use of the Jumps Farm planning unit;
- Unrestricted hours of operation at the site will generate vehicular movements which will cause material harm to the amenity of local residents;
- The application should be assessed as if it were an application for Change of Use of Building A for office use unconnected with other activity being conducted at Jumps Farm;
- Issues of traffic generation / highway safety and on-site car parking should be considered;
- The application should be refused or withdrawn until details of foul drainage, hours of operation and highways have been fully considered;
- An hours of operation condition is essential and meets all six tests for planning conditions as outlined in Circular 11/95;
- The banging of car doors will cause detrimental harm if allowed to occur at any time, day or night;
- Proposed foul drainage details are required to ensure a satisfactory mains drainage connection is in place prior to occupation of Building A;
- The removal of Conditions 2 and 5 removes any protection to neighbouring residents which have been applied to previous permissions;
- Building A has never been used for a workshop and it was never the intention of the applicant to use Building A solely for their own use;
- Currently up to 40 vehicles use this site which would increase further if these conditions are removed;
- The applicant's approach to development at this site has been inconsistent;
- Access and parking is of concern, particularly being sited within close proximity to the local school;
- The Parish Council did not provide comments on the application because they do not have a meeting in January.

### **Consultations**

5. **Parish Council** – None received.
6. **Lancashire County Council (LCC) Highways** – No objection. LCC (Highways) advise the existing access to the site is sub-standard in terms of visibility sightlines and therefore any significant intensification of vehicular movements at the site should be discouraged.
7. However, LCC advise it is unlikely that there will be a material change in traffic levels using the site access, in which case it would be difficult to sustain a highway objection.

### **Assessment**

#### Background information

8. The application site has a lengthy and varied planning history. The site originally comprised a poultry farm, but has evolved over time with many of the original buildings now demolished.
9. The application site now essentially comprises 3 buildings. These include: Building A (used by the applicant as an office for his landscaping business - but is predominately vacant), Building B (used by 'Norris Garden Buildings' as a wood workshop which also benefits from an extant planning permission to be re-built and used permanently as a wood workshop) and Building C (which is used as a workshop in connection with the applicant's landscaping and gardening business).

10. The only building subject of this application is Building A, however, given the nature of operations at the site, the use of the buildings are somewhat interdependent and connected.
11. Historically the development of this site has come about in an ad-hoc manner over a lengthy period, resulting in a detailed planning history and combination of permanent and temporary planning permissions. This uncoordinated approach has resulted in the Council authorising enforcement action concerning a number of issues at the Development Control Planning Committee on the 13<sup>th</sup> December 2011. However, it is important to note that none of the enforcement matters relate to Building A.
12. A neighbour objection has been received in relation to this application drawing attention to the above enforcement matters highlighting the development of the site is 'planning by stealth'. This neighbour also argues that given the detailed history at the site, a holistic approach should now be adopted to regularise all activity.
13. The Council has noted the above issues and discussed these in detail with the applicant and their agent. The applicant now proposes a coherent and structured approach to developing the site in a bid to appease neighbour tensions and ensure the site maximises its financial potential. The removal of Conditions 2 and 5 are the first stage in this process.
14. The Council is mindful of timescales concerning the above approach, however, the applicant has confirmed in writing that if the current application is approved, three planning applications will be submitted to the Council within 28 days of the decision notice. These would include: (1) an application to allow Building C to be used as a workshop by the current occupiers of Building B (The applicant will also continue to use Building C as a workshop); (2) an application to change the use of Building B back to a store to be used in connection with the applicant's landscape gardening business (which would allow the removal of the unlawful containers on site) and; (3) an application to regularise the existing 'bin stores' which currently contain loose material used in connection with the applicant's landscape gardening business.
15. The applicant is aware that if this deadline is not adhered to then the council will initiate enforcement action.

#### Principle of the development

16. This application seeks permission to remove Conditions 2 and 5 from planning approval 10/00563/COU.
17. The historic development of the site is one of primary concern for the Council, given how development of the site has evolved over recent years, particularly with discrepancies in information submitted before the Council in past supporting statements.
18. Condition 2 was imposed with planning permission 10/00563/COU in the interests of the amenity of the local residents and to ensure appropriate development of the site. The site has historically developed through an incremental and ad-hoc approach, where some planning permissions have been sought retrospectively and others determined at appeal.
19. Condition 2 reads:  
  
*"The use of building A hereby permitted as an office shall only be used in connection with the use of Building B (permitted as a permanent workshop) and shall not be used in connection with any other use(s) on or off site.*  
*Reason: In the interests of the amenities of local residents and to ensure appropriate development of the site."*
20. Firstly, it is considered that Condition 2 was partly imposed because of discrepancies in information intimated during the course of the application 10/00563/COU which confusingly suggested that Building A would be used in connection with Building B. However, this was not the case and Building A is in fact used in connection with the applicant's landscaping

business and Building B is used by separately by 'Norris Garden Buildings'. As such, it is not considered that Condition 2 should have been imposed with planning permission 10/00563/COU and therefore it is reasonable in this case, to allow its removal so that Building A can be occupied and used lawfully as originally intended.

21. With regard to Condition 5, this reads:
22. *"The permission hereby granted shall only endure for the benefit of Mr SJ Wignall only and whilst at resident at Jumps Farm, South Road, Bretherton.  
Reason: The application has been permitted to accommodate the needs of Mr Wignall's business only and the letting and or diversification of other businesses within building A could lead to an unacceptable proliferation of development for which the site was not intended."*
23. It is important to note at this point that the change of use of Building A to an office was (to some degree) permitted under the application 10/00563/COU because the applicant stated within their Design and Access Statement that Building A would *"be used solely for the business related to Jumps Farm"* as the admin activity (which was run out of the farmhouse) had outgrown the available space.
24. The Council has questioned this statement and the applicant has responded stating this was the intension at the time of submitting the application, but it was not always the intension that the arrangement would remain this way.
25. Notwithstanding the above, the applicant argues that circumstances have now progressed and if permission is granted to remove Condition 5, this will allow the building to maximise its potential without causing harm to the amenity or character of the area.
26. The applicant argues that the removal of Condition 5 would still allow them to occupy part of the building (to meet their current and future office needs for the landscaping business), but will also allow the remaining vacant portion to be used by a separate client.
27. Building A currently has permission to be used as an office (B1), and in removing Condition 5, it is not considered this will significantly change the nature of the activity within the building as it would remain in a B1 office use. Additionally, in looking at the principle of the development, the use of the building for shared purposes finds support in national and local planning policy.
28. In the case of this application, the application site is within the Green Belt, where Policy DC7A of the Adopted Chorley Borough Local Plan Review promotes the re-use of existing buildings within the Green Belt for commercial, business and employment uses. Also, the removal of Condition 5 will not result in any physical alterations to the building and so it is considered the principle of the development will remain acceptable and not impart any greater harm to the openness of the Green Belt than at present.
29. The use of the building also finds support under Policy EC12.1 in Planning Policy Statement 4 (PPS4) which states:
30. *"re-use of buildings in the countryside for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations and for some types of building. In determining planning applications for economic development in rural areas, local planning authorities should:*
31. *(d) approve planning applications for the conversion and re-use of existing buildings in the countryside for economic development, particularly those adjacent or closely related to towns or villages, where the benefits outweigh the harm of: (i) The potential impact on the countryside, landscape and wildlife; (ii) local economic and social needs and opportunities; (iii) settlement patterns and the level of accessibility to service centres, markets and housing; (iv) the need to conserve, or desirability of conserving, heritage assets and; (v) the suitability of the building(s), and of different scales, for re-use recognising that replacement of buildings should be favoured where this would result in a more acceptable and sustainable*

*development than might be achieved through conversion.”*

32. Additionally, the guidance stipulated within PPS4 is consistent with that covered in Planning Policy Statement 7 (PPS7) which supports sustainable development in rural areas.
33. Building A is not within the settlement of Bretherton, however is within close proximity to the settlement boundary. It is considered the building is within a relatively sustainable location within close proximity to the main arterial road running through Bretherton (South Road) which is served by a regular bus service. In addition, the applicant has also undertaken a sequential assessment of the Bretherton Settlement to establish that there are no available, more appropriately sited offices within the Bretherton area that would be suitable for occupation before Building A.
34. It has been acknowledged that an objection letter received from a neighbouring resident states that if Conditions 2 and 5 are removed, a number of new conditions should be imposed to protect the residential amenity of neighbours and to ensure the appropriate use and development of the Jumps Farm site. The suggested conditions include: (1) a restriction on the hours of operation; (2) a condition requiring the submission and approval of a scheme for car parking and landscaping; (3) a condition requiring the submission and approval of foul drainage; (4) a condition which requires the unity of occupation of the Jumps Farm Site and; (5) a condition restricting the use to that which meets the needs of a local business.
35. Firstly, it must be noted that the hours of operation of Building A were not restricted with the original application (10/00563/COU) as the use of Building A (for B1 purposes) was considered to be one which could be carried out within a residential area without causing detriment to the amenity of that area.
36. It has been acknowledged that removing Condition 5 will result in Building A being occupied by another business. However, it is not considered any significant detrimental harm would come to the amenity of the neighbouring residents by way of the activity within the building as Building A would: (1) have a use that fits comfortably in a residential area, (2) incorporate only two offices and (3) is well insulated being double glazed and re-built in brick.
37. With reference to the comments received by neighbouring residents, these appear to be more orientated around increased noise and disturbance through an intensification of vehicular movement at the site than operations within the building itself. It has been noted that the use of the building by other business (or businesses) will lead to some increase in vehicular movement, which with no restriction on hours of operation, could lead to car doors opening and closing at any time of the day or night. This would consequently cause a degree of noise and disturbance to neighbouring residential properties.
38. It has also been noted that hours of operation have been conditioned elsewhere at the Jumps Farm site. As such, on balance of the above, it is considered reasonable and necessary to impose a condition restricting the hours of operation of Building A.
39. Secondly, with regard to off-road parking provision, it has been acknowledged the site already has extensive levels of off-road parking space (although none are specifically marked out) and additionally, the applicant has submitted a location plan which shows a defined area of off-road parking to be retained for connection in use with Building A. As such, subject to the submitted plan being appropriately conditioned, it is not considered a refusal of the application could be sustained with regard to off-road parking (further detail concerning access / parking can be found in paragraphs 56 – 66)..
40. With regard to landscaping and maintaining privacy, it must first be noted that the Jumps Farm site (including the farmhouse and Buildings A, B and C) is all within the applicant's ownership.
41. If the scenario arose whereby the applicant chose to sell Building A to allow it to be wholly occupied by a separate business, it is considered the greatest impact would be on the farmhouse itself. As such, it is not considered a landscaping condition is required to protect

residential amenity of the farmhouse as it is considered reasonable to expect the applicant to carry out any alterations or planting to achieve an 'acceptable' neighbour relationship before selling the building. Furthermore, any prospective buyer would also be aware of the situation they were moving into.

42. It is not considered any other landscaping requirements are required to protect or maintain the amenity of the other surrounding neighbouring residents, particularly given the orientation of windows in the building and the nature of the use. It must also be noted that Building A has been the subject of an appeal (ref: 06/00035/FUL) where the Inspector also did not impose such a condition.
43. Thirdly, it has been noted that on the original permission, the applicant stated that foul drainage would be disposed of via the mains sewer. The applicant was contacted regarding the foul drainage arrangements prior to the application going before the Development Control Planning Committee on the 17<sup>th</sup> January 2012 and was advised that the implemented drainage arrangement had not yet been inspected or approved by Building Control.
44. The applicant then contacted the Council's Building Control Team who carried out a preliminary inspection of the foul drainage arrangements on the 17<sup>th</sup> January 2012. However, Building Control subsequently confirmed that further, more detailed inspections were required before the drainage arrangement could be comprehensively approved.
45. As such, it is considered that whilst the issue of foul drainage will be ultimately dealt with through Building Control, the drainage arrangements are yet to be approved. Therefore, it is considered that a Condition requiring the submission of details of foul water drainage details before Building A is occupied by third parties is necessary in this case. This is even more relevant in this case because (1) unlike the applicant, third parties will not have the option of using toilet facilities in the adjacent farmhouse (should there be issues with drainage) and (2) because the existing drainage arrangement has not been approved by building control.
46. Therefore, subject to a pre-commencement condition requiring details of foul drainage, it is considered the above issue would be overcome.
47. Lastly, although the historic development of the site is one of primary concern for the Council, it is not considered reasonable to impose conditions which require the unity of occupation of the Jumps Farm Site or a condition restricting the use to that which meets the needs of a local business. This is particularly important in more recent times given the current economic climate and the encouragement within PPS4 to promote diversifying business uses.
48. As such, on balance of the above, it is considered that removing conditions 2 and 5 will not significantly affect the principle of the development (which is supported in national and local planning policy). The development therefore still remains in compliance with PPG2, PPS4, PPS7 and Policies DC1 and DC7A of the Adopted Chorley Borough Local Plan Review.

#### Design and impact on the streetscene

49. The proposed removal of Conditions 2 and 5 will not result in any external alterations to Building A and so it is not considered the development will have any greater impact on the streetscene than is experienced at present.
50. As such, it is not considered the removal of conditions 2 and 5 will result in any significant detrimental harm to the design and impact on the streetscene.

#### Impact on neighbour amenity

51. Building A has a lawful use as an office to be used only in connection with the applicant's landscaping business. If conditions 2 and 5 are removed then other parties could occupy the building as well as the applicant.
52. It is therefore appropriate to assess whether that removing conditions 2 and 5 would result in any greater significant detrimental harm to the amenity of the neighbouring residents than is experienced at present.

53. The layout of the building would only reasonably accommodate 2.no tenants, one of which would be the applicant. As such, given the nature of the permitted use (i.e. B1 offices), it is not considered the increased activity at the site, in such a well insulated building would amount to an increase in noise, disturbance or activity that would result in greater significant detrimental harm to the amenity of the neighbouring occupiers.
54. The Council has noted the reason why conditions 2 and 5 were imposed with the original planning permission which related to protecting the amenity of the neighbouring residents and to prevent proliferation of development at the site. However, it is considered that partially letting Building A will not result in greater significant detrimental harm to the amenity of the neighbouring residents than is currently experienced on site. Furthermore the applicant has agreed to a restriction on the hours of operation of the building and confirmed they will retain sufficient office space within the building to satisfy their current and future office needs thereby not resulting in an additional building at the site in the future.
55. Additionally, it must also be noted that the nature of a B1 use is as such that it can be carried out in a residential area without causing detriment to the amenity of the area. As such, it is not considered there will be any significant detrimental harm to the amenity of the neighbouring residents should conditions 2 and 5 be removed.

#### Access and parking

56. The removal of Condition 5 will allow third parties to occupy Building A and so this could lead to an increase in vehicular activity and demand for off-road parking at the site.
57. However, the area surrounding the existing buildings already comprises extensive hardstanding which provides sufficient off-road parking provision to accommodate the likely increase in demand. It has been acknowledged that parking space has not been specifically laid out, however, space is available which is sited far enough from neighbouring residents to ensure no undue increase in noise or disturbance will occur.
58. LCC Highways acknowledge that the existing access to the site is sub-standard in terms of visibility sightlines and therefore any significant intensification of vehicular movements at the site should be discouraged.
59. However, in determining this application with respect to highway related matters, it is considered a number of issues should be taken into account. Firstly, Building A is currently laid out to incorporate only two office rooms and currently benefits from planning permission to be used as an office for the applicant only. Secondly, the current application is for the removal of Conditions 2 and 5, which will still retain the building in a B1 office use.
60. It is considered that if Conditions 2 and 5 are removed, this will enable other office based businesses to occupy the building. However, given the restrictive size of Building A, it is considered that the vehicular activity at the site will be similar to that which could already take place if the personal permission were to remain in effect.
61. It is therefore considered unlikely that there will be a material change in traffic levels using the site access, in which case it would be difficult to sustain a highway objection.
62. With regard to parking, the applicant has submitted an amended site location plan which aims to address the proposed condition concerning allocated off-road parking provision to be used and retained in connection with Building A.
63. The amended site location plan was received by the Council on the 25<sup>th</sup> January 2012 and now shows the proposed parking area associated with Building A (hatched red) re-located approximately 10m from the site boundary with the adjacent property 149 South Road. This parking area would be retained for the parking of vehicles to be used only in connection with Building A and comprises an area of hardstanding which is considered sufficient given the size of Building A. It is not considered necessary to require the applicant to mark out the parking area, provided the area remains for use in connection with Building A only.

64. It must also be considered that the proposed parking area could currently be used to park cars on and is situated over 60m from the adjacent residential property No. 149 South Road, screened by a high hedge which is greater than 2m in height.
65. As such, on balance of the above, it is not considered a refusal of the application could be sustained concerning highway related matters.
66. The development is therefore considered to be in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

#### Impact on the Bretherton Conservation Area

67. The removal of Conditions 2 and 5 will not result in any external alterations to building A and so it is not considered the development will have any greater impact on the Designated Heritage Asset that is the Bretherton Conservation Area than is experienced at present.
68. Therefore it is not considered the removal of conditions 2 and 5 will result in any significant detrimental harm to the character of the Bretherton Conservation Area and so the development remains in compliance with Planning Policy Statement 5 (PPS5).

#### **Overall Conclusion**

69. On balance of the above, the Section 73 application to remove conditions 2 and 5 is accordingly recommended for approval subject to conditions.

#### **Planning Policies**

##### National Planning Policy

Planning Policy Guidance 2: Green Belts (PPG2)

Planning Policy Statement 4: Economic Development (PPS4)

Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7)

##### Adopted Chorley Borough Local Plan Review

Policies: DC1, DC7A, EM2, EP17 and TR4.

#### **Planning History**

The site history of the property is as follows:

- |                     |   |                         |                                       |
|---------------------|---|-------------------------|---------------------------------------|
| <b>Ref:</b>         | 04/00303/COU  | <b>Decision:</b> WDN    | <b>Decision Date:</b> 14 May 2004     |
| <b>Description:</b> | Retrospective application for a change of use of a former poultry cabin (building 'B') to storage in connection with a landscape gardening business, and structural alterations,              |                         |                                       |
| <b>Ref:</b>         | 04/00304/COU  | <b>Decision:</b> WDN    | <b>Decision Date:</b> 14 May 2004     |
| <b>Description:</b> | Retrospective application for the change of use of a former poultry farm workshop (building 'C') to a workshop in connection with a landscape gardening business, and structural alterations, |                         |                                       |
| <b>Ref:</b>         | 04/00370/FUL  | <b>Decision:</b> PERFPP | <b>Decision Date:</b> 7 June 2004     |
| <b>Description:</b> | Retrospective application for excavation of pond and construction of banking,   |                         |                                       |
| <b>Ref:</b>         | 04/00371/FUL  | <b>Decision:</b> PERFPP | <b>Decision Date:</b> 8 June 2004     |
| <b>Description:</b> | Erection of single storey extension to rear,  |                         |                                       |
| <b>Ref:</b>         | 04/00752/COU  | <b>Decision:</b> PERFPP | <b>Decision Date:</b> 27 October 2004 |
| <b>Description:</b> | Retrospective application for a change of use of a former poultry cabin (building 'B') to storage in connection with a landscape gardening business, and structural alterations,              |                         |                                       |
| <b>Ref:</b>         | 04/00753/COU  | <b>Decision:</b> PERFPP | <b>Decision Date:</b> 27 October 2004 |
| <b>Description:</b> | Retrospective application for the change of use of a former poultry farm workshop   |                         |                                       |



(building 'C') to a workshop in connection with a landscape gardening business, and structural alterations,

**Ref:** 05/00603/FUL **Decision:** REFFPP **Decision Date:** 1 August 2005  
**Description:** Relocation of joiners workshop to Building C, (to include a variation of condition No 3 on planning permission 9/95/00760/COU to permit the manufacture of other wood products), and the demolition and rebuilding of Building A for domestic use ancillary to the farm house

**Ref:** 06/00035/FUL **Decision:** REFFPP **Decision Date:** 7 March 2006  
**Description:** Demolition and rebuild of existing workshop,

**Ref:** 07/00874/COU **Decision:** PERFPP **Decision Date:** 10 September 2007  
**Description:** Temporary change of use of existing store as workshop during re-building of existing workshop,

**Ref:** 09/00530/COU **Decision:** WDN **Decision Date:** 3 March 2010  
**Description:** Application for permanent use of previous store to wood workshop (previously permitted on a temporary basis)

**Ref:** 11/00989/FUL **Decision:** PCO **Decision Date:**  
**Description:** Section 73 application to remove Conditions 2 (use of building) and 5 (personal permission) attached to planning approval 10/00563/COU.

**Application Number-** 11/00989/FUL

- Section 73 application to remove Conditions 2 (use of building) and 5 (personal permission) attached to planning approval 10/00563/COU.
- Approve subject to conditions.
- 5 January 2012.

**Recommendation: Permit Full Planning Permission Conditions**

**1. The approved plans are:**

| <b>Stamp-dated on:</b> | <b>DWG No:</b> | <b>Plan Ref:</b> | <b>Title</b>                                  |
|------------------------|----------------|------------------|---|
| 07/07/2010             |                | 411/12           | -   |
| 07/07/2010             |                | 411/13           | -   |
| 25/01/2012             |                | -                | 1944-2  |
|                        |                |                  | <b>Parking Area for Office Hatched in Red</b> |

**Reason:** *To define the permission and in the interests of the proper development of the site.*

**2. The proposed parking area hatched red on the submitted location plan (received: 25 January 2012; Plan Ref: 1944-2) shall not be used for any other purpose other than for the parking and manoeuvring of vehicles in connection with Building A and shall be retained only for this purpose thereafter.**

**Reason:** *To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*

**3. The proposed development must be begun not later than three years from the date of this permission.**

**Reason:** *Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*

**4. All external facing materials shall match in colour, form and texture to those permitted with the application 06/00035/FUL for the permanent re-build of building A.**

**Reason:** *In the interests of the visual amenity of the area in general and the existing building in particular and in accordance with Policy Nos. GN5 & HT7 of the Adopted*

***Chorley Borough Local Plan Review.***

5. **Before Building A is first used by anyone other than the applicant (Mr S J Wignall), full details of the means of foul water drainage/disposal of Building A shall have been submitted to and approved in writing by the Local Planning Authority. Building A shall not be occupied other than by the applicant (Mr S J Wignall) until the works for foul water drainage/disposal have been completed in accordance with the approved details.**

***Reason: To ensure proper drainage of the development (details of which have not yet been approved by Building Control) and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.***

6. **The use of Building A hereby permitted shall be restricted to the hours between 08.00am and 18.00pm on weekdays, between 08.00am and 13.00pm on Saturdays and there shall be no operation on Sundays or Bank Holidays.**

***Reason: To safeguard the amenities of local residents and in accordance with Policy Nos. EM2 of the Adopted Chorley Borough Local Plan Review.***