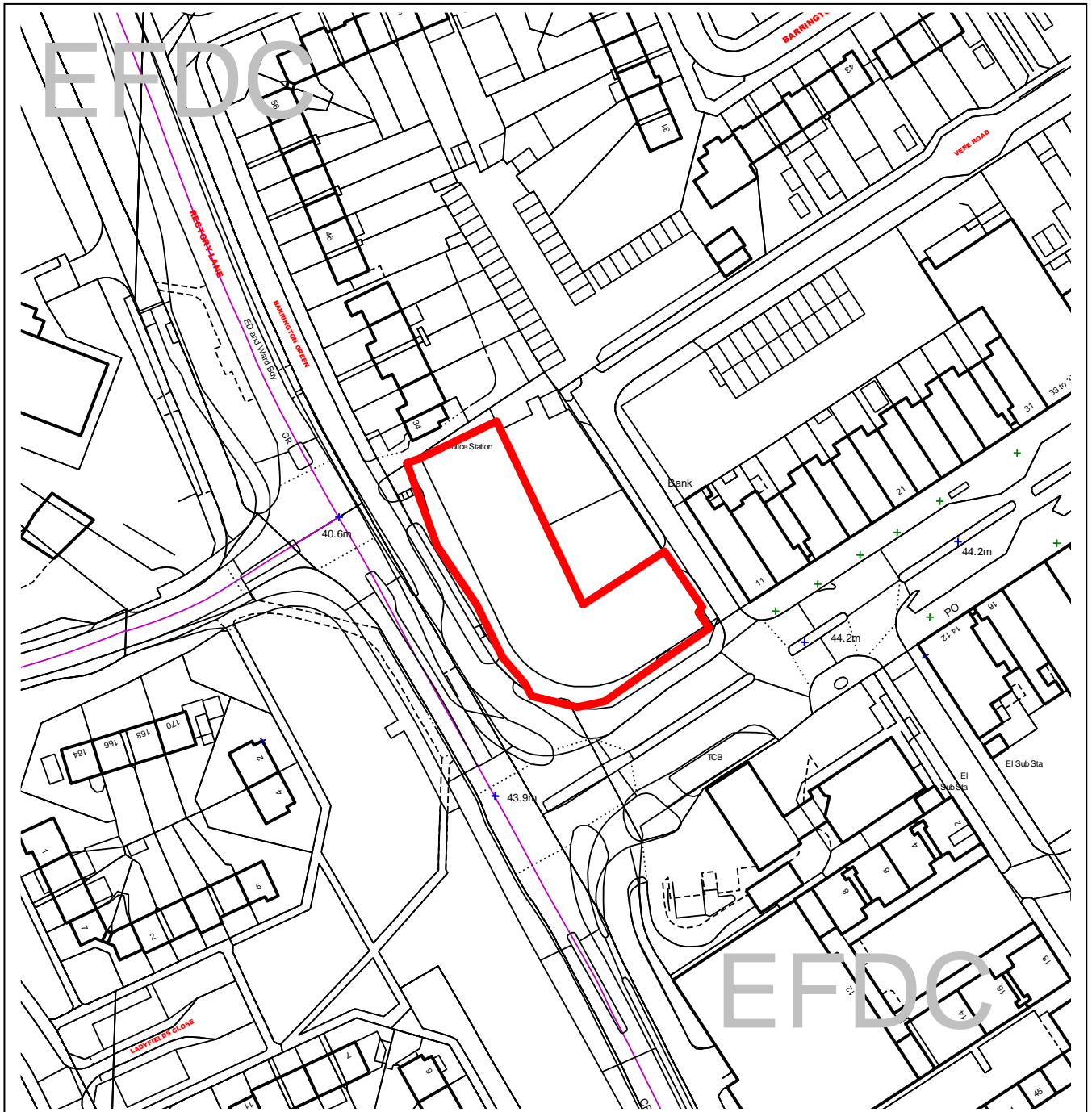




# Epping Forest District Council



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Application Number:	EPF 1782 19
Site Name:	3 Landmark House, the Broadway Loughton Essex IG10 2FA
Scale of Plot:	1:1250

<b>APPLICATION No:</b>	EPF/1782/19
<b>SITE ADDRESS:</b>	3 Landmark House The Broadway Loughton Essex IG10 2FA
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Broadway
<b>APPLICANT:</b>	Mr Kevin Milligan
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a Bin Store within service yard of Landmark House to facilitate waste removal from the commercial premises.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYP E=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=626499](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYP E=1&DOC_CLASS_CODE=PL&FOLDER1_REF=626499)

## **CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings numbers: LANDMK-IWD-XX-XX-DR-A-9001 Rev P3 and Site Location Plan
- 3 Collections from the bin store should not be made outside the hours of 07.00-18.30, Monday - Friday, 08.00-16.00 Saturday, with no collections on Sunday or Bank Holidays.
- 4 Glass when being disposed of shall be deposited in the bin store no later than 22.00 hours and no earlier than 07.30 hour Monday to Sunday.
- 5 The bin store shall remain locked at all times, save to facilitate waste disposal and collection. The bin store should not be left unlocked for a period of more than 2 hours to facilitate the collection of the waste.
- 6 The bin store and bins shall be regularly cleaned every two months, or as frequently as necessary, to prevent the occurrence of any odours which affect the amenity of neighbouring residential properties.

*This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than five objections are received (or in cases where less than 5 were consulted, a majority of those consulted object) on grounds material to the planning merits of the proposal (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).*

### **Description of Site:**

The application site is to the rear of Landmark House a recently completed/occupied mixed use development with commercial units at the ground floor with residential above forming a 'L' shaped building. The application site forms the rear service area/carpark and is accessed from Vere Road. The site is not within the Metropolitan Green Belt or a Conservation Area.

### **Description of Proposal:**

The proposal seeks consent for a detached bin store measuring 10.2m by 2.3m with a maximum height of 2.2m. The proposal will be finished in wood panels with a mono-pitch roof. The bin store will be located backing onto the residential carpark adjacent to the access with Vere Road. At Officer suggestion this position was revised from a previous location which was adjacent to the building and the bin store has also been increased in width by 2m since first submission.

### **Relevant History:**

Various applications relating to air conditioning units, change of use but none relevant to a bin store.

### **Policies Applied:**

#### *Adopted Local Plan:*

CP1 – Achieving Sustainable Development Objectives  
CP2 – Protecting the Quality of the Rural and Built Environment  
DBE1 – Design of New Buildings  
DBE2 – Amenity Issues  
DBE3 – Development Layout  
DBE9 – Loss of Amenity

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

#### *The National Planning Policy Framework*

The National Planning Policy Framework (NPPF) has been adopted as national policy since February 2019. Paragraph 213 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

#### *Epping Forest District Local Plan (Submission Version) 2017*

The Epping Forest Local Plan Submission Version 2017 was submitted for independent examination in September 2018. Accordingly, it can be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

Paragraph 48 provides that decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2<sup>nd</sup> August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

Policy		Weight Afforded
DM9	High Quality Design	Significant
DM11	Waste Recycling Facilities	Significant

### **Consultation Carried Out and Summary of Representations Received**

Date of site visit: 4<sup>th</sup> September 2019

Number of neighbours consulted: 73

Responses received: 9 Objections received from the following addresses:

1, 12, 13, 17, 20, 25, 27, 40 and 41 LANDMARK HOUSE. The objections can be summarised as follows:

Impacts of smell and noise, attracting vermin, view of a bin, unable to open windows

LOUGHTON TOWN COUNCIL – No objection

### **Main Issues and Considerations:**

Character and appearance

The proposal is for a utilitarian designed bin store which is necessary for the disposal of waste by businesses which are served by this rear service yard area. It will be visible from the streetscene but given its muted design and modest height 2.25m is not considered to disrupt the appearance of service yard/road area.

It will be visible from the flats within Landmark House (both from windows and balconies), however as stated above it is well designed and will hide the appearance of more unsightly bins and therefore is considered acceptable in this location.

Neighbouring Amenity

Neighbour objections relate to noise, smell and attracting vermin and have been assessed as part of this application. Bin stores for the commercial units within Landmark House are required and it is considered the service yard is the most appropriate location. The application has been revised since first submission at Officer request, re-locating the bin store away from directly under balconies within the block and increasing the size and neighbours were re-consulted on

this revision. The revised plans have alleviated initial concerns from neighbours with regards to security and bin capacity limits.

Environmental Health were consulted on the application and have suggested conditions which appear reasonable which will limit when collections take place, avoiding the disposal of glass at unsociable times, ensuring the bin store is locked and that the bins and store are cleaned and it is considered that to a sufficient degree these conditions will lessen the neighbouring occupiers' concerns.

The Council's Asset Manager has also confirmed that collections will be as necessary to suit the capacity of the bin (within the scope of any restrictive condition).

**Conclusion:**

The proposal results in a well-designed bin store, situated within an appropriate location and with suitable conditions will limit any significant harm to neighbouring amenity. As such, the proposal is recommended for approval.

***Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:***

***Planning Application Case Officer: Marie-Claire Tovey  
Direct Line Telephone Number: 01992 564414  
or if no direct contact can be made please email:  
[contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***