

Decision Maker: Plans Sub Committee 2

Date: 19 July 2012

Decision Type: Non urgent Non-Executive Non-Key

Title: **Vinstrata Builders Ltd, 4 Lakes Road, Keston BR2 6BN**
Stationing of skip at front of premises

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Chief Officer: Chief Planner

Ward: Bromley Common and Keston

1. Reason for report

A complaint has been made concerning the use of a skip on the frontage of a building company's premises. In the absence of a planning application consideration must be given to whether enforcement action is required.

2. **RECOMMENDATION**

No further action

3. COMMENTARY

- 3.1 The site is in a mixed residential and commercial area and the premises have been the head office of Vinstrata Builders (London) since 2002. The main business of the firm is office refurbishment in London.
- 3.2 Waste materials, such as partition walling, which are generated during normal working hours are taken directly to waste processing sites. However, some work has to be done at night when disposal sites are closed and this is brought back to Lakes Road for temporary storage in a skip on the site frontage prior to disposal during normal working hours.
- 3.3 The skip is positioned on the wide frontage between the building and the pavement and is covered by a tarpaulin to prevent disturbance of the contents (see photos on file).
- 3.4 Complaint was first made in 2007 concerning the presence of a skip at the premises. The matter was considered under delegated authority and it was decided that the use of the skip was ancillary to the purpose of the premises, not requiring planning permission for waste transfer.
- 3.5 A renewed complaint has been received about the stationing of the skip and alleging that the company's vehicles are reducing the number of parking spaces available to residents
- 3.6 On 10 May 2012, the matter was discussed on site with the managing director of Vinstrata. He stated that skips had been in use by his firm in the manner described since taking over the site in 2002 and that they are not a permanent feature, only being hired when needed. He also stated that two previous occupiers, a printing firm and a joinery workshop, had also used a skip for holding waste. He said it was not possible to locate a skip at the rear of the premises.
- 3.7 In order to achieve a formal determination of the matter, Vinstrata were then requested in writing to submit an application for a Certificate of Lawfulness for an Existing Use.
- 3.8 On 15.06.2012 a letter was received from Vinstrata stating that their use of a skip is occasional and does not amount to use as a waste transfer station. They are unable to produce records going back 10 years but state the following:
 - In the years 2009-2011 they hired 5, 7 and 12 skips respectively and 9 skips in the first six months of this year.
 - The previous owner, Anagram Print Works, brought waste materials back to the site for subsequent disposal
 - Prior to Anagram, the premises was a joinery and repair workshop
 - The current level of return and disposal of waste represents a small part of the business and is ancillary to the building business.
- 3.9 On the balance of probability, the available evidence indicates that the storage and disposal of waste has occurred at the premises at least since 2002, but forms a minor part of the business and does not constitute a separate waste transfer activity.