

My ref: ENF/10/00324

19 July 2010

Mr Steve Inkpen
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Enquiries to: Thomas Doyle
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Dear Mr Inkpen,

TOWN AND COUNTRY PLANNING ACT 1990

Location: **The Eric and Treby Estates, Treby Street, Mile End, London.**

Relevant Planning permission: Ref: PA/09/02065

Alleged Breaches:

- Breach of condition 3 (Contamination)
- Breach of condition 4 (Service and Delivery Management Strategy)
- Breach of condition 5 (Construction Management Plan)
- Breach of condition 11 (Landscaping Strategy and Management Plan)
- Loss of Open space at open space site 3
- Extension of car park resulting in loss of open space at open space site 2.
- Use of site 15 for storage.

I am writing to you in connection with the above mentioned matters that have been brought to the attention of the Council.

A recent site visit has revealed that works have commenced over and beyond site preparation works and the digging of foundations, which in my opinion constitutes the commencement of development.

As such, I have outlined the individual breaches and the actions that need to be taken. A written response and confirmation of the points raised within this letter should be submitted to the Council within 7 days of the date of this letter.



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Breach of Condition 3 (Contamination)

After conducting a site visit it is apparent Open Space 3 has been completed and foundations have been laid at site 14, prior to Condition 3 having been formally discharged. I am of the understanding that this matter is being addressed by way of further on-site tests and that you are awaiting the results of these tests and the submission of validation certificates.

In the interim, Open Space 3 and site 14 must be closed **immediately** until the results of these tests are received and any further remediation works have been carried out (if required).

This is of particular importance at Open Space 3 given it is a children's playground and the official opening is due to take place this Saturday.

Breach of Condition 4 (Service and delivery management strategy)

Given development has commenced at Site 14 beyond site preparation works and the digging of foundations this site should be closed **immediately** until condition 4 has been fully discharged.

Breach of Condition 5 (Construction Management Plan)

A new construction management plan has been submitted to the Council and is under consideration; however this has not been formally approved. This plan is vital to the effective management of the site, public safety and the smooth operation of the surrounding road network. Please cease all works on site that constitute the commencement of development until this condition has been formally discharged.

Breach of Condition 11 (Landscaping Strategy and Management Plan)

A site visit revealed that Open Space 3 has been completed, including landscaping, prior to this condition being formally discharged. The Council does not consider it expedient to take action on this matter at this point in time as the landscaping can be changed if there are certain aspects of the scheme the Council is not in agreement with when the formal Approval of Detail application is submitted. Please could you confirm that no further landscaping works will be done on the estate before this condition is formally discharged.

Loss of Open space at open space site 3 & 4:

As previously stated, this site should be closely **immediately** due to contamination concerns. Additionally, after conducting a site visit and taking measurements of the parking space in relation to the open space it is noted that the development has not

been carried out in accordance with approved plan, ref: F528/PO_28C of PA/09/02065.

Specifically there appears to be a significant reduction in the size of the open space (approximately 80m² or a 40% increase in the amount of tarmac). It was also observed that the car parking spaces have been finished in tarmac instead of charcoal block paviments as per the approved plan.

Additionally we have noted that the situation appears to be mirrored at Open Space 4.

As such, you are required to reduce the car parking space and reinstate the correct amount of open space along with the charcoal block paviments in the car parking bays (for parking space delineation) in accordance with approved plans, ref:F528/PO_28C and F528/P0_29 Rev C. This needs to be undertaken within the next **28 days**.

Extension of car park resulting in the loss of open space at Open Space Site 2.

A site visit revealed that the majority of open space at the Open Space 2 site has been tarmaced for temporary parking. Please could you confirm who the parking area is intended for and how long it is to be used for this purpose (please specific dates). The Council will expect this to be returned to open space in the near future.

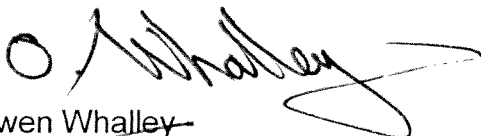
Use of Site 15 for storage.

A site visit revealed that Site 15 appears to be being used for storage. Please confirm exactly what this site is being used for and for how long it is intended to be used as such. If the use of the site is for storage in connection for the works at Eric & Treby then this would be permitted development.

Please take note that failure to adhere to the above requests or respond within the next **7 days** will result in the immediate commencement of formal enforcement action. This may include the service of a Breach of Condition or Enforcement Notice and/or a Temporary Stop Notice.

I would ask that you contact the above named officer directly should you wish to discuss the content of this letter and any implications it may have for East End Homes.

Yours faithfully,



Owen Whalley
Head of Planning and Building Control
Cc: Telford Homes.