

My ref: ENF/10/00324

16 August 2010

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Dear Mr Osborne,

TOWN AND COUNTRY PLANNING ACT 1990

Location: **The Eric and Treby Estates, Treby Street, Mile End, London.**
Breach: Breach of conditions attached to planning permission, ref: PA/09/02065

Thank you for your letter dated 9 August 2010 to Mr Whalley, the contents of which have been noted. Mr Whalley has asked that I respond.

I appreciate that EEH are committed to improving the estates transferred from LBTH and I am sure that once this project is completed the benefits will be apparent to all residents.

However, as previously mentioned, the reason planning enforcement investigations have been initiated is due to complaints being raised that a considerable amount of work has been undertaken on the estate prior to the discharge of the relevant planning conditions and that some of the works have not been carried out in accordance with the approved planning permission (PA/09/02065).

As you will appreciate, the Council takes reported breaches of planning control seriously and will conduct investigations in response to such complaints to ensure planning permissions are adhered to and that schemes are completed in accordance with planning controls.

Aside from this, I am glad to hear that a recent site visit from the Council's Enforcement Team revealed that no further works appeared to have been carried out in breach of the planning permission granted. Provided this continues and the development is completed in accordance with the permission granted then there will

be no need for the Council to take any further action. Taking this into account and the fact previous correspondence has clearly identified the issues and actions required, it is felt a further meeting is not required.

Please note the individual responses to the breaches to date.

Breach of Condition 3 (Contamination)

I appreciate that further submissions have been made for site 14 and that other areas are currently being tested. Please ensure that all of the relevant elements of this scheme are discharged prior to the commencement of development at each site.

Breach of Condition 4 (Service and delivery management strategy)

Thank you for your response. I am advised that this condition should be cleared by the end of the month. Please ensure no further works take place on site until this condition has been discharged.

Breach of Condition 5 (Construction Management Plan)

Thank you for confirming that the revised CMP has been submitted. My understanding is that the consultation process has commenced.

Breach of Condition 11 (Landscaping Strategy and Management Plan)

I note that the submission for landscaping will be made in due course, and that this will occur prior to the occupation of any new residential units in accordance with condition 11, as stated in your earlier letter.

However, as stated in previous correspondence, you are also required to carry out remedial works at open space 3 and 4 to reduce the car parking spaces and reinstate the correct amount of open space along with the charcoal block pavements in the car parking bays (for parking delineation) in accordance with the approved plans of PA/09/02065.

Given the retention of as much open space as possible was identified as a key issue in the early stages of this application, I would again request that these works are prioritised and carried out to accord with the approved plans of the consent before the landscaping submissions. As a reasonable timetable has not yet been proposed, I would request that these works are completed within 2 months of the date of this letter. Please be aware that failure to complete these works within the timeframe given may result in formal enforcement action being taken.

Temporary Car Parking at Open Space 2:

Thank you for confirming you will make a planning application for the use of this site as a temporary car park. Please ensure that an application is submitted within the next 28 days.

As previously mentioned, the estate will continue to be monitored and the carrying out of any further works prior to the pre-commencement conditions being discharged may result in enforcement action being taken.

Additional alleged breaches:

Since our last correspondence, the following alleged breaches of planning control have been brought to the attention of the Council.

Breach of condition 14 (Construction hours).

Works commenced on site prior to 8am on the 9th of August 2010. You are reminded that condition 14 of PA/09/02065 allows works to only be carried out between the following times:

- 08:00 hours to 17:00 hours, Monday to Friday
- 0:800 hours to 13:00 hours on Saturdays.

As such, please ensure works are only carried out between these permitted times.

Breach of condition 15 (Hammer driven piling or impact breaking)

Works occurring on site prior to 10am. Please note that condition 15 allows hammer driven piling or impact breaking to be carried out between 10.00 hours to 16.00 hours, Monday to Friday and not at all on Saturdays, Sundays and Bank Holidays.

Again, please ensure this condition is adhered to.

If you wish to discuss any of the issues raised in this letter further please do not hesitate in contacting the above named officer directly.

Yours sincerely,



Thomas Doyle
Planning Enforcement Officer

Cc: Telford Homes.