

Agenda Item number:	8.1
Reference number:	PA/08/02239 (Planning Permission) and PA/08/02240 (Conservation Area Consent)
Location:	The Eric and Treby Estates, Treby Street, Mile End London.
Proposal:	Regeneration of existing estate comprising the refurbishment of existing buildings, the demolition of 27 bedsits, two x one bed flats at 1-14 Brokesley Street, 106-128 Hamlets Way and 1-7 Burdett Road and the erection of buildings between 2 and 7 storeys to provide 181 new residential units (comprising 19xstudio, 61x1bed, 52x2bed, 40x3bed and 9x5bed), a new community centre of 310 sq m, a new housing management office of 365 sq m and 85 sqm commercial space.

1. ADDITIONAL REPRESENTATIONS

1.1 Since the publication of the report, 46 additional letters of objection have been received and the representations are summarised below:

- Concerns raised in relation to additional parking in Brokesly street and the rising costs of being a householder.

Officer response: All new units will be subject to a car-free agreement. The rising costs of being a leaseholder is not an issue that can be considered as part of this application.

- The height of site 15 exceeds the height of the adjacent buildings resulting in loss of skyline views and impairment of light to their premises.

Officer response: Officers consider the height to be acceptable given the surrounding context and the fact that Hamlets Way is a wider road that can accommodate this scale of building. A daylight and Sunlight report has been submitted which shows that the development would meet BRE guidelines.

- Clarification of building position to ensure that the balconies do not result in a loss of privacy.

Officer response: Officers can confirm that the proposed balconies will not result in any loss of privacy over and above that which currently exists.

- Loss of green area.

Officer response: This is already considered in the main report at paragraphs 8.141 to 8.160 and paragraphs 5.5 to 5.12 of the addendum report.

- Damage to their property as a result of the building works.

Officer response: Damage to property is a matter to between residents and the applicants East End Homes.

- Insufficient open space between buildings.

Officer response: This is already considered in the main report and the addendum report.

- Need for good natural daylight.

Officer response: This is already considered at paragraphs 8.60 8.68 the main report.

- Detrimental and stressful impacts of overcrowding.

Officer response: This is already considered in paragraphs 8.17 to 8.19 of the main report.

- Parking stress as a result of the loss of existing parking spaces and garages and the addition of more families on site.

Officer response: This is already considered in paragraph 8.168 to 8.172 of the main report and the addendum report.

- Loss of public open space.

Officer response: This is already considered in paragraph 8.149 to 8.157 of the main report and 5.5 to 5.12 of the addendum report.

- lack of social housing in relation to the ones already demolished.

Officer response: In relation to paragraphs 5.27 / 5.28 of the addendum report. It should be noted that the 48 new dwellings are predominantly family units replacing the 29 bedsits. The 35% affordable housing provision is a net figure, that is, after the re-provision of HR's lost by the demolition of the 29 bedsits/flats.

In terms of habitable rooms, this results in a loss of 31 HR however as the scheme as a whole provides 193 habitable rooms there is a uplift of 162 habitable rooms in the affordable housing provision.

- Unacceptable design.

Officer response This is already considered in paragraph 8.69 to 8.136 of the main report.

- Lack of proper consultation with residents.

Officer response: The Council has carried out the necessary statutory consultations on this matter. The Council is unable to comment on the effectiveness of separate consultation carried by the applicants but is aware that such consultation has taken place.

- Building on green spaces and other sites and car parks.

Officer response: This is already considered in the main report at paragraphs 8.141 to 8.160 and paragraphs 5.5 to 5.12 of the addendum report.

- Increase in neighbourhood conflicts due to increase in intensity.

Officer response: This is already considered in paragraphs 8.17 to 8.19 of the main report.

- Loss of secure private green space resulting in loss of security, anti-social behaviour, loss of privacy.

Officer response: This is already considered in the main report at paragraphs 8.141 to 8.160 and paragraphs 5.5 to 5.12 of the addendum report.

- Insufficient children's play space.

Officer response: This is already considered in the main report at paragraphs 8.141 to 8.160 and paragraphs 5.5 to 5.12 of the addendum report.

- Insufficient infrastructure to support the new development.

Officer response: A Service management plan has been conditioned.

- Height of the structure at Site 15 would be higher than existing structure resulting in light issues and impact on conservation area. It should of a similar height to properties at 33-36 Eric Street. Proposal as it steps up to 6 storeys would impact on their visible sky line, and result in a loss of light

Officer response: This is already considered in the main report at paragraphs 8.130 to 8.136 and paragraphs 5.19 to 5.20 of the addendum report.

- Loss of daylight and morning sunlight to properties in Hamlets Way

Officer response: This is already considered at paragraphs 8.60 8.68 the main report.

- Clarification of the setback of site 15 from the Road.

Officer response: Site 15 is set back approximately 4m from the back of pavement edge.

- Balconies do not respect the character of the Conservation area.

Officer response: This is already considered at paragraphs 8.54 to 8.59 the main report.

- Unacceptable mix.

Officer response: This is already considered at paragraphs 8.30 to 8.34 the main report.

- Misrepresentation of figures from the additional appendix to the agenda dated the 13 May 2009 in relation to the two petitions received.

Officer response: A further check has clarified that Berkely house provided a 31 signature petition, whilst a petition collected outside of Ennerdale House and Derwent House and by knocking on doors yielded 136 signatures.

- Too many units for private sale, insufficient affordable units for people on the Councils housing waiting list.

Officer response: The proposal provides the correct amount of affordable units provided for by policy.

- Demolition in Hamlets Way and Burdett Road

Officer response: There is no planning contravention in relation to the demoliyion therefore officers cannot comment.

- Plans presented in the “Housing Choice” program and subsequent ballot are significantly different from the proposal being presented as part of this application.

Officer response: Officers can only consider the application that is front of them and cannot formulate a recommendation based upon the housing choice document. To do so would leave the decision open to challenge.

- Too high a density and too many new buildings proposed.

Officer response: This is already considered in paragraphs 8.17 to 8.19 of the main report.

- Requirement for school places.

Officer response: A s.106 contribution is sought to provide for any increase in school places required by the proposal.

- Loss of views

Officer response: Views are not protected under planning law.

- Loss of value of flats

Officer response: This is not a planning matter.

- Another housing office block is not required and not sustainable.

Officer response: This is already considered in paragraphs 8.13 to 8.15 of the main report

- Conduct of the meeting in May:
 - written objections not present at committee
 - officers did not highlight loss of light to 644 Mile End Rd
 - Site 10 shows an incorrect footprint for the flat at rear of 644-646 Mile End Rd
 - Daylight and sunlight readings not taken from affected properties
 - figures supplied to Councillors relating to open space are factually inaccurate and misleading.
 - 10% disabled parking not considered
 - No consideration of impact of construction traffic

Officer response:

- written objections are presented in an update report to committee;
 - worst case scenarios were used in the sunlight and daylight assessment and therefore it was unnecessary to take readings from each individual property;
 - a revised plan (F28/P10/01 D) shows the footprint of the building together with an approximate footprint of an extension approved under PA/05/1707;
 - officers do not agree that the open space figures are factually incorrect;
 - 10% disabled parking is provided across the whole of the application site;
 - a construction management plan will be conditioned.
- Conduct of officers post meeting 2009:
 - Officers failed to accurately record the minutes of the meeting.
 - No reference to how car-free developments discriminates against families with children.
 - Communal playspace requirement for children living in Brokesley Street
 - Council refused to supply draft minutes of the meeting.
 - Incorrect procedures and processes.

Officer response:

- officers disagree that the minutes have not been recorded correctly. Notes were taken and corroborated by 3 different officers.
- car free policy is driven by national, and regional policy guidance and such issues are not for the consideration of the development control committee, and should be raised during the consultation period at the time the policy is being drafted.
- communal playspace is already considered in the main report at paragraphs 8.141 to 8.160 and paragraphs 5.5 to 5.12 of the addendum report and officers have no further comments to add.

- minutes of the meeting are made available on the Councils website. FOI requests is not a matter for the DC committee and should be resolved through the complaints system,
- Planning Documentaion:
 - Inadequate response to alternative proposals for 1-14 Brokesley Street
 - Alternative proposals for construction traffic access and emergency access

Officer response:

- Officers consider that the response provided in the addendum report adequate deals with the issue.
- Officers can only consider proposal that are submitted as a formal part of the planning application and cannot consider alternative proposals submitted by third parties.
- Percentage of affordable housing is unclear in the report. Is the 35% affordable housing figure after or before the loss of the 29 bedsits/flats units?

Officer response: In relation to paragraphs 5.27 / 5.28 of the addendum report. It should be noted that the 48 new dwellings are predominantly family units replacing the 29 bedsits. The 35% affordable housing provision is a net figure, that is, after the re-provision of HR's lost by the demolition of the 29 bedsits/flats.

In terms of habitable rooms, this results in a loss of 31 HR however as the scheme as a whole provides 193 habitable rooms there is a uplift of 162 habitable rooms in the affordable housing provision.

2 RECOMMENDATION

- 2.1 My recommendation is unchanged