RECOMMENDATION

1. Grant planning consent.

Site location and description

2. The application site is a photographic studio and an associated residential unit located on the east side of Bellenden Road. A development site is located to the north that will deliver a new school. A terrace of residential houses is located to the south, with rear of the gardens adjoining the boundary of the site.

3. The property is not listed and is not located within the vicinity of any listed buildings. It is located on the boundary with Holly Grove Conservation Area to the south.

4. The site is also located within Peckham and Nunhead Action Area, Urban Density Zone and Air Quality Management Area.

Details of proposal

5. Planning consent is sought for demolition of the existing building on site and construction of a three storey building with a basement. The proposed building would be approximately 35m deep and 12m wide, thus occupying the middle section of the property at almost full depth. The building would be 8.5m high above ground level, exceeding the ridge of the existing photographic studio by 1.2m.

6. The proposed development would deliver 9 residential units split into two different types of accommodation - 6 flats and 3 houses. The schedule of accommodation would be as follows:
7. | Unit         | GIA (sq.m) | L/K/D (sq.m) | Bedroom (sq.m) | Bathroom (sq.m) | Amenity (sq.m) |
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* en-suite linked to bedroom

8. The proposed development would be constructed using brick, glass as well as bronze and timber panelling. Full height, partially obscure-glazed Crittal windows with some panes coloured green would be installed to elevations and ground floor rooms would feature bi-folding doors.

9. There would be three entrance points into the property off Bellenden Road. Apartments 02 and 03 as well as the three houses would be accessed from the south corner of the property frontage. Apartment 01 would have its own access and the rest of the apartments would have access from the north corner. Bike storage for 20 bikes overall would be provided, with one of the bikes stores dedicated solely to House 03 and one to Apartment 01. Otherwise the bikes would be located below the cantilevered element of the building to the front of the property. A communal bin store would be located on the north side of the property and individual bins for apartments 02 and 03 as well as the houses would be available.

Amendments

10. Since the application was originally submitted, several amendments have been made to the proposal and a re-consultation process has taken place. The following are main changes made to the initially submitted scheme:

a) Removal of lower ground floor accommodation for Houses 01, 02 and 03;
b) Reduction in size of House 03 at ground floor to set it away from boundary line, in keeping with the rest of the south elevation;
c) Introduction of obscured glazing to windows at first and second floor levels and proposed installation of obscure-glazed balustrades;
d) Removal of tiles as a design element to the north elevation;
e) Removal of one car parking space and reconfiguration of cycle storage as well as enlargement of outdoor amenity space associated to Apartment 01;
f) Clarification on retention of the existing south boundary brick wall;
g) House 03 set back at second floor level by 0.3m and installation of additional
obscured glazing at first floor level.

11. **Planning history**

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<td>05/AP/0190 FUL</td>
<td>Change of use of part of the existing commercial building to residential use and erection of external staircase to front elevation.</td>
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<td>Grant (GRA)</td>
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<td>17/EQ/0119 ENQ</td>
<td>Re-development of site: Wholly residential development to provide 1x1 bedroom, 5x2 bedroom and 3x3 bedroom houses</td>
<td>09/05/2017</td>
<td>Pre-application enquiry closed (EQC)</td>
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**Relevant planning history of adjoining sites**

12. Former Highshore School Site, Bellenden Road

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<td>15/AP/2016 FUL</td>
<td>Redevelopment of the site involving the erection of a new two-storey primary school (special educational needs) with associated landscaping and parking</td>
<td>12/10/2015</td>
<td>Granted permission</td>
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**Summary of main issues**

13. The main issues to be considered in respect of this application are:

   a) Principle of development
   b) Impact on amenity of adjoining occupiers
   c) Quality of accommodation
   d) Design quality
   e) Transport impacts
   f) Other matters.

**Planning policy**


   Section 6 - Delivering a wide choice of high quality homes
   Section 7 - Requiring good design
   Section 12 - Conserving and enhancing the historic environment

15. **The London Plan 2016**

   Policy 3.5 - Quality and design of housing developments
   Policy 5.12 - Flood risk management
   Policy 5.13 - Sustainable drainage
   Policy 6.9 - Cycling
   Policy 7.4 - Local character
   Policy 7.6 - Architecture
   Policy 7.8 - Heritage assets and archaeology
   Policy 7.21 - Trees and woodlands

16. **Core Strategy 2011**

   Strategic policy 1 - Sustainable development
   Strategic policy 5 - Providing new homes
   Strategic policy 7 - Family homes
17. Southwark Plan 2007 (July) - saved policies

The council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 1.4 - Employment sites outside the preferred office locations and preferred industrial locations
Policy 3.2 - Protection of amenity
Policy 3.8 - Waste management
policy 3.11 - Efficient use of land
Policy 3.12 - Quality in design
Policy 3.13 - Urban design
Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites
Policy 4.2 - Quality of residential accommodation
Policy 5.2 - Transport Impacts
Policy 5.3 - Walking and cycling


Policy 11 - Active travel
Policy 16 - New homes
Policy 18 - Mix and design of new homes
Policy 20 - Trees
Policy 24 - Heritage
Policy 25 - Built form
Policy 36 - Transport and movement
Policy 37 - Built environment

19. Supplementary Planning Documents

Residential Design Standards (2015 Technical Update)
Holly Grove Conservation Area Appraisal

Summary of consultation responses

20. Numerous neighbour objections have been received throughout the process of the application. In addition to the original consultation, a re-consultation process took place to account for changes made to the application. As such, two sets of consultation responses have been received and are accounted for below.

21. Main concerns raised in the first set of consultation responses:

a) Loss of privacy through overlooking from windows and balconies on the south side;
b) Inappropriate use of proposed signage;
c) Proposed design would not be of high architectural merit and would utilise materials that would not be aesthetically pleasing;
d) The design would not be in keeping with the adjoining conservation area, it would not enhance or preserve it;
e) Lack of car parking would detrimentally affect surrounding occupiers;
f) Change of use from employment space to residential is unacceptable would result in loss of a unique work environment;
g) Consultation letters were not sent to all affected neighbours;
h) The proposal would be too dense for its location and would deliver too many residential units;
i) The proposal would allow for overlooking towards the school that would negatively affect vulnerable students;
j) Possibilities of sports equipment being thrown over the boundary would occur and would have to be dealt with;
k) The school's permission included a condition for obscured glazing to be introduced on the south elevation to mitigate overlooking towards no. 43 Bellenden Road. Since views would be directed towards the school, it is requested that condition is removed;
l) No affordable housing would be provided;
m) Noise disturbance would be created by the large number of future occupiers and the possibility of use of the balconies;
n) Loss of sky view resulting from the increased height and massing of the building in comparison to existing;
o) Concerns over loss of daylight and inaccurate assumptions made in assessment, excluding lower ground floor windows;
p) Impact on trees located in the conservation area during construction and no impact assessment submitted with the application;
q) Insufficient information regarding southern boundary treatment.

22. Assessment: with the consultation responses in mind, several amendments were made to the application, including:

- Removal of basement level to the three houses
- Design alterations, including, removal of tiles to northern elevation, rationalisation of windows to achieve a more symmetrical appearance and introduction of opaque window panels as well as balustrades;
- Reduction in depth of House 3 at ground floor level and reduction of its terrace at second floor level;
- Enlargement of private outdoor amenity space to apartment 1 to the front;
- Re-location of bike storage space and residential bins.

23. Further concerns raised following amendments:

a) Though obscured glazing introduced, at the height of 1.1m it would not effectively mitigate privacy issues raised previously;
b) Distance as shown on plans is not correct - distance between application site and 28 Highshore Road is 18m;
c) Concerns that a tree impact assessment is of insufficient quality and has been created based on assumptions that are not correct, similar concerns regarding impact on trees during construction;
d) Daylight assessment still has not taken into account the lower ground floor windows;
e) Boundary wall information still unclear, especially in connection to boundary wall with no. 34;
f) The new introduced slatted balustrades to Apartments 4 and 6 should be solid to mitigate overlooking.

24. Assessment: Following the second set of consultation responses the applicant has updated all plans to show that the existing brick boundary wall would be retained.
Furthermore, clarification on separation distances has been sought and the building line of House 3 has been set back further by 0.3m and window at first floor level has been obscured to a higher proportion. Separation distance between the site and all other relevant Highshore properties would be more than 21m, as advised by the applicant. Daylight assessment has been revisited and the 25 degree test shows that the lower ground floor windows would not be affected.

25. It is also noted that the applicant has met with neighbours from Highshore Road properties and following the meeting additional changes to the proposed design have been made. The terrace at second floor associated to Apartment 06 has been removed. The screen of Apartment 04 balcony has been shown to be the full extent and a blank panel to the first floor bedroom window of House 3 has been proposed.

Principle of development

26. The existing property contains a photography studio (B1 use) and an associated residential flat (C3 use) that in the officer’s report of the application (05/AP/0190) was described as ancillary to the use of the studio and not self contained.

27. Following the proposed development the B1 use of the site would be lost, as a fully residential development has been proposed. To some extent, a residential use has been established on site. Furthermore, Policy 1.4 of the Southwark Plan does not apply as the property does not have direct access onto a classified road; it is not located within Central Activities Zone, Strategic Cultural Area, Town and local centre, Action area core or Camberwell Action Area. The principle of proposed residential development therefore aligns with Southwark council policies.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

28. As detailed above, a large number of objections and concerns have been expressed in relation to the proposed development. While it is noted that comments about the application have been submitted by some residents of the wider area, it is considered that the occupants that would be most affected by the proposed development are those of no. 28, 30, 32 and 34 Highshore Road, which are the dwellings located to the south of the site with rear gardens abutting the south boundary wall.

Overlooking

29. Privacy impact has been the most disputed issue by the neighbours. Distances as displayed on plans have been questioned and plans have been amended to show updated measurements. In accordance to currently submitted plans, the distance between the rear elevation of no. 34 and the closest proposed first floor windows at the new site would be 22m, it would be 20.8m between no. 32 and the site, 20m between no. 30 and the site and 18.9m between no. 28 and the proposed building.

30. At second floor level the distance would be 21m between no. 28 and the site and more than 21m between all other units. The balustrade enclosing balconies at second floor level would be of similar depth from boundary to first floor windows and thus distances would be similar.

31. It is noted that distances between properties would largely achieve the recommended 21m separation, while the distance between no. 28 and the site would fall some 2m below the guideline. At first floor level more obscured glazing has been introduced to deal with this issue, and the method is considered acceptable. At second floor level a distinction has to be made between the views from the bedrooms and the views from the balconies. The views from bedrooms are considered to be at sufficient separation.
Concern is raised by neighbours that people could walk up to the balustrade and look directly into the bedrooms or gardens of adjoining occupiers. 1m high obscured-glazed balustrades have been proposed, but these are considered insufficiently high by neighbours to mitigate the issue.

32. The dispute here is based on a guideline that is contained within the Residential Design Standards. It is additionally stated that if the 21m distance cannot be achieved, this should be justified. It is recognised in the proposal that the distance would not be the full 21m and thus obscure-glazed balustrades have been introduced. Though these would be only 1.0m high, they would serve as an additional mitigation measure that would in conjunction with the 18 metre distance between the properties would ensure that no significant overlooking would take place. The concerns are also based on assumptions of the use of the balcony that is associated to a bedroom. Balconies that are not accessed directly off the main living spaces are less likely to be used for activities that neighbours are concerned about. Furthermore, note is made of the existing trees on the boundary that would help further obscure direct views.

33. It is recognised that the proposal would have an impact on the adjoining occupiers, especially if views to gardens are considered and compared to the current situation. However, the development would deliver 9 units and given its urban setting it is inevitable that some overlooking would occur. Arguably the application site would be used more efficiently in comparison to current use and on balance it is considered that the impact the proposed development would have on existing neighbours is acceptable.

Daylight and sunlight

34. The site is located to the north of Highshore Road properties in question, and thus would not affect levels of sunlight. It is recognised that the overall scale of the building would be increased in comparison to the existing building, especially considering the current sloping roof in juxtaposition to proposed flat roof proposal. However, based on all the information submitted it is considered that the separation between the new building and the existing Highshore Road properties would be sufficient not to result in noticeable loss in daylight. The second floor would be set back from the boundary and the main elevation of the new building and would thus further ensure that daylight levels are not adversely affected.

35. The applicant has taken into account neighbours’ request to include lower ground floor windows into the daylight assessment. Confirmation has been received that even measured at ground level of neighbouring properties; the amount of daylight reaching the lower ground floor windows would not be negatively affected.

Other amenity concerns

36. Other issues include loss of sky view and potential light and noise pollution. It is considered that the proposal even though larger in scale in comparison to existing the building, would not have a significant impact on outlook due to separation distances and would not take away a significant proportion of sky as viewed from neighbours' windows. Additionally the daylight would not be detrimentally affected - these two factors are inherently linked and both would remain unaffected. Furthermore, noise from a residential use is unlikely to be so significant that it would harm residential amenity, the scheme has been designed so that the main living accommodation of the majority of units would be located on the ground floor and thus would be further away from existing neighbouring windows than the upper level windows that are associated to sleeping accommodation.

37. Concerns have been expressed by the representatives of the new school that is
currently under construction to the north of the site. The main issue is that the play areas of the school would be overlooked by the future occupiers of the proposed development. Obscure-glazed panels have also been introduced to the north elevation of the new building and thus would alleviate concerns related to direct overlooking. Additionally the main living accommodation would be located on the ground floor and thus would not offer direct views towards the school.

**Quality of proposed accommodation**

38. The application site is located within the Urban Density Zone and as such the acceptable level of density would be 200-700 habitable rooms per hectare. The density of this proposal would be 596 habitable rooms per hectare, which would comply with the density guidelines.

39. All 9 units would be sufficiently large, in accordance with the space standards set out in the Residential Design Standards. The units would be dual aspect, thus ensuring good levels of natural light and ventilation.

40. It is noted that the bedroom of Apartment 01 would not be sufficiently large if the en-suite is not counted towards its size. However, it is considered that because the overall size of the unit is sufficiently large and the fact that it would have an associated en-suite, the shortfall would be insignificant and would not warrant a refusal.

41. All units would have access to some type of private outdoor amenity space, either in the form of a lowered patio, a garden space or a roof terrace/balcony. Most of the proposed outdoor amenity space would be sufficiently large, though only one of the houses would have 50 sq.m of outdoor space. Whilst some external communal space is provided this is considered to facilitate pedestrian access throughout the development. It is not considered to be a communal amenity space. A S106 agreement is therefore sought to require a payment for the shortfall in outdoor amenity space that is proposed as part of the development.

42. Residential bins would be located in various locations, but all are considered accessible and sufficiently large to deal with weekly residential refuse.

**Design issues and impact on Holly Grove Conservation Area**

43. The proposed development is considered acceptable in its overall massing and scale, in comparison to surrounding residential buildings and the new school building to the north. The footprint of the building would be similar to existing photographic studio and while the studio has a dual pitched roof and the new development would be more square in shape, the height would be increased by approximately a metre.

44. The modern approach is also considered acceptable. The character of the photographic studio and an artistic place would be represented by a semi-industrial look mainly expressed in use of brick and Crittal windows. Small amendments have been made to the south elevation to ensure that windows are symmetrically placed. Obscured glazing has also been introduced, together with coloured obscured glass. Though in principle there are no objections to introduction of colourful glass panels, it is considered that the specific colour and material would be important in achieving the intended high quality design look and thus a condition is recommended to request samples of proposed materials, including the coloured glass are approved separately.

45. The property sits on the very edge of Holly Grove Conservation Area to the south. Highshore Road properties that adjoin the application site are included in the conservation area. While some concerns in the neighbour objections refer to the impact on the conservation area and especially enclosure of gardens that are an
important feature of the conservation area, it is noted that the conservation area appraisal really only considers front gardens to be an important feature of wider townscape views. The proposed development would not affect the views to the front of Highshore Road properties and views to the new development from within the conservation area would be limited to the top part of development, thus having little impact on the wider setting of the conservation area. The proposal is therefore considered acceptable in design terms.

Transport issues

46. The proposed development would be car-free, which aligns with council’s policies and aspirations. A sufficient number of bicycle storage spaces have been proposed, of which the majority would be covered by the cantilevered element of the building. No objections to the proposal are thus raised based on transport related considerations.

Impact on trees

47. A tree impact assessment was submitted at a later stage during the application following concerns from neighbours regarding the impact on existing trees that are contained within the conservation area and are located closely to the site boundary.

48. The tree impact assessment considers that the existing 3.0m high brick boundary wall would be retained and thus any works would take place within the site and would not have a wider adverse impact on trees that are located on the other side of the brick wall. This evaluation and methodology is deemed acceptable, and thus it is considered that the nearby trees would not be affected during construction works and the proposed development would not have an adverse impact on the trees in the future.

Planning obligations (S.106 undertaking or agreement)

49. Due to a shortfall in outdoor amenity space proposed, a S106 agreement is proposed to be entered. The calculation of the Public Realm Contribution has been based on the Section 106 Planning Obligations and CIL SPD (2015) and is calculated to be £15,838.30.

Other matters

50. Flood risk

The site is located in Flood Risk Zone 1 and a Critical Drainage Area. No objections to the proposal have been raised by the Council’s Flood and Drainage team. However, a condition is recommended to request a detailed drainage design plan prior to construction to ensure that any future drainage related flood risk is mitigated.

51. Environmental protection

Environmental protection team have also reviewed the application and consider it acceptable, subject to conditions regarding internal noise levels, air quality, artificial lighting and construction management. Several conditions would relate to matters within the confines of building control and thus are not recommended to be attached to the planning permission.

52. Community Infrastructure Levy

The proposed development would be liable for a CIL payment. The Mayoral CIL payment required would be £13,556 and the Southwark CIL payment would be
Conclusion on planning issues

53. In light of the above, it is considered that the proposal is acceptable in land use terms and would provide good quality accommodation for future occupiers. The proposed building is visually acceptable and would not have a negative impact on the nearby Holly Grove Conservation Area. Though the proposal would have some impact on adjoining occupiers, it is considered that on balance the impact is acceptable and would not be detrimental to the amenity of neighbours. Lastly, the proposal would be car free and would provide for a sufficient amount of cycle storage space. Overall the proposal is therefore considered acceptable and the application is therefore recommended for approval, subject to conditions and a S106 agreement.

Community impact statement

54. In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

Consultations

55. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

56. Details of consultation responses received are set out in Appendix 2.

Human rights implications

57. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

58. This application has the legitimate aim of providing new residential accommodation. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

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<td>Chief Executive's Department</td>
<td>Planning enquiries telephone: 020 7525 5403</td>
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<tr>
<td>Application file: 17/AP/2768</td>
<td>160 Tooley Street London SE1 2QH</td>
<td>Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a></td>
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<td>Southwark Local Development Framework and Development Plan Documents</td>
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<td>Case officer telephone: 0207 525 7708</td>
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<td>Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a></td>
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APPENDICES

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AUDIT TRAIL

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<th>Simon Bevan, Director of Planning</th>
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<td>Lasma Putrina, Planning Officer</td>
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CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER

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<td>Strategic Director of Environment and Social Regeneration</td>
<td>No</td>
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<td>Strategic Director of Housing and Modernisation</td>
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APPENDIX 1

Consultation undertaken

Site notice date: 09/08/2017
Press notice date: n/a
Case officer site visit date: 11/09/2017
Neighbour consultation letters sent: 25/07/2017

Internal services consulted:
Ecology Officer
Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]
Flood and Drainage Team
Highway Development Management

Statutory and non-statutory organisations consulted:
n/a

Neighbour and local groups consulted:
32 Highshore Road London SE15 5AF
34 Highshore Road London SE15 5AF
30 Highshore Road London SE15 5AF
Highshore School House Bellenden Road SE15 5BB
28 Highshore Road London SE15 5AF
Wingfield St Peckham SE15 4LN
Cherry Garden School Macks Road SE16 3XU
52a Bellenden Road Peckham SE155BB
Flat C 15 Consort Road SE15 2PH

Re-consultation: 03/10/2017
APPENDIX 2

Consultation responses received

Internal services
None

Statutory and non-statutory organisations
None

Neighbours and local groups

Cherry Garden School Macks Road SE16 3XU
Cherry Garden School Macks Road SE16 3XU
Email representation
Flat C 15 Consort Road SE15 2PH
Studio 13 Swan Court SE1 3LE
Studio 13 Swan Court SE1 3LE
Wingfield St Peckham SE15 4LN
28 Highshore Road London SE15 5AF
28 Highshore Road London SE15 5AF
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34 Highshore Road London SE15 5AF
41 Highshore Road London SE15 5AF
41 Highshore Road London SE15 5AF
50 Blackheath Park London SE3 9SJ
52a Bellenden Road SE15 5BB
52a Bellenden Road Peckham SE155BB
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