

**ELEPHANT AND CASTLE SHOPPING CENTRE
INTERFERENCE WITH PROPERTY RIGHTS**

APPENDIX E

**SUMMARY OF RESPONSES MADE TO NOTIFICATION OF POTENTIAL DEPARTURE
TO OVERRIDING PROPERTY RIGHTS POLICY.**

| Respondent | Response Summary | Comment |
|--|---|---|
| Resident of Hayles Street | Wants the scheme to go ahead but be compensated if rights are compromised | Proposed variation enables scheme to proceed and provides for financial compensation if rights are compromised |
| Southwark Law Centre | Requested accompanying briefing to notification letter | Supplied |
| Two residents of St Gabriel Walk | Imperative for the Council to progress this project. Fully support the Council in progressing via use of its powers. | |
| Resident of Gaywood Street | In the public interest to complete the project quickly but present proposal ill-conceived. A smaller building similar to existing shopping centre should be built instead and will be completed faster. Will claim compensation if lighting infringed | The consented scheme is the subject of some controversy but it has been through an exhaustive planning process, with the Council undertaking consultation on the planning application over a prolonged period of time. The report addresses compensation. |
| Management Company for flats in St George's Road | Requested access to scheme details as it may impact on neighbouring properties | Directed to documents accompanying planning application. |

The following comments have been received but after the closing date for responses.

| Respondent | Response Summary | Comment |
|-----------------------------|--|---|
| Resident of Princess Street | Objects to proposed policy change. If it is, there will be detriment to people, in terms of quality of life and property value terms. If the policy is changed, adequate compensation is expected. | Detriments from proposed change recognised but weighed against significant benefits arising from Scheme. Compensation will be payable for if a loss in property value arises. |
| Resident of Elliots Row | Concerned proposed policy change will result in reduced lighting and loss of value to home particularly in relation to the saleability of the property | Detriments from proposed change recognised but weighed against significant benefits arising from Scheme. Compensation will be payable for if a loss in property value arises. |

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| Resident of Metro Central Heights | Concerned about impact of construction works in the vicinity | These are addressed in the planning consent's s106 agreement. |
| Resident of Hayles Street | Considers proposal an abuse of power. The proposed development is too high and detrimental to Elliots Row conservation area. Open sky line essential to quality of life for residents. Scheme is too dense and should be restricted in height and create more green space. | The report sets out legal basis for Council's intervention and is not an abuse of powers. The height, density of development and impact on lighting arising was addressed in report to Planning Committee as was its impact on conservation areas. |
| Resident of St Gabriel Walk | Lighting will be affected from scheme and outlook on to a construction site is a concern. Resident unaware of this when dwelling purchased. | St Gabriel Walk is too modern to have acquired rights of light and lighting impact was considered in the Planning Committee report. Construction work is covered in s106 agreement. |