

**COMMUNITY COUNCILS**

A voice for your community

## **Bermondsey Community Council**

### **Planning Agenda**

<b>DATE:</b> Thursday 23 November 2006	<b>TIME:</b> 7.00pm
<b>PLACE:</b> Harris Academy at Bermondsey, 55 Southwark Park Road, SE16 3TZ	

1. Introduction and welcome
2. Apologies
3. Disclosure of Members interests and dispensations
4. Any items the Chair deems urgent
5. Minutes from previous meeting 6 July 2006
6. Applications for Decision:
  - 6.1 1/1 Full Planning Permission - The Raven at the Tower P.H., 52 TANNER STREET, LONDON, SE1 3PH
7. **Members' Decisions:**  
Members decide whether the applications should be granted or refused.
8. Closing comments by Chair

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Lati jẹ ki a mọ nipa iranlọwọ tabi idi pato, gẹgẹbi ọkọ (mọto) tabi olutumọ, jowo pe telifoonu 020 7525 7514.

**Yoruba**

<b>Item No.</b>	<b>Classification</b> Open	<b>Date:</b> November 2006	<b>Meeting Name:</b> Bermondsey Community Council
<b>Report title:</b>		<b>Development Control</b>	
<b>Ward(s) or groups affected:</b>		All within the Bermondsey Community Council area	
<b>From:</b>		Strategic Director of Regeneration	

## **RECOMMENDATIONS**

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

## **BACKGROUND INFORMATION**

4. The Council's powers to consider planning committee business detailed in Article 8 under Role and Functions of the Committee were agreed by the Constitutional Meeting of the Council on 24<sup>th</sup> February 2003. This function was delegated to the Planning Committee.

## **KEY ISSUES FOR CONSIDERATION**

5. Members are asked to determine the attached applications in respect of site(s) within the Community Council boundaries.
6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to the Secretary of State for the Environment against a refusal of planning permission and against any condition imposed as part of permission. If the appeal is dealt with by public inquiry then fees may be incurred through employing Counsel to present the Council's case. The employment of Counsel is generally limited to complex inquiries or for very major proposals.
8. The sanctioning of enforcement action can also involve costs such as process serving, Court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal involving a public inquiry or informal hearing the inspector can make an award of costs against the offending party.

10. All legal/Counsel fees and costs as well as awards of costs against the Council are borne by the Regeneration budget.

## **EFFECT OF PROPOSED CHANGES ON THOSE AFFECTED**

**11. Equal opportunities considerations are contained within each item.**

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Borough Solicitor & Secretary**

12. A resolution to grant planning permission shall mean that the Development & Building Control Manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the Committee and issued under the signature of the Development & Building Control Manager shall constitute a planning permission.

13. A resolution to grant planning permission subject to legal agreement shall mean that the Development & Building Control Manager is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the Borough Solicitor and Secretary, and which is satisfactory to the Development & Building Control Manager. Developers meet the Council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the Borough Solicitor and Secretary. The planning permission will not be issued unless such an agreement is completed.

14. Section 70 of the Town and Country Planning Act 1990 requires the Council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Section 54A of the Town and Country Planning Act 1990 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently the Southwark Unitary Development Plan adopted by the Council in July 1995.

15. Section 106 of the Town and Country Planning Act 1990 introduced the concept of planning obligations. Planning obligations may take the form of planning agreements or unilateral undertakings and may be entered into by any person who has an interest in land in the area of a local planning authority. Planning obligations may only:

1. restrict the development or use of the land;
2. require operations or activities to be carried out in, on, under or over the land;
3. require the land to be used in any specified way; or
4. require payments to be made to the local planning authority on a specified date or dates or periodically.

Planning obligations are enforceable by the planning authority against the person who gives the original obligation and/or their successor/s.

16. Government policy on planning obligations is contained in the Department of the Environment's circular 1/97. Provisions of legal agreements must fairly and reasonably relate to the provisions of the Development Plan and to planning considerations affecting the land. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties, can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement Members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.

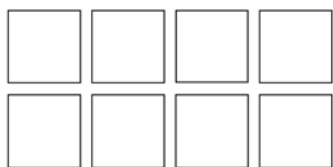
## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Assembly Agenda 29 <sup>th</sup> May 2002	Constitutional Support Services, Southwark Town Hall, Peckham Road SE5 8UB	Beverley Olamijulo 020 7525 7222
Each application has a separate planning case file	Council Offices Chiltern Portland Street London SE27 3ES	The named case Officer as listed or Jim Sherry 020 7525 5437

## APPENDIX 1

### Audit Trail

<b><u>Lead Officer</u></b>	Deborah Holmes, Borough Solicitor & Secretary	
<b>Report Author</b>	Glen Egan, Acting Head of Legal Services Chris Thompson, Community Councils Officer	
<b>Version</b>	Final	
<b>Dated</b>	11/02/03	
<b>Key Decision</b>	No	
<i>Officer Title</i>	<b>Comments Sought</b>	<i>Comments included</i>
Glen Egan, Acting Head of Legal Services	No	Yes
Paul Evans Strategic Director of Regeneration	No	No
Jim Sherry Interim Development & Building Control Manager	No	Yes



**COMMUNITY COUNCILS**  
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## Bermondsey Community Council Planning Meeting

**Minutes of Planning Meeting 6 July 2006**

**Aylwin Girls School, 55 Southwark Park Road, SE16 3TZ**

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### **COUNCILLORS PRESENT**

1. Councillor Linda Manchester (Chair)  
Councillor Eliza Mann  
Councillor Helen Jardine-Brown  
Councillor Adedokun Lasaki  
Councillor Bob Skelly  
Councillor Nick Stanton

### **INTRODUCTION AND WELCOME**

2. The meeting began at 7:07pm.
3. The Chair welcomed the public to the Bermondsey Community Council Planning Meeting and outlined housekeeping matters relating to the venue.

### **APOLOGIES FOR ABSENCE**

4. Apologies were received from Councillors Baichoo, Capstick and Kyriacou.

### **NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT**

5. Chair said that the item : MANOR ESTATE PLAYGROUND, LONDON, SE16 3LX, had been withdrawn from the agenda.

### **DISCLOSURE OF INTERESTS AND DISPENSATIONS**

6. There were none.

**ITEM 1: ROUEL ROAD ESTATE 1-35 DRAPERS WAY 1-60 ROCK GROVE 1-35 MARKET PLACE**

7. The planning officer summarised the proposals outlined in the report.
8. Councillors asked questions of the planning officer.
9. There were no objectors present.
10. The applicant was not present.
11. Members discussed the proposals.

**RESOLVED:**

12. That planning permission be granted for the reasons outlined in the draft decision notice.

**EPILOGUE:**

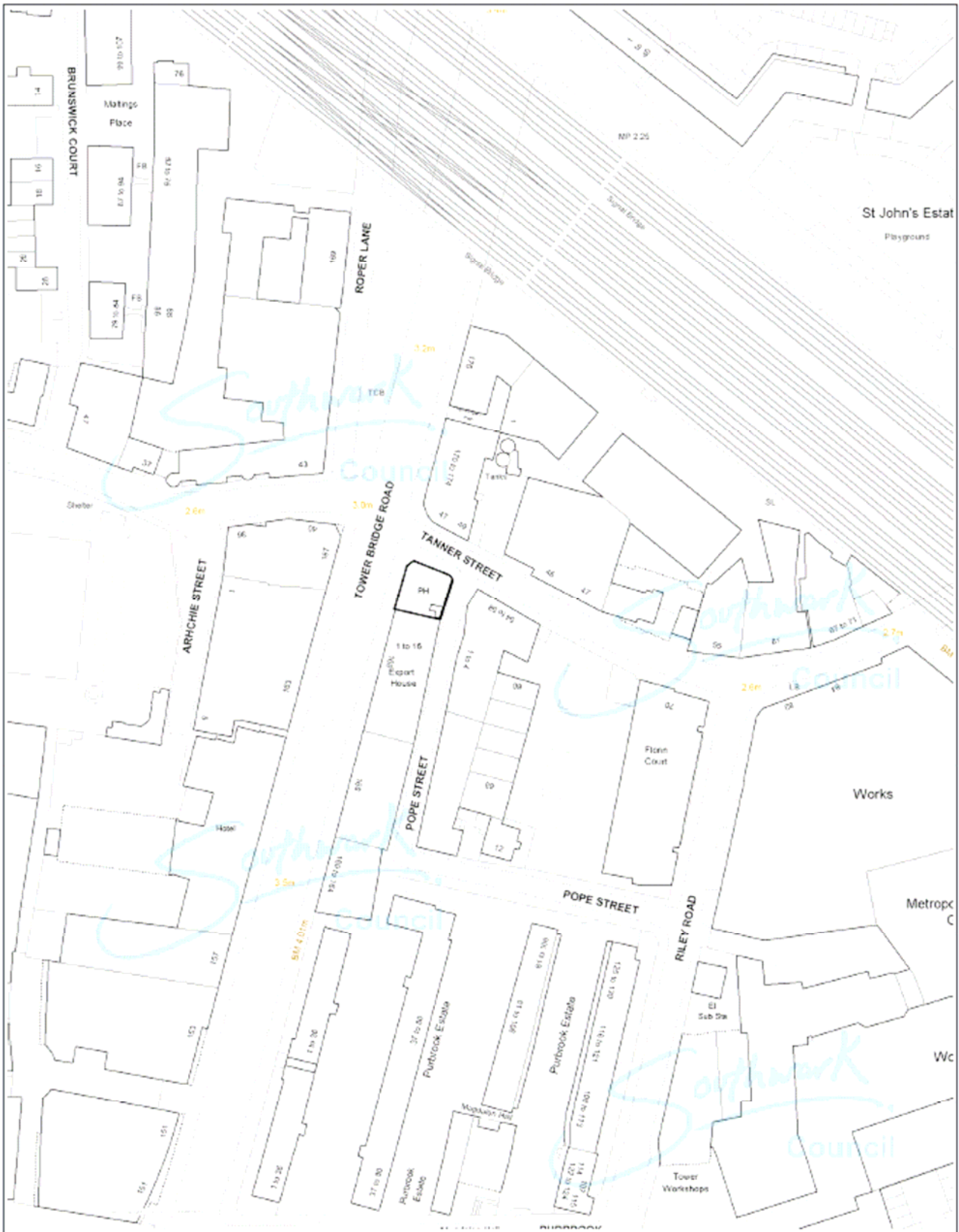
13. The Chair thanked everybody for coming.
14. The meeting ended at 7:15 pm.

**Chair:**

**Dated:**



# The Raven at the Tower



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Claire Cook  
 Scale 1/1250  
 Date 13/11/2006

Southwark  
 Council

Item No.	Classification	Decision Level	Date
1	OPEN	BERMONDSEY COMMUNITY COUNCIL	24.11.06
<b>From</b> DEVELOPMENT & BUILDING CONTROL MANAGER		<b>Title of Report</b> DEVELOPMENT CONTROL	
<b>Proposal</b> (05-AP-1897)  The erection of a five storey building comprising Class A3 commercial use in the basement and on the ground floor and 4, one bedroom and 4, two bedroom flats on the upper floors.		<b>Address</b>  The Raven at the Tower P.H., 52 TANNER STREET, LONDON, SE1 3PH  <b>Ward</b> Grange	

## PURPOSE

- 1 To consider the above application for planning permission [05-AP-1897] for which there have been three (3) letters of objection received.

## RECOMMENDATION

- 2 To grant planning permission, subject to conditions as well as a unilateral undertaking to prevent future residents from applying for parking permits.

## BACKGROUND

### Site location and description

- 3 The site is bound by Tower Bridge Road, Tanner Street, Pope Street and the adjoining 'Export House' to the south and is within the Bermondsey Street Conservation Area.
- 4 The site is occupied by the apparently fire damaged 'Raven at the Tower' public house which is a two storey brick premises which is not listed.
- 5 The subject site is located at the first intersection after the railway viaduct to the north. The intersection is defined on its corners by both old and new architectural styles making for an interesting street scene. The 'Antiques Exchange' at 170-174 Tower Bridge Road with its solid appearance and sweeping edge to the intersection is juxtaposed to the contemporary architecture of 161-165 Tower Bridge Road and 167-169 Tower Bridge Road.
- 6 The condition of the Raven at the Tower as outlined in the fire damage report prepared by Richard Hatton Associates is submitted in support of the application as justification for the demolition of the public house. The subsequent development of this corner would complete the enclosure of the intersection.

### Details of proposal

- 7 The subject application is for the erection of a five storey mixed-use building. The development comprises a 222sqm basement and ground floor commercial Class A3 use [unspecified and subject to a future application for the fit out of the A3 use] which benefits from a separate passenger lift between floors and a threshold free entry on the corner of Tower Bridge Road and Tanner Street. The upper floors are residential and comprises 4 x 2 bed and 4 x 1 bed flats. The residential refuse and bicycle storage is provided convenient to the residential access point on Tanner Street. The flats also benefit from a separate passenger lift. The external appearance reflects the contemporary buildings of the intersection and the ground floor treatment provides a relationship to Tower Bridge Road and Tanner Street. There is a separate application for conservation area consent to consider the demolition which is pending determination [05-AP-1899]. It is likely this parallel application will be dealt with under delegated powers.

## **FACTORS FOR CONSIDERATION**

### **Main Issues**

- 8 The main issues in this case are;
- a] The principle of the development in terms of land use and conformity with strategic policies.
  - b] Design, and standards of residential accommodation
  - c] Impacts to neighbours
  - d] Parking and highway safety
  - e] Planning obligations
  - f] Other considerations

### **Planning Policy**

- 9 At its meeting on 29<sup>th</sup> June 2006 the Council resolved to adopt the Southwark Plan subject to modifications. Therefore apart from a small number of exceptions, the policies in the Southwark Plan now have significant weight in the determining of planning applications. Whilst the 1995 Unitary Development Plan remains the statutory Development Plan until such time as the Southwark Plan is formally adopted it is likely that, in determining pending applications, the Council will give predominant weight to Southwark Plan policies. Upon formal adoption the policies in the Southwark Plan will be applied unless material considerations indicate otherwise.

- 10 The Southwark Plan [Modifications Version] 2006
- 3.2 Protection of Amenity
  - 3.4 Energy Efficiency
  - 3.8 Waste Management
  - 3.10 Efficient Use of Land
  - 3.11 Quality in Design
  - 3.12 Design Statements
  - 3.13 Urban Design
  - 3.14 Designing Out Crime
  - 3.15 Conservation of the Historic Environment
  - 3.16 Development in Conservation Areas
  - 4.1 Density of Residential Development
  - 4.2 Quality of Residential Accommodation

### 4.3 Mix of Dwellings

#### Southwark Unitary Development Plan 1995 [UDP]:

E.2.1 Layout and Building Line

E.2.3 Aesthetic Control

E.2.4 Access for People With Disabilities

E.2.6 External Space

E.3.1 Protection of Amenity

E.4.2 & E.4.3 Proposals Affecting Conservation Areas

H.1.5 Dwelling mix of New Housing

H.1.7 Density of New Residential Development

H.1.8 Standards for New Housing

B.1.2 Protection Outside Employment Areas and Sites

SPG 5 Standards Controls and Guidelines for Residential Development

### **Consultations**

11 Site Notice: 05/12/05

Press Notice: 13/10/05

#### Internal Consultees

Pollution Control

Traffic and Transportation

Daylight and Sunlight Consultant

#### Statutory and Non-statutory Consultees

Transport for London

Metropolitan Police

#### Neighbour consultees

1-4, 2-16 Pope St

36, 38, 45, 54-58, 60, 62 Tanner St

Park West Apartments, 40 Tanner St

Tannery Lofts, 172 Tower Bridge Rd

Terracotta Court, 167 Tower Bridge Rd

163, 165, 167A, 169, 174 Tower Bridge Rd

#### Reconsultation

1-4, 2-16 Pope St

36, 38, 45, 54-58, 60, 62 Tanner St

Park West Apartments, 40 Tanner St

Tannery Lofts, 172 Tower Bridge Rd

Terracotta Court, 167 Tower Bridge Rd

163, 165, 167A, 169, 174 Tower Bridge Rd

### **Consultation Replies**

12 Internal Consultees

Pollution Control - Object on grounds of noise impact and air pollution. See detailed comments in paragraphs 16 and 17 of this report

Traffic and Transportation - No objection

### Statutory and Non-statutory consultees

Metropolitan Police - No objection

TFL - Has provided telephone advice indicating that comments are not required as there is no change to access arrangements of Tower Bridge Rd.

### Neighbour consultees

Interior Design Mgt, Terracotta Court, 167 tower Bridge Rd - Support the proposal

Second Flr Flat, 170-170B Tower Bridge Rd - Object on grounds of loss of light and impact on value, excessive height for setting

66 Tanner St - Objection on grounds that ground floor use should be restaurant or bar use to contribute to activity in area, and comment on need for design quality

Flat B 2nd Flr Tannery Lofts, 170-172 Tower Bridge Rd - Object on grounds of distance from 172 Tower Bridge Rd, increase pollution noise and traffic as well as overlooking by the office accommodation of 172 Tower Bridge Rd

### Reconsultation

N/A

## **PLANNING CONSIDERATIONS**

### **The principle of the development**

#### *Proposed Landuse*

- 13 No objection is raised to the principle of a change of use from a Class A4 public house to be a mixed use of Class A3 (cafe/restaurant) and residential in this location. The loss of a public house is acceptable pursuant to Policy 1.11 Small scale shops and services outside town and local centres and protected shopping frontages, as there are at least three (3) public houses within 600metres of this site including;
- 21 Druid St - The Marquis of Wellington
  - 208 Tower Bridge Road - The Dommeliers Rest
  - 186 Tooley Street - The Elusive Camel

- 14 The proposal would provide 222sqm of A3 use which is considered to be acceptable, and would not result in the loss of an A Class use

#### *Acceptability of Demolition in a Conservation Area*

- 15 The principle of demolition of the The Raven at the Tower public house is a consideration of the associated application for conservation area consent which is at the time of preparation report was pending determination under delegated powers [Ref. No. 05AP1899]. The proposal has been considered by the Council and it is the officer's view the proposal is not harmful to the character and appearance of the Bermondsey Street Conservation Area. Design amendments have been negotiated through the pre-application process and following submission resulting in the final design considered in this report. The proposed building is considered to be a suitable replacement building and this is justification for agreeing to the demolition of the public house. It is considered that the development would not harm the character and appearance of the Bermondsey Street Conservation Area according to Policies E.4.2 and E.4.3 and E.4.3 of the adopted Plan and 3.15 and 3.16 of the emerging Plan.

### **Design**

- 16 Through the course of pre-application process and following submission, the need for high quality design has been explored with the applicant

high quality design has been explored with the applicant.

*Effect of the Proposal upon its Surroundings*

17

The proposal site is located within the Bermondsey Street Conservation Area and the extant built form is comprised of a two-storey public house, The Raven at the Tower. The Raven PH is vacant and in a very poor condition due to a fire that caused substantial damage to the fabric of the building. The Raven PH is identified in the Bermondsey Street conservation area appraisal as making a positive contribution and for its group and enclosure value in relationship to 160-168 Tower Bridge Road. The proposal site lies immediately southeast of the former Sarson's Vinegar Works, a collection of grade-II listed buildings of which a portion abuts the west side of Tower Bridge Road. It is considered that the proposed scheme would be neutral in its effect upon the setting of the listed buildings and the character of this part of the Bermondsey Street Conservation Area.

18

It is important to note that modern buildings provide strong markers at two of the corners in proximity to the proposal site. The building at 43 Tanner Street (Weston Williamson Architects) is a particularly successful design and respects the scale and character of the area. The proposed scheme would, if granted consent, become the third modern intervention at this junction of Tower Bridge Road and Tanner Street. It is considered that the effect of the proposed scheme would enhance the appearance of this part of the conservation area.

*Bulk, Height and Massing*

19

The proposed height of the building at five storeys is considered acceptable in townscape terms. The massing of the building elevations is acceptable, although more complicated in some respects than those of the simpler compositions of its neighbours. Given the size constraints of the proposal site, the overall bulk of the proposal is not at issue.

*Detailed Design and Materials*

20

The proposed scheme would establish a strong shopfront line and visual connection at the ground floor along Tower Bridge Road. This is welcomed in terms of meeting policy and urban objectives to encourage active frontages. The entrance to the commercial use would occur at a canted corner consistent with entrances to traditional corner buildings found within the area. However, the design does not make a feature of the corner, as do many of these traditional corners buildings. The upper floors are residential in use and the corner remains unbroken above the ground floor to maximize internal layouts, provide amenity space, and allow views out to the north and west. A discreet entrance to the flats is located along Tanner Street east of the junction.

21

The appearance of the building is acceptable and maintains the vertical rhythms and character found in nearby buildings. The principal cladding material is a London yellow stock brick and is acceptable as it the predominant material used in the local area. The limited use of Sto-render is acceptable, but it is noted that there is some concern over the long-term appearance and durability of the material in regards to the gritty and sooty nature of the Tower Bridge Road environment due to current and future levels of vehicular traffic. This matter is addressed by an appropriately worded condition requiring a samples board to be submitted and agreed in writing. There is some concern over detailed design and appearance issues of how the copper cladding will meet the aluminium clad fascia and soffit. However, it is considered that it can be adequately addressed and resolved by an appropriately worded condition applied to any grant of planning permission which will require detailed shop drawings

at a scale 1:10 showing how the copper cladding meets the aluminium fascia/soffit.

22

Further in respect of design, the floor areas, mix and servicing of the flats is considered acceptable and complies with Policies H.1.5 Dwelling mix of New Housing, H.1.8 Standards for New Housing and T.1.3 Design of Development and Conformity with Council Standards and Controls of the adopted Plan and Policies 4.3 Mix of Dwellings, 4.2 Quality of Residential Accommodation and 5.3 Walking and Cycling of the emerging Plan. All flats benefit from the passenger lift as well as the refuse and bicycle stores that are direct and conveniently accessible via the ground floor foyer. Additionally, the residential staircase benefits from natural lighting by a velux.

23

Whilst, the proposal does not provide open space in accordance with the provisions of Supplementary Planning Guidance 5 and Policy H.1.8 Standards for New Housing, the top floor flats have balconies and the mid floor flats have balustrading flush with the wall profile. Given the limited desirability (noise, privacy, overlooking) and physical site constraints of this site, as well as the proximity to open spaces in the borough including Bermondsey Playground (OS 41), St Mary Magdelene Churchyard (OS 49) and St John's Churchyard (OS 16) as well to transport links to access recreational opportunities within Southwark and further afield, the non-provision of amenity space on this particular development is considered not sufficient to outweigh the other material planning and regeneration benefits.

#### *Daylight and sunlight*

24

In respect of daylight and sunlight, the report submitted in support of the proposal has been independently verified by the Council to confirm that there is no significant impacts to surrounding buildings. However, the independent consultant does confirm that some bedrooms of the scheme are substandard and would not receive sufficient light in accordance with Council requirements. The effected rooms are the most southern bedroom and most northern bedroom on the first and second floors. The applicant subsequently enlarged the windows of those rooms to improve the amenity of the rooms to address the provisions of the BRE. The application was subsequently put through renotification and no objections were received. It is considered therefore the revisions have been sufficient to address previous concerns.

#### *Noise and air pollution*

25

In respect of noise, the Council's Pollution Control Team has had regard to the provisions of PPG 24 which deals with Noise Exposure Categories (NECs) which are levels based on World Health Organisation Criteria for suitable sleeping and resting conditions for daytime and night time. The Team assessed that the site falls within NEC (Noise Exposure Category) 'C' during the day which means noise should be taken into account and conditions imposed. The site falls into NEC 'D' for nighttime noise and for this category, the PPG recommends that applications should normally be refused. In deliberating on their initial assessment and findings which have been ongoing, the Team acknowledged the regeneration impetus. However, they maintained their position and advised that the level of attenuation required for suitable internal noise levels to be achieved calls into question whether a reasonable quality of life for future occupiers would be possible due to the problem of 'over attenuation'. This would involve the need for artificial ventilation measures for the bedrooms.

26

In proposing that the bedrooms especially would require some sort of ventilation system to assist with dealing with noise matters it is noted that the site which falls within an Air Quality Management Area and the issue of air pollution is also a possible reason for refusal of residential schemes having regard for PPG 23. The Team considered potentially there would be there was an adverse impact to future occupiers as assessments of air quality in this area reveal both nitrogen dioxide and particulates

objectives are exceeded. The team further advises that this is exacerbated by the canyoning effects of Tower Bridge Road. Whilst the Team do not have sufficient information to conclude that the air is suitable to be sourced for the ventilation intake, there is acknowledgement and agreement that the air quality issue could be addressed following a detailed modelling exercise identifying the location from which to source air for ventilation. On this basis, poor air quality can be mitigated, and a suitably worded condition is recommended.

27

Given that the fundamental issue is noise impact, this matter has been considered in the context of the area and the need for regeneration and this is acknowledged by the Pollution Control Team. Balancing the noise issue against the following issues:

- The design is of sufficient merit;
- There is justification for the demolition of the listed public house , and that the site constraints severely limit the development of this small site which is bound on three sides by public roadway and very proximate neighbouring properties;
- This design solution is feasible and appropriate in all other respects;
- The need for housing and meeting the strategic housing targets set by the GLA.

It is considered the potential benefits of the proposed development overall outweigh the issues in respect of noise and amenity impact on future occupiers. Noise impact to future residents at night time is not considered to be a justifiable reason for refusal on balance and that housing need in an area of established residential use override the objection. It is therefore recommended that the Council consider the benefits of bringing forth the scheme in an area of established residential use and that on balance this overrides the objection on noise grounds.

#### *Density*

28 In respect of density, the proposal is located within the Central Activity zone which allows for densities of 800-1100 habitable rooms per hectare in accordance with the provision of the emerging Unitary Development Plan. However, the proposal is considerably in excess of the density provisions being 1898 habitable rooms per hectare [The density calculation is based upon 147.5sqm site area, 20 residential habitable rooms and a commercial floor area of 222sqm].

29 Numerical non-compliance alone is not a substantial reason to refuse permission if the development is otherwise acceptable. It is noted that the development is no taller or bulkier than the immediate adjoining neighbour to the south along Tower Bridge Road nor to the general bulk, size and scale of development in this area. Arguably, the important corner location requires the development to have some sort of presence to contribute to the street scene in this location. Significantly, Policy 4.B.3 Maximising the Potential of Sites of the London Plan proposes that boroughs should ensure that development proposals achieve the highest possible intensity of use compatible with local context, design principles and public transport capacity. This development is considered to address these relevant issues as discussed in paragraphs 17-21, and 33 of this report. The Council's policy for density in the adopted Plan indicates that on small sites, the importance of density standards compared to other considerations is reduced and is very rarely an appropriate consideration for very small infill development sites. This is considered to be the case for the subject site. The emerging plan makes no such comments in respect of the appropriateness or not of density. However, it states that in mixed use schemes, density will need to take account of other uses in order to assess the overall efficient use of the land and the impact of the building on other relevant factors such as amenity. The building must also be of high quality. Policy 3.10 of the emerging Plan states that all developments should ensure they maximise the efficient use of land. Pursuant to the criteria of Policy 3.10 the scheme is considered to be an efficient use of the site for the following reasons;



- It is considered that the amenity of neighbours is maintained;
- It is assessed that a satisfactory standard of accommodation is provided for the future occupiers;
- It is considered that the scheme makes a positive addition to the local area, comparable and complimentary in bulk, size, scale, fenestration and use of materials to adjacent and nearby modern buildings;
- The proposal is not considered to compromise the activities of adjoining sites;
- It is considered that the servicing, access and circulation for the site has been addressed in a way that is rational and successful;
- It is considered that the scale of development is consistent with existing development in the area and would not be beyond the available public transport and infrastructure provision of the area.

30

Given that the scheme is considered to be of high architectural quality and poses no significant concerns in respect of amenity for future occupiers (other than amenity open space and potential noise impact as discussed above) nor are there considered to be any significant impacts to neighbours and that the scheme is considered within the form and pattern of development in the area, the numerical non-compliance with density ranges is on balance not considered a sufficient reason for refusal. As discussed in more detail in paragraph 17-21, 32, 33 and 35 there are no significant impacts posed. Therefore, the residential density of the development does not have significant implications on the design, locality, character, or amenity of neighbours and future occupiers. It is considered that the departure from the density ranges outlined in Policy 4.1 of the emerging Plan is otherwise acceptable. Finally, it is noted that the Policy Team confirmed that the departure from the density range was justified in this case and acceptable having regard to the issues discussed in this report.

31

### *Sustainability*

Sustainability has been considered as part of the development of the scheme. A sustainability statement was submitted with the application identifying the range of measures that will be incorporated into the scheme. For example, it is intended to install energy efficient lighting along with presence and daylight detectors to minimise energy consumption. The Sustainability statement also notes that the option of photovoltaic panels is being investigated. Insulation will be used to maximise thermal efficiency with the statement noting its use in instances where potential heat loss will be from elements such as hot water pipes and air ducts and where it does not make a contribution to the space heating of the building. The statement also identifies the installation of energy saving water appliances including dual flush toilets and water efficient shower roses in bathrooms. In respect of transportation, it states a commitment to source locally based building materials for construction and in the occupation stage, the encouragement of alternative transport means such as bicycles with the provision of a bicycle store at the ground floor with a capacity for 9 bicycles.

32

### **Impact to Neighbours**

In respect of neighbours and the objections received, issues concerning loss of light and noise have been dealt with earlier in this report. The daylight and sunlight report which was submitted in support of the application has been independently verified by Council's daylight and sunlight consultant to confirm that there is no significant loss of daylight and sunlight to neighbours to warrant refusal. There are no unacceptable privacy or overlooking impacts to neighbours as all window to window relationships are across the public highways.

33

### **Parking and Highway Safety**

The site falls within a Controlled Parking Zone and the area has a PTAL rating of 4. The Traffic Group is satisfied with the proposal in respect of a car free scheme subject to a unilateral undertaking to prevent future residents from applying for parking permits and to secure the subsequent change to the traffic management order to reflect this. Refuse storage is also considered acceptable subject to an appropriately worded condition for details of the segregation of commercial and residential components to be detailed. The Traffic Group has recommended an appropriately worded condition for details of the racking system to accommodate nine bicycles in the designated bicycle storage area.

34

### **Planning Obligations [S106 undertaking/agreement]**

Notwithstanding the requirement for a unilateral undertaken to exempt future residents for applying for parking permits as outlined in paragraph 33 of this report, the scheme is a category 'minor' development and does not attract any planning contributions pursuant to the heads of terms identified in Appendix 7 Planning Obligations of the emerging Plan. In respect of the heads of terms that relate to all development as well as residential and Class A development, the proposal is of a smaller scale than the nominated thresholds for numbers of flats and commercial floorspace and therefore does not trigger the need for seeking contributions.

35

### **Other Considerations**

The objectors raised the following issues in their submissions which have been considered as part of the assessment of the application. An objection on the grounds of compromising right to light is not a relevant planning consideration, it being noted that there is no significant overshadowing posed to surrounding properties as detailed in paragraph 24 of this report. The scheme is not considered to add to pollution that would be considered unreasonable, with the scheme making provision for refuse storage and a future internal extract flu for the Class A3 use. Noise generated by the future Class A3 use and/or the future residential occupiers is not a reason for refusal of planning permission as any unreasonable or excessive noise is a matter that would be dealt with by complaint at the time the nuisance occurs by the Pollution Control Team under the Environmental Protection Act 1990. There are no traffic impacts to warrant refusal of the scheme having regard to consideration in paragraph 33 of this report. The potential for overlooking is considered not a significant issue in this application having regard to comments made in paragraph 32 of this report. In respect of comments about the quality of materials, this matter is dealt with in paragraph . In respect of comments about the quality of the development and how it fits into the existing built form, comments are made in paragraph 21. In respect of objections on the grounds of the number of storeys in the development, comments are made in paragraph 19.

36

### **Conclusion**

On balance, the proposal is considered to be acceptable and appropriate scheme with a design that has sufficient merit to justify the demolition of a public house that is shown to be in a poor state of repair as outlined in the fire damage report. Whilst there may be some impact to future occupiers from road noise having regard to the provisions of central government guidance this consideration is balanced by the desire and need for regeneration and the contribution that the proposal and its residential and commercial opportunities it will bring. The scheme reflects the upward trend in regeneration activity in the area with this proposal making a positive contribution. Given, that there are other recent developments involving mixed uses with a component of residential along this section of Tower Bridge Road, it is considered reasonable to favour the likely benefits of bringing forth the scheme when all aspects other than noise impact to future occupiers have been resolved and are acceptable.

The granting of consent to both applications is recommended.

### **COMMUNITY IMPACT STATEMENT**

37 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.

a] There is no impact on local people.

b] There are no issues relevant to any particular communities/groups likely to be affected by the proposal.

c] There are no likely adverse or less good implications for any particular communities/groups.

### **SUSTAINABLE DEVELOPMENT IMPLICATIONS**

38 The proposal considers and incorporates sustainable development principles into the design including the provision of cycle parking, natural lighting for the residential staircase and foyer and access for people with a disability. See paragraph 31 for discussion.

LEAD OFFICER	John East	Head of Planning & Transport
REPORT AUTHOR	Jason Traves	Planning Officer Development Control [tel. 020 7525 0502]
CASE FILE	TP/79-52	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

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## RECOMMENDATION LDD MONITORING FORM REQUIRED

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This document shows the case officer's recommended decision for the application referred to below.  
This document is not a decision notice for this application.

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**Applicant** RKN Developments Ltd  
**Application Type** Full Planning Permission  
**Recommendation** Grant

**Reg. Number** 05-AP-1897

**Case Number** TP/79-52

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

The erection of a five storey building comprising Class A3 commercial use in the basement and on the ground floor and 4, one bedroom and 4, two bedroom flats on the upper floors.

**At:** The Raven at the Tower P.H., 52 TANNER STREET, LONDON, SE1 3PH

**In accordance with application received on 09/09/2005  
and revisions/amendments received on 27/09/2005**

**and Applicant's Drawing Nos.** 002/05/ndb/01 (dated 09 Sep 05), 02 (dated 06 Nov 06), 03 (dated 09 Sep 06), 04c (dated 09 Sep 05), 05d (dated 06 Nov 06), 06d (dated 06 Nov 06), 07d (dated 06 Nov 06), 08c (dated 06 Nov 06), 09c (dated 24 Apr 06), 10d (dated 27Apr 06), 11e (dated 12 Jun 06), 13a (dated 09 Sep 05), 14 (dated 09 Sep 06)

Diplomat Lift detail (dated 06 Nov 06), Tusk bike rack system (dated 06 Nov 06)

**Subject to the following conditions:**

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended

- 2 **Materials:** The following material samples shall be submitted on boards to and approved in writing by the Council before any work is commenced on site:

- i. Powder coated aluminium shopfront
- ii. Powder coated aluminium window framing
- iii. Facing brick (London yellow stock)
- iv. All glazing including balustrades
- v. Sto render (indicative colour)
- vi. Copper sheet cladding
- vii. Aluminium fascia and soffit
- viii. Solid cladding panels

**Reason:** In order that the Local Planning Authority may be satisfied that the special architectural or historic interest of this listed building is safeguarded in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan (July 1995) and Policy 3.11 'Quality in Design' and 3.16 'Conservation Areas' of the Southwark Plan - Modifications Version, June 2006.

- 3 No meter boxes, flues (including balanced flues), vents or pipes [other than rainwater pipes] or other appurtenances not shown on the approved drawings shall be fixed or installed on the street elevation[s] of the building[s] without the prior written approval of the Local Planning Authority.

Reason

In order that the Local Planning Authority may be satisfied as to the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan and Policy 3.11 Quality in

Design of the Southwark Plan [Modificatiosn Version] 2006.

- 4 All residential premises shall be designed in accordance with BS8233:1999 'Sound insulation and noise reduction for buildings-Code of Practice' to attain the following internal noise levels:

Criterion; Typical situations; Design range  $L_{Aeq, T}$

- Good resting conditions; Living rooms; 30 dB (day: T =16 hours 07:00 – 23:00)
- Good sleeping conditions; Bedrooms; 30 dB (night: T = 8 hours 23:00 – 07:00) $L_{Amax}$  45 dB (night 23:00 07:00)

A test shall be carried out prior to the discharge of this condition to show the standard of sound insulation required shall be met and the results submitted to the Local Planning Authority for approval in writing.

**Reason**

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with Policy E.3.1 'Protection of Amenity' of Southwark's Unitary Development Plan, Policy 3.2 Protection of Amenity of the Southwark Protection of Amenity of the Southwark Plan [Modifications Version] 2006 and PPG 24: Planning and Noise.

- 5 Residential developments must be designed to ensure the following vibration levels are not exceeded due to road, rail or industry, BS6472:1992 Evaluation of human exposure to vibration in buildings (1Hz to 80 Hz).

- Place, Vibration dose values - Low probability of adverse comment ( $m/s^{1.75}$ )
- Residential buildings 16 h day, 0.2 to 0.4
- Residential buildings 8 h night, 0.13

A test shall be carried out prior to the discharge of this condition to show the standard of insulation required shall be met and the results submitted to the Local Planning Authority for approval in writing.

**Reason**

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources in accordance with Policy E.3.1 'Protection of Amenity' of Southwark's Unitary Development Plan, Policy 3.2 Protection of Amenity Southwark Plan [Modifications Version] 2006 and PPG 24: Planning and Noise.

- 6 The noise level from any plant (e.g. refrigeration, air conditioning), together with any associated ducting, shall be 10(A) dB or more below the lowest measured external ambient  $L_{Aeq, T^*}$  at the site boundary. The equipment shall be installed and constructed in accordance with any approved scheme and be permanently maintained thereafter. A test shall be carried out prior to the discharge of this condition to show above criterion shall be met and the results submitted to the Local Planning Authority for approval. Should the predicted levels exceed those specified in this condition, a scheme of insulation works to satisfactorily attenuate the noise shall be submitted for approval in writing to the Local Planning Authority for consideration.

(\* $L_{Aeq, T}$ . T= 1 hr between 07:00 and 23:00 and 5min between 23:00 and 07:00.)

**Reason**

To ensure that users of the surrounding area not suffer a loss of amenity by reason of noise nuisance and other excess noise from plant or other machinery within the commercial premises in accordance with Policy E.3.1 'Protection of Amenity' of Southwark's Unitary Development Plan and Policy 3.2 Protection of Amenity of the Southwark Protection of Amenity of the Southwark Plan [Modifications Version] 2006.

- 7 Prior to the commencement of works on the development hereby permitted, a site report detailing steps to minimise the development's future occupiers' exposure to air pollution shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter.

**Reason**

To ensure that end users of the premises do not suffer a loss of amenity by reason of pollution in accordance with Policy E.3.1 'Protection of Amenity' of Southwark's Unitary Development Plan and Policy 3.2 Protection of Amenity of the Southwark Protection of Amenity of the Southwark Plan [Modification Version] 2006.

- 8 Details of a survey and investigation of the soil conditions of the site (2 copies), sufficient to identify the nature and extent of any soil contamination, together with a schedule of the methods by which it is proposed to neutralise, seal, or remove the contaminating substances, shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be carried out before any works in connection with this permission are begun.

Reason

In order to protect construction employees and future occupiers of the site from potential health-threatening substances in the soil in accordance with Policy E.1.1: Safety and Security in the Environment of Southwark's Unitary Development Plan and Policy 3.2 Protection of Amenity of the Southwark Protection of Amenity of the Southwark Plan [Modifications Version] 2006.

- 9 No roof plant, equipment or other structures, other than as shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the building[s] as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure[s] of any building[s] hereby permitted without the prior written consent of the Local Planning Authority.

Reason

In order to ensure that no additional plant etc. is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with Policies E.2.3 'Aesthetic Control' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan and Policies 3.10 Efficient Use of Land 3.11 Quality in Design and 3.13 Urban Design of the Southwark Plan [Modifications Version] 2006.

- 10 Notwithstanding the provisions of Parts 24 and 25 The Town & Country Planning [General Permitted Development] Order 1995 [as amended or re-enacted] no external telecommunications equipment or structures shall be placed on the roof or any other part of a building hereby permitted without the prior written consent of the Local Planning Authority.

Reason

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with Policies E.2.3 'Aesthetic Control' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan and Policies 3.10 Efficient Use of Land 3.11 Quality in Design and 3.13 Urban Design of the Southwark Plan [Modifications Version] 2006..

- 11 The use hereby permitted shall not be begun until full particulars and details (2 copies) of a scheme for the ventilation of the premises to an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard of dilution expected, has been submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given in writing.

Reason

In order to that the Council may be satisfied that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with Policy E.3.1: Protection of Amenity and Policy S.1.6: Hot Food Outlets of Southwark's Unitary Development Plan, and Planning Policy Guidance 24 Planning and Noise and Policies 3.2 Protection of Amenity, 3.10 Efficient Use of Land, 3.11 Quality in Design and 3.13 Urban Design of the Southwark Plan [Modifications Version] 2006..

- 12 The development hereby permitted shall not be occupied before details of the arrangements for the arrangement and segregation domestic and commercial refuse storage have been submitted to (2 copies) and approved in writing by the local planning authority and the facilities approved have been provided and are available for use by the occupiers of the dwellings and the commercial premises. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy E.3.1: Protection of Amenity and Policy T.1.3: Design of Development and Conformity with Council's Standards and Controls of Southwark's Unitary Development Plan and Policy 3.7 Waste Reduction of the Southwark Plan [Modifications Version] 2006.

- 13 The cycle storage facilities as shown on drawing 002/05/ndb/05d shall be provided before the units hereby approved are occupied and thereafter such facilities shall be retained and the space used for no other purpose without prior written consent of the local planning authority.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with Policy E.3.1 'Protection of Amenity' and T.1.3 'Design in Conformity with Council Standards' of the Southwark Unitary Development Plan and Policy 5.3 Walkign and Cycling of the Southwark Plan [Modifications Version] 2006.

- 14 Shop drawings at a scale of 1:10 (annotated to show materials used) of the soffit, fascia and shopfront, including detail sections at a scale of 1:5, showing all profiles at transom lights, shopfront glazed panels, and shopfront door system shall be submitted to and approved in writing by the Local Planning Authority before any work in connection with this permission is carried out and the works shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that the Local Planning Authority may be satisfied as to the detailed design in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control', of the Southwark Unitary Development Plan (July 1995) and Policy 3.11 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan - Modifications Version, June 2006.

- 15 External security shutters shall not be installed at the commercial shopfront fronting Tower Bridge Road or Tanner Street.

Reason: In order that the Local Planning Authority may be satisfied that the external appearance of the building is satisfactory in accordance with Policy E.2.3 'Aesthetic Control' and Policy S.3.3 'Shopfront Design' of the Southwark Unitary Development Plan (July 1995) and Policy 3.11 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan - Modifications Version, June 2006.

- 16 **Reasons for granting planning permission.**

This planning application was considered with regard to various policies including, but not exclusively:

- a) Policies 3.2, 3.4, 3.8, 3.10, 3.11, 3.12, 3.13, 3.14, 3.15, 3.16, 4.1, 4.2, 4.3 of the Southwark Plan 2006 [Modifications Version].
- b) Policies E.2.1, E.2.3, E.2.4, E.2.6, E.3.1, E.4.2, E.4.3, H.1.5, H.1.7, H1.8, B.1.2 of The Southwark Unitary Development Plan 1995

Particular regard was had to [insert particular issue, e.g. loss of public open space] that would result from the proposed development but it was considered that this would be outweighed by the [insert details, e.g. provision of educational and social benefits] that would follow from the proposed development. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

**Informatives**

- 1 You are advised to speak with Karen Griffiths, Traffic and Transportation on 0207 525 5357 in respect of satisfying the requirements of information to discharge condition 13.
- 2 During demolition and construction on site:

- The best practical means available in accordance with British Standard Code of Practice B.S. 5228: 1997 shall be employed at all times to minimise the emission of noise from the site;
- The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 0800 – 1800 Mondays-Fridays, 0800 -1300 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;
- Vehicular access to adjoining and opposite premises shall not be impeded;
- All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only;
- No waste or other material shall be burnt on application site;
- A barrier shall be constructed around the site, to be erected prior to demolition;
- A suitable and sufficient means of suppressing dust must be provided and maintained.

Reason

To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of nuisance and pollution in accordance with Policy E.3.1 'Protection of Amenity' of Southwark's Unitary development Plan and Policy 3.2 Protection of Amenity of the Southwark Plan [Modifications Version] 2006.

- 3 No demolition may commence on site without the grant of a Conservation Area Consent.



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**MUNICIPAL YEAR 2006/07**

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32-36 Rye Lane			
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