



COMMUNITY COUNCILS
A voice for your community



Borough and Bankside Community Council Planning Agenda

Date: Tuesday 1st November 2005

Time: 7:00pm

Place: St Matthews, Meadow Row, London , SE1 6RG

- 1. Welcome and introductions**
- 2. Apologies**
- 3. Notification of any items which the Chair deems urgent**
- 4. Disclosure of Members' interests and dispensations**

Matters from the previous meeting

- 5. Minutes to be agreed from the Planning Meeting held on 12th September 2005**

6. Development Control Items

Planning Applications for Decision:

Item 1/1 - Approval of Details - Article 21 GDPO - Metro Central Heights, 119 Newington Causeway SE1

- 8. Closing comments by Chair**

ADDITIONAL INFORMATION

Borough and Bankside Community Council Membership

Daniel McCarthy (Chair)
Dr Abdur-Rahman Olayiwola (Vice Chair)
Catriona Moore
Mark Pursey
Richard Thomas
Lorraine Zuleta

Carers' Allowances

If you are a Southwark resident and have paid someone to look after your children, or an elderly dependant or a dependant with disabilities, so that you can attend this meeting, you may claim an allowance from the Council. Please collect a claim form from the clerk at the meeting.

Deputations

For information on deputations please ask the clerk for the relevant hand-out.

Exclusion of Press and Public

The following motion should be moved, seconded and approved if the Community Council wishes to exclude the press and public to deal with reports revealing exempt information.

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of information as defined in paragraphs 1-15, Access to Information Procedure Rules of the Constitution.”

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Wheelchair access

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For further information, please contact the Borough and Bankside Community Council clerk:

Julian Bassham
Phone: 0207 525 7234
E-mail: Julian.bassham@southwark.gov.uk
Council Website: www.southwark.gov.uk

Language Needs

If you want information on the Community Councils translated into your language please telephone 020 7525 57514

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Borough and Bankside Community Council Planning meeting

Draft Minutes of meeting

12 September 2005

The Cathedrals School of St Saviour and St Mary Overie, Redcross Way
SE1

PRESENT

Councillors Richard Thomas and Lorraine Zuleta

1. Introduction and welcome by the Chair

In the absence of the Chair and Vice Chair, the committee elected Cllr Lorraine Zuleta as Chair of the meeting. The Chair welcomed members of the public, Council Members and officers.

2. Apologies

Apologies received from Cllrs Danny McCarthy, Mark Pursey, Dr Abdur-Rahman Olayiwola and Catriona Moore. Cllr Zuleta asked that it be noted that Cllr McCarthy was unwell and a clash of dates had meant that Cllr Dr Abdur-Rahman Olayiwola was attending a Licensing meeting.

3. Items of business the Chair deems urgent

The Chair agreed to take the Late Item 4/4 Soho Wharf on this occasion as it had previously been placed on an agenda and withdrawn but stressed that the committee does not wish to receive such late and urgent items in the future.

4. Disclosure of Members' Interests and Dispensations

Cllrs Thomas and Zuleta declared a personal and non-prejudicial interest in relation to items 1/3 and 2/3, as they are members of a political party whom three years ago used one of the rooms in the premises during the election period. There was no financial element and the relationship has not continued.

5. Minutes of the Borough and Bankside planning meeting held on the 28th February 2005

Members agreed that the minutes of the Borough and Bankside planning meeting held on the 28th February 2005 were a correct and accurate record. Cllr Zuleta signed the minutes.

6. Recording of Members' votes

Council Procedure Rule 1.17 (5) allows a Member to record her/his vote in respect of any Motions and amendments. Such requests are detailed in the following Minutes. Should a Member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the Minute File and is available for public inspection.

The Committee considered the items set out on the agenda, a copy of which has been incorporated in the Minute File. Each of the following paragraphs relates to the item bearing the same number on the agenda.

7. DEVELOPMENT CONTROL

RESOLVED:

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports on the agenda 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 the decision or condition are not included in the report relating to an individual item, that they be clearly specified.

8. Development Control Items

Members proposed to take items 1/3 and 2/3 (Full planning permission and Listed Building consent) together.

Item 1/3 and 2/3

**Full Planning Permission The Henry Wood Hall, Trinity Church Square SE1,
Listed Building Consent - The Henry Wood Hall, Trinity Church Square
SE1.**

Proposals Planning permission and listed building consent for the construction of external disabled access ramp, new internal staircase and lift and refurbishment of portico stone steps, a new vehicular access a on the south east corner of the site and provision of stone setts to part of the courtyard area. Also, the demolition of the internal balconies.

Michele Sterry, Planning Officer, introduced the report summarising the history of the site and the history of a rejected application. Michele drew Members attention to the addendum report circulated. Consent was recommended.

Members asked questions of the officer and examined plans.

There were no objectors present.

The applicants' Agent was present and addressed the committee.

Members asked questions of the applicants' agent.

Members discussed the report and the issue of the clock tower that was not included in the report. Councillor Thomas moved to grant planning permission and Listed Building consent

RESOLVED: To grant planning permission and Listed Building consent as outlined in the draft decision notice with the following informative added:

That the applicant be advised to contact the Council's Design and Conservation Group (Tracy Chapman 02075255448) to discuss issues relating to maintenance work on the clock tower.

Item 3/3 Full Planning Permission - Jerwood Space, 171 Union Street SE1 OLN

Proposal: Erection of additional storeys onto main building (at part second and third floor levels) to house new rehearsal space and additional ancillary office accommodation.

Michelle Sterry, Planning Officer, introduced the item and drew members attention to the addendum report.

Members asked questions.

Two objectors shared the three minutes between them to address the committee.

Members asked questions and invited the objectors to highlight their issues on the plans available.

The applicant and applicants' agent were present and shared the three minutes between them to address the committee.

Members asked questions.

Members discussed the item and the issue of overlooking of neighbors in particular. Councillor Thomas moved that the item be deferred.

RESOLVED: to defer consideration of this application to enable the applicant to submit revised drawings in respect to increasing the height of the cill to the high level windows on the west elevation of the rehearsal space7.

The meeting took a 5 minute comfort break.

Item 4/4 Full Planning Permission - Soho Wharf, Clink Street SE1.

Proposal: Addition of a sixth floor to building to provide 1 new residential unit (Class C3), modifications to fifth floor level including an extension to south elevation and alterations to external facades. (Re-submission permission previously granted for the external alterations and extensions and use as offices).

Michelle Sterry, Planning Officer, introduced the item and explained the history of the application.

Members asked questions.

No Objectors were present.

The applicants' agent was present and addressed the committee.

Members asked questions.

Members discussed the item and Cllr Thomas proposed to agree subject to a amendment to condition 3.

RESOLVED: To grant planning permission as outlined in the draft decision notice subject to condition 3 being amended to read:

The dwellings hereby permitted shall not be occupied before details of the arrangements for the storing of domestic refuse **and recycling facilities** have been submitted to (2 copies) and approved by the local planning authority and the facilities approved have been provided and are available for use by the occupiers of the dwellings. 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 **and recycling** 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.

9. Governor appointment

Members considered the appointment of one LEA governor to Joseph Lancaster school.

RESOLVED: To appoint Ms Sarah Etwell as a LEA Governor at Joseph Lancaster Primary School.

Closing Comments by Chair

The Chair thanked everyone for attending and contributing to the meeting.

The meeting closed at 9.00pm.

Chair:

Date:

Item No.	Classification Open	Date: 31 July 2003	Meeting Name: Borough and Bankside Community Council
Report title:		Development Control	
Ward(s) or groups affected:		Cathedrals	
From:		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 which were agreed by the Constitutional Meeting of the Council on 24th 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 borough.
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 th May 2002	Constitutional Support Services, Southwark Town Hall, Peckham Road SE5 8UB	Beverley Olamijulo 020 7525 7222

APPENDIX 1

Audit Trail

<u>Lead Officer</u>	Deborah Holmes, Borough Solicitor & Secretary	
Report Author	Glen Egan, Assistant Borough Solicitor Beverley Olamijulo, Constitutional Support Officer (Executive)	
Version	Final	
Dated	11/02/03	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
<i>Officer Title</i>	Comments Sought	Comments included
Lyn Meadows Asst Borough Solicitor & Secretary	No	Yes
Paul Evans Strategic Director of Regeneration	No	No
James Sherry Development & Building Control Manager	No	Yes

ITEMS ON AGENDA OF THE BOROUGH AND BANKSIDE CC
on Tuesday 01 November 2005

Appl. Type Approval of Details - Article 21 GDPO
Site Metro Central Heights, 119 Newington Causeway SE1

Reg. 05-AP-1482
TP No. TP/1411-119
Ward Chaucer
Officer Adrian Dennis

Recommendatio GRANT
Proposal

Item 1/1

Details of alternative parking spaces for the residents of Metro Central heights to replace any spaces displaced during the period of construction work, as required by condition 5 of The Planning Inspectorate Appeal Decision dated 05/04/2005 Ref: APP/A5840/A/04/1152159 for a new building to provide 68 residential units. The proposal is to provide on-street parking permits for the displaced residents during the construction period.

Insert map here

Item No.	Classification	Decision Level	Date
1	OPEN	BOROUGH & BANKSIDE COMMUNITY COUNCIL	1/11/05
From DEVELOPMENT & BUILDING CONTROL MANAGER		Title of Report DEVELOPMENT CONTROL	
Proposal (05-AP-1482) Details of alternative parking spaces for the residents of Metro Central heights to replace any spaces displaced during the period of construction work, as required by condition 5 of The Planning Inspectorate Appeal Decision dated 05/04/2005 Ref: APP/A5840/A/04/1152159 for a new building to provide 68 residential units. The proposal is to provide on-street parking permits for the displaced residents during the construction period.		Address Metro Central Heights, 119 Newington Causeway SE1 Ward Chaucer	

PURPOSE

- 1 To consider the above application which needs Community Council decision due to the number of objections.

RECOMMENDATION

- 2 Grant approval for the temporary alternative parking arrangements.

BACKGROUND

- 3 On 6th June 2003 an application for the development of this site was allowed on appeal (Ref: APP/A5840/A/02/1102587) for a part 3 and part 15 storey building comprising 71 flats and 55 car parking spaces in the basement and 35 car spaces at surface level.
- 4 Following that permission the developers discovered that a fibre-optic cable crosses the site preventing a full sized basement from being provided. In December 2003 a revised scheme was submitted, in duplicate, for a development with a smaller basement and more surface level car parking which would now be 16 storeys (2400mm higher) and for 68 flats. These have the Council application references 04-AP-0246, which was the subject of an appeal for non-determination, and 03-AP-2449, which was determined by the Council.
- 5 One of these duplicate applications (03-AP-2449) was reported to the Planning Committee on 9th November 2004 with a recommendation for approval. The Committee resolved to grant planning permission subject to a direction from the London Mayor. On 14th December 2004 the London Mayor directed that permission

be refused. This was issued as directed on the 5th January 2005.

- 6 On the 5th April 2005 the appeal against the duplicate application (04-AP-0246) was allowed, following a Public Inquiry. This application is for the discharge of a condition that requires the submission of a scheme showing the provision of alternative parking spaces for the residents of Metro Central Heights to replace any spaces displaced during the period of construction work in connection with the development permitted.

FACTORS FOR CONSIDERATION

Main Issues

- 7 The main issues in this case are whether adequate alternative parking arrangements are proposed for residents who have to park elsewhere during construction period.

Planning Policy

- 8 Southwark Unitary Development Plan 1995 [UDP]:
UDP policies fully considered by both appeals.
- 9 The Southwark Plan [Revised Draft] February 2005
Emerging revised UDP policies fully considered by both appeals.

Consultations

- 10 Consultees: Flats 1 - 413 Metro Central Heights, 119 Newington Causeway

Replies from:

- 11 Objections received from flats 1, 21, 24, 50, 74, 98, 105, 108, 118, 120, 121, 125, 129, 133, 136, 152, 174, 186, 190, 201, 209, 226, 234, 263, 265, 267, 280, 283, 286, 290, 302, 304, 314, 321, 323, 363, 375, 408, 410 Metro Central Heights, 119 Newington Causeway. (39 Flats), plus one prospective purchaser of a flat.
(See paragraph 18 for reasons for objection)
- 12 Transport Group Note that alternative car parks are unsuitable, parking services to comment on on-street space availability.
Parking Manager: Confirms that parking spaces for about 85 cars would not be a problem in the adjacent streets within the Controlled Parking Zone and would be willing to issue the permits.

PLANNING CONSIDERATIONS

- 13 The development granted permission on appeal would result in the displacement of up to 85 car parking spaces during the construction period. On completion of the development the spaces lost would be reinstated. The proposed residential block will provide 85 car spaces (64 in the basement, 21 at ground level) resulting in a net gain of 24 additional spaces.
- 14 There are currently 205 parking spaces at Metro Central Heights, with 394 permits issued to car owners to park on the site. The proposal is to issue all permit holders with a permit from the Council's Parking Services for the adjacent controlled parking

zone. Initially this will be for 1 year and then all residents then eligible will receive a permit for the remaining 33 weeks of the contract period.

- 15 Alternative parking arrangements were considered and found to be inadequate. The objective was to find alternative parking within easy walking distance (about 5 minutes), sufficient capacity for all the vehicles, and parking should be safe, well lit and secure. None of the available car parks in the area met these criteria, all failed on capacity and some also on being too remote.
- 16 The car parks considered were the Library Street car park, Elephant and Castle Shopping Centre car park, Citi Park in Newington Causeway and the Stead Street car park. These were all unsuitable so the capacity for on street parking was considered and site visits made to confirm that sufficient spaces are available. A further site visit was made by the Council's Parking Services manager who confirmed that on-street parking bays are under utilized, partly due to congestion charging, and is happy for this area to be used for displaced parking from Metro Central Heights.
- 17 The Metro Central Car park is not fully occupied during the day (86% of capacity) and there is sufficient space on street during the day (restriction period 8.30am to 6.30pm) for any residents wishing to use their permits for parking on street. They would also would be able to park on-street should space not be available in the Metro Central Heights car park.
- 18 Objectors point out that parking on-street would be less secure and less convenient compared to their car park, the parking would be out of sight, there would be a risk of theft, and that their car insurance premiums would need to be increased for on-street parking. Some argue that this application is a breach of planning consents or lease agreements.
- 19 The application is certain not in breach of the planning consent but complies with the requirement imposed by the condition. The requirement is to submit a scheme showing the provision of alternative parking spaces for the residents of Metro Central Heights to replace any spaces displaced during the period of construction work in connection with the development permitted and that is exactly what the applicants have done. They have demonstrated that all alternative sources for residents parking have been examined and that there are insurmountable problems with all of the alternative off-street locations. They have adequately demonstrated that on-street parking spaces are available and have agreed to provide every resident with a parking permit for Metro Central Heights with a Council on-street parking permit for the duration of the construction works. The evidence supplied with the application supports the view that this is the only feasible solution for providing alternative parking spaces for those who find that they cannot find a space within Metro Central Heights during this period.
- 20 There are some objectors who seem to feel that if this alternative offer of parking spaces is unacceptable and rejected then the development cannot go ahead. In effect, this is a way of blocking the development that residents largely opposed from the outset. This is not the case. The condition simply requires the applicant to submit a scheme for alternative parking spaces and have it approved by the planning authority. Potentially there is an argument for rejecting this scheme if it is not viable but that is not a sustainable argument in this case. Not only have they submitted a workable scheme, it is an appropriate solution to the problem, probably the only alternative that

could work, and is being made available to all existing permit holders. It is therefore considered that there are no grounds for withholding approval for this scheme for alternative parking arrangements and that they have complied with the condition of the appeal permission.

EQUAL OPPORTUNITY IMPLICATIONS

- 21 The safety and security of the alternative parking was a primary consideration is looking for alternative parking. Although not ideal for everyone, the proposal allows for parking within reasonable access to Metro Central Heights.

LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

- 22 Not applicable.

LEAD OFFICER	Anne Lippitt	Interim Head of Development & Building Control
REPORT AUTHOR	Adrian Dennis	[tel. 020 7525 5445]
CASE FILE	TP/1411-119	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5402]	

RECOMMENDATION

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.

Applicant	Mr A Anderson St George South London Ltd	Reg. Number	05-AP-1482
Application Type	Approval of Details - Article 21 GDPO	Case Number	TP/1411-119
Recommendation	Grant		

Draft of Decision Notice

Approval has been GIVEN for the following details:

Details of alternative parking spaces for the residents of Metro Central heights to replace any spaces displaced during the period of construction work, as required by condition 5 of The Planning Inspectorate Appeal Decision dated 05/04/2005 Ref: APP/A5840/A/04/1152159 for a new building to provide 68 residential units. The proposal is to provide on-street parking permits for the displaced residents during the construction period.

At: Metro Central Heights, 119 Newington Causeway SE1

In accordance with application received on 20/07/2005

CIRCULATION LIST**MUNICIPAL YEAR 2005/06****COUNCIL: BOROUGH & BANKSIDE COMMUNITY COUNCIL**Original held by Constitutional Support Unit; amendments to Julian Bassham
(Tel:02075257234)

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Cllr Dr Abdur-Rahman Olayiwola (Vice-chair)	1	Southwark Police Station	
Cllr Catriona Moore	1	323 Borough High Street	
Cllr Mark Pursey	1	London SE1 1JL	
Cllr Richard Thomas	1		
Cllr Lorraine Zuleta	1	Valerie Shawcross	1
		GLA Building	
Cllr Fiona Colley	1	City Hall	
		Queen's Walk	
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