GREATER LONDON AUTHORITY

Jake Hamilton
Head of Development
Management
Bromley Council
Civic Centre
Stockwell Close
Bromley BR1 3UH

Our ref: GLA/5386/TT/02 Your ref: DC/19/04644/FULL1 Date: 20 January 2020

Dear Mr Hamilton

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

National Westminster Bank Sports Ground, Beckenham Local planning authority reference: DC/19/04644/FULL1

I refer to the copy of the above planning application, which was received from you on 9 December 2019. On 20 January 2020, the Deputy Mayor for Planning, Regeneration and Skills under delegated authority considered a report on this proposal, ref: GLA/5386/01. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Deputy Mayor considers that the application does not comply with the London Plan and intend to publish London Plan, for the reasons set out in paragraph 48 of the above report.

If your Council subsequently resolves to grant permission on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged or direct the Council under Article 6 of the Order to refuse the application. You should therefore send me a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution. If your Council resolves to refuse permission it need not consult the Mayor again (pursuant to Article 5(2) of the Order), and your Council may therefore proceed to determine the application without further reference to the GLA. However, you should still send a copy of the decision notice to the Mayor, pursuant to Article 5 (3) of the Order.

Please note that the Transport for London case officer for this application is Amy Tempest, e-mail: AmyTempest@tfl.gov.uk and telephone 020 3054 3649.

Yours sincerely

John Finlayson

Head of Development Management

CC Gareth Bacon, London Assembly Constituency Member
Andrew Boff, Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
Lucinda Turner, TfL
Mr Luke Raistrick, Centro Planning Consultancy, The Clockhouse, Station
Approach, Marlow, SL7 1NT

planning report GLA/5386/01 20 January 2020

National Westminster Bank Sports Ground, Beckenham

in the London Borough of Bromley planning application no. DC/19/04644/FULL1

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Redevelopment of the site involving erection of a new indoor full-size football pitch, creation of an open air artificial full-size pitch with floodlighting and regrading of the site to create a full-size pitch with spectator seating & six training pitches. External alterations and extensions to the existing buildings, and associated highway and landscaping works.

The applicant

The applicant is **Crystal Palace Football Club Limited**, and the architect is **KSS Architects**.

Strategic issues summary

Metropolitan Open land: The provision of new and improved outdoor sports and recreational facilities on this MOL site is supported. However, the indoor football pitch building is materially larger than the existing situation and would harm openness. It therefore fails to meet relevant exception tests of the NPPF and is inappropriate development. However, the applicant has demonstrated very special circumstances that justify the development. The proposal by virtue of its public benefits which include an enhanced sports academy, community access and ensuring long-term and viable use of the site for outdoor sport would outweigh the harm the scheme would cause. In principle, the proposal accords with London Plan Policy 7.17, the Mayor's intend to publish London Plan Policy G3, and the NPPF (paragraphs 14 to 24).

Sports facilities and community use: A detailed community use agreement for affordable and accessible usage of the sports facilities must be secured by S106 (paragraphs 25 to 28).

Urban design, **Inclusive access**, **climate change** and **transport** concerns must be addressed (paragraphs 29 to 44).

Recommendation

That Bromley Council be advised that the application does not yet comply with the London Plan and The Mayor's intend to publish London Plan, for the reasons set out in paragraph 48 of this report; but that the possible remedies set out in that paragraph could address these deficiencies. The application does not need to be referred back to the Mayor if the Council resolves to refuse permission, but it must be referred back if the Council resolves to grant permission.

Context

- On 9 December 2019, the Mayor of London received documents from Bromley Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.
- The application is referable under Category 3D of the Schedule to the Order 2008: "Development (a) on land allocated as Green Belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and (b) which would involve the construction of a building with a floor space of more than 1,000 square metres or a material change in the use of such building."
- Once Bromley Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision, as to whether to direct refusal or allow the Council to determine it itself, unless otherwise advised. In this instance if the Council resolves to refuse permission it need not refer the application back to the Mayor.
- 4 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

- The application site, which has an area of 11 hectares is located on Copers Cope Road and is entirely on Metropolitan Open Land (MOL). It currently contains a number of marked out outdoor sports pitches, buildings and car parking areas and there are no designated heritage assets on, or nearby the site.
- The site was historically used as a private sports ground for employees of the Royal Bank of Scotland (RBS) but has been operated by other organisations over recent years. The RBS Bowls Club continue to operate from part of the site and 'Goals' and Beckenham Gym formerly operated from two of the three main buildings on the site, though more recently these buildings have been used by the existing CPFC Academy. The third main building is used for children's' soft play.
- The opposite side of Copers Cope Road comprises further sports pitches, including Kent County Cricket Club (KCCC) and CPFC's first-team training ground and pavilion to the south. To the north, the site is bound by Worsley Bridge Road, beyond which is the CEGA's Sports Ground, and to the west and south-west the site is bound by the Pool River and railway lines, beyond which is the HSBC Group Sports Ground and Social Club.
- The nearest section of Strategic Road Network is Beckenham Hill Road, located 875 metres to the east of the site. Only one bus route is located within 640 metres of the site, which can be accessed from Copers Cope Lane. Lower Sydenham station is located approximately 900 metres from the site, providing access to National Rail services to Hayes, London Cannon Street and London Charing Cross. Lower Sydenham

to Bromley Quietway can be accessed from Copers Cope Lane. Greenwich to Kent House Quietway can be accessed from Kangley Bridge Road. The site records a public transport accessibility level (PTAL) ranging between 0 and 1b, on a scale of 0-6b, where 6b is the highest.

Details of the proposal

The detailed planning application proposes the erection of a new covered/indoor full-size football pitch, a full-size open-air artificial pitch with floodlighting, regrading of the site to create a further full-size pitch with spectator seating and six training pitches (two full-size, two 3/4 size and two half-size). Additional works include external alterations and extensions to existing buildings, and the provision of maintenance and storage sheds, water tanks, under-pitch infrastructure and, associated highway and landscaping works.

Case history

10 There is no strategic planning case history relevant to this planning application.

Strategic planning issues and relevant policies and guidance

- 11 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2019 Bromley Local Plan, and the 2016 London Plan (consolidated with alterations since 2011).
- 12 The following are relevant material considerations:
 - The National Planning Policy Framework 2019 and National Planning Practice Guidance.
 - The Mayor's intend to publish London Plan (December 2019), which should be taken into account on the basis explained in paragraph 48 of the NPPF.
- 13 The relevant issues and corresponding policies are as follows:

•	Metropolitan Open Land	London Plan; the Mayor's intend to publish London Plan;
•	Sports facilities	London Plan; the Mayor's intend to publish London Plan;
•	Community use	London Plan; the Mayor's intend to publish London Plan;
•	Urban design	London Plan; the Mayor's intend to publish London Plan;
•	Access	London Plan; the Mayor's intend to publish London Plan; Accessible London: achieving an inclusive environment SPG;
•	Climate change	London Plan; the Mayor's intend to publish London Plan; London Environment Strategy;
•	Transport	London Plan; the Mayor's intend to publish

London Plan; the Mayor's Transport Strategy;

Metropolitan Open Land

- London Plan Policy 7.17 affords Metropolitan Open Land (MOL) the strongest possible protection, whilst Policy G3 of the Mayor's intend to publish London Plan states that MOL should be protected from inappropriate development and proposals that harm MOL should be refused. Both policies state that national Green Belt policies, set out within the NPPF, apply to MOL and therefore MOL is offered the same protection as Green Belt.
- Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to Green Belt and should not be approved except in 'very special circumstances'. According to paragraph 144 of the NPPF, when determining applications, LPAs should ensure that substantial weight is given to any harm to the Green Belt; 'very special circumstances' will not exist unless the potential harm to Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 16 As set out in paragraph 145 of the NPPF, the construction of new buildings should be regarded as inappropriate development in the Green Belt. Exceptions to this of relevance to the proposed redevelopment are:
 - the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
 - the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
 - the replacement of a building provided the new building is in the same use and not materially larger than the one it replaces.

GLA officer's assessment on principle of land use

- The provision of new and enhanced outdoor sports and recreation facilities and the minor proportionate extension of the three existing buildings would preserve openness and therefore be appropriate development in accordance with the NPPF exceptions tests outlined above (first and second bullet points).
- However, the proposed new indoor full-size football pitch building due to its bulk and mass would have significant impact on the openness of the MOL, therefore does not meet any of the above NPPF exception tests, and is 'inappropriate' development within the MOL. As 'inappropriate development', the proposed building is harmful to MOL openness by definition. The applicant recognised this and put forward VSC case, which includes compelling need, community benefits and the long-term and viable use of the site for outdoor sport, which are assessed below.

Assessment on applicant's very special circumstances

The applicant contends that its proposals would result in significant social and economic benefits including community use of the new and enhanced training facilities and employment opportunities provided by the Academy. These would benefit the local area; the borough of Bromley and the whole of South London and therefore constitute

very special circumstances (VSC). This is accepted provided a suitable community use agreement is agreed and robustly secured in any planning permission as detailed below.

- The applicant also contends that its proposals would ensure a long-term and viable use of the entire site for sport and recreational purposes going forward, a matter which Bromley Council afforded significant weight to in the VSC balance when granting planning permissions for Kent County Cricket Club on MOL site to expand its facilities (with enabling development), and for Bromley Football Club to redevelop the site within Green Belt for expanded and improved multi-purpose sports facilities. This is again accepted.
- The applicant's final VSC argument is its need for a Category 1 Academy and points to the fact that Crystal Palace Football Club is currently South London's only Premier League team, and that the Club's existing Category 2 Academy has a very good reputation for producing Premier League footballers, including the current England National Football Team Manager, Gareth Southgate. In summary, the applicant contends that it needs a full-size indoor football pitch to meet the Football Association's Category 1 Academy requirements as well as the proposed suite of full-size open-air pitches (including an artificial turf 3G pitch with floodlights), and smaller pitches for its foundation and Early Youth teams. It also points out that other London Premier League clubs have similar facilities. This element of the applicant's VSC case is also accepted.

Impact on openness

The proposed new indoor sports building to accommodate CPFC's Category 1 Academy building measures 116 metres long and 81 metres wide, with a maximum height of 19 metres at the ridge and approximately 6 metres at the eaves, with a curved roof. The applicant team has carefully considered where the proposed building should be located on the site, and how its rectilinear form should be orientated so that the shorter edge would face onto Copers Cope Road in order to minimise impact on openness viewed from this key point. The remainder of the Copers Cope Road frontage (some 31 metres) will be opened up with a new 3G pitch allowing views to the MOL beyond. Furthermore, the approach of anchoring the new building partly at the previously developed part of the site that until most recently, was occupied by the former 'Goals', which included buildings that had a visual incursion on the site's openness, is supported.

Other harm associated with the inappropriate development on MOL

It is noted that the size and massing of the new indoor football pitch building would result in some encroachment into the dense scrub and semi-natural woodland (MOL). Whilst, as discussed above, there is support for the location and orientation of the new full size indoor football pitch building, it is essential that any other harm associated with encroachment into the MOL is minimised as far as possible. The applicant should also confirm whether it has explored other alternative sites for the scale and size of its proposal on brownfields that would not involve Green Belt or MOL.

Conclusion on principle of development

The provision of new and improved outdoor sports and recreational facilities on this MOL site is supported, and also the proposed proportionate extensions to the existing buildings would not harm openness. However, the new indoor football pitch

building is materially larger than the existing situation and would harm openness. It therefore fails to meet relevant exception tests of the NPPF and is inappropriate development. However, the applicant has demonstrated very special circumstances that justify the development this element of the proposal. The development by virtue of its public benefits which include an enhanced sports academy, community access and ensuring long-term and viable use of the site for outdoor sport would outweigh the harm the scheme would cause, and the applicant has demonstrated very special circumstances that justify the development. In principle, the proposal accords with London Plan Policy 7.17, the Mayor's intend to publish London Plan Policy G3, and the NPPF.

Sports facilities and community use

- Policy S5 of the Mayor's intend to publish London Plan 'Sports and recreation facilities' and London Plan Policy 3.19 'Sports facilities' set out that those proposals that increase or enhance the provision of sports and recreation facilities will be supported; whereas those that result in a net loss of sports and recreation facilities, including playing fields should be resisted.
- In satisfying Policy S5 of the Mayor's intend to publish London Plan and Policy 3.19 of the London Plan, the applicant has demonstrated that there would not be a loss of sports facilities, and the improvements to sports and recreation use is strongly supported.
- The applicant's planning statement confirms that the club is committed to enhanced use of the indoor and 3G full-size pitches by CPFC's foundation community programme (Palace for Life, which delivers health, education and sporting programmes for more than 14,000 local children and young adults), outside of times that the academy would use them namely afternoons and evenings. The applicant has stated that its aspiration is to assist people from all sectors of the diverse local community to access the facilities and to benefit from active sports engagement.
- Whilst the applicant's aspiration and commitment as discussed above is welcomed, active engagement with relevant sports national governing bodies such as the National Football Association and Sport England; and local sports communities, is highly recommended. A detailed community use agreement for affordable and accessible usage of the sports facilities must be secured by the council. The details in terms of pricing, nature of coaching, and hours per week of accessible usage must be incorporated in the draft community use agreement and must be submitted prior to stage 2 referral to the Mayor.

Urban design

- Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within chapter seven which address both general design principles and specific design issues. London Plan Policy 7.1 and the Mayor's intend to publish London Plan Policy D1 set out a series of overarching design principles for development in London.
- 30 It is noted that the existing buildings will be retained (with some internal reconfiguration and refurbishment) in order to accommodate the requisite academy accommodation. Visually, the existing buildings are a collection of structures developed

on the site over a period of time and are not architecturally harmonised. Alongside these reconfiguration and refurbishment, a number of small extensions to the existing buildings are proposed in order to improve the functionality of the Football Academy, including a new entrance lobby, levelled viewing deck to the rear of the pavilion and viewing balcony into the covered pitch. These elements of the proposed redevelopment and the provision of additional open-air pitches of varying sizes and a 3G pitch, and the two 250-seater stands, will not have a significant impact on the openness of the MOL.



Illustrative visuals of the development: Source-applicant's Design and Access Statement, November 2019.

However, the design and access statement states that an essential part of Elite Player Performance Plan - EPPP Category 1 status is the requirement for an indoor pitch and that it is essential for the CPFC to have a full-sized covered football pitch in order to maximise practice and training programmes across age groups. Whilst the Club's aspiration is appreciated, the introduction of this element of the proposal with a maximum height of 19 metres at the ridge will have substantial impact on the openness of the MOL. However, given the careful consideration in regard to the location of the proposed building partly on the previously developed land and its orientation, so that the shorter edge would face onto Copers Cope Road, on balance, the design is acceptable.

Inclusive access

Policy D3 'Inclusive design' of the Mayor's intend to publish London Plan and Policy 7.2 of the London Plan seek to ensure that proposals achieve the highest standards of accessible and inclusive design (not just the minimum). The proposed redevelopment of the Academy will offer a fully inclusive access and sports programme. It is also noted that six disabled car parking bays will be provided within 30 metres of the building entrance, which is welcomed. However, all the proposed inclusive access measures must be secured through condition.

Fire safety

In accordance with Policy D12 'Fire safety' of the Mayor's intend to publish London Plan, all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

This Statement was not submitted with the planning application at this stage and should be submitted before the case is referred back to the Mayor at Stage 2. The council should then secure its implementation through an appropriate condition.

Climate change

Energy

- The only planning documentation provided for energy issues is a short note, which suggests that there is no heating and cooling element provided to the covered indoor football pitch and that lighting use will be occasional, and so the applicant does not envisage Part L of London Plan energy requirements will apply to the development. However, after reviewing the Design and Access Statement it is clear that the proposed development also includes the refurbishment and extension of existing buildings. The buildings are fundamentally linked to the other facilities proposed on site, and this and the floodlights will have a significant energy use and should be considered against the London Plan requirements as for a typical application. Stage 1 energy comments are separately sent out to the applicant and the Council. Key points include:
 - An energy statement, which accords with energy policies of the London Plan and The Mayor's intend to publish London Plan must be submitted.
 - Confirmation regarding the scope of Mechanical, Electrical and Plumbing (MEP) services provided to the covered indoor football pitch.
 - Details on the extension of buildings and the potential for upgrade to newbuild standards.
 - Overheating and potential for connection to district heating should be considered.
 - PV should be maximised, and low carbon heating e.g. heat pumps should be considered.

Transport

Trip generation

A multi-modal trip generation assessment has been undertaken. However, further information is required to support its assumptions: for example, no modal split has been provided for the match days, therefore TfL is unable to agree with the applicant's conclusion that the events will have a moderate to minor impact on the public transport network.

Car parking

Eighty-seven general parking spaces are proposed, which is a reduction of forty-one spaces from current provision. However, no clear justification has been provided for the quantum proposed and TfL considers this can be further reduced, taking into consideration the proposed daily vehicular trips to the site. A further six disabled parking spaces are proposed. This is equivalent to seven per cent of total provision, which is welcomed. In line with the Mayor's intend to publish London Plan Policy T6.4, at least 20 per cent of car parking spaces should be provided with active Electric Vehicle Charging Points (EVCP), with passive provision for all remaining spaces.

Match days

On match days, 500 spectators can be accommodated on the site. It is anticipated that matches at this site will only be on rare occasions. Furthermore, the applicant states that it will agree a separate parking strategy with the council prior to any match taking place, which will include detail on the usage of off-site car parks. However, a more appropriate management tool for match days would be an Event Management Plan, which should be secured through condition. With the greater focus on active and sustainable travel, as highlighted within the Mayor's Transport Strategy and the Mayor's intend to publish London Plan, the Management Plan should include details on the measures that will be implemented to promote spectators to use sustainable and active travel to access this site.

Healthy streets

- In line with London Plan Policy T2, it is expected that all developments will deliver improvements to support the Mayor's ten Healthy Street indicators. However, there is no detail on how the proposed development supports the delivery of the Mayor's Healthy Streets approach within the Transport Assessment (TA), and an Active Travel Zone assessment has not been undertaken. This work should be undertaken, and the applicant should set out proposed mitigation measures.
- It is noted that an analysis of accident data has been undertaken, and potential improvements identified. A number of these improvements i.e. speed reduction measures, including a pedestrian crossing, will improve pedestrian and cyclist safety. To help support a strategic mode shift at this site, the council is encouraged to engage with the applicant to implement of number of the improvements identified. These improvements will need to be delivered through a S278 agreement with the appropriate highway authority.

Cycle parking

Cycle parking provision at this site should be increased to the Mayor's intend to publish London Plan standards. The applicant is strongly encouraged to exceed The Mayor's intend to publish London Plan standards at this development, taking into consideration its proximity to local cycle network. Further information is required which demonstrates how all cycle parking provided accords with London Cycle Design Standards (LCDS).

Freight

- No outline delivery and servicing plan (DSP) has been provided to support the application, however information on this matter has been included within the TA. A full DSP for this development should be secured through condition, in line with the Mayor's intend to publish London Plan Policy T7.
- Limited information on the construction of the proposed development is included within the framework construction logistics plan (CLP) has been included within the TA. In line with the Mayor's intend to publish London Plan Policy T7, a full CLP should be secured through condition. This should be prepared in line with TfL guidance. The full CLP should contain details on how the site will adhere to the Mayor's Vision Zero

principles and the measures that will be implemented to protect pedestrians and cyclists (with consideration given to the location of two Quietways in the vicinity of the site).

Travel plan

- A draft travel plan has been provided. A full travel plan should be secured through condition. The targets contained within the travel plan should reflect the strategic mode shift target and contain measures that will be implemented to promote sustainable and active travel for each type of user at this site.
- 44 Summary of key issues:
 - Car parking at this site should be reduced to support strategic mode shift;
 - Further clarification is needed in respect of trip generation;
 - Cycle parking should be increased to accord with The Mayor's intend to publish London Plan standards;
 - Further information is needed to demonstrate how the scheme would deliver the Mayor's Healthy Streets approach, and
 - A CLP, DSP and travel plan must be secured by conditions.

Local planning authority's position

Bromley Council's planning officers have confirmed that currently, they are assessing the proposal with a targeted planning committee meeting date towards the end of January 2020.

Legal considerations

Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged or direct the Council under Article 6 of the Order to refuse the application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

47 There are no financial considerations at this stage.

Conclusion

London Plan and the Mayor's intend to publish London Plan policies on Metropolitan Open Land, sports facilities and community use, urban design and inclusive access, climate change and transport are the key strategic issues relevant to this planning application. The application does not yet comply with the London Plan and the Mayor's intend to publish London Plan; the following changes might lead to the application becoming compliant:

- Metropolitan Open land: The provision of new and improved outdoor sports and recreational facilities on this MOL site is supported. However, the indoor football pitch building is materially larger than the existing situation and would harm openness. It therefore fails to meet relevant exception tests of the NPPF and is inappropriate development. However, the applicant has demonstrated very special circumstances that justify the development. The proposal by virtue of its public benefits which include an enhanced sports academy, community access and ensuring long-term and viable use of the site for outdoor sport would outweigh the harm the scheme would cause. In principle, the proposal accords with London Plan Policy 7.17, the Mayor's intend to publish London Plan Policy G3, and the NPPF.
- Sports facilities and community use: A detailed community use agreement for affordable and accessible usage of the sports facilities must be secured by the council.
- Urban design and inclusive access: The design is acceptable. Key materials, submission of fire safety statement and the approach to inclusive access must be secured.
- Climate change: An energy statement must be submitted. Confirmation regarding
 the scope of MEP services provided, details on the extension of buildings and the
 potential for upgrade to newbuild standards required. Overheating and potential for
 connection to district heating, maximizing PV, and low carbon heating e.g. heat
 pumps should be considered.
- Transport: Car parking must be reduced, further clarification is needed to support
 the trip generation provided, cycle parking should be increased and further
 information is needed to demonstrate how the site would deliver the Mayor's
 Healthy Streets approach. A CLP, DSP and travel plan must be secured by
 conditions.

For further information contact GLA Planning Team:

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