

**SECTION '1' – Applications submitted by the London Borough of Bromley**

**Application No :** 19/03578/FULL1

**Ward:**  
**Crystal Palace**

**Address :** Crystal Palace Park Thicket Road Penge  
London SE20 8DT

**Objections:** No

**OS Grid Ref:** E: 534475 N: 170872

**Applicant :** Ms Michel

**Joint report with application reference:** 19/03579/LBC.

**Description of Development:**

Construction of a footbridge in Crystal Palace Park for access to the Crystal Palace Dinosaurs on Dinosaur Island

Key designations:

Conservation Area: Crystal Palace Park

Areas of Archeological Significance

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Metropolitan Open Land

Sites of Interest for Nat. Conservation

Smoke Control SCA 6

**Proposal**

Planning permission is sought for a permanent bridge to provide pedestrian access to the Dinosaur Island in Crystal Place Park.

**Background/History**

The Dinosaurs were built in the 1850s in the grounds of the Crystal Palace and were the first ever life-sized reconstruction of extinct animals. The Dinosaurs are located on islands which the public cannot get access to. The sculptures are Grade I listed heritage assets.

**Current access**

Since 2016 Friends of Crystal Palace Park have organised tours. The public tours are only under expert supervision. Tours are run by two guides. Numbers of visitors are limited to 25 visitors per tour. Tours require advance sign up. The Island is surrounded by pedestrian paths but has no permanent access point. It is

only accessible a few times per year, when an expensive and inconvenient temporary bridge is erected.

It was possible to access the island via a permanent bridge but this was removed during work on the weir in 2017. In order to monitor the condition of the sculptures or carry out remedial maintenance or ground work, access had to be planned via a demountable bridge, erected by an external contractor. With the restrictions on access, structural and surface damage have essentially progressed unmonitored on the sculptures and ground maintenance has stopped.

### Future tours

The new bridge will allow a high quality permanent but retractable bridge to the dinosaurs to allow limited access for maintenance, repair and limited managed public tours.

Access will be limited to those approved in advance. Use of the bridge will be limited to 30 occupants at any one time; maximum 25 visitors and five experienced guides, stewards, teachers or project leaders.

The new bridge will allow tours for around 1,200 people per year to allow easier access for wider engagement, access for groups and make routine maintenance easier and cheaper and in turn helping to conserve the Dinosaurs for the long term.

### Design

The swing bridge will be constructed on a pivot to open and close for access. There will be strict rules on when the bridge can be opened and limited access to the islands which will be facilitated by a Management Plan. The design of the bridge was inspired by the skeletal structures of aquatic vertebrata (bony fish) that dominated the early seas before dinosaurs walked on the earth. The skeletal structure would be fixed by a central pivot, allowing controlled access.

The design of the bridge is meant to enhance public interpretation of the site's scientific, cultural and historic significance. The bridge will be made from galvanised mild steel.

The following documents accompany the planning application:

- Heritage Statement
- Design & Access Statement
- Management Plan
- Stakeholder Consultation Letters of Support

The application should be read in conjunction with planning application reference: 19/03579/LBC.

## **Location**

The application site lies within Crystal Palace Park which is a Grade II\* Listed park designated as Metropolitan Open Land and the Crystal Palace Park Conservation Area.

The proposed site is directly adjacent to the southern weir and enclosed by a series of mature trees. The distance between the land forming the general park and the islands is also the shortest at the proposed site, therefore keeping the bridge size to a minimum.

## **Consultation**

Nearby owners/occupiers were notified of the application, the application was advertised by way of 3 site notices affixed within the park and a press advertisement.

Several representations were received which can be summarised as follows:-

- This proposal was discussed at an Open Meeting of Penge Forum on Thursday September 16th at Anerley Town Hall. The meeting was attended by approximately 90 local residents. An illustrated presentation was given and I am pleased to say that the proposal received unanimous support. Residents were satisfied that the bridge was necessary to continue and enhance the preservation work on the dinosaurs, that it was well designed and that it was a public benefit. In this regard, they were especially pleased to note the Friends group's commitment to increasing, managed, public access to the island which was important in securing residents' support. Penge Forum therefore wishes to affirm its support for the proposal.
- Stakeholder letters received from the following organisations all supported the applications:
  - Historic England
  - The Victorian Society
  - Ancient Monuments Society
  - The gardens Trust
  - Friends of Crystal Palace Park
  - Crystal Palace Community Association
  - Crystal Palace Museum
  - Norwood Society
  - Crystal Palace Community Trust
  - Crystal Palace Festival
  - Penge Heritage Trail
  - Crystal Place Transition trail
  - Capel Manor College
  - Invisible Palace
  - IDverde

The London Borough of Lewisham and Lambeth raise no objections to the proposal and the adjoining authority of London Borough of Southwark and Croydon have not commented.

## **Technical comments**

Historic England -

This letter follows on from our pre-app letter of 10 June 2019, which is included in the applicant's submission.

Historic England welcomes the proposals to provide a high quality permanent, but retractable, bridge to the dinosaur island in order to enable limited access for maintenance, repair, and limited managed public tours. We appreciate that such access is necessary to secure the long term future of these highly significant and fragile historic assets for maintenance, repair, planting and limited public access. We have viewed the submitted information and consider the proposals to be well set out and to provide the necessary details requested in our letter, particularly in relation to methodology for erection of the bridge on site and visitor management. We would recommend that the suggested conditions set out on page 17 of the Management Plan by Tonkin Liu Architects be captured as planning conditions or provisions of any lease agreement between the Council, as land owner, and the Friends of the Dinosaurs, with the approving body under part v, being the Council.

Recommendation: Historic England supports the applications on heritage grounds.

We consider that the applications meet the requirements of the NPPF.

In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your Authority should take these representations in account and determine the application in accordance with national and local planning policy and in consultation with your specialist conservation advice. We have drafted the necessary letter of authorisation for your Authority to determine the application as you see fit and have referred this to the National Planning Casework Unit (NPCU) (copy attached). You will be able to issue a formal decision once the NPCU have returned the letter of authorisation to you, unless the Secretary of State directs the application to be referred to them.

This response relates to designated heritage assets only. If the proposals meet the Greater London Archaeological Advisory Service's published consultation criteria

we recommend that you seek their view as specialist archaeological adviser to the local planning authority.

The full GLAAS consultation criteria are on our webpage at the following link:

<https://www.historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/our-advice/>

Historic England (Archaeology) -

It is concluded that this application will not require archaeological consideration on the understanding that my Inspector of Historic Buildings and Areas colleague will be providing comment under separate cover.

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are therefore necessary.

Conservation Officer - Historic England comments on this proposal are thorough and well-considered and they have not objected.

Historic England have been involved in pre-application discussion at this site and this current scheme reflects those discussions.

We would also recommend that the suggested conditions set out on page 17 of the Management Plan by Tonkin Liu Architects be captured as planning conditions or provisions of any lease agreement. Therefore no heritage objection.

Town Centre Team -

The Grade I listed dinosaurs are one of Crystal Palace Park's most important features. However, despite considered interventions from specialist conservators and engineers in recent years, their condition continues to deteriorate. Subject to planning permission and securing funds, Bromley Council will be undertaking a considerable programme of regeneration works to Crystal Palace Park in the coming years.

Part of this programme will include a major conservation project to the dinosaurs. Ongoing maintenance and conservation of the sculptures and island will be essential in ensuring their long term future. As such, the Regeneration division warmly supports the proposal to build a permanent, rotating bridge to allow ongoing but, importantly, controlled access to the dinosaur island. In tangible support of the bridge project, the Council has committed £5,000 towards the £70,000 construction costs. However, the Regeneration division requests that conditions are placed on the usage of the bridge so that access for public tours is significantly limited. This is to ensure the sculptures and their landscape are protected.

Parks (Trees) - no comments received to date.

Parks Department - no comment.

Highways - no objection, subject to Construction Management Plan condition.

TfL -

It is understood that the proposed bridge will provide a link to the main dinosaur island to enable regular conservation monitoring and work on the sculpture and provide access for grounds maintenance, interpretation and volunteer engagement.

The Construction Management Plan (CMP) should be updated to include details on how vehicle movement associated with the construction/installation of the bridge will be managed, and the measures that will be implemented to minimise any potential conflict with pedestrians and/or cyclists that are using Crystal Palace Park.

The CMP should also be updated to provide an approximate timescale for the proposed works.

TfL would welcome a commitment to FORS to be included within the CMP.

Should the proposed development require the transportation of an abnormal load, the relevant procedures must be followed.

Subject to the CMP being amended to reflect the above, TfL have no further comments to make on this application at this time.

Designing out Crime Officer -

With regard to security, access to the sculptures should be restricted and protected due to their unique nature, and being on an island has served the purpose well.

From my inspection of the supplied drawings, it would appear the bridge in the "open" position is a little less than 3m from the bank, I believe this would be a fairly easy and attractive distance to jump across, potentially making the bridge a target to parkour or urban explorers or other youths, as is the case across London on a daily basis. I would suggest a barrier and gate on the public bank side, not just to restrict access, but set back sufficiently so as not to aid the jump, and close enough to the edge to prevent a "run up". This should then not only protect the bridge and island but help to prevent reckless injury.

Environment Agency - no comment

Drainage - no comment

Environmental Health - no objections

## **Policy Context**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.

The application falls to be determined in accordance with the following policies:

The National Planning Policy Framework.

Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out an obligation to pay special regard to safeguarding the special interest of listed buildings and their settings. Paragraph 127 of the National Planning Policy Framework sets out that planning policies and decisions should ensure that developments function well and add to the overall quality of an area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to the local character and history, including the surrounding landscape setting.

In addition, the most relevant London Plan policies are as follows:

- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.10 Urban greening
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater Infrastructure

Policy 5.15 Water use and supplies  
Policy 5.18 Construction, excavation and demolition waste  
Policy 5.21 Contaminated land  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.1 Lifetime neighbourhoods  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.5 Public Realm  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.9 Heritage -led Regeneration  
Policy 7.14 Improving Air Quality  
Policy 7.17 Metropolitan Open Land  
Policy 7.19 Biodiversity and access to nature conservation  
Policy 7.21 Trees and Woodlands

The application falls to be determined in accordance with the following policies of the Bromley Local Plan

Policy 37 - General Design of Development  
Policy 30 - Parking  
Policy 32 - Road Safety  
Policy 34 - Highway Infrastructure Provision  
Policy 37 - General Design of Development  
Policy 38 - Statutory Listed Buildings  
Policy 41 - Conservation Areas  
Policy 45 - Historic Parks and Gardens  
Policy 46 - Ancient Monuments and Archaeology  
Policy 50 - Metropolitan Open Land  
Policy 73 - Development and Trees  
Policy 79 - Biodiversity and Access to Nature

The Council's adopted Supplementary Planning Guidance - General Design Principles is also a consideration in the determination of this planning application.

The Conservation Area SPG is also of relevance.

## **Planning History**

The planning history of the park as a whole is long and complex, reflecting the size of the park and its historical significance relating to the Palace site and the listed dinosaur structures.

Under reference: 16/02679/FULL1 planning permission was granted for proposed formation of skatepark (outdoor wheeled sports area) with associated landscaping/ excavation/ regrading works on land adjacent to sports pitches.

Under reference 15/03106/FULL1 planning permission was granted for the demolition of the existing café building and the erection of a replacement café.

Under reference 07/03897 outline planning permission was granted (subject to the prior completion of a Section 106 agreement and subject to numerous planning conditions) for the Masterplan which proposed a comprehensive phased scheme for landscaping and improvement to the Park in its entirety, which included, inter alia, new residential development and a Regional Sports Centre.

## **Considerations**

Crystal Palace Park is subject to a wide range of planning designations, including the following, which are particularly relevant to the determination of this application:

- The entire Park is Grade II\* registered & the dinosaurs are Grade I listed
- The Park lies within the Crystal Palace Park Conservation Area
- A large majority of the Park is designated as Metropolitan Open Land (MOL)

The main issues in the determination of this application are:

- The impact of the proposal on the character and appearance of the Conservation Area and the Grade II\* listed park & Grade I listed dinosaurs
- The impact of the proposal on the visual amenities and open character of the Metropolitan Open Land
- The impact of the proposal on traffic and parking in the area
- The impact of the proposal on residential amenity.
- Crime and antisocial behaviour

### The impact of the proposal on the Conservation Area and statutorily listed park & listed dinosaurs

The issue to be considered is whether the proposal is acceptable in terms of its impact on the listed structures. There is a statutory duty for local planning authorities in considering whether to grant listed building consent, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Para 189 of the NPPF requires that in determining applications, "LPAs should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should

require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."

Policy 41 (Conservation Areas) states that Conservation Areas are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Policy 38 (Statutory Listed Buildings) states that applications for development involving a listed building or its setting, will be permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting.

No objections have been raised by the Conservation Officer or the Advisory Panel for Conservation Areas (APCA) regarding the proposals, and it is considered that the extensive pre-application consultations regarding the proposal with Historic England show the need for the bridge to secure the long term future of the highly significant and fragile historic assets for maintenance, repair, planting and limited public access.

The chosen location is secluded and provides the best location to provide a high quality permanent retractable bridge to the dinosaur island to enable limited access for maintenance, repair and limited managed public tours, subject to the suggested conditions set out on page 17 of the Management Plan. Historic England supports the applications on heritage grounds.

It is considered that the important need for the bridge will provide long term benefits to the restoration of the dinosaur structures.

The proposal would not have a detrimental impact on the character and appearance of the conservation area and would not undermine the character, appearance and function of the listed park site. The bridge is not considered to be directly linked to the Dinosaurs and would therefore not impact its setting.

#### The impact of the proposal on the visual amenities and open character of the MOL

The proposed bridge would be sited directly adjacent to the southern weir and enclosed by a series of mature trees. The visual impact of the development would be limited as a result of the partial screening by existing trees and landscaping.

The proposal would provide a wider benefit to conservation and allow people a greater degree of access which would contribute to the wider recreation use of the area of Metropolitan Open Land.

#### Traffic/highways impacts

The application has been supported scrutinised by the Highways Engineer, who has raised no objection subject to a condition for a construction management plan. Transport for London have also requested a construction management plan

condition. It is not considered that the proposal would have a significant impact on the Park's transport capacity and impacts to the existing transport network are considered to be minimal in view of the overall size of the development.

### Residential amenity

The principal impact of the proposal on residential amenity would relate to the noise associated with the use of the site. No letters of objection have been received from neighbours only letters of support.

The number of people on each tour is restricted to 30 and therefore it is not considered that noise from the groups will lead to noise and disturbance to local residents (the closest of which are located on Crystal Palace Park Road). No objections have been received from the Environmental Health Officer.

### Crime/Anti-social behaviour

The Designing out Crime Officer has raised concerns about security and that access to the sculptures should be restricted and protected due to their unique nature. The agent was able to provide the following response to the concerns raised.

Restricting access to 'Dinosaur Island' has been a key priority of the project. Trespassing is currently a problem on site due to 1) Water levels completely diminishing (summer 2018) and 2) The ease of climbing over existing weir structures. Both of these issues are being addressed by FCPD with Bromley Borough Council in work streams separate to the bridge project. The bridge was purposely positioned away from the nearby weir to help avoid trespass/climbing. A minor gravel/woodchip path will lead from the locked gate to the new bridge, which curves and is obscured by planting and trees on either side, which stops anyone being able to run directly at the bridge in the short distance after the fence - dissuading any potential 'jumpers'.

### **Conclusions**

It is considered that the bridge has been designed to enhance the setting of the island by providing the necessary access for conservation of the historic structures whilst also being sympathetic to the local character and history of the site. In addition the bridge will be used to facilitate controlled and periodic public tours which would improve awareness and understanding of the history of the site and the scientific and cultural significance of the heritage assets. The bridge would seek to preserve and enhance the Conservation Area and it is no considered it would harm the setting within which the Listed Dinosaurs are located.

The design and siting of the proposal would limit the visual impact of the proposal , being located directly adjacent to the southern weir and enclosed by a series of

mature trees. The bridge would not have an unacceptable impact on the openness and visual amenity of the Metropolitan Open Land.

The bridge has been designed to reflect and retain the dinosaurs heritage and it is not considered that the proposal would have a detrimental impact on the character and appearance of the Conservation Area and the historical significance and visual amenity of the statutorily listed park's landscape setting and assets.

With regards to the impact of the proposal on the residential amenities of the area, it is noted that the limited number of people able to attend the tours would not cause undue noise and disturbance to the nearest local residents located on Crystal Palace Park Road.

The concerns raised regarding anti-social behaviour are noted, and the agent has provided a response to show how these issues have been/will be addressed to stop any potential trespassers.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

#### **RECOMMENDATION: PERMISSION**

##### **Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**Reason: To comply with Section 91 of the Town and Country Planning Act 1990**

- 2 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.**

- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

**Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.**

- 4 No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been**

submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:

(a) Dust mitigation and management measures.

(b) The location and operation of plant and wheel washing facilities

(c) Measure to reduce demolition and construction noise

(d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

(i) Rationalise travel and traffic routes to and from the site as well as within the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.

(iii) Measures to deal with safe pedestrian movement.

(iv) Full contact details of the site and project manager responsible for day-to-day management of the works

(v) Parking for operatives during construction period

(vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.

(e) Hours of operation

(f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

(g) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

5 The development shall be carried out in accordance with the Management Plan (page 17) "Access code of conduct" and complied with thereafter.

Reason: In the interest of preserving the heritage asset and its setting, to comply with Policy 38 of the Bromley Local Plan and the National Planning Policy framework.