

Committee Date	25th March 2021		Agenda Item:			
Address	Crystal Palace Park Thicket Road Penge London SE20 8DT					
Application number	20/00325/OUT	Officer: Claire Brew				
Ward	Crystal Palace					
Proposal (Summary)	<p>Outline application with all matters reserved except highways access for comprehensive phased regeneration of Crystal Palace Park. This will include: conservation and repair of heritage assets; removal of existing hard surfaces; alterations to ground levels and tree removal; landscaping including planting of new trees; demolition of existing buildings and structures; creation of new pedestrian paths/vehicular access roads / car, coach and cycle parking; changes of use including part of the caravan site to part public open space and part residential; erection of new buildings and structures comprising: up to 2300sqm for a cultural venue (Use Class D2), up to 530sqm of park maintenance facilities (Sui Generis) including the dismantling and reconstruction of existing maintenance depot; up to 150sqm information centre (Use Class D1); up to 670sqm for a community centre (Use Class D1); up to 3779sqm of educational institution at the Capel Manor College Farm Site (Use Class D1) of which 3399sqm comprises educational buildings and 380sqm comprises ancillary shelters/ outbuildings; and up to 16,352 sqm of residential (Use Class C3) accommodation to provide up to 210 residential dwellings, together with associated and ancillary works including utilities and surface water drainage, plant and equipment. Full planning permission is sought for alteration to highways access at Anerley Hill Gate entrance, Penge Gate car park, Old Cople Lane (Rockhills Gate), Sydenham Gate car park and the creation of three additional accesses for the residential development at Rockhills and Sydenham Villas.</p>					
Applicant	Agent					
London Borough of Bromley	Mr Jim Strike, AECOM					
Reason for referral to committee	Strategic application/Major development		Councillor call in No			

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RECOMMENDATION	PERMISSION SUBJECT TO LEGAL AGREEMENT AND ANY DIRECTION BY THE MAYOR OF LONDON AND THE SECRETARY OF STATE
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KEY DESIGNATIONS

- Air Quality Management Area
- Archaeological Priority Area
- Crystal Palace Park Conservation Area
- Green Chain
- Historic Park and Garden (Grade II*)
- Metropolitan Open Land (MOL)
- PTAL Level 1b-6a
- Renewal Areas
- Site of Importance for Nature Conservation
- Statutory Listed Buildings / Locally Listed Buildings
- Strategic Outer London Development Centre
- Views of Local Importance

Table 1: Key Site Designations

Land use Details		
	Use Class or Use description	Approx. area (GIA SQM)
Existing	-	4752
Proposed		
	Residential	16,352
	Community centre	670
	Information centre	150
	Education	3779
	Cultural venue	2300
	Park maintenance facility	530
	TOTAL proposed	23,781

Table 2: Existing and proposed Land use details

Existing and Proposed (Maximum) Hard and Soft Landscaping and built development SQM			
Total area of existing hard landscape	Maximum area of proposed hard landscape	difference sqm	Net gain %
151,412	169,640	+18,228	+12
Total area of existing soft landscape	Maximum area of proposed soft landscape	difference sqm	Net gain%
502,513	571,920	+69,407	+14
Total area of existing built development	Maximum area of proposed built development	difference sqm	Net gain %
4752	23,781	+19,029	+400

Table 3: Existing and proposed hard and soft landscaping and built development (Sep 2020)

Residential Use – Market units					
Site		Number of bedrooms per unit			
		1	2	3	Total
Rockhills		56	79	5	140
Sydenham Villas		24	46	0	70
TOTAL		80	125	5	210

Table 4: Proposed illustrative residential unit mix

Car Parking: Park visitors			
	Existing	Proposed	Difference in spaces (+ or -)
Standard bays	348	93	
Enlarged bays	0	10	
Unmarked bays	117	4	
Accessible bays	9	11	
Active Electric	0	6	
SUB-TOTAL	474	124	- 350
Temporary Event Parking	0	563	
TOTAL	474	124 or 687 on event days	

Table 5: Existing and proposed car parking – general use (excluding the NSC)

Cycle parking: Non-residential			
	Existing	Proposed	Difference in spaces (+ or -)
Cycle Parking	153	207	+54

Table 6: Existing and proposed Cycle Parking – general use

Coach Parking			
	Existing	Proposed	Difference in spaces (+ or -)
Coach Parking	11	10	-1

Table 7: Existing and proposed Coach parking

Car and Cycle parking: Residential				
Site	Total No. spaces	Accessible Spaces	Electric vehicle charging spaces	Cycle spaces
Rockhills (140 units)	84	10 (12%)	17 (20% active)	252 long-stay 18 short-stay
Sydenham Villas (70 units)	43	4 (9%)	8 (19% active)	128 long-stay 8 short-stay
TOTAL	127	14	25	406

Table 8: Proposed residential parking

Car and Cycle parking: Capel Manor College			
	Existing number of spaces	Total Proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	14	0	-14
Wheelchair accessible car spaces	1	2	+1
mini-bus	1	1	0
cycle	8	TBC	

Table 9: Existing and proposed parking – Capel Manor College

Representation summary	<p>Neighbour letters were initially sent on 26th February 2020. Initial consultation was for a minimum of 21 days.</p> <p>The Planning Authority have also taken the following steps to ensure the application has been publicised in accordance with Regulation 19(3) of the 2017 EIA Regulations:</p> <ul style="list-style-type: none"> - On 28th April the application was referred, in writing, to the Secretary of State
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	<ul style="list-style-type: none"> - On 14th May site notices were posted and on 20th May a press advert was published notifying local residents and interested parties of the ES and the means by which they could view and comment on the application on the Council's website. Due to the Covid-19 pandemic any persons wishing to view a hard copy were advised to contact the Planning department to arrange this by email. - On 22nd September the LPA wrote to the Secretary of State and all consultation bodies, neighbouring residents likely to be affected by the development and relevant amenity groups notifying them that an updated Environmental Statement had been received. Due to the ongoing Covid-19 pandemic third parties were advised to view documents on the Council's website. Anyone unable to access to the internet was advised to contact the Council for assistance. - On 29th September site notices were posted and on 30th September a press advert was published in the News Shopper notifying local residents and interested parties of the amended ES and the means by which they could view and comment on the application. Due to the ongoing Covid-19 pandemic third parties were advised to view documents on the Council's website. - In addition to the above paper copies of the ES and technical summary were available at a charge from the applicant team (LBB Regeneration). <p>Initial Consultation was for a minimum of 21 days. Subsequent consultation was for a minimum of 30 days.</p>
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Total number of responses	176
Number of neutral representations	15
Number in support	26
Number of objections	135

Table 10: Representation summary

Proposed Heads of Term	Amount	Agreed in Principle
Restrictions on use of capital receipts from the enabling development such that they can only be used to deliver the Regeneration Scheme	-	TBC
Restrictions on the timing of residential development until the appropriate Regeneration Scheme works have been delivered	-	TBC
Phasing Plan	-	TBC
Affordable Housing	24 onsite units	TBC

Review mechanisms		TBC
Use of community facilities at Rockhills		TBC
Employment and Training initiatives		TBC
Residential Travel Plan		TBC
Non-residential Travel Plan		TBC
Re-provision of accommodation for St Johns Ambulance	-	TBC
Use of revenue from the cultural venue to secure future management of subway as an event space	-	TBC
Financial contribution to health infrastructure	£329,613.00	TBC
Financial contribution to Education infrastructure	£487,021.57	TBC
Financial contribution to Carbon offsetting projects	£493,050.00	TBC
Contribution towards 2 cycle docking stations	£500,000	TBC
Financial contribution towards a transport study for possible introduction of a CPZ or pedestrian safety facilities in the area	£5000	TBC
Financial contribution towards bus stops and bus shelter enhancements around the perimeter of the park	£100,000	TBC
Framework Events Transport Management Plan	-	TBC
Agreement with private cycle / electric bike hire club to operate in the Park	-	TBC
Safeguarding space for 4 cycle docking stations	-	TBC
Monitoring fees	£10,000	TBC
Total	£1,924,684.57	TBC

Table 11: S106 Heads of Term

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposals to conserve the heritage assets in a manner appropriate to their significance is supported and would accord with the overarching principle of 'sustainable development' running through the NPPF.
- The enabling residential developments are important sources of income generation needed to fund the repairs of the heritage assets and the high priority conservation work will be undertaken at an early stage of the phased works.
- The proposed landscaping works appear sympathetic to the original Park layout and the proposals will see the delivery of a net increase in publicly accessible green space. All of this would provide substantial public benefits and an enhanced visitor offer.

- The provision of 210 new homes (and 24 affordable) are afforded significant weight in light of the Council not being able to currently demonstrate a 5-year Housing Land Supply.
- There will be demonstrable harm to the MOL as a result of these proposals, however the Regeneration Plan proposals would give rise to a number of significant benefits.

1. LOCATION AND SITE DESCRIPTION

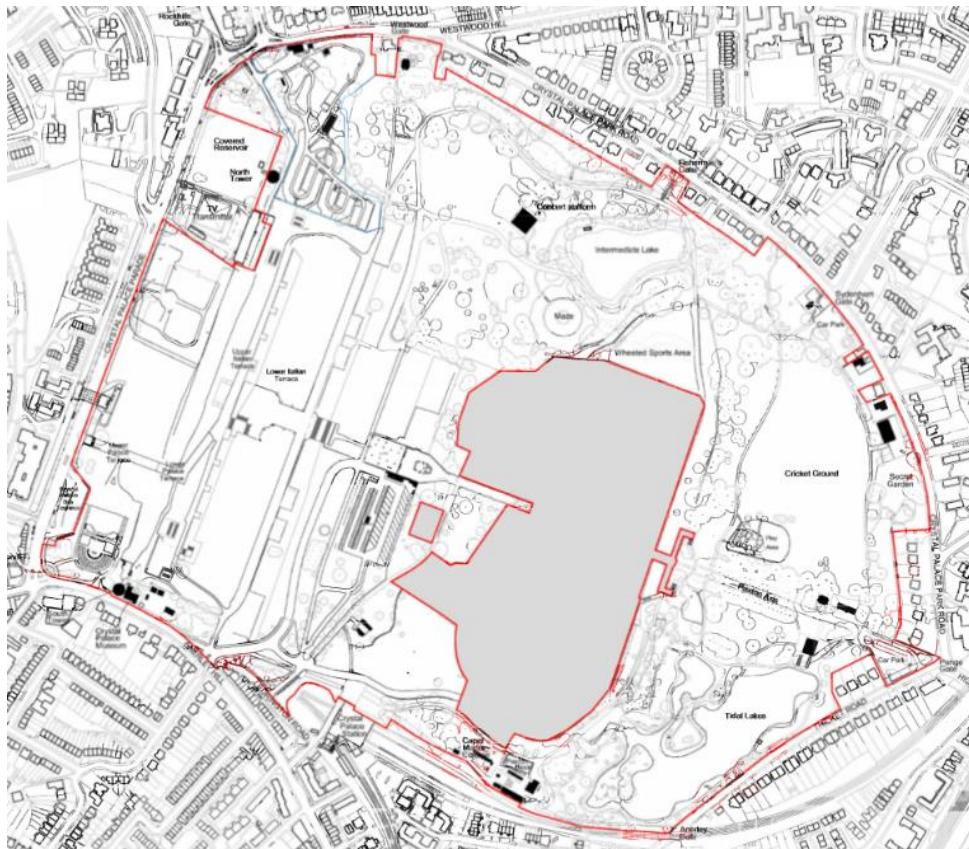


Fig 1: Application site boundary (Source: AECOM)

- 1.1 The application site includes the majority of Crystal Palace Park which is almost entirely designated as Metropolitan Open Land (MOL). The total area of the Park, including the NSC, is approximately 80ha.
- 1.2 Crystal Palace Park is a Grade II* listed park on Historic England's 'Register of Historic Parks and Gardens of special historic interest in England'. It was once home to Sir Joseph Paxton's 'Crystal Palace', which, in its original form, housed the Great Exhibition of 1851 in Hyde Park. The park also included elaborate landscape as well as water and fountain works designed by Sir Joseph Paxton.
- 1.3 The park and the palace became an international paying attraction until the palace was destroyed by a fire in 1936. The historic legacy contained within this site is of national significance with the grounds being designated as a Registered Park and Garden and the site containing the

remains of the former Crystal Palace that had originally been designed for the Great Exhibition of 1851.

- 1.4 The park shares its boundary with the London Boroughs of Lambeth, Croydon, Lewisham and Southwark for which it is also of strategic significance.
- 1.5 In 2011, a Masterplan submitted by the London Development Agency (LDA), folded into the Greater London Authority in 2012, was granted outline permission for the duration of 15 years. The Masterplan seeks to restore and improve the park and reinstate its national and international status.
- 1.6 The 2016 London Plan identifies Crystal Palace as a potential Strategic Outer London Development Centre (SOLDC) with specialist economic functions of more than sub-regional importance related to leisure, tourism, arts, culture and sports. The designation as a SOLDC represents the continuation of the aims of the Masterplan and the park itself represent opportunities to encourage growth of more than sub-regional importance beyond its boundaries, particularly in the Crystal Palace, Penge and Anerley Renewal Areas.
- 1.7 The SOLDC's key strengths are underpinned by the presence of the National Sports Centre within the park and the historic and cultural significance of the park itself which draws visitors from London and beyond. The Park contains a range of sporting, recreational, educational facilities and tourist attractions. It includes a number of Statutory Listed historic buildings and features. Notable attractions include Dinosaur Island: a collection of over 30 statues created by Benjamin Waterhouse Hawkins in the 1850s set within a model geological landscape in the Lower Tidal Lake (also used for boating); a children's playground; information centre; café; maze, concert platform; a rose garden; skate park; the upper and lower Palace Terraces and Italian Terraces; the ornamental sphinxes; Crystal Palace Museum and Capel Manor College and urban farm.
- 1.8 The application site is within the *Crystal Palace Renewal Area*, one of five 'renewal areas' in Bromley, designated in response to London Plan Policy 2.14 and draft London Plan Policy SD10 'Strategic and local regeneration'. Bromley's Renewal Areas include the areas most 'deprived' as evidenced by the 2015 English Indices of Deprivation.
- 1.9 The application site boundary excludes the National Sports Centre complex which is under the control of the GLA and does not form part of the current regeneration plan proposals. The GLA has been investigating options for the possible refurbishment, enhancement and part redevelopment of the NSC site which it leases from the London Borough of Bromley. The site of the Crystal Palace Television Transmitter and the covered reservoir are also excluded from the planning application boundary. The site boundary is shown above in Figure 1.

- 1.10 Crystal Palace Caravan and Motorhome Club occupy a site to the north-west of the main park which is accessed via Old Cople Lane. This site is in private use and currently has no public access.
- 1.11 Adjoining the sites western boundary and a small section of the northern boundary is the A212, which forms part of the Strategic Road Network (SRN). While the Local Planning Authority is also the Highway Authority for those roads, TfL is the Traffic Authority and has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN. To the north of the site is A234 Crystal Palace Parade, to the east of the site is Thicket Road and to the south of the site is Anerley Hill.
- 1.12 Due to the size of the Park, the Public Transport Access Level (PTAL) ranges between 0 and 6b. Areas of highest PTAL are around Crystal Palace (6b) and Penge West (6a) stations, whilst in the centre of the Park, distant from stations and bus stops, the PTAL drops to zero.
- 1.13 There are a number of rail stations within reasonable walking distance of parts of this large site and which provide access to central and north London and a range of destinations in south London and beyond. The nearest stations to the site is Crystal Palace, which is located on the southern boundary, and Penge West which is located to the east. A Housing Infrastructure Funding (HIF) award for the East London Line (ELL), amongst other elements, would deliver two extra trains per hour at Crystal Palace, resulting in a peak frequency of 6 trains per hour. Subject to the grant agreement, these could operate from 2024 and would improve public transport for those parts of the site within walking distance of the station.
- 1.14 Crystal Palace bus station is located on the south-west boundary, providing access to 11 routes. There are 23 other bus stops on the perimeter of the site serving these and other routes.
- 1.15 There is an extensive network of pedestrian and cycle routes within the Park, albeit open only in daylight hours, which connect with local services and facilities and public transport. The presence of these routes is not taken account in the PTAL calculation and thus the actual day time public transport access of the site is higher than set out above. The routes also link with the Green Chain Walk and Local Cycle Network 27. Quietway 7, is planned to terminate at Crystal Palace and some sections from Elephant & Castle have been completed.
- 1.16 In terms of topography, the park rises steeply towards the ridge at Crystal Palace Parade (109 metres AOD) and falls in gradient towards Penge Gate (52 metres AOD) to the south-west.
- 1.17 The park is included as part of the South East London Green Chain and includes strategic green chain and capital ring walks. The majority of the planning application site which falls within the designated MOL is also

designated as a Borough Grade I Site of Importance for Nature Conservation (SINC), though this designation excludes the caravan site, Palace Terrace, upper terrace and central car park.

- 1.18 The majority of the Park falls within the Crystal Palace conservation area, managed through adopted Supplementary Planning Guidance (SPG). There are also a number of designated heritage assets adjacent to the site.
- 1.19 The view from the Upper Italian Terrace of Bromley, Beckenham and West Wickham is a view of Local Importance in the Bromley Local Plan and there are a number of important historic views within the park.
- 1.20 The designations listed above at Table 1 also apply.

2. PROPOSAL

Overview of Application

- 2.1 The application is hybrid with outline planning permission sought for the majority of works. However full planning permission is sought for *alteration to highways access at Anerley Hill Gate entrance, Penge Gate car park, Old Cople Lane (Rockhills Gate), Sydenham Gate car park and the creation of three additional accesses for the residential development at Rockhills and Sydenham Villas.*
- 2.2 The proposals seek to address the longstanding Heritage at Risk issues at Crystal Palace Park, including the restoration of many landscape features within the grade II* Registered Park and Garden and significant built structures, including the grade II Italian Terraces and the grade I prehistoric monsters and their associated geological features, lakes and islands.
- 2.3 The applicant's stated aim of the application is to "*enable the conservation and repair of the historic fabric, make the park more accessible and engaging for all its local communities to enjoy, and to ensure that a variety of income streams are established to both sustain the repair of the historic fabric, and continue to support the wellbeing of local communities, by keeping the park on a financially robust footing* (Para 1.5 Enabling Development and Financial Viability Assessment, Knight Frank).

2.4 Demolitions

- Residential dwelling at 33 Crystal Palace Park Rd
- Nursery school near Sydenham Gate (Diddy Dinos)
- Rangers' Lodge near Sydenham Gate
- St Johns Ambulance building on Crystal Palace Park Road
- Buildings at Caravan Club
- Maintenance shed east of Crystal Palace Museum
- Park Depot near the National Sports Centre
- Crystal Palace Park Information Centre

- Existing Capel Manor College buildings and hard surfacing
- Four substations (2 adjacent to Penge Gate, one in the Transitional Landscape, and one on the Lower Palace Terrace).

2.5 Hardstanding removals

- Car and coach parking spaces in the Transitional Landscape area comprising a net removal of 201 car parking and 11 coach parking spaces
- The existing playground within the Cricket Ground area to be replaced by three new play areas within Tidal Lakes area, Cricket Ground area and English Landscape area
- Hardstanding in the north western corner leased by The Caravan Club.

2.6 Conservation and repair of heritage assets

- Section of the Crystal Palace basement wall (Paxton Tunnel Wall)
- Upper and Lower Italian Terrace walls
- Bust of Sir Joseph Paxton
- Gate piers to Rockhills
- North and South Railings and Walls, Crystal Palace Parade
- Prehistoric Animal Structures
- Colonnade wall.

2.7 Park-Wide / landscaping proposals

- Landscape improvements including removal of clutter, redundant fencing, etc.; improvements to pedestrian routes; enhancement of habitat diversity; restoration of historic views and the central park axis; re-establishment of parkland and associated landscape
- Earthworks to re-profile the landscape on the Upper and Lower Palace Terraces, to create gardens on the Upper Palace Terrace and install utilities infrastructure (for temporary use) on the Lower Palace Terrace to support events on the Italian Terraces; landscaping to the Italian Terraces and installation of utilities infrastructure to create 3.8 hectare event space and earthworks to re-profile landscape in the Transitional Landscape area
- Installation of wayfinding signs and low energy lighting on footpaths; surface water drainage systems and benches
- Change of use of caravan site to part public open space and part residential
- Alteration to highways access at Anerley Hill Gate entrance, Penge Gate car park, Old Cople Lane (Rockhills Gate) and Sydenham Gate Car Park
- Creation of 3 additional accesses for the residential elements at Rockhills and Sydenham
- Improvements to highway, pedestrian and cycle access points throughout the Park
- Modification of public car and coach parking areas

2.8 Housing

‘Rockhills’

- 140 permanent residential dwellings (Use Class C3) in 2 blocks of up to 12,150sqm with a maximum of 5 storeys together with 84 car parking spaces inclusive of 10 disabled spaces, 252 long stay bicycle parking spaces and 18 short stay bicycle parking spaces; and
'Sydenham Villas'
- 70 permanent residential dwellings (Use Class C3) in 6 blocks of up to 6,697sqm with a maximum of 4 storeys together with 43 car parking spaces inclusive of 4 disabled spaces, 128 long stay bicycle parking spaces and 8 short stay bicycle parking spaces.

2.9 Non-Residential development

Capel Manor College

- Demolition of existing buildings in the southeast of the Farm Site, including the laboratory and classrooms, bin store, stables, greenhouses and animal pens;
- Construction of new buildings still in the southeast of the Farm Site in a reconfigured layout to make better use of space, including a learning resource centre, dining hall, teaching block and animal enclosures;
- Installation of lightweight structures for animal shelter in the north-west of the Farm Site;
- Creation of a new public entrance at the north-west of the Farm Site with signage to make clear the public are allowed to visit; and
- Removal of 9 trees and no replanting to take place

Crystal Palace Parade/Subway

- Cultural venue with viewing platform comprising flexible exhibition space, kitchen and toilet facilities with toilets accessible from the park and integrated into the historic structure through connection with staircases and lifts
- Change of use of the eastern end of the Crystal Palace subway to museum / interpretation centre
- Entry to the subway will be managed as visitors will have to enter through the staffed cultural venue at ground level to access the historic subway site.

Rockhills Community Centre

- Indicative drawings depict a two-storey building located on the east side of the parking area and on the park side of the proposed residential development
- Providing a flexible community facility to replace the existing nursery on Crystal Palace Park Road and to provide a space that can be utilised by the community.

Information Centre

- The proposed Information Centre will replace the existing Crystal Palace Information Centre and will be located on the same site at the eastern end of the Park close to Penge Gate.
- The existing building is in poor condition and no longer fit-for-purpose; the new building will offer a new, modern facility improving the visitor experience of the Park.

- Indicative drawings depict a single storey building comprising an office for a community group and a meeting room with associated toilets and small kitchen.

Rangers Maintenance Building

- It is proposed to demolish the existing ranger's maintenance building which is currently located to the south of the St John's Ambulance depot on Crystal Palace Park Road, demolish No.33 Crystal Palace Park Road and partially re-construct the maintenance building to the north of the existing car park on the site of No.33 Crystal Palace Park Rd.

Application Amendments

- 2.10 Since the submission of the outline planning application and ES in January 2020, the Applicant has proposed the following minor amendments to the application, which includes:
- Removal of Anerley Hill element of Capel Manor College
 - Reduction in maximum floorspace for residential development to 15,985 sqm GEA reduced from 18,847 sqm GEA. The change has been made to ensure it is consistent with the maximum floorspace quoted in the Enabling Development Financial Viability Assessment. There has been no change in the number of residential units and the maximum or minimum parameters;
 - Reduction in proposed non-residential car parking within the planning application boundary from 136 spaces to 124 spaces in response to concerns raised by the Greater London Authority (GLA)
 - Modest changes to some of the hard/soft landscape percentages on the hard/soft landscape parameter plans to slightly reduce the maximum % of hard landscape in certain areas of the Park
 - The revised 'Structures and Surfacing to be Demolished' plan also makes clear that the proposals involve the removal of perimeter fencing around the Intermediate Lake
 - The revised 'Cultural Venue – proposed maximum building footprint and envelope' plan reflects reduced height by 1m of proposed glass canopy over courtyard of the subway.



Fig 2: Illustrative Regeneration Plan (Source: AECOM)

Environmental Impact Assessment (EIA) Considerations

- 2.11 The application is for a scheme which is 'EIA development' and it is accompanied by an Environmental Statement (ES), in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations (2017).
- 2.12 An Environmental Impact Assessment (EIA) is a process to ensure that planning decisions are made, in this case by LBB as the Planning Authority, with full knowledge of the likely significant environmental effects of a Proposed Development.
- 2.13 The Environmental Statement (ES) assessed the likely significant environmental effects of the development, including looking specifically at the following matters:
 - Air Quality
 - Cultural Heritage
 - Ecology and Biodiversity
 - Ground Conditions
 - Noise and Vibration
 - Socio-Economics
 - Townscape & Visual Impact Assessment
 - Traffic and Transport

- Cumulative Effects
 - Residual Effects
- 2.14 In agreement with the Council in its formal scoping opinion dated 1st March 2018 the following topics have been scoped out of the ES:
- Arboriculture
 - Daylight, Sunlight and Overshadowing
 - Water Resources
 - Lighting
- 2.15 On 7th July 2020 the Local Planning Authority issued a request under Regulation 25 of the 2017 EIA Regulations to provide further information in respect of the ES supporting the application, as well as a request for additional information and material to clarify and inform parts of the submission.
- 2.16 In response to the Regulation 25 Request on 18th September 2020 the applicant provided further information within the following documents:
- Revised Non-Technical Summary (NTS)
 - Revised ES Chapter 2: EIA Methodology
 - Revised ES Chapter 3: Alternatives and Design Evolution
 - ES Clarifications Report.
- 2.17 The ES and the additional information submitted should be taken into account in the determination of the application.
- 2.18 The EIA Regulations require that there is a systematic assessment of a project's likely significant environmental effects before consent is granted, which the Environmental Statement together with the Regulation 25 information do, as noted below. The Council and Members must take the ES and Regulation 25 information into account in making its decision on the application, as well as any other environmental-related information, which includes the representations received from statutory and other consultees.
- 2.19 The conclusions of the Environmental Statement, and the need for mitigation measures to be secured through the conditions or via the section 106 agreement should permission be forthcoming, are dealt with in Section 7.
- 2.20 Following the submission of the further Regulation 25 information (and subsequent updates), the Environmental Statement is considered to be compliant with the EIA Regulations and applicable legislation, in relation to its assessment of the likely significant environmental effects of the development as a whole.
- 2.21 In this case, LBB are acting as both the Applicant applying for planning permission and as the Authority determining whether planning permission should be granted. Measures have been implemented by LBB to ensure that

these two roles are separate to eliminate bias. This is a requirement of Regulation 64 of the Town and Country Planning (EIA) Regulations 2017.

- 2.22 Measures have included LBB as the Applicant employing external independent advisors (AECOM) to prepare the outline planning application and the ES, and LBB as the Authority employing external independent advisors (RPS) to review the Environmental Statement.

3. RELEVANT PLANNING HISTORY

- 3.1 Under Refs: 07/03897/OUT, 07/03906/CAC and 07/03907/LBC a Masterplan submitted by the London Development Agency (now the GLA) was granted Outline planning permission, Conservation Area Consent and Listed Building Consent by the Secretary of State in 2011.
- 3.2 An EIA was undertaken for the 2007 Scheme. The ES including a suite of technical reports, was submitted with the planning application. The 2007 Scheme was granted planning permission in 2010. However, the funds to deliver the £67 million scheme were not identified at this point and this prevented the 2007 Scheme being implemented.
- 3.3 The 2007 Masterplan included a museum, park maintenance facilities, children's nursery, cafes, information and retail kiosks, greenhouses, a treetop walk, a horticultural and animal husbandry training college, removal of the caravan site, as well as the development of 180 homes around the perimeter of the Park as 'enabling development' for the restoration of the Park and structures therein. The outline permission for the Masterplan is extant at the time of writing.
- 3.4 On 14th May 2012 permission was granted for use of building, storage container and adjacent land for horticulture and arboricultural training (application ref.12/00318/FULL2)
- 3.5 On 15th November 2015 listed building consent was granted for conservation works to dinosaur sculptures, to include cleaning, repair and associated works (ref.15/02847/LBC)
- 3.6 On 16th November 2015 listed building consent was granted for Repairs to granite steps and sphinxes to include repainting of the statues (ref. 15/04121/LBC)
- 3.7 On 23rd November 2015 planning permission was granted for Demolition of existing single storey cafe and terrace and erection of two storey building comprising cafe on ground floor and cafe/ event space on first floor; external ground and first floor terraces and construction of connecting bridge from first floor terrace to lakeside path (ref. 15/03106/FULL1)
- 3.8 On 14th September 2016 permission was granted for Proposed formation of skatepark (outdoor wheeled sports area) with associated landscaping/

excavation/ regrading works on land adjacent to sports pitches
(ref.16/02679/FULL1)

- 3.9 On 20th November 2017 the Council issued a Screening Opinion pursuant to Regulation 5 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in respect of an application for the Comprehensive phased scheme for landscaping including planting of new trees and improvements to the Crystal Palace Park comprising the dismantling and refurbishment of, alterations to, and demolition of existing buildings and structures (application ref.17/04985/EIA).
- 3.10 Taking into account the selection criteria in Schedule 3 of the 2017 EIA Regulations and the terms of the European Directive, the Screening Opinion confirmed that the proposed development is not Schedule 1 development but is considered to be Schedule 2 development (under paragraph 10(b)), being an “urban development project” (which includes sports stadiums) with a site area of more than 1 hectare, with an applicable PPG threshold of the proposed development area exceeding 5 hectares.
- 3.11 A formal request for a Scoping Opinion was received by the Council, and on 1st March 2018 the Council issued a Scoping Opinion confirming which topics should be included in the Environmental Statement to accompany any planning application and which topics could be ‘scoped-out’ (application ref.18/00352/EIA).
- 3.12 On 26th November 2019 planning permission was granted Construction of a footbridge in Crystal Palace Park for access to the Crystal Palace Dinosaurs on Dinosaur Island (ref.19/03578/FULL1)
- 3.13 On 6th October 2020 a reserved matters application was received for Details of layout pursuant to outline permission DC/07/03897/OUT granted by the Secretary of State on 13th December 2010 for comprehensive phased scheme for landscaping and improvement of the Park comprising the demolition of and alterations to existing buildings and structures including the removal of existing hard surfaces; changes of use including part of the caravan site to public open space and the museum to a park rangers base; the erection of new buildings and structures for various uses including museum, park maintenance facilities, community facility, information kiosk, greenhouses, retail kiosks, cafes, toilets, classroom, childrens nursery, treetop walk, college and up to 180 residential dwellings; erection of a new regional sports centre including indoor swimming pool; alterations to ground levels with new pedestrian paths, vehicular access roads, car park, highway works, water features, together with associated and ancillary works, plant and equipment (part outline/part full application). (Ref.20/03619/DET) – the application is currently awaiting a decision.

4. CONSULTATION SUMMARY

a) Statutory:

4.1 GLA – Objection (full comments are attached at Appendix 1)

- **Principle of development:** Very special circumstances have not been demonstrated in relation to the inappropriate development at Rockhills and the proposed cultural venue.
- Harm caused by the loss of the specialist caravan site facility could be outweighed by the range of public benefits proposed, as could the loss of parts of the park to residential use
- **Housing and affordable housing:** No affordable housing is proposed on public sector land which is subject to a 50% threshold for affordable housing. Prior to Stage 2, the applicant must set out all available options to provide affordable housing, including through grant funding, different options in term of tenure mix and by providing affordable housing off-site or via a cash in lieu contribution. Early and late stage viability review mechanisms are required. Further discussion is required in relation to play space
- **Heritage and urban design:** Improvements to the park in relation to landscape, heritage, access and recreation are strongly supported. The significant heritage related public benefits associated with the restoration and repair of designated heritage assets on the Heritage at Risk Register could outweigh the less than substantial harm caused to the setting of the Grade II* listed park and Crystal Palace conservation area arising from the proposed development on the edges of the park
- **Climate change:** The energy, drainage and urban greening approaches are acceptable
- **Transport:** A further significant reduction in the quantum of public parking within the park is required, to reduce car journeys and promote active and sustainable travel. Parking management measures and charges are required and further information is required for temporary event car parking. An Events Management Plan should be secured by condition or S106 agreement. Further discussion is required to demonstrate that final parking levels would not impact bus operations. The potential implications of the application on the potential tram extension to Crystal Palace require further consideration.

4.2 Transport for London – No objection subject to conditions/S106

Parking - Park and other non-residential uses:

- Whilst the reduction in parking spaces is welcomed, a further reduction is sought.
- It is noted that the Crystal Palace Park Trust are intending to introduce car parking charges through the whole of Crystal Palace Park, which will require approval from the relevant LB Bromley committee
- The event parking is considered to be contrary to TfPLP policy in which a greater focus has been placed on encouraging sustainable and active travel within London. As such, visitors should attend events at this Park via modes of sustainable and active travel.
- Strict controls on the frequency and type of use and suitable management and charging of car parking spaces will be expected.

Parking – Residential:

- ‘Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking’.
- Both sites are within proximity to areas of higher PTAL and on to the boundary of inner London boroughs. There are a number of bus stops located on the periphery of the park and the improved permeability created through the implementation of the masterplan will also support residents from these developments to access modes of sustainable travel i.e Crystal Palace Station and Crystal Palace Bus Station.
- To add to this, the submitted trip generation assessment indicated a low amount of vehicle trips. This questions whether the minimum necessary car parking provision is being provided at this site.
- The quantum of car parking should seek to promote a strategic modal shift, and there is a concern that the current quantum will not achieve this at the residential developments.
- Given the amount of surface car-parking provided at Rockhills and the subsequent loss of a large area of MOL, a reduction in the quantum of car parking is still sought by TfL.
- Should a reduction not be provided it is requested that a condition stipulates that parking provision is up to 0.6 and that a parking review mechanism is included that, should general parking spaces not be utilised within the residential element, then it is removed.

Cycle Parking:

- A condition should be attached to this permission requiring the proposed residential and educational uses to provide cycle parking in line with policy T5 of the ItPLP, and for the design to accord with London Cycle Design Standards (LCDS).
- Additional cycle parking spaces should be provided from the outset, with further spaces being delivered through condition should demand arise.
- The Travel Plan has highlighted that the supply could be increased up to 170 spaces within the red line boundary. The travel plan should not seek to cap the amount of additional spaces provided within the park.

Public Transport Trip and Highway Impact Assessment:

- The applicant has proposed a Framework Event Transport Management Plan (FETMP). It is noted that the applicant has suggested a pre-commencement condition. TfL will require this to be included within the S106, to ensure that, if required, payment for mitigatory measures ie extra staff at station, stewarding at vehicle accesses, more buses, can be received. The wording of the S106 must therefore be clear that the event organiser will be subject to pay any transport mitigatory measures deemed justifiable at the time.
- The thresholds set out in the Event Management Plan for a requirement to produce a more detailed Event Transport Management Plan should be agreed in consultation with TfL.
- Any impact to bus operations on Crystal Palace Parade resulting from the introduction of loading bay and disabled person parking bay in this location will be to a detriment of Bromley residents, and those within the surrounding area. It is noted that the applicant has identified that this will be considered further within the Parking Design and Management Plan and Delivery and

Servicing Plan. We request that the following phrases is included within the condition for the aforementioned documents – ‘*for approval by the LPA in consultation with TfL and the relevant highway authority*’.

- Further discussion with TfL is required to confirm needs and opportunities and to agree potential indicative proposals for improving bus operations at the station notably standing, turning and stopping space and how these could be coordinated with the masterplan to secure improvements to both.
- At the December meeting with TfL and the applicant it was agreed that the indicated area in the masterplan for expansion of the bus station was acceptable in operational terms. We would ask that this area is explicitly safeguarded if permission for the Masterplan is granted.

Pedestrian and cycle routes and park entrances:

- *TfL’s comments in regards to the modifications of the four main vehicle access points to the Park are provided in the main report.*
- Part of the identified LCN route falls within the boundary of NSC land. It is essential that existing routes are continued through the site, though application material does not make it clear that this will be the case.
- Securing a walking and cycling strategy for the park through an appropriate mechanism is still consider appropriate. This will help to address the above, clearly identify walking and cycling routes ensuring that there is no loss in cycle route, that the routes have been designed to take into account desire lines and provide detail on how these routes will be maintained.

Possible Tramlink Extension to Crystal Palace:

- Although TfL is not currently pursuing this project and it is not identified within the Mayor’s Intend to Publish London Plan or the Mayor’s Transport Strategy (MTS), if it was taken forward the previously identified route would enter the park near the Anerley Hill entrance and run westwards to terminate within the park near the bus station. This potential tram spur would link into existing tram services from Beckenham towards Croydon.
- Bromley’s Local Plan (2019) commits the Council to safeguard land and route alignments for the extension, but does not identify any specific land or alignment. The Council should note the impact of the tram extension on this part of the park and the masterplan proposals should it be taken forward in the future.

Delivery and Servicing, Construction Logistics and Travel Plans:

- In line with Publication Policy T7, a full Delivery and Servicing Plan for each land use should be secured through condition. This document and/or the EMP should include arrangements for D&S for temporary events and this should be explicitly secured as such in any permission.
- The delivery and servicing arrangements of the proposed residential areas must not impact on the safety and function of the adjoining SRN or bus operations.
- A full Construction Logistics Plan should be secured through condition. This should detail the construction activities associated with each phase, and provide detail on how pedestrian and cyclist movement through the park will be maintained. It should also detail how public transport modes will not be impacted during construction.
- A full Visitor Travel Plan shall be completed after the completion of the Park regeneration works. The applicant has stated that this Visitor Travel Plan will

provide the opportunity to understand travel habits and ensure measures within the Plan will be suitable to achieve mode share targets

4.3 Historic England – No Objection (full comments attached at Appendix 2)

4.4 Sport England - No objection

- It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.
- Having assessed the application, Sport England is satisfied that the proposed development meets exception 3 of our playing fields policy, in that:
- 'The proposed development affects only land incapable of forming part of a playing pitch and does not:
 - reduce the size of any playing pitch
 - result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
 - reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
 - result in the loss of other sporting provision or ancillary facilities on the site; or
 - prejudice the use of any remaining areas of playing field on the site.

4.5 Highways – No objection

- Comments are referenced in section 6.6 of this report

4.6 Greater London Archaeological Advisory Service – No objection

- Comments are referenced in section 6.3 of this report

4.7 Drainage (Lead local flood authority) – No objection

- Comments are referenced in section 6.10 of this report

4.8 Thames Water – No objection

- Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal
- Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such a condition is recommended
- The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains
- The proposed development is located within 15m of a strategic water main, a piling condition is recommended

4.9 Environment Agency – No Objection

- the application has a low environmental risk, therefore have no comments to make
- Although we have no comments on this planning application, the applicant may be required to apply for other consents directly from us

4.10 Forestry Commission – Neutral, refer to standing advice

4.11 Natural England - No objection (full comments attached at Appendix 3)

- Refer to standing advice

4.12 The Garden Trust - Support

- The regeneration proposals have the future of the park and its heritage assets at its heart
- Repair and conservation of heritage assets are listed as high priority and will be undertaken at an early stage of the phased works
- Landscaping works appear to be sympathetic to the original park layout while addressing the needs of contemporary visitors
- Residential developments are on the edges of the park and are important for income generation needed to fund essential repairs
- Will see the delivery of a net increase in publicly accessible green space with the caravan site returned to the park
- New built facilities aim to bring community, educational and cultural enhancements for park visitors.

4.13 Network Rail – Neutral – recommend the applicant contacts Network Rail's Asset protection and Optimisation team

b) Non-Statutory / Amenity Groups

4.14 Secure by Design Officer - No objection

- Recommend secure by design condition

4.15 London Fire Brigade - No objection

- An undertaking should be given that access for fire appliances, as required by Part B5 of the current Building Regulations approved Document B and adequate water supplies for fire fighting purposes, will be provided
- This is without prejudice to any requirement or recommendations that may be made by the authority under the Regulatory Reform (Fire Safety) Order 2005/Petroleum (Consolidation) Act 1928, the local authority or the Health and Safety Executive

4.16 Ancient Monuments Society – No objection

- Welcome proposal to conserve and enhance Crystal Palace Park, including repairs and improvements to various designated and undesignated heritage assets and their settings

- The proposal to develop sites on the edges of the Park perimeter to part-fund the improvement works has implications for the historic environment which need to be taken into consideration

4.17 Orpington Field Club and Bromley Biodiversity Partnership sub-group - Objection

- Does not take into consideration or mitigate the loss of biodiversity which will occur
- Opportunities to improve local air quality and mitigate climate change post construction not been considered
- The current biodiversity of the site in relation to bats and birds has not been taken into account
- large proportion of the vegetation on the western side of the park will be removed including trees and scrub
- reduction in number of invertebrates in this part of the park and therefore the birds and bats that feed on them
- Even when trees and scrub species are replaced, the interim period between the loss of the current vegetation and the ability of newly planted native species to support sufficient invertebrates for bats and birds will be severely impaired, leading to reduction in their numbers, possibly local extinctions and increased pressure on migrating birds
- Loss of trees with younger replacement trees less able to absorb CO2
- Loss of scrub from ridge on western side of park which is an important habitat for birds, invertebrates, amphibians, reptiles, small mammals, etc
- Negative impact on bats, particularly rare species
- Surveying for bats and migrating/passage birds appears not to have been undertaken
- Grass and scrub needs to be retained and surveyed for rare species
- Plants help reduce air pollutants and temperature
- Up-lighting and highlighting features detrimental to bats, birds and invertebrates
- Replanting should be 70-80% native species
- No invasive species should be planted
- Bat bricks or other nesting features should be incorporated
- Lighting to be sensitive to bats and directed away from woodland, individual trees
- Loss of England Red-data Listed (VU) Clover from ‘amenity grassland’
- The loss of the ‘amenity grass’ from the grassy slopes north of the terraces will lead to the loss of England red-listed strawberry clover (*Trifolium fragiferum*)
- If surveying finds strawberry clover or other rare plants in this grassland it must be retained and grassland management in this area will need to reflect its presence.
- There is no mention of retaining this grassland in the many documents associated with the application, including the more recent biodiversity documents, or of resurveying the area at the appropriate time of year,

4.18 Bromley Civic Society - Objection

- Open views into the Conservation Area/into the park will be compromised as a result of the Sydenham villas residential
- Bulk and mass of proposed development is out of scale with the sequence of Victorian houses in the road
- Fails to meet standards for new development in a Conservation Area contrary to Local Plan policy 42.

4.19 Crystal Palace Community Association - Objection

- loss of Metropolitan Open Land
- inadequate evidence to support viability of enabling development
- only around half of the £40 million said to be required for the regeneration plan is contributed by the housing
- the development is in no way sufficient to fund the regeneration
- There is a very real risk that the housing development will take place, but the regeneration will not, and certainly not in the way envisaged in the planning application
- the benefits offered are considerably less in 2020, in terms of their reliability and overall contribution to the regeneration, than was the case in 2007
- The remainder consists of 'anticipated income', none of which is guaranteed and there is very little evidence about how in practice they will be obtained
- It is unfortunate that the Council cannot demonstrate its commitment to the project by contributing any of its own funds. With matching funding, it would be much easier to raise money from external sources
- inappropriate density and scale of new development
- The scale of the proposed new buildings on Crystal Palace Park Road and at Rockhills is out of keeping with their surroundings and with the existing pattern of development in the area.
- loss of the Caravan Site
- The northern and eastern fringes of the Park provide an attractive green boundary, containing numerous mature trees, which blends well with the Victorian streetscape beyond. The new developments would be intrusive and would damage this classic parkland setting
- support proposals for conservation and repair of heritage assets, removal of hard surfaces, landscaping and creation of new pedestrian paths and cycle parking

4.20 Crystal Palace Foundation - Objection

- Rockhills site not previously developed land
- The removal of the Caravan Club and the erection of Rockhills would result in a gain of approximately 5 acres of MOL but The London Plan says (para 7.56): 'Development that involves the loss of MOL in return for the creation of new open space elsewhere will not be considered appropriate'; another argument for refusal of this planning application
- Numbers 19, 21, 23 and 27 on the fringe, or peripheral lands, have gone; Sydenham Villas would occupy their vacant sites. However, since 1980, many more properties have been built in the area, to satisfy an ever-growing need.

Forty years on, and any deficiency in open space will not be remedied by building ‘villas’ on Crystal Palace Park Road and residential development at Rockhills. So, it would seem prudent to abandon both of these proposals and, when appropriate, reintegrate the fringe lands and redefine it as MOL through the Local Development Framework process.

- Diddy Dino’s, on the site of No.27 ‘Ribblesdale’, is an asset appreciated by many parents and children, whilst St. John Ambulance is at No.23 ‘The Chalet’. Unless and until a suitable alternative space were to become available, at an arrangement acceptable to their operators, we consider that they should remain.
- Loss of 174 trees including more than 60 trees on the terrace
- Argument for retaining the highest wooded ridge in south London
- Anerley Hill site is an ideal location for carefully-designed teaching facilities – restoring the original connection with education, and making it a more accessible and attractive place for visitors
- There is a great opportunity to significantly improve the existing farm facilities, providing a much better experience for students, visitors and animals
- Capel Manor College proposal would jeopardise tram extension to Crystal Palace
- The Capel Manor proposal presents a long brick wall on the Anerley Hill frontage which would be an urbanising influence on the park edge
- A car park at the entrance is a lost opportunity to improve the pedestrian enhance to the park and the square behind the museum
- The College has not produced studies of the visual impact on the historic landscape
- The proposal to build on the farm involves a number of buildings of up to three storeys: this is directly contrary to Metropolitan Open Land policy
- By reason of their height, mass and density, the proposal fails to have sufficient regard to the status of the Park as a conservation area
- The site is above and very close to the dinosaurs, which are a treasured asset listed as Grade 1 and no study of the impact has been produced
- There is a proposal for substantial house-building on the Sydenham side of the Park, in order to raise funds for restoration and help secure the long-term future of the wider park
- This carefully-considered scheme, previously supported by an Inspector following a lengthy public inquiry, represents enabling development, however, this is now in doubt because the Greater London Authority has indicated that it requires part of the housing to be affordable
- The piecemeal addition of two education sites in the Park is consistent neither with the overall master-planning of the park, carefully considered over a long period, nor with the policies which have been designed over many decades to protect the park from further inappropriate development
- there is no special imperative for the College to occupy Crystal Palace Park and if it is to do so at all, it should do so in a manner which does not breach the planning framework pertaining to the park

- supportive of the educational role which the College plays, and have no difficulty with their continuing to occupy the Jubilee Stand but their current proposals to expand into the green fabric of the Park are directly inconsistent with the planning framework for the Park
- recommended that the courtyard area of the Subway is reglazed and a structure is built over the access stairs, housing a new interpretive museum in which to tell the stories of the Palace and Paxton's vision for the landscape and the history of the Park
- The January 2020 Regeneration Plan Planning Statement proposes: a cultural venue (Use Class D2) with viewing platform comprising up to 2300sqm, together with the change of use of the eastern end of the Crystal Palace subway to museum/interpretation centre (Use Class D1); if this transpires, would the present Crystal Palace Museum (located in what was the Crystal Palace School of Engineering, alongside Brunel's south tower base), decant into the Subway?
- would the locally-listed School of Engineering then become a gastro-pub?
- The erection of a building above the Subway may require the removal of a number of plane trees. If this were to be unacceptable and no building erected here, this could leave the area above the Subway as an open space, with trees
- the period for public input should be extended and the timing of this decision delayed as the economic conditions we are in today are likely to be very different in several months
- during the coronavirus crisis in the UK, it is no longer feasible to assess whether selling public land in the near future will return anything like the funds needed to benefit the park in appropriate measure to execute Park improvements
- The public have not had an appropriate opportunity to consider the plans, as the past few months have seen unprecedented social upheaval, there have been no recent information sessions on the plan, there is a practical barrier for anyone to read 196 online, unsearchable documents

4.21 Friends of Crystal Palace Dinosaurs - Objection

- Without a visual impact assessment of the Capel Manor College building from key points around the site the application must be dismissed.
- Viable alternatives for CMC exist elsewhere
- LBB should make good on its promise on enriched interpretation space for the historic CP Dinosaurs by submitting a planning condition or section 106 agreement to this effect

4.22 London Wildlife Society - Objection

- In the past, as Penge Common, the site was largely destroyed by the construction of the Park - opportunities to restore aspects of the Common's character into the future
- Ecology should play a greater role in the Park's regeneration

- The proposals underplay the ecological interests of the site – could play a more significant role in the future
- No measures of how the regeneration proposals will deliver aspects of Bromley's Biodiversity Action Plan (2015-2020) although it is referenced in the Environmental Statement (7.2.42)
- Support overall proposals in principle as they should result in longer-term tangible benefits for biodiversity, however will depend on the detailed landscaping proposals as they evolve
- Loss of significant number of trees and vegetation and not adequately mitigated for
- Object to loss of scrub along western edge of park as it is an important site for birds
- No surveys have been carried out in this area due to access constraints and lack of mitigation for this habitat loss
- As this area lies outside the SINC it makes the impacts on the Park's wildlife appear less damaging than they will be
- As all of the park was not surveyed and assessed ecologically the proposals do not accurately reflect their impacts on the site's wildlife
- The desire to enhance the horticultural heritage shouldn't compromise the potential for further enhancing the park for wildlife
- Existing habitats lost
- Biodiversity Net Gain assessment of the proposals would be more informative, and should be sought to determine a more robust means to design viable ecological benefits
- If the Council were minded to grant permission, phase 2 surveys and Biodiversity Management Plan conditions are recommended.

4.23 Norwood Society - Objection

- Inappropriate for application to be in outline form
- Indicative drawings not sufficient to consider the impacts of the proposals
- Concerned over what level of consultation will be carried out on the reserved matters applications
- Can't have planning permission in outline for a change of use
- Unclear whether intention is to prevent further deterioration of heritage assets
- Removal of 158 trees is unjustified
- Removal of trees will increase visible intrusion of new Capel Manor buildings
- No objection to demolition of existing structures but will depend on the quality of the buildings which replace them
- Relocation of coach park to the Rockhills development would be unsuitable/visually intrusive
- Not clear how the alterations will benefit the functioning of the NSC
- Commuter parking will be displaced to local residential streets
- Caravan park is a valuable tourist attraction
- How will the quality of the design and materials for the buildings be ensured should permission be granted?

- Rockhills housing will be visually intrusive and highly damaging to Grade II* listed park
- Unacceptable to development land in MOL
- Sydenham Villas proposed residential unacceptable due to height, scale and bulk and would dwarf Victorian properties
- Capel Manor Farm will have an impact on the park given that this site is on higher ground
- Removal of Grade II listed gate piers at Rockhills – will they be re-located?
- Unacceptable increase in the amount of traffic to serve 140 flats at Rockhills

4.24 Sydenham Society - Objection

- extremely concerned about plans for the junction of Sydenham Hill with Crystal Palace Parade and Westwood Hill
- intensification of use of Old Cople Lane
- inadequate assessment of local traffic conditions and sensitive nearby air pollution receptors

4.25 The Victorian Society - Objection

- Do not object to principle of constructing dwellings
- Recognition that this is enabling works
- Proposed scale of housing will not respond well to the form and design of the existing villas and will dominate neighbouring villas
- Reduce height and a more sympathetic and varied roofscapes required

4.26 Woodland Trust - Objection

- The veteran tree habitat is associated with specialist wood decay fungi and invertebrates that are known to be present in the trees at CPP
- A significant number of trees identified in both the arboricultural surveys and also recorded on the Ancient Tree Inventory are likely to be affected by the proposed development
- It is essential that no trees displaying ancient/veteran characteristics are lost as part of the development
- Concerns about the potential impact on a number of trees due to encroachment into their Root Protection Areas (RPA's) and the felling of a Horse Chestnut and a Weeping Willow
- None of the veteran trees noted of concern have been afforded a root protection area in line with Natural England's Standing Advice
- Object unless all trees demonstrating veteran characteristics are retained and provided with adequate root protection areas
- There is **no wholly exceptional reason** for the development in this location and as such this development should be refused on the grounds it does not comply with national planning policy (para 175)
- Acknowledge the change in Life Stage Category for the trees marked OV to OM, however, the applicants should ensure appropriate protection for any trees displaying veteran characteristics and that have the potential to become veteran trees given appropriate time and space to develop
- Still of specific concern are T119b, T221 and T420 based on their considerable size and features.

c) Adjoining Local Authorities:

4.27 LB Croydon – Objection

- unable to support and strongly object to this and any development that may prejudice the implementation of infrastructure extensions or other operational improvements to increase capacity and extensions of the London Tram network
- Notwithstanding the Council's objection - given the proximity of Crystal Palace Park (the 'Park') to the boundary with Croydon which is an important public space used by many Croydon residents for recreational sporting and wayfinding activities we welcome improvement works to this significant heritage asset. In particular, restoration works to 'at risk' items and upgrades to pedestrian and cycle routes facilities located within and around the park are strongly supported by Croydon
- Croydon are concerned that the capacity of the Crystal Palace Bus Station is insufficient for future demand, given that the proposed redevelopment of the Park would likely result in greater trip generation to and from the Park
- Croydon encourages any improvements that enhance both pedestrian and cycle routes to and from the park in accordance with the Healthy Street guidance of the London Plan
- all construction/development activities associated with future building works that affect Croydon, or which have construction traffic routes through Croydon, are required to schedule their traffic outside of peak traffic times
- the comprehensive regeneration of the Park must ensure that pedestrian and cycle routes form part of the regional passive transport network. To achieve this, way finding infrastructure such as lighting, signage and alike must be of a standard that results in the implementation of accessible, safe, visible and convenient direct cycle and walking routes for all users of the Park
- any proposals for the Park must place its heritage significance centre stage and be of particularly high design quality
- there appears to be avoidable tree losses in areas adjacent to Crystal palace park road
- given the status of the park and some of the trees within it, mature & veteran status specimens should be retained where possible and revision of the proposed layouts should be re-considered

4.28 LB Lambeth – No objection

- Further measures are required to reduce travel to the park by private motor vehicles in order to meet Mayoral targets.
- Car parking provision should take into account the wider context, including a review of parking controls on adjacent public highway and whether amendments to these are required.
- Motor vehicle activity within the core of the park should be limited and priority given to walking and cycling. LB Lambeth therefore suggests that any car parking that is provided should be located on the periphery of the park, with the exception of Blue Badge bays.
- A visitor management and travel plan should be secured to promote alternative travel modes event days, where current demand for car parking is much higher.

- For Lambeth, the key access point is from Westow Hill and the junction with Anerley Hill, Crystal Palace Parade and Church Road. Improvements to this junction are sorely needed in order to improve pedestrian access. From this point seamless, direct walking routes to Crystal Palace Station are essential.
- We would welcome consideration of the development of a cycle hub at the station to improve cycle links to the park. Cycle links should also be provided parallel to the Crystal Palace Parade.

4.29 **LB Lewisham - Objection**

- No objections to the principle of residential development, subject to impact upon the MOL, siting, scale and resulting harm upon existing Lewisham occupiers, the character of the public realm, and the highways network.
- Rockhills development may fail to relate positively to the existing development along the Park's frontage opposite LB Lewisham, resulting in a reduction of the existing green setting that contributes to the character of the public realm along this section of Westwood Hill.
- Blocks of up to 5-storeys may be acceptable adjacent to the highway given the width of Westwood Hill would limit impacts on existing occupiers opposite, however considering the topography of Westwood Hill, how appropriate the scale and height of development would appear when approaching from the east would require further assessment.
- The form of proposed development should relate better to the Victorian villas that lie directly opposite the application site.
- The principle of flexible community use raises concerns in respect of the activity, noise and disturbance it may generate, and additional highways pressures, considering it would not benefit from a dedicated parking area.
- The proposed residential units would be located within an area where the PTAL is low, which would not encourage sustainable travel.
- The Transport Assessment submitted with the application does not consider the impact of overspill parking upon the on-street parking conditions within LB Lewisham, or if additional parking restrictions may be required to mitigate the impact of overspill parking associated with the proposal.
- No assessment has been undertaken to determine the impact of the Rockhills development upon parking capacity in the vicinity of the site.
- Cumulatively, the parking conditions would be exacerbated as there is no dedicated car parking provided for the proposed community building, including the nursery use.
- No details are provided of how the community building and nursery would operate, therefore it is not possible to establish the cumulative impact of the development upon neighbouring residents.
- The proposal would result in a reassignment of vehicle trips, resulting in an increase in vehicle movements on the northern and eastern edges of the site.
- The impact of the revised vehicle access strategy and reassignment of trips would be most significant at the double mini-roundabouts adjacent to Old Cople Lane (at the A212 Crystal Palace Parade / Fountain Drive / Westwood Hill / Sydenham Hill).
- Locating the new car and coach park in Old Cople Lane would result in a significant increase in the number of vehicles having to undertake u-turns at

these roundabouts, whilst increasing the potential for vehicular conflict and congestion that would affect LB Lewisham.

- Officers also raise concerns toward the independent Road Safety Audit within the Transport Assessment, which highlights a number of deficiencies and Highway safety issues with the design of the vehicle access points adjacent to the Rockhills element, which the Applicant should address.
- Highways impacts from activity associated with the construction of Sydenham and Rockhills residential developments and wider works within the park .
- The increase in the number of HGV movements may have highway safety implications that would affect LB Lewisham if not robustly addressed in the planning process.

4.30 **LB Southwark – Objection**

- The application should be accompanied by a comprehensive Conservation Management Plan for the whole park which should define the significance of the park and its landscape, establish the range of significance across the protected landscape, and form the basis of any future development of the park.
- The information provided is inadequate for LBS to assess the harm to the park and further justification is necessary to demonstrate the public benefits arising, and in this sensitive case to demonstrate why it is necessary to cause any harm, in accordance with the NPPF.
- No objections on transport grounds subject to the following:
 - The applicant making a contribution towards increasing the frequency of buses along the A212 Crystal Palace Parade/Westwood Hill including the provision of sufficient bus shelters and information systems (countdown facilities) at the bus stops on these roads; and
 - The applicant funding a package of road safety measures on the segments of Fountain Drive and Sydenham Hill preceding the pedestrian crossings at these roads' junctions with the A212 Crystal Palace Parade, including the construction of sinusoidal road humps before them to enforce the 20mph speed limit on these roads and/or conversion of the pedestrian crossings to raised pedestrian crossings.
- An assessment should be carried out of overall tree removal and replacement planting so that there is no net loss; alternatively, it could be ensured by replacing the same stem girth at completion the target of a net increase in canopy cover outlined in the London Environment Strategy of 10% to 2050 is achieved.
- Unnecessary tree removals should be avoided - it is not clear why mature boundary trees on Crystal Palace Park Road, for example, are removed or not replaced. Fewer mature trees removed would subsequently require less planting by way of mitigation.
- The opportunity exists to replace the historic Oak on or near to the entrance on Anerley Hill/Crystal Palace Parade.
- The development is generally scaled to respond to the adjacent residential housing at the junction with Sydenham Hill and Westwood Hill.
- The development is unlikely to project much above the trees that line the park edge in this area and are being retained, with additional new trees

positioned immediately onto Crystal Palace Road in front of the new buildings.

- The development would not be seen from all but close-by views from Southwark, being set slightly downhill along Westwood Hill and mostly obscured by the intervening 3-storey Victorian villas that line the main road.
- The development would be unlikely to impact upon the Sydenham Hill ridgeline when viewed from the wider borough or from the Dulwich Woods conservation area in particular - this should be confirmed thorough Townscape Visual Impact Analysis and Zone of Theoretical Impact, but which does not appear to be included within the submission.
- The main area of the re-development of Crystal Palace Park that will have an impact on Southwark's residents is known as Area B Palace Terrace, the new culture centre and work around the Crystal Palace Subway.
- More information regarding the proposed cultural venue is requested to assess the possible impacts of the proposals on both the listed structure, but also its setting.
- The impact on the townscape within Bowley Lane and Close would likely be minimal, given the topography and intervening high-level roadway.
- On Saturday the Authority advocates that the construction hours are 09:00 - 14:00 hours. Therefore, it is requested that different hours be imposed on the construction company for any work in the Area B Palace Terrace area.
- Within the acoustic report, there appears to be no assessment for the impact on Southwark residents from the operation of the culture centre
- There is no indication in the documents that the impact of visitors arriving and departing the culture centre, via the Crystal Palace subway will have on Southwark residents.
- The ecological surveys are acceptable: some concerns are raised, however, regarding the designs for the terrace, as there appears to be a proposal to remove scrub and trees, and replace these with a formal avenue of trees together with high maintenance box hedging and flower beds.
- Details of neither the community building nor lighting could be found within the application documents.
- Retaining a block of woodland and scrub for bats which commute from and to Dulwich Upper Wood is advised.
- New housing and buildings should be as biodiverse as possible.
- Since the proposals are not anticipated to increase flood risk and include provisions to reduce existing surface water discharges to the sewer network, Southwark's Flood Risk Management Team have no objections.
- If there would be any impact on waste and recycling collections, either during the construction stage or in the end-use, the developer must notify Southwark's Waste Management Team and engage with Veolia.

d) Adjoining Occupiers:

Due to the high level of letters received in respect of this application it has only been possible to summarise the main comments submitted. Full text is available on the Council's website.

OBJECTION

4.31 Principle of Proposed Housing / Enabling development

- Object to Council selling-off of park land for housing
- Park is for the community
- Needs to remain public space
- Threat to the environment
- Already too many buildings in the park
- No need for an additional 200 dwellings
- Only Sydenham edge being used for housing as better views and a way of making more money
- Urban sprawl
- Over others to “offset” the dwellings fall below par
- Caravan park is not permanently developed
- Fragmentation of park
- Don’t object to residential buildings at Sydenham Villas which is already residential and outside the boundary of the park
- Income from housing needs to be ring-fenced and proof that this one-off sale can provide long-term benefits for the park
- None of the housing is affordable and won’t benefit local people
- Flats should be built on brownfield sites
- Additional litter
- Will alter character of park
- Cumulative impact of development in adjoining Boroughs
- Lack of certainty in housing market after Covid-19 and whether the flats will sell
- Desire for regeneration of the park but not housing which will compromise park space
- Park is neglected so the Council should focus on that, not building residential blocks
- Loss of park for housing not acceptable
- Building on MOL land (the Rockhills site on existing caravan park) is unacceptable.
- MOL land should not be built upon unless VSC can be demonstrated which they haven’t
- Rockhills development will impact upon the openness of the MOL more than existing buildings at the Northern edge of the site.
- Rockhills development will harm the existing Grade II listed 108 Westwood Hill
- This area of South East London is already short of green spaces
- Not enough affordable housing
- The proposed housing will decrease the size of the park when it is busy and well-used
- The pandemic has shown that we should protect and maintain our green open spaces
- Park should remain a space to serve the local community, not sold off and replaced with private housing
- Already a densely populated area
- Will cause detrimental fragmentation

- The number of dwellings proposed is excessive and an over-development of the site.
- Reducing green space which has been vital during the pandemic.
- Location of the dwellings at the top of Sydenham Hill could dominate the skyline.
- Location and desirable area mean that local residents would not be able to afford these new dwellings, increasing inequality in London.
- Recognises the importance of affordable housing but not at the expense of the loss of the park's green space for the community as a whole.
- Loss of MOL
- Too many homes on park land
- Unacceptable development on MOL land
- Heritage features will require on-going investment which proposed endowment will not cover
- Why is revenue from events not being achieved now?
- Not convinced that income generated from the sales of proposed housing will be used for the benefit of the park and local residents
- Concerned that money being reinvested in the park will be too little for the upkeep of the heritage assets.
- Inadequate evidence to support viability of enabling development.
- Development will provide nowhere near enough money to fund the redevelopment of the park so will the regeneration really happen
- If only half of the regeneration plan cost is from housing, where is the rest coming from when all the grants discussed are 'anticipated' and 'speculative'?
- Improvements to the park should be funded through other means such as heritage lottery grants.

4.32 Design of housing

- Inaccurate map submitted for Sydenham Villas (care home no longer exists)
- Four storeys too tall
- Unattractive designs
- Out of keeping/too large
- Villas car park should be at the back of the buildings
- Detrimental impact on views of existing residents
- Detract from the park's environment
- Should be same height as existing buildings
- Impact on views of Crystal Palace mast
- Out of keeping with surrounding beautiful Victorian buildings
- Flat-roofed, featureless, characterless buildings with no regard for surroundings and detract from architectural style of the neighbourhood
- Surely housing can be more attractively designed
- Buildings too large and destroy an historic area
- 4 storey flatted blocks show disregard for the conservation area
- Not enough space between the development and existing houses on Crystal Palace Park Road
- Should be 3 stories maximum
- Bulk and mass is out of scale with the Victorian houses in Crystal Palace Park Road

- Height, scale and massing of Sydenham Villas is overbearing and out of character for the area.
- As this is a conservation area, isn't it necessary for new dwellings to preserve the nature and appearance of the area.
- Other sites that have been developed in the area have paid attention to the height and design of existing properties.
- Bin storage area for one of the Sydenham Villas blocks is outside a bedroom of no. 25A.
- The extent of the buildings at the perimeter of the park will negatively change the characteristic of the park.
- Height should be reduced to fit in with existing architectural character.
- The gaps between the proposed buildings are not adequate to retain views of the landmark tower.
- Housing will ruin current views of the green areas.
- Rockhills will create an obtrusively high physical barrier splitting the green stretch of Horniman Gardens and Sydenham Hill Ridge Neighbourhood Area from CPP which is currently an area of green space and connecting woodland.
- Rockhills is of excessive scale and height and will be overbearing.
- Loss of open views when approaching CPP as a result of the Rockhills development.
- Inappropriate density and scale of new dwellings.
- The flats are too small for living and with no garden space which is essential for well-being.
- Footprint of each apartment is far too small and too many are being built – should be fewer and larger.
- Scale and siting of Rockhills will have a dominating impact on 108 Westwood Hill.

4.33 Principle and Design of Park-wide Proposals

- Some areas in need of some light maintenance but otherwise it is a functional, visually pleasing park
- Justification/purpose of cultural venue
- Reason for infilling pathways
- Playground does not need to be moved/re-location is near a dangerous junction (Sydenham Avenue)
- English landscape area inappropriate for re-location of play park – noise and disturbance and impact on wildlife
- Would result in an overdevelopment
- Visually intrusive
- Any development should be exceptional and beautiful
- Concerned that the high proportion of hard to soft landscaping means people will walk/sit on few remaining areas of grass which will get eroded and damaged
- Paths need to be wider
- Unimaginative, destructive plans which won't 'regenerate' the park
- The NSC continues to impact on the park – Could this area not be remodelled and improved as part of the regeneration?

- Restoration of Paxton Axis and simultaneous application for the NSC required
- Do not support Masterplan's objective of restoring the Paxton axis – without the other features it will be a boring, wide path at unnecessary cost
- Waste of money
- Is a result of neglect from the Council for years
- Proposal seems to only be concerned with maximising occupancy and therefore profit
- Unnecessary.

4.34 Impact on Amenities: overlooking/visual impact/privacy/noise

- Bulk and massing of Rockhills and its proximity to the northern boundary of the site will result in increased dominance, loss of openness and loss of privacy for 103-108 Westwood Hill
- Sydenham Villas will overlook park and detract from use of the Cricket field area
- Noise pollution from cultural venue to neighbouring dwellings
- More detail required about licensing of events
- What will viewing platform be used for and hours of use
- Noise pollution from increased traffic
- Rockhills development will run the entire length of house and garden and will be overbearing
- overlooking house and garden
- Overlooking and noise from balconies
- Loss of privacy
- Five/four storey height runs entire length of house and garden (Rockhills)
- Dominant, large and overbearing
- Overlooking and loss of privacy to Westwood Hill
- Impact of residential visual amenity
- Loss of the areas historical and open character
- Views into conservation area will be seriously compromised.
- Rockhills overlook properties on Crystal Palace Park Road, resulting in a loss of privacy – can it not be sited back a few more metres?
- Effects of noise of proposed large scale events on proposed residents must be considered – easement to prevent noise levels impacting on these dwellings would be possible.
- impact on existing views.

4.35 Capel Manor

- Can some of existing buildings be retained?
- Out of character
- Visual impact from flats opposites
- Disturbance from students and vehicles attending college
- College could increase built development on Anerley Hill in the future
- Introduction of large, modern building will detract from the character of the Conservation area
- Location prevents any future tramlink extension
- Not proposed in Masterplan
- Insufficient detail of design

- Why can't expansion plans be met outside of the park?
- Proposed college building on Anerley Hill will be an eyesore and not in keeping with the surrounding architecture
- Other potential locations for the College
- Land grab by GLA so it can then be demolished to make way for the Sports Centre improvements.
- College contributes very little to the upkeep of the park and the land it leases
- Private college should not be such a large part of the park.
- Proposed building too large and tall, harming the dinosaurs very close by
- Couldn't the college be built on a brownfield site elsewhere – such as William Booth Road, to the rear of James Dixon School
- Overbearing massing and bulk of proposed buildings
- No objection to principle of college, just siting on protected MOL land at Anerley Hill
- Will dwarf museum building
- No benefit to local community
- The visual impact assessments do not provide enough detail on proposed college buildings
- The large building on the farm site will impact and degrade the landscapes and view of the grade 1 listed dinosaurs.
- No visual impact assessment to assess the impact of the Capel Manor building on different views from around the park.
- Will financially benefit Capel Manor, a private organisation, but cause disproportionate loss to the park and irreplaceable heritage assets. Viable alternatives for the college exist elsewhere.
- No involvement of the Friends of Crystal Palace Dinosaurs even though this building directly abuts them
- No current proposal to pay any additional sums for the proposed sites.
- Question the community benefit of the proposal with mature trees lost, lack of investment without any clarity on rental agreements for the land and the gating of the proposed garden area.
- No consideration of the Grade 1 listed dinosaurs or the park as a conservation area.
- Unacceptably intrusive, making the park a quasi university.
- Are the college paying a reasonable price for taking over the park.
- Capel Manor should work with the CP Trust and other stakeholders to mitigate their effects

4.36 Natural Environment

- Object to loss of trees in favour of car parking
- Poor air quality as a result of increased cars and coaches
- How will environmental impact of housing be minimised?
- Loss of habitats
- Object to lighting proposals due to impact on wildlife habitats especially bats
- Removal of trees at Anerley site would impact views into park and increase pollution
- 174 trees felled
- Loss of mature trees

- No justification for removal of nearly 200 mature trees – there should not be a net decrease in the number
- Object to loss of scrub along the Western edge of the Park, just south of the transmitter
- Some habitats will be lost
- Stated that the development will only have a negligible impact on the SINC but this SINC does not cover the whole park
- Ecology surveys did not cover the Western ridge due to alleged access constraints but this seems to be a deliberate attempt to downplay this habitat in the assessment and not come up with any proposals to conserve and enhance it
- Planning Statement makes no reference to environmental considerations.
- No consideration or plan to mitigate for loss of biodiversity, particularly important in such an urban area.
- Opportunities to improve air quality and mitigate climate change have not been considered.
- Loss of vegetation for wildlife.
- Tree loss will make it hard for LBB to become carbon neutral by 2029 as, although trees will be replaced, young trees do not absorb as much CO₂.
- Loss of scrub which provides habitats.
- Loss of bats due to loss of their habitats.
- No thorough survey of the grassland.
- Objection to loss of trees as even if they are replaced by new saplings, these will not be looked after and watered – a waste of money.
- Wildlife in the park, including protected species, do not seem to have been considered.
- Green space should be kept for everyone to use, now more than ever.
- Removal of trees will urbanise the area.
- Grazing areas are inadequate
- Approach to tree removal is too generic and inappropriate in this instance – each one to be removed should have an impact statement done.
- Net loss of habitats, because some species require a certain quantity of habitat.
- While bats have been considered in the Environmental Statement, birds have been overlooked.
- Some ‘untidy’ areas of the park should be left alone as they are useful to wildlife
- Wildlife will be disturbed greatly during construction and may be lost all together.
- Trees have recently been dying off due to a lack of maintenance in the park – watering, replanting where necessary.

4.37 Heritage

- Concert platform should be restored and used
- The park’s current state of deterioration is over-exaggerated
- Disrespectful of the heritage of the area
- Disturbance to underground tunnels
- Implications of building on site of Paxton’s home

- Impact of building close to the Terraces
- No plan to restore motor sport heritage
- Conservation and repair of heritage assets needs to take priority to ensure funding doesn't run out
- No regeneration of the aquarium ruins next to the Arqiva tower
- Can the community centre and cultural venue for the subway area not be combined
- No evidence of consideration of the Paxton Railway Tunnel.
- Entertainments venue is inappropriate and will generate too much additional traffic.
- Recent appeal at 2 Sydenham Hill highlights importance of giving weight to harm of Rockhills development on the listed 108 Westwood Hill.
- Impact of Rockhill on Crystal Palace Conservation Area is unacceptable.

4.38 Access, Highways & Transport

- Increased traffic/congestion as a result of housing
- Inadequate parking
- Issue of re-siting car parks away from Sports Centre
- Local transports services already overstretched
- Alternative site parking at the perimeter of the park should be considered
- Increase in parking spaces leading to increase in air and noise pollution
- Impact on traffic flow at round-about on Crystal palace parade
- More parking not needed – most people using the park live within walking distance and park is well-served by public transport
- Regeneration may bring more people to the area increasing air/noise pollution from more vehicles
- Volume of new dwellings will have a direct impact on highway safety and traffic generation
- Inadequate parking being provided
- Traffic is already bad enough without encouraging more
- Widening the junction will make it more dangerous for pedestrians and cyclists
- Pavements should be made safer if regeneration of the park means more large events are held in the park.
- Lack of swept path.
- Should be more cycle paths across the park to link local cycle networks.
- The increase in traffic from the proposed additional dwellings has not been considered.
- Reduction in parking is illogical given that there will be more visits to the park.
- Lack of parking proposed will impact on surrounding areas which already have insufficient parking, also reducing parking for park users.
- Any new development should be car free considering the existing traffic congestion problems and good public transport connections.
- Should be a good walking and cycling network within the park, which should be flexible in order to adapt to temporary changes in park use, such as large-scale events.
- Consider more pedestrian only areas to also include cycling.

- Narrowing of the A212 at the roundabout will create an undesirable canyon effect.
- The roundabout is already one of the most highly used in London and further housing will mean it cannot cope.
- Proposed buildings too close to the roundabouts at Sydenham Hill, Fountain Drive and Crystal Palace Parade affecting open vistas and safety of pedestrians and road-users by restricting vision and creating an enclosed atmosphere.
- No account has been taken of the impact of increased traffic at the roundabouts.
- No parking provided for visitors from the West of the park (ie. Lambeth, Croydon and Western Bromley)
- Too many parking spaces are being removed, there are already significant parking difficulties in the area
- Statement that there is no entrance to the park from Crystal Palace parade is untrue.
- Proposed swale design will cut the park in half and reduce accessibility of the top part of the park.
- Only cycle access towards Anerley Hill and the train station is via a steep uphill.
- Should be more step free access along the southern area of the park, in particular between Cintra Gate and Upper Terrace where current access is difficult
- Any extension to the bus station must not encroach any further upon the park, which is MOL and grade II* listed - it must not proceed east towards the Italian Terrace, for doing this would both encroach upon MOL and into the footprint of the Palace, and it must not go any further north, since this would encroach upon MOL.

4.39 Construction and Deliveries

- Noise and disruption caused by building more than 200 homes will impact on people's enjoyment of the park for several years
- Timeframe for construction/inconvenience for neighbouring occupiers
- Deliveries associated with cultural venue
- The construction of such a large development will generate a lot of additional traffic

4.40 Air Pollution

- Air pollution figures are not accurate

4.41 Drainage

- Reduction in drain-off land
- The parks water management costs have been under-represented in the FVA
- Lack of a drainage and water strategy encompassing the entire park, risking a piecemeal approach.
- Proposed drainage poorly integrates the existing major water bodies.

4.42 Infrastructure / Park facilities

- Strain on local infrastructure i.e. doctor's surgery's and schools

- Loss of Diddy Dinos pre-school/lack of childcare in area
- No need for community centre
- Would like sports centre improved
- Where will 1 o clock club and St John's Ambulance go?
- No commercial space/shops proposed
- No need for a visitor centre
- Playground not necessary
- Utilities infrastructure on Italian Terraces not necessary and money could be better spent elsewhere
- No shopping or educational facilities being provided so people will be forced to drive to closest ones
- Park has become particularly busy and overcrowded during lockdown, how will local services cope with increased visitors
- Diddy Dinos to be demolished when it is a much needed service for local residents
- Maybe the scale and scope of the residential proposals should be reduced to reduce the impact on local infrastructure.
- Removal of paths used for skateboarding since 1977
- Loss of cycling provision
- Removal/relocation of play area is unacceptable as it is a well used facility.
- Object to more cycling provision when walkers, runners and families use the park more.

4.43 Loss of Caravan site

- Unjustified loss of caravan park
- Is the Council forcing out the Caravan club at the expiry of the lease
- Caravan park is well-used
- One of the only camp sites in London
- Increase in public space it would provide is insignificant compared to size of the park
- Loss of tourist income locally and economic impacts
- Environmentally unfriendly
- Unnecessary to close the caravan park to build residential buildings
- Not being re-provided
- Great location enabling visitors to stay in an urban setting with great transport links.
- Loss of caravan park will change the character of the area as well as the outlook for local residents.
- Currently an affordable and accessible accommodation option for London visitors, which will be totally lost.

4.44 Application consultation / process

- Notice sent out earlier than received
- Inadequate information about consequences for the park
- Not clear what is being built
- A lot of the downloadable documents do not open
- Object to number of documents
- No consultation process in place

- Undemocratic
- Too much jargon
- No timescales
- Would have been appropriate to have a public consultation at a local venue
- 21 days notice to comment is inadequate
- Has Covid-19 been considered in timeframe?
- Rushed through without public consultation
- The application is deliberately complicated to confuse residents
- Level of consultation (particularly on Capel Manor) has been very poor
- The public should not be expected to look through over 300 documents.
- Delay in receiving consultation letter
- Letter featured the incorrect web address.
- Visual impact assessments are inadequate and further studies should be done to assess the impact of the new buildings on the landscape and cricket ground specifically.

4.45 Other

- 33 Crystal Palace Park Road is shown as a Rangers Lodge and is proposed to be demolished but is in fact a private home and residents have not been informed of the proposed demolition
- Crime and increased footfall
- Lack of notification about large events
- Old plan being used showing buildings that have since been demolished/redeveloped so no accurate picture of the effects of this development.

SUPPORT

4.46 General

- Will become a major visitor attraction
- Supported but should also include concert platform
- Improved cultural facilities could bring more business and income to the local community
- Park needs total regeneration which this provides
- Could be brought up to the same standard as Dulwich park, which has been well designed and maintained
- Redevelopment of areas currently inaccessible is great
- Redevelopment of the entrances
- Can the sports centre be redeveloped as well?
- Some parts of the park do need updating – toilets, disabled access, heritage features
- Regeneration plan is long overdue
- Park is suffering from disrepair, unmaintained roads and unused tarmac which could be majorly improved
- Original masterplan provided good plans and was sadly not implemented – the local residents deserve to finally have the park regenerated after all these years and all the money spent so far on appeals, inquiries etc.

- Provides a vision and a financial plan to deliver change to the park which has already been improved recently by the café, dinosaur park etc.
- Crystal Palace park has huge potential that could bring benefits to the people of South London
- Currently the upper side of the park is like a wasteland but has the potential to be beautiful
- Comprehensive, careful and sensible plan
- Regeneration could go even further, but this is a good starting point and will enable the park to be further regenerated using funds raised by events etc that will be made possible in the park by this proposal
- This is the perfect opportunity to regenerate the park as it is desperately needed – any private investors would want private use over some of the land
- Hope that St Johns Ambulance is only being demolished as it can be replaced elsewhere
- 32% increase in cycle parking supported
- Improved wayfinding and signage will be useful
- New pedestrian routes through the park, new information centre, community centre, children's nursery, café and toilets are supported
- Hope that new toilets and changing facilities are provided.

4.47 Design, Demolitions and Landscaping

- Subway building/cultural centre has an impressive design
- Quality contemporary architecture will reflect the spirit and heritage of the subway and Palace itself to preserve and enhance the character of the area and ensure its long-term sustainability and viability
- Removal of underused buildings such as depot and substations is good
- Removal of concrete around the Paxton bust is great
- Most buildings to be demolished are eyesores/negatively impact the park as a whole currently and are essential for the Masterplan vision
- Demolition of outdated buildings and structures and removal of unnecessary and unsightly fencing and barriers is supported
- Removal of existing hard surfaces and construction of new playgrounds ensures the park contains as much green space as possible
- The Paxton Axis will dominate, rather than parking which is currently at the centre – parking at the edges of the park will maximise the green space available.
- Removal of tarmac and roads will manage the traffic into and out of the park and increase the amount of green space
- Park should become as car free as possible so supported
- Even more hard surfaces should be removed.
- Supportive of removal of large sections of surfaced car park from the central area of the park.
- Loss of car parking is acceptable as public transport is very good and 50% of London households don't own cars anyway
- New garden in upper terrace will improve the area
- Outline application approach with layout as a reserved matter is good idea so detailed landscaping elements can be thought about later

- Supportive of landscaping around the Paxton bust area which is currently a mess
- Support the proposed soft landscaping approach
- More green space will increase biodiversity
- Planting of new trees, increased open green space and proposals for new gardens are beneficial
- Long term benefits for biodiversity in the park and surrounding areas
- Support the recommendations of how protected species (especially bats) and habitats will be protected.

4.48 Repair of Heritage Assets and Enabling development

- Essential to preserve these elements as they are irreplaceable and make the park unique
- Supportive of restoration and protection of the historic subway area
- Heritage features have been left to depreciate and are not maintained and celebrated currently
- Fundraising through land sales is the only way these assets can be saved/restored
- The history and education all in one area will be beneficial (museum and training)
- Many of the heritage assets are currently 'at risk' so desperately need restoring
- Support conservation and repair works to the 'at risk' terraces, dinosaurs, sphinxes, subway and Paxton bust as this will enhance the Park's heritage.
- Support the plans based in heritage restoration
- Welcome the restoration of original railings and balustrades
- Any lottery funding (an alternative to housing as suggested by some) will likely come too late and the heritage assets will be further damaged before then – also will be unlikely to provide the total money required
- Housing is being built on edges of the park that are currently underutilised
- Supportive of the building and selling of housing in order to raise funds to restore the heritage features, dinosaurs and enhance the green space
- The proposed housing are more visually pleasing than existing houses surrounding the park
- The land was always designated to be developed as it was previously developed in the past.

4.49 Capel Manor

- Especially support development and change to Capel Manor as a way to support the lives of young people who need training and jobs
- Supported as long as designs are of sufficient architectural merit
- They have shown an ongoing commitment and investment in the Park, especially educational needs of young people so this should be encouraged and developed
- Will make the park feel safer with removal of derelict, unused buildings
- The lowering of the footprint area to sink the College building into the hillside, and the use of materials sympathetic to the parkland will improve the look of the college area

- Supportive of the college which does well in providing local young people with post-secondary courses and provides opportunities for local families to see farm animals.
- Welcome the retention and improvement of the College, but it must provide a better visitor attraction for the general public

4.50 Removal of Caravan site

- Removal of caravan park to be replaced by housing where housing did formerly exist is supported
- Taking back the land leased to the caravan park will mean more parkland and trees
- Removal of caravans is supported

5. POLICIES AND GUIDANCE

5.1 National Planning Policy Framework (NPPF) 2019

5.2 National Planning Practise Guidance (NPPG)

5.3 The London Plan (March 2021) policies relevant to this application:

Chapter 2 Spatial Development Patterns	
Policy SD1	Opportunity Areas
Policy SD2	<i>Collaboration in the Wider South East</i>
Policy SD7	Town centres: development principles and Development Plan Documents
Policy SD10	Strategic and local regeneration
Chapter 3 Design	
Policy D1	London's form character and capacity for growth
Policy D2	Infrastructure requirements for sustainable densities
Policy D3	Optimising site capacity through the design-led approach
Policy D4	Delivering good design
Policy D5	Inclusive design
Policy D6	Housing quality and standards
Policy D7	Accessible housing
Policy D8	Public realm
Policy D11	Safety, security and resilience to emergency
Policy D12	Fire safety
Policy D13	Agent of Change
Policy D14	Noise
Chapter 4 Housing	
Policy H1	Increasing housing supply
Policy H2	Small sites
Policy H4	Delivering affordable housing
Policy H5	Threshold approach to applications

Policy H6	Affordable housing tenure
Policy H7	Monitoring of affordable housing
Policy-H8	Loss of existing housing and estate redevelopment
Policy H10	Housing size mix
Chapter 5 Social Infrastructure	
Policy S1	Developing London's social infrastructure
Policy S2	Health and social care facilities
Policy S3	Education and childcare facilities
Policy S4	Play and informal recreation
Policy S5	Sports and recreation facilities
Policy S6	Public toilets
Chapter 6 Economy	
Policy E10	Visitor infrastructure
Policy E11	Skills and opportunities for all
Chapter 7 Heritage and Culture	
Policy HC1	Heritage conservation and growth
Policy HC3	Strategic and Local Views
Policy HC4	London View Management Framework
Policy HC5	Supporting London's culture and creative industries
Chapter 8 Green Infrastructure and Natural Environment	
Policy G1	Green infrastructure
Policy G2	London's Green Belt
Policy G3	Metropolitan Open Land
Policy G4	Open space
Policy G5	Urban greening
Policy G6	Biodiversity and access to nature
Policy G7	Trees and woodlands
Policy G8	Food growing
Policy G9	Geodiversity
Chapter 9 Sustainable Infrastructure	
Policy SI1	Improving air quality
Policy SI2	Minimising greenhouse gas emissions
Policy SI3	Energy infrastructure
Policy SI4	Managing heat risk
Policy SI5	Water infrastructure
Policy SI6	Digital connectivity infrastructure
Policy SI7	Reducing waste and supporting the circular economy
Policy SI8	Waste capacity and net waste self-sufficiency
Policy SI12	Flood risk management
Policy SI13	Sustainable drainage

Chapter 10 Transport	
Policy T1	Strategic approach to transport
Policy T2	Healthy Streets
Policy T3	Transport capacity, connectivity and safeguarding
Policy T4	Assessing and mitigating transport impacts
Policy T5	Cycling
Policy T6	Car parking
Policy T6.1	Residential parking
Policy T6.3	Retail parking
Policy T6.4	Hotel and leisure uses parking
Policy T6.5	Non-residential disabled persons parking
Policy T7	Deliveries, servicing and construction
Policy T9	Funding transport infrastructure through planning
Chapter 11 Funding the London Plan	
Policy DF1	Delivery of the Plan and Planning Obligations
Chapter 12 Monitoring	
Policy M1	Monitoring

5.4 Mayor Supplementary Guidance

- Homes for Londoners (2017)
- Culture and Night-Time Economy (2017)
- Affordable Housing and Viability (2017)
- Crossrail funding (2016)
- Housing (March 2016)
- Social Infrastructure (2015)
- Accessible London: Achieving an Inclusive Environment (2014)
- The control of dust and emissions during construction and demolition (2014)
- Sustainable Design and Construction (2014)
- Character and Context (2014)
- Preparing Borough Tree and Woodland Strategies (2013)
- Providing for Children and Young People's Play and Informal Recreation (2012)
- All London Green Grid (2012)
- London View Management Framework (2012)
- London's Foundations (2012)
- Planning for Equality and Diversity in London (2007)

5.5 Bromley Local Plan 2019

- 1 Housing Supply
- 2 Affordable Housing
- 4 Housing Design
- 5 Parking of commercial Vehicles
- 13 Renewal Areas
- 14 Development Affecting Renewal Areas

- 15 Crystal Palace Penge & Anerley Renewal Areas
- 20 Community Facilities
- 21 Opportunities for Community Facilities
- 22 Social Infrastructure in New Developments
- 24 Allotments and Leisure Gardens
- 26 Health and Wellbeing
- 27 Educational Facilities
- 30 Parking
- 32 Road Safety
- 33 Access for all
- 34 Highway Infrastructure provision
- 35 Transport Investment Priorities
- 36 Safeguarding land for transport investment
- 37 General Design of Development
- 38 Statutory Listed Buildings
- 39 Locally Listed Buildings
- 40 Other Non-Designated Heritage Assets
- 41 Conservation Areas
- 42 Development Adjacent to a Conservation Area
- 43 Trees in Conservation Areas
- 45 Historic Parks and Gardens
- 46 Ancient Monuments and Archaeology
- 47 Tall and Large Buildings
- 48 Skyline
- 50 Metropolitan Open Land
- 51 Dwellings in the Green Belt or on Metropolitan Open Land
- 53 Land Adjoining Green Belt or Metropolitan Open Land
- 54 South East London Green Chain
- 57 Outdoor Recreation and Leisure
- 58 Outdoor Sport, Recreation and Play
- 59 Public Open Space Deficieincy
- 60 Public Rights of Way and Other Recreational Routes
- 62 Agricultural Land
- 69 Development and Nature Conservation Sites
- 70 Wildlife Features
- 72 Protected Species
- 73 Development and Trees
- 74 Conservation and Management of Trees and Woodlands
- 77 Landscape Quality and Character
- 78 Green Corridors
- 79 Biodiversity and Access to Nature
- 111 Crystal Palace SOLDC
- 113 Waste Management in New Development
- 115 Reducing Flood Risk
- 116 Sustainable Urban Drainage Systems
- 117 Water and Wastewater Infrastructure Capacity
- 118 Contaminated Land

- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction
- 124 Carbon reduction, decentralised energy networks and renewable energy
- 125 Delivery and Implementation of the Local Plan

5.6 Bromley Supplementary Guidance

- Affordable Housing (2008) and subsequent addendums
- Planning Obligations (2010) and subsequent addendums
- SPG1 General Design Principles
- SPG 2 Residential Design Guidance
- Crystal Palace Conservation Area

6. ASSESSMENT

The main issues to be considered in respect of this application are:

- Principle of development
- Design and Visual Impact
- Heritage Impacts
- Impact on neighbouring residential amenities
- Housing Land Supply and Affordable Housing
- Transport and Highways
- Green infrastructure and Natural Environment
- Energy and Sustainability
- Environmental Health - Air Quality, Noise & vibration and Land Contamination
- Flooding and Drainage
- S106 and CIL

6.1 Principle of development

Acceptable

- 6.1.1 Metropolitan Open Land is strategic open land within the urban area. It plays an important role in London's green infrastructure – the network of green spaces, features and places around and within urban areas. **MOL protects and enhances the open environment** and improves Londoners' quality of life by providing localities which offer sporting and leisure use, heritage value, biodiversity, and health benefits through encouraging walking, running and other physical activity (Para 8.3.1, Intend to Publish London Plan).
- 6.1.2 London Plan Policy G3 affords Metropolitan Open Land (MOL) the strongest possible protection and says it should be protected from inappropriate development. Proposals that harm MOL should be refused. National Green Belt policies, set out within the NPPF, apply to MOL and therefore MOL is offered the same protection as Green Belt.

6.1.3 Bromley Local Plan (BLP) policy 50 is consistent with the London Plan. Policy 111 of the BLP states any proposals for the Crystal Palace Strategic Outer London Development Centre (SOLDC) will be subject to other policies in the Local Plan, notably Metropolitan Open Land policies and guidance related to the Crystal Palace Park Conservation Area and will be required to be consistent with the objectives identified as part of the approved masterplan for the park.

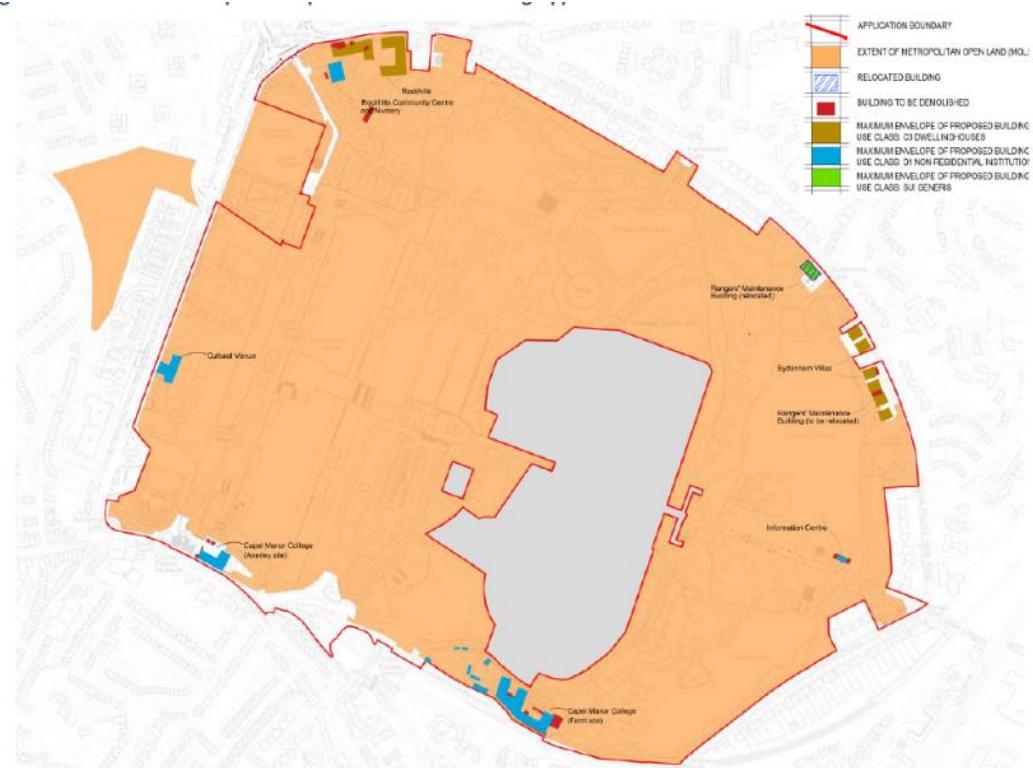


Fig. 3 Extent of application site within MOL (Source: AECOM)

6.1.4 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:

- a) buildings for agriculture and forestry;
- (b) 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;
- (c) 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;
- (d) the replacement of a building provided the new building is in the same use and not materially larger than the one it replaces; and

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

- 6.1.5 Clause 'g' has been included for information purposes, however, it is important to note that land in built-up areas such as residential gardens, parks, recreation grounds and allotments is excluded from the definition of Previously Developed Land (PDL) in the NPPF glossary. Therefore clause 'g' of para. 145 cannot be applied to the regeneration proposals which involve development in a park.
- 6.1.6 Paragraph 146 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
- a) mineral extraction;
 - b) engineering operations;
 - c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.
- 6.1.7 Based on the NPPF criteria the following proposals are not considered inappropriate in the MOL:

- **Repairs to Heritage Assets**
- **Information Centre** - (up to 4.6m high and up to 150sqm): This single storey replacement building will be on the same site as the existing dilapidated Information Centre. It will provide an enhanced education focus for the lower end of the Park as well as wider community Park interpretation and information facilities.

The proposed Information Centre will be at half the footprint of the existing structure (192.4sqm) and will include informal meeting space, nature-based retail offer and a modest kitchen with toilet facilities. The currently enclosed yard area will return to public park. While it is somewhat taller than the existing structure (which is 3m high) overall it is not materially larger than the building it is replacing and will therefore be appropriate in accordance with exception criteria d of paragraph 145.

- **Dismantling and reconstruction of Ranger's Maintenance Building** - (up to 530sq m; maximum 6.5m high): The existing Depot building has a footprint of approximately 12m x 22m. The relocated building is shown to be larger measuring a maximum of 30m long x 17.5m wide x of 6.5m high. The new Maintenance Depot will be purpose-built and where possible will reuse the existing building constructed in 1999.

While this building will be somewhat larger than the one it is replacing, this facility is intrinsically linked to the existing use of the Park for horticultural management and maintenance. It is anticipated that Capel Manor college will resume their management, training and education initiatives from this base. The replacement building would be partially located outside of the MOL and on the edge of the Park on the site of 33 Crystal Palace Park Road. As such it is not expected to result in a loss of openness and is considered appropriate in accordance with criteria b of paragraph 145.

- **Landscape improvements:** Meet exception criteria b of para.146 provided they preserve openness.
- **Earthworks:** Meet exception criteria b of para.146 provided they preserve openness.
- **Full and partial removal of hard surfaces:** Meet exception criteria b of para. 146.
- **Alteration to highways access, improvements to highway, pedestrian and cycle access points and creation of 3 additional accesses for the residential elements at Rockhills and Sydenham:** The majority of these works fall outside of the Park/MOL itself and those works taking place within the Park would fall under exception criteria b of para 146 provided they preserve openness.
- **Improvements to highway, pedestrian and cycle access paths throughout the Park and Modification of public car and coach parking areas for general park use:** All related to the existing use of the land for outdoor recreation therefore appropriate under para 146 (b) provided they preserve openness.

6.1.8 The following are considered inappropriate in the MOL as they do not meet any of the exceptions in paragraphs 145 or 146 of the NPPF:

- Residential development at Rockhills;
- Part of the residential development at Sydenham Villas (the majority is located on land outside of the MOL boundary);
- Capel Manor College Farm site (the replacement buildings will be materially larger than those they replace);
- Crystal Palace subway cultural venue;

- Rockhills community centre (although part of the Community Centre also incorporates a café with park toilets, improving park facilities, which would accord with NPPF 145 b ‘appropriate facilities (in connection with the existing use of land) for outdoor sport and recreation’).

Very Special circumstances

- 6.1.9 Inappropriate development is, by definition, harmful to MOL and should not be approved except in ‘very special circumstances’. There is no definition for what could constitute ‘very special circumstances’ and each proposal will be considered on its own merits. The Planning Statement accompanying the application sets out the applicant’s case for very special circumstances for allowing the inappropriate development in the MOL. It can be broadly summarised as:
- Heritage benefits – addressing the continued deterioration of heritage assets and the removal of items on the Heritage at Risk Register. The proposed Cultural venue will support the viable long-term use of the Crystal Palace Subway;
 - Community Benefits – improving the environmental quality of the Park and increasing the area of publicly accessible Park, and improving access and circulation for visitors;
 - Economic benefits – due to increased visitors, students and staff numbers;
 - Educational benefits – from the Capel Manor College proposals, which will also contribute to the maintenance of the Park.

Heritage Benefits

- 6.1.10 At the National level, the NPPF requires Local Plans to set out a positive strategy for the conservation and enjoyment of the historic environment, taking into account:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - The desirability of new development making a positive contribution to local character and distinctiveness; and
 - Opportunities to draw on the contribution made by the historic environment to the character of a place.
- 6.1.11 The Grade II* Crystal Palace Park as a whole, the Pedestrian Subway under Crystal Palace Parade; the Upper and Lower Terraces; the Prehistoric animal sculptures, geological formation and lead mine on islands in lake; the north and south railings at Crystal Palace Parade; and the Base of the Southern Water Tower at Crystal Palace (added Dec 2020) are all entries on Historic England’s Heritage at Risk Register.

6.1.12 Heritage-led regeneration is supported, in principle, at the strategic level by the London Plan and at the local level the Council will work with the Mayor, the community and other stakeholders to ensure that development proposals and other initiatives within the SOLDC contribute to the long term planning and regeneration strategies for the park and support where appropriate the wider Crystal Palace, Penge and Anerley Renewal Area objectives (policy 111, BP).

Enabling Development

6.1.13 As defined in paragraph 202 of the NPPF, enabling development is development that would not be in compliance with local and/or national planning policies, and not normally be given planning permission, except for the fact that it would secure the future conservation of a heritage asset.

6.1.14 The applicant (LBB), has submitted an Enabling Development & Financial Viability Assessment by Knight Frank. This assessment seeks to address the various tests set out within Historic England's guidance on enabling development and any conflicts with current planning policies, in accordance with policy 202 of the National Planning Policy Framework.

6.1.15 The Regeneration Plan has an estimated total cost of £40,000,000. Of this £40,000,000 the applicant anticipates that £14,275,000 will be funded by various grants and a further £1,500,000 through crowd funding and Council contributions. The balance of **£24,225,000** will need to be generated through enabling residential development on land from within the park itself.

6.1.16 Two sites have been identified for enabling residential development known as Rockhills Gate and Sydenham Villas. The Council, as Local Planning Authority (LPA), have appointed an independent Consultant to:

- a) Ensure that the developments are of the minimum scale necessary to generate the required funding
- b) Identify any development surplus which may allow the scale of the schemes to be contracted or to provide scope to deliver an affordable housing contribution.

6.1.17 The LPAs consultant has concluded that the costs of the Regeneration Plan appear broadly reasonable however it is considered that there are a number of high level assumptions which are based on a poor level of detail largely owing to the broad parameters set by the outline application. This degree of ambiguity is reflected in the weight which can be given to the overall estimate of viability.

6.1.18 The FVA submitted reports that an upfront single unconditional land purchase would generate a receipt of £21,073,091; or a net deficit of -£3,151,909 when compared to the funding shortfall identified in the Regeneration Plan. As an alternative approach the FVA Also modelled the impact of a deferred land payment profile. This scenario concludes that it would generate a higher

overall sales receipt on a net present value basis of £24,224,941; or effectively a breakeven position relative to the cost deficit identified by the Regeneration Plan.

6.1.19 The highest priority restoration works are planned to take place in Phases 1A and 1B of the project including

1A:

- The Prehistoric Animal Sculptures;
- The Upper and Lower Italian Terrace walls; and
- The Bust of Sir Joseph Paxton.

1B:

- A section of the Crystal Palace basement wall (Paxton Tunnel Wall);
- The North and South Railings and Walls; and
- The Colonnade wall.

6.1.20 Historic England's Guidance states that the sums of money generated through enabling development should be provided to directly solve the conservation needs of the place and the amount of enabling development should be the minimum amount necessary in order to address the conservation deficit and to secure the long-term future of the assets (Para 14). If the £24 million target is met it will be ring-fenced for the Regeneration Plan. Any surplus over the target £24 million to be transferred to an Escrow account and directed towards the Regeneration Plan and/or the delivery of affordable housing. However, in the event that the £24 million land receipt isn't achieved the works in Phase 1B may need to be deferred which would reduce the overall heritage benefits of the scheme. An indicative phasing approach is set out in Table 12.

Phase 1A – Italian Terraces and Tidal Lakes

1. Conservation and repair of heritage assets:
 - The Prehistoric Animal Sculptures;
 - The Upper and Lower Italian Terrace walls; and
 - The Bust of Sir Joseph Paxton.
2. Earthworks and landscaping to the Upper and Lower Italian Terraces.

Phase 1B – Palace Terraces and Anerley Hill Edge

1. Conservation and repair of heritage assets:
 - A section of the Crystal Palace basement wall (Paxton Tunnel Wall);
 - The North and South Railings and Walls, Crystal Palace Parade; and
 - The Colonnade wall.
2. Earthworks to re-profile the landscape on the Upper and Lower Palace Terraces, to create gardens on the Upper Palace Terrace to reflect the layout of the Palace.
3. Restoration of the arrival sequences from Crystal Palace Station and Crystal Palace Parade.

Phase 2A – Transitional Landscape and English Landscape

1. Conservation and repair of heritage assets:
 - The Gatepiers to Rockhills
2. Removal of hard surfaces and vegetation to restore historic views.
3. Restoration of the central axis (Paxton Axis) through the Transitional Landscape.

Phase 2B – Cricket Ground

1. Restoration of the eastern end of the central axis (Paxton Axis).

Table 12: Proposed phasing approach

6.1.21 Therefore, in order to avoid a situation whereby the land is sold and developed without the Regeneration Plan objectives being fully delivered, it is recommended that the following assurances are put in place to ensure that the benefits of the Regeneration Plan are fully secured at the point the land is granted consent:

- 1 Early Stage Review** - Triggered once the enabling sites have been sold to a developer for unconditional capital receipt plus sales overage for LBB.
- 2 Agreed Phasing Plan** – As a condition or part of a S106 the highest priority conservation projects should be delivered ahead of the enabling residential development.

6.1.22 Until all sources of revenue and the target £40 million have been fully secured there remains an element of uncertainty over whether the heritage benefits will be fully realised. It is also potentially feasible that costs could increase,

and values decrease as a result of the economic fallout of the current Covid-19 crises. As yet, insufficient market data is available to ascertain what the impact will be and whether this could impact on the deliverability of the regeneration proposals. Notwithstanding this, the Council are of the view the heritage benefits weighing in favour of the application are significant.

Community Benefits

- 6.1.23 Community facilities make an essential contribution to the health, wellbeing, development and education of individuals living and working in the Borough. There are substantial health benefits associated with access to community and leisure facilities, including not just better physical health, but also better mental health, through increased social interaction. The National Planning Policy Framework (NPPF) highlights the important role of planning in facilitating social interaction and creating healthy, inclusive communities.
- 6.1.24 The 2016 London Plan policy S1 requires the protection and enhancement of social infrastructure, while Bromley Local Plan Policy 20 resists the loss of community facilities unless enhanced provision is made in an equally accessible location or it can be demonstrated that there is no longer a need for them or other forms of social infrastructure. The London Plan and Local Plan Policy 22 both set out the expectation for new developments to provide social infrastructure appropriate to the scale and nature of the proposal, noting in particular the desirability of creating a sense of place, particularly in renewal areas.
- 6.1.25 The application involves the removal of the Caravan Park, the St. John's Ambulance building (133.65 sqm) and the Nursery at 27 Crystal Palace Park Road (162sqm) to allow for the construction of the residential development. A new community centre (670sqm GIA) will be located at Rockhills and will provide a flexible community facility to replace the existing nursery on Crystal Palace Park Road and to provide a space that can be utilised by the existing community as well as new residents. The new community facility/ nursery would be completed prior to the existing nursery being demolished to ensure continuity of social infrastructure and childcare facilities, in accordance with policies 20 and 22 of the BLP and policy S3 of the London Plan.
- 6.1.26 The applicant has been in discussion with St Johns Ambulance (SJA) during the application who have confirmed that they would like to retain a facility in the locality and highlighting their specific benefit to Crystal Palace Park through the provision of first aid cover at events. The Crystal Palace unit formed 125 years ago so they have a very strong connection and commitment to the area and particularly the community which they are keen not to lose.
- 6.1.27 SJA require a hall space of approximately 100sqm which the applicant feels confident that they can accommodate either in the new community centre at Rockhills, or in the new Information Centre and are prepared to commit to this.

- 6.1.28 The current venue also accommodates multiple ambulance vehicles. SJA have no firm plans at present but are developing a strategic plan which will accommodate ambulances and logistics team when the current site is vacated. It would be reasonable not to seek on site reprocurement in this circumstance although discussions with the Council's Property team to discuss alternative base locations for the SJA strategic plan should be initiated by the applicant.
- 6.1.29 The specific location and time allocations for the re-provided facility should be set out in detail and agreed through S106 to ensure that any future changes to management arrangements of the buildings do not jeopardise the use. The Phasing for the development should also take into account when the current facility is demolished and when the re-provided facility will be available to ensure no interruption in the provision of this social infrastructure. Subject to these obligations this element of the scheme would accord with BLP policy 20 and London Plan policies relating to social infrastructure and health care facilities.
- 6.1.30 While not all of the community buildings can be considered appropriate in terms of NPPF paragraph 145, they are directly related to the enhancement of the park for sport and outdoor recreation and take advantage of opportunities to support the conservation and enhancement of the park, in line with Local Plan Policy 15b and *Renewal Areas Policy 13*. The Community Centre would also provide facilities which would benefit all visitors to the park, including a café with park toilets.
- 6.1.31 It is recognised by the applicant that the Proposed Development will result in the loss of the Caravan Club facility from the Park, contrary to policy E10 of the London Plan which states that "*camping and caravan sites should be supported in appropriate locations*". A review of potential alternative sites was undertaken however, all potential sites were considered unsuitable due to loss of publicly accessible land, vehicle access constraints and impacts on neighbouring residents. The applicant has therefore concluded that there are no suitable sites for the caravan park within Bromley. Whilst it would be preferable for the caravan club site to be relocated as part of the proposed scheme, it is acknowledged that the caravan club is of a specialist nature which would be potentially hard to relocate within Bromley. On behalf of Bromley Council, Knight Frank has offered to support the Caravan Club in finding alternative premises in outer London locations. This has led to a number of introductions and the applicant advises that the Caravan Club are now in direct contact with potential landlords in a few locations.
- 6.1.32 Therefore, while the loss of the caravan club would reduce the offer of accommodation to visitors in Outer London, contrary to planning policy, the Regeneration proposals would support the wider strategic aims of the London Plan in terms of enhancing visitor attractions and heritage assets.
- 6.1.33 It is also relevant and material that the principle of the removal of the Caravan Club site in favour of residential development was approved under the 2007

Masterplan. On balance the loss of the camping and caravan site is therefore considered acceptable.

6.1.34 The application also proposes a cultural centre on the Upper Palace Terrace linked to the Crystal Palace Subway. A business case is proposed to use revenue from the cultural venue to secure future management of subway as an event space (through S106). Through its positioning and relationship with the Crystal Palace Subway the applicant aims to bring this space back to beneficial use and also offer a viewing platform which will provide visitors with '*a new perspective of the Park*'.

6.1.35 Historic England are of the view that the proposed extension is necessary in order to secure a beneficial reuse of the subway, as this will provide ancillary facilities that cannot be provided within the subway structure without causing a high degree of harm to the significance of the structure. In addition, the cultural venue will include public convenience facilities such as toilets and a café on the ground floor.

6.1.36 In addition to conserving the important heritage assets and securing the Parks' long-term future, the Regeneration Plan will enable visitors to better appreciate and understand the historic significance of the Park. The LPA is therefore of the view that these proposals are aligned with the strategic aims of the London Plan to support the continued success of London's diverse range of arts, cultural, professional sporting and entertainment enterprises and the cultural, social and economic benefits that they offer to its residents, workers and visitors (policy 4.6).

6.1.37 The Park is served by a number of bus routes and 2 stations are within walking distance of the Park. The provision of new and replacement cultural and community facilities in the locations discussed are therefore acceptable in terms of London Plan and Local Plan policies requiring provision of such development on sites where there is good existing or planned access by public transport.

6.1.38 In accordance with the requirements of policy 33 (part a) '*Access for All*' of the Bromley Local Plan, the applicant is seeking to address a number of issues concerning fragmentation, accessibility and legibility across the Park, which can be attributed, in part, to the changes in topography across the Park and the construction of the NSC in the 1960s.

6.1.39 As discussed, the NSC site does not form part of this application and this may have resulted in opportunities for better integration being missed. However, it is considered that the landscaping works, improved infrastructure and better accessibility will significantly enhance and expand the open space across the Site. The proposals also place a greater emphasis on pedestrian and cycle movement through the park and less reliance on the private car as a means of visiting the Park.

6.1.40 Furthermore, the proposals will also result in a more diverse range of recreational and play opportunities in the Park, providing 2730sqm of publicly

accessible play space across three separate areas. This will also cater for the needs of the occupiers of the new residential units.

6.1.41 Additional improvements proposed to the Parks' entrances and the pedestrian environment outside of the red line site boundary are considered in the Highways section of the report, along with the potential impacts on public transport.

6.1.42 With regard to the Capel Manor College proposals, the removal of the proposed development of the Anerley Hill site from the scheme for which planning permission is sought will significantly reduce the amount of inappropriate development within MOL. At the same time, through renovating the existing Crystal Palace Park Farm site and allowing improved access for students and the public (usually providing free public access 6 days/week as well as catering for school visits) these proposals will provide substantial public benefits which would benefit the wider community.

6.1.43 The proposed development has also been designed in a way which seeks to design - out -crime and reduce the fear of crime among visitors to the Park. New pedestrian and cycle routes will be lit, and shrub clearance and new planting is intended to open up areas, maximise natural surveillance and minimise opportunities for anti-social behaviour. The Metropolitan Police Secured by Design officer has reviewed the application and considers that Secured by Design can be achieved. This is particularly pertinent given the demonstrably high crime figures for the Park and surrounding area.

6.1.44 The Environmental Impact Assessment, at Chapter 10 (Socio-Economics) reports that there will be no potential significant adverse effects relating to socio-economics within either the construction or operational phase.

6.1.45 Overall, the community benefits weighing in favour of the application are considered significant.

Economic benefits

6.1.46 Historic England's' enabling development guidance advocates finding the optimum viable and sustainable use of historic assets and their appropriate management to ensure their long-term maintenance. Accordingly, the applicant is aiming to establish an income-producing events business by 2024/25, maximising the commercial revenue from events and other activities in the Park. Furthermore, it is the intention of LBB to transfer management of the Park to a governing Trust helping to secure the Park's long-term future.

6.1.47 According to the Planning Statement (para 7.2.4) "*The driver for the Proposed Development is the regeneration of CPP and the achievement of the Park's long-term management in a sustainable way*". The applicant envisages that the economic benefits of the Regeneration Plan will extend beyond the red line boundaries of the application site into the wider renewal areas. This will come about through direct and indirect employment generation during construction phases; employment generated by the development itself,

including the subway, cultural venue and Capel Manor, as well as the additional local spend arising from the residential development.

6.1.48 Overall, Officers consider that the economic benefits of these proposals are significant. In particular, the creation of a sustainable park business model and the development of a new not for profit management organisation to take on the management and maintenance of the Park from LBB which will ensure that any benefit created by the delivery of the capital scheme is ongoing, securing the long-term future of the Park.

Education Benefits

6.1.49 The London Plan supports development proposals which enhance education and skills provision, including new build, expansion of existing or change of use to educational purposes.

6.1.50 Capel Manor College (CMC) is the only college in London specialising in education and training for environment and land-based industries. The proposals to redevelop and renovate the existing Capel Manor College Farm site will enhance the education offer available, improving facilities and providing opportunities to increase staff and student numbers on the Crystal Palace campus. The expected increase in student and staff numbers will also provide some benefits to the Park, with students from CMC working alongside the Park Management and Maintenance team.

6.1.51 Leaving Capel Manor College in its current state would, according to the applicant, leave it unable to deliver its education function at Crystal Palace. However it is noted that Capel Manor College will continue to use the Jubilee Stand, which is part of the NSC, as they do presently.

6.1.52 Although the Anerley Hill Site has since been removed from the Proposed Development, existing containers on site and a partially derelict maintenance building will be removed, with the area still used thereafter for maintenance and as a storage area.

6.1.53 In terms of the wider impacts on existing education infrastructure in the area, the Environmental Statement finds that while there would be slight increase in demand for primary and secondary school places, this can be accommodated by the surplus of places currently found within an assessed 2km (for primary) and 4.8km (for secondary) radius of the site. Furthermore, in order to offset the impact, the Council (as LPA) are seeking to secure a financial contribution towards education infrastructure in the Council's administrative boundary. Depending on when the Council's CIL charging schedule is adopted, this contribution could be subsequently secured through CIL.

6.1.54 There are some notable benefits of re-developing the Capel Manor College site, including the enhancement of the education and skills provision on offer, in accordance with the London Plan. In the context of the overall application however, these benefits are only afforded moderate weight in considering

whether there are ‘very special circumstances’ for the inappropriate development.

Conclusion on land use/principle of development

6.1.55 When determining applications, the NPPF is clear that LPAs should ensure that substantial weight is given to any harm to the MOL and ‘very special circumstances’ will not exist unless the potential harm to the MOL by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations (Para 144, NPPF). The starting point is that substantial weight is attached to any harm to the MOL by reason of inappropriateness and any other harm resulting from the proposal.

6.1.56 MOL which is specifically designated in order to protect and enhance the open environment. As identified in the subsequent chapters in this report, there is potential for the Proposed Development to cause harm to the wider environment and there is a clear conflict with the open space, green infrastructure, and nature conservation policies of the development plan. There will be to the openness of the MOL by virtue of the proposed buildings, particularly at Capel Manor Farm, Rockhills & Sydenham Villas, in combination with the extensive tree removals, although in the case of “Sydenham Villas” this site is predominantly outside of the MOL, as such it would be a ‘visual’ impact as opposed to a ‘spatial’ one.

6.1.57 In addition to its importance for biodiversity and nature conservation in London, MOL also improves Londoners’ quality of life by providing localities which offer sporting and leisure use, heritage value, food growing, and health benefits through encouraging walking, running and other physical activity. There are a number of built features within the Park to be demolished. In some cases, this is to make way for replacement development. In other cases, this is because the structures are no longer necessary, and their removal will de-clutter the Park and improve its openness and accessibility. Furthermore, once complete, the development will provide a gain in soft landscaping and an overall biodiversity net gain.

6.1.58 The heritage benefits associated with addressing the longstanding Heritage at Risk issues in the Park, the recreational benefits of improving access and enhancing pedestrian and cycling connectivity throughout the Park, and the economic benefits of securing the long-term future of the Park are all significant public benefits weighing strongly in favour of the application.

6.1.59 While it is clear that the proposal would constitute inappropriate development in the MOL and would harm openness; having regard to the merits of this particular application and taking into account the above factors, in this instance it is considered that there are other considerations that would have the potential to clearly and demonstrably outweigh the harm caused to the MOL and result in very special circumstances. Accordingly, the principle of development is acceptable, subject to a final assessment including any other harm identified elsewhere in this report.

6.2 Design and Visual Impact

Unacceptable

- 6.2.1 The Council wishes to secure the creation of an attractive townscape and pleasant living and working conditions by ensuring that all new development makes a positive contribution to the area in which it is located and supporting the development of lifetime neighbourhoods.
- 6.2.2 Applications within or adjoining a Registered Historic Park or Garden will be expected to protect the special features, historic interest and setting of the park or garden. The Council will seek to ensure that the park or garden is appropriately managed or maintained in a manner which reflects its status and designation.
- 6.2.3 In accordance with BLP policy 37 developments proposals are expected to complement the scale, proportion, form, layout and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape; and respect important views, heritage assets, skylines, landmarks or landscape features.
- 6.2.4 While scale, layout and appearance are all reserved matters, it is relevant to consider the relationship of the proposed development to the Park and its wider surroundings. Accordingly, the applicant has provided the maximum areas for built development and hard landscaping and the maximum footprint and heights of the various buildings which are proposed.
- 6.2.5 The Park itself is characterised by nine different character areas, eight of which fall within the application site boundary. The various proposals for each of the character areas are assessed below in terms of their design and visual impacts:

Area A: Anerley Hill Edge

- 6.2.6 This character area includes three key access points to the park: Crystal Palace station; Anerley Hill and Norwood Gate; as well as several important historic remains, including the School of Engineering (now the CP Museum). The Park is heavily vegetated along its boundary with Anerley Hill and the boundary itself is marked by walls and railings. There are limited views available into the Park except at the entrances where impressive gateway views can be experienced.
- 6.2.7 Summary of main proposals: -
 - restoration of historic views including those of the Transitional Landscape framed by the Italian Terraces to the west through de-cluttering of disused park furniture and other visual obstructions
 - gateway entrances into the park better defined through new surface treatments, re-located vehicle entrance, informal ornamental planting and improved pedestrian and cycle linkages
 - enhanced setting for the museum.

- 6.2.8 Since the removal of the Capel Manor College Anerley site from the regeneration plan, there are no significant built elements proposed in this part of the Site and, overall the proposals in character area A will not have any significantly harmful impacts on the character or appearance of the Park or adjoining areas. The proposals would also enhance the settings of some of the Park's key entrances, improving views from Norwood Triangle and the adjacent bus station and the view upon entrance into the Park from the railway station.

Area B: Palace Terrace



Fig 4: Proposed Palace Terrace (Area B) (Source: AECOM)

- 6.2.9 This area consists of two terraces: Upper Palace Terrace and Lower Palace Terrace. The Palace Terrace, located on the Sydenham Ridge, is the highest point in the Park. It is the site of the former Crystal Palace and was the focus for the park. The original Park layout utilised the topography to create a range of views within the park and out towards key landmarks in the vicinity. The Upper Palace Terrace enjoys expansive views from the eastern edge over the Park and of Bromley, Beckenham and West Wickham, which is a 'View of Local Importance' in the Local Plan.

- 6.2.10 Today, the only identifiable feature of the park in distant views is the TV Transmitter, which has become a regional landmark. Views into the park from its immediate vicinity are largely screened by buildings and vegetation along its boundary. Within CPP, many of the historic views and visual connections are interrupted by buildings, structures and vegetation.

6.2.11 The approximate 1.6ha area is currently closed to the public and suffers from uneven ground resulting from the palace destruction, poor drainage and a mis-match of surfacing due to its previous temporary use. The area is unmanaged and is a target for anti-social behaviour.

6.2.12 This character area is bounded to the west by Crystal Palace Parade which comprises a wide carriageway including bus lanes and wide pavements both sides. The original wall and railings either side of the road are still present. On the opposite side of Crystal Palace Parade is a modern low-rise housing development constructed on the site of the former high-level railway station, in Bowley Lane and Close, all within LB Southwark. These houses are set at a significantly lower ground level than Crystal Palace Parade itself.

6.2.13 Norwood Triangle, located to the south-west of the Park, is dominated by busy roads with a limited pedestrian and cyclist environment. At Norwood Gate, the Regeneration Plan seeks to open-up and improve connectivity with the park from Norwood Triangle and neighbourhoods to the south-west. Currently the entrance is constrained by entrance gates, walls and vegetation.

6.2.14 Summary of main proposals: -

- extensive vegetation removal including established trees and scrub
- restoration of the Terraces connected by a series of steps and ramps
- provision of public garden representing the footprint of the former Crystal Palace as a series of gardens and landscaping to provide flexible external areas for events
- Lines of trees to be planted to provide enclosure and to represent the former Palace structure
- removal of gates and walls and trees to create a more welcoming entrance connecting the Park (along the Paxton Axis) to the Triangle, Anerley Hill and the Crystal Palace Bus Station
- removal of fencing and visual obstructions
- construction of three storey cultural venue + basement on the Upper palace Terrace providing access to the Grade II* listed subway below Crystal Palace Parade
- formation of viewing areas along the edge of the Upper Terrace and along the edge of the Lower Terrace with clear views to be provided across the Park to the east and along Paxton Axis.

6.2.15 The main area of the re-development of Crystal Palace Park that will have an impact on LB Southwark's residents are included in this character area which includes the new cultural venue and work around the grade II* listed Crystal Palace Subway.

6.2.16 The maximum parameters given for the cultural venue indicate that it will be a substantial flat-roofed structure measuring a maximum of 14m above ground level (as scaled from within the Park) and approx. 14.5m when scaled from Crystal Palace Parade which is around 0.5m lower than the Park. It would have a maximum footprint of 2300sqm. The revised cultural venue building

envelope shows a proposed reduced height glass canopy over courtyard of the subway.

- 6.2.17 Historic England welcome the proposed reduction of the massing of the cultural venue from that which was previously granted planning permission in the 2007 Masterplan, and its subsequent reduced impact on the wider landscape and setting of the subway. However LB Southwark feel that more information is needed regarding the possible impacts of the proposals on both the listed subway structure, but also its setting.
- 6.2.18 Policy 47 of the Bromley Local Plan states that proposals for tall and large buildings will be required to make a positive contribution to the townscape ensuring that their massing, scale and layout enhances the character of the surrounding area. Tall and large buildings will need to be of the highest architectural design quality and materials and be appropriate to their local location and historic context, including strategic views.
- 6.2.19 As part of the EIA the applicant has carried out a Townscape and Visual Impact Assessment (TVIA) adopting a 500m study area from the boundary of the site and using a Zone of Theoretical Visibility (ZTV). The ZTV demonstrates that the theoretically visibility of the new built form is restricted to the area immediately adjacent to the Site.
- 6.2.20 The photomontages accompanying the TVIA confirm that this substantial building will have a significant visual impact on the adjacent street scene on Crystal Palace Parade, particularly as it is currently devoid of above-ground development (apart from the original wall). A substantial number of trees and scrub are also to be removed from this area to accommodate the development and enable the restoration of the Upper and Lower Terraces where the ground will need to be re-profiled. It is noted that the majority of tree and scrub removal proposed in the application will take place in this character area. There would also be a significant increase in hard landscaping. Cumulatively, this will make the built development appear even more significant when viewed from Crystal Palace Parade and from within the Park.
- 6.2.21 In terms of the impact on the townscape within Bowley Lane and Close this would likely be minimal, given the topography and intervening high-level roadway. Furthermore, trees and scrub are to be retained along the northern and western boundaries to help preserve a vegetated buffer along the Crystal Palace Parade and conserve part of the established habitat.
- 6.2.22 Historic England have acknowledged that there would be a temporary impact on the subway during construction. However, it is currently on the Heritage at Risk Register and they recognise the need to provide a beneficial reuse of the subway in order to ensure that it is repaired and maintained into the future. As such Historic England are of the view that the proposed extension is necessary in order to secure a beneficial reuse, as this will provide ancillary facilities that cannot be provided within the subway structure without causing a high degree of harm to the significance of the structure.



Fig 5: Extract from Existing soft landscape (in green) showing Upper and Lower Palace Terraces and Italian Terrace (Source: AECOM)

6.2.23 It is clear that the extent of tree (and scrub) removal combined with the introduction of new built development in this character area will invariably harm the MOL which, by its very nature, is open land that plays an important role in London's Green Infrastructure. However, from a heritage perspective there are significant benefits associated with the restoration of the listed terraces which are one of the most important features of the Grade II* listed Registered Park.

6.2.24 The restoration of the main entrance to the Park will also provide an enhanced street scene on Crystal Palace Parade and by removing the gates, walls and tree group 'G37' a "*more welcoming entrance*" will be created at Norwood Gate which connects the Triangle, Anerley Hill and the Crystal Palace Bus Station. Currently accessibility in this location is hampered by a narrow pedestrian entrance, steps and gradients. Pedestrians and cyclists would benefit from having more space in this area, away from the busy junction, and improved legibility between Norwood Triangle, the Bus Station and Crystal Palace Station, along the Paxton Axis.

6.2.25 There are also cultural benefits in providing a representation of the layout of the former Palace, enabling visitors to more fully appreciate the scale of the original Palace structure, and demarcating the entrance to the subway with a new landmark building. The provision of dedicated viewing areas looking out over the Park and the 'View of Local Importance' are welcomed in principle, however, further details on the impact this will have on the View (which is currently relatively open and unencumbered) is required at the reserved matters stage in order to fully understand the impact.

6.2.26 The applicant has demonstrated why the loss of these tree groups and individuals is necessary. The main group of trees located centrally in the park has been revised for retention and there are no objections to this aspect of the scheme from a tree perspective. Mitigation can be achieved to the tree losses within the park.

6.2.27 The precise layout and appearance of the cultural venue will need to be given further consideration at the reserved matters stage. Structural surveys will also be required.



Fig 6: Visualisation of Cultural Venue (viewpoint 12: Crystal Palace Parade) (Source: AECOM)

Area C: Italian Terrace



Fig 7: Proposed Italian Terrace (Area C) (Source: AECOM)

6.2.28 The Upper and the Lower Italian Terraces contain some of the key architectural features of the Park including the retaining terrace walls and balustrades with remnants of statuary. The Upper Terrace is wide promenade with grass embankment to the east; while the Lower Terrace is formal garden with wide paths enclosing grass and paving. The flat open area is used for events.

6.2.29 Summary of main proposals: -

- restoration of the terrace walls, steps, balustrades and statues and the re-locating of those statues in currently in storage
- improved accessibility through the provision of ramps and paths
- dedicated viewing areas provided
- re-location of the Paxton Bust to its original position on the Lower Italian Terrace.

6.2.30 It is anticipated that some poorly preserved features of the Upper and Lower Italian Terraces may need to be permanently removed due to their condition and as a result of this, the proposed development will have a permanent moderate adverse effect on the archaeological features of the Italian Terraces and designated heritage assets. There would also be a substantial increase in hard landscape in this character area. However, it is recognised that extensive works are required to remove the listed features from the heritage at risk register and Historic England are supportive of the proposals, subject to further archaeological investigations.

6.2.31 Notwithstanding the hard landscaping, as no built development is proposed the visual effects on any protected views would be negligible, and, there is potential for a moderate beneficial effect on through the establishment of planting. The visual impact can be managed and mitigated through securing appropriate materials for the paths and hard surfaces at the Reserved Matters stage.

Area D: Transitional Landscape



Fig 8: Proposed Transitional Landscape (Area D) (Source: AECOM)

Summary of main proposals: -

- removal of parking areas and re-landscaping
- renovation of the line of the Paxton Axis
- formation of a central plaza and event space located on the site of the Grand Central Fountain.

6.2.32 These proposals will result in a significant reduction of hard landscaping and increase in soft landscaping in this character area. The Environmental Statement accompanying the application concludes that there would be an extensive change to the historic view along the Paxton Axis as a result of these proposals and, overall, this would have a 'permanent moderate beneficial (significant)' effect.

6.2.33 Overall, the proposals for this character area are acceptable in that they would positively contribute to the landscape, respecting important views and heritage assets. No details have been provided regarding proposed materials or means of drainage for the temporary event parking, however, these details will be an important consideration at the Reserved Matters stage.

Area F: Tidal Lakes



Fig 9: Proposed Tidal Lakes (Area F) (Source: AECOM)

6.2.34 This area located in the south-east corner of the Park contains the 33 Grade I listed prehistoric animal models (the dinosaurs), set within the man-made tidal lakes which, historically, fed the water features in the Park. Around the periphery of the lake are Victorian geological displays. Today the lake is used for boating and footpaths with bridges provide access around the lakes and educational displays. Crystal Palace Park Café is located on the northern edge of the lakes with views across the water and the dinosaurs.

6.2.35 Capel Manor College is housed to the south-west within Crystal Palace Farm. The site is located adjacent to Crystal Palace Station and adjoins the railway line along its south-western boundary. Adjacent to the north-eastern site boundary is the locally listed Paxton fountain basin.

6.2.36 The Farm site is 0.82 hectares and site levels rise sharply from south-east to north-west. At the south eastern end is a single storey “croft” building and a number of animal enclosures and ancillary structures and storage buildings. The north western half of the site contains a number of mature trees and shrubs where arboriculture is practised.

6.2.37 Summary of main proposals: -

- demolition of existing croft building and ancillary structures at Capel Manor college and replacement college building and outbuildings, together with landscaping works, new accessible routes for the public, goods access and a new access for the public from the direction of Crystal Palace Station
- restoration of the Grade I listed dinosaurs and their setting, including the lakes
- creation of a new dinosaur themed play area visible from the Café and adjacent grass area
- renovation of the existing Penge Gate access separating out the pedestrian and vehicle accesses, and provision disabled parking bays, electric vehicle charging points and secure cycle parking.

6.2.38 The 2007 Masterplan proposed minimum interventions in this area of the Park. The croft building had only recently been constructed and the

application noted that “*This area of woodland predates the Park and is therefore of great heritage and ecological importance*” (p.132, Design and Access Statement for Crystal Palace Park Masterplan, 2007). Instead, a new college building was approved on open park land adjacent to Ledrington Rd.

- 6.2.39 In the current regeneration plan the croft building and ancillary structures will be demolished and replaced with an elongated building comprising two connected ‘c-shaped’ structures. The western end of the site will become a farmyard containing new animal paddocks set around the mature trees and lighter weight structures for the animals.
- 6.2.40 Where a building proposed for demolition makes a negative or neutral contribution to the conservation area the merit of the proposed replacement will be weighed against any loss or harm. The existing unlisted croft building has limited architectural merit and make a neutral contribution to the conservation area. In light of the Educational benefits of the college proposals its proposed demolition is therefore acceptable in principle.
- 6.2.41 The replacement building will measure a maximum length of approximately 90m and will be set-back towards the edge of the Park, parallel to the adjacent railway line to the south. It will incorporate three projecting ‘wings’ measuring between approximately 28m and 30m (maximum) in depth (as scaled from the linear section) and will be orientated towards the Park creating two three-sided courtyards facing into the Park. Although scale and appearance are not being considered for approval in this application, the indicative general arrangements show the proposed building set over one/two storeys. The maximum footprint is 3779sqm. The maximum height ranges from 5.5 to 10.5m.
- 6.2.42 The proposed replacement would be significantly larger than the existing croft building, resulting in a significant increase in built development and hard landscaping in this part of the Park (+18,013sqm). It would push the built form further northwards into the Park. When viewed from the public footpath on the northern edge of the college site the Townscape and Visual Impact Assessment (TVIA) demonstrates that, at its maximum footprint and height, the building would appear substantially high and close in relation to the footpath and would have a significant adverse visual effect according to the applicant’s TVIA.
- 6.2.43 The visualisations presented in the TVIA also demonstrate that the development would be dominant in views from the footpath approaching the Farm site from the north, from the Tidal Lakes (fig. 10). Concerns have been raised from a number of local amenity groups over the impact this would have on the setting of the listed dinosaurs as well as the Conservation Area itself and it is felt by these groups that a better visual analysis as to the bulk, scale and massing should have been carried out.



Fig 10: showing the proposed maximum building extent from viewpoint 16 (representative of views from Tidal Lakes) (Source: AECOM)

6.2.44 The Council acknowledges that these are substantial buildings which will be on a significantly elevated ground level compared to the Tidal Lakes and which may cause some degree of harm to the significance of the Park, particularly as they introduce built form into the park and will be visible in views. However, even when viewed from the closest path next to the edge of the Tidal Lakes, the Farm site is approximately 58m away, and, in the context of existing retained trees and soft landscaping the building would not appear unduly obtrusive or significantly harmful to the setting of the listed dinosaurs, provided that an appropriate form and appearance for the development is secured. Similarly, the Farm site is situated over 300m to the south of the statutory listed NSC and the development is therefore unlikely to harm its setting.

6.2.45 The Design and Access statement for the Farm site demonstrates how the design intent breaks down the massing shown in the TVIA, exploring different roof forms, doors, windows, materials and landscaping. While all of these details will be subject to consideration in a future Reserved Matters application, this provides a good indication of how the building could be designed sympathetically to respect the varied topography of the site and the landscaped setting. Furthermore, through the use of appropriate materials and appropriate landscaping the visual impact of the development could be softened (Figures 11 and 12).



Fig 11: Visualisation of Capel Manor College (viewpoint 15: footpath within CPP looking towards the south east) (Source: AECOM)



Fig 12: Visualisation of proposed Capel Manor College from viewpoint 16 (views from Tidal Lakes) (Source: AECOM)

6.2.46 Historic England have recommended that any outline permission granted is subject to further details of elevational treatment, materials and associated landscaping. These details should be informed by further consideration of the impact of the proposals on the significance and setting of the Park and any neighbouring heritage assets in views, as identified in the current application submission.

6.2.47 Notwithstanding the potential for the massing to be reduced and the appearance of the building to be softened through further detailed design work, as concluded by the Environmental Statement, even after year 15 of operation there would be a significant adverse effects in relation to the introduction of new built elements resulting the Capel Manor College redevelopment. Furthermore, as discussed in the Section 6.7 it will potentially lead to the deterioration of veteran trees. This will need to be weighed into the overall planning balance.

Area G: Cricket Ground



Fig 13: Proposed Cricket Ground (Area G) (Source: AECOM)

6.2.48 Formerly the location of the Crystal Palace Cricket ground, this area has retained its openness and 'village green' character within an informal landscape partially overlooked by the existing villas on Crystal Palace Park Road, adjoining the Site to the east/north-east. There are clear views across the area to buildings along the boundary of the Park and north to the native woodland within the English Landscape. Views to the south and west are restricted by mature trees, mounding and the buildings of the NSC.

6.2.49 Crystal Palace Park Road is characterised by a coherent rhythm of large-scale arts and crafts villas, with gaps between providing regular glimpses into the Park. Some of the villas are four to five storeys high and feature gables, dormers, oriel windows and are timber-framed to upper floors with double-height windows. There are many mature trees, which are visible over the boundary wall.

6.2.50 Most of the residential villas were constructed in the 1870s on former parts of the Park and their construction was used to finance the Park. Many of the villas were destroyed during the Second World War. The surviving villas, most locally listed, form an important boundary to the Park and are characteristic of the Crystal Palace Conservation Area.

6.2.51 Summary of main proposals: -

- Demolition of existing Park Maintenance depot building, St John's Ambulance facility, 'Diddy Dino's' Nursery and No.33 Crystal Palace Park Road (residential)
- construction of 6 Sydenham Villas to provide 70 new homes
- re-construction of Park maintenance building to the north of the existing car park on the site of No.33 Crystal Palace Park Rd
- removal of existing information centre and replacement purpose-built Information Centre
- removal of existing play area and provision of new play area close to Sydenham Gate.



Fig 14: Site of Sydenham Villas: Park Maintenance depot (on left); St Johns Ambulance; and Diddy Dinos (Source: Google)

6.2.52 Neither 33 Crystal Palace Park Rd, St John's ambulance, Diddy Dino's or the Park maintenance depot are listed and these buildings make a neutral/negative contribution to the character and appearance of the conservation area. These buildings will be replaced with enabling residential development and the relocated Park maintenance building. The area of land to be developed is predominantly outside of the MOL, hence development is acceptable in principle. Furthermore, these buildings were all approved for demolition under the 2007 Masterplan (application 07/03897/OUT).

6.2.53 It is noted that the approved Masterplan similarly proposed six residential blocks of four storeys each at the Sydenham Villas site, however only 48 units were previously proposed in this location. The relevant issues are therefore whether the format of development will preserve or enhance the character and appearance of the conservation area, the effect on the visual amenities of the street scene and the impact on neighbouring residential amenity.

6.2.54 The maximum amount of residential floorspace was amended on the 18th September 2020. The revised floorspace is still intended to deliver 210 new homes over the Sydenham Villas and Rockhills site, and the proposed maximum physical parameters of the residential development are unchanged. This amendment brings the maximum residential floorspace proposed in line

with the scale of development considered within the Enabling Development and Financial Viability Assessment report.

6.2.55 The maximum footprint of the Sydenham Villas would be 5,164sqm GIA (5,680sqm GEA). The maximum height of each block would be 14.5m. The widths of the blocks would be a minimum of between 9-13.5m and a maximum of 15.5-16m. The depths of the blocks would be a minimum of 14m and a maximum of 19-22m.



Fig 15: Sydenham Villas illustrative layout showing relationship of proposed development to Nos's 25 and 29a (Source: AECOM)

6.2.56 The four storey height would be consistent with other buildings in Crystal Palace Park Road (including the locally listed "Arts and Crafts" Victorian residential buildings adjoining the Park), though the buildings in this part of the road are typically somewhat lower. The properties opposite are mainly two storey detached houses.

6.2.57 Nos. 25 and 29a, adjoining the site of the proposed villas, are two storey locally listed Victorian houses falling within the conservation area (though No. 25 has accommodation in the roof). The Design and Access Statement envisages that the design of the proposed villas will be contemporary, incorporating flat roofs and with stepped facades to respond to the adjoining villa (No.25). They are depicted as very substantial blocks and, even with the proposed stepping-down in height, the proposed villas would be significantly higher and would over-dominate the adjacent houses.

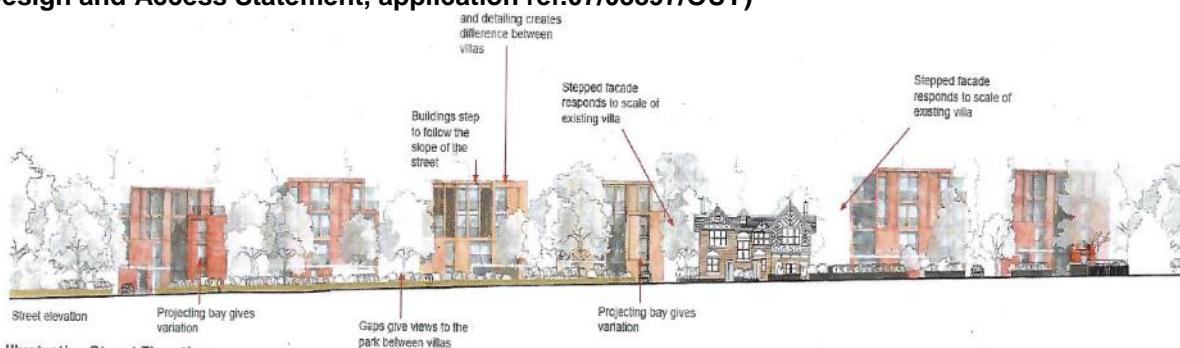
6.2.58 Policy 41 of the Bromley Local Plan requires proposal for new development in a conservation area to preserve and enhance its characteristics and appearance by respecting or complementing the layout, form and materials of existing buildings and spaces. There would be some conflict with policy 41 of the BLP in this regard However, the LPA will have the opportunity to further consider the form and appearance of the development at the reserved matters stage.



Illustrative elevation showing potential options for elevations of Sydenham Villas from Crystal Palace Park Road



Fig 16: Illustrative elevations - Sydenham Villas as proposed in the 2007 Masterplan (Source: Design and Access Statement, application ref.07/03897/OUT)



Illustrative Street Elevation
(source: Design Intent Report, Philip Meadowcroft Architects)



Fig 17: Illustrative street scene elevation and Illustrative Park elevation – Sydenham Villas (AECOM, 2020)

6.2.59 Notwithstanding the concerns over the relationship to existing dwellings, the proposed blocks themselves would be well separated from one another and would be set-back from Crystal Palace Park Rd and behind the established building lines of Nos.25 and 29a, helping to reduce their prominence in the street scene.

6.2.60 There is space retained about the blocks for parking, landscaping and refuse/cycle storage. Only a small amount of open space is provided within the footprints of the residential sites themselves, but they will adjoin the Park which will provide a sense of space and will deliver the majority of the children's play space requirements for the development. The new housing units will meet the minimum gross internal area standards in policy D6 of the London Plan and the example floor plans demonstrate that all units would be dual aspect and would be provided with outdoor private space.

6.2.61 There is a historic precedent for locating residential villas along the edge of the Park and, today, the surviving villas form an important boundary to the Park and are characteristic of the Crystal Palace conservation area. As such it is not considered that there would be material harm from siting the proposed villas in this location. However, this aspect of the development will lead to the

loss of a number of boundary trees along Crystal Palace Park Road, as well as within the Park.

6.2.62 Policy 43 of the BLP resists development which would lead to the loss or damage if one or more significant and/or important trees in a conservation area, unless it is in the interests of good arboriculture practise or the benefit of the development outweighs the amenity value of the tree/s.

6.2.63 Trees are prominent features in the local street scene and the loss of trees in this area would open up views into the site at this point. The approved Masterplan involved fewer tree losses in this part of the site and retained T529 (an Oak). There will clearly be a loss of the existing green appearance of this part of the Park as a result of these proposals, detrimental to the visual amenities of the adjacent street scene and the conservation area. Whilst replacement planting will enable mitigation against the losses of trees adjacent to the road, which have limited retention spans, the loss of T529, which has substantial amenity value, would result in significant harm to the Grade II* Registered Park and Garden and the conservation area. This will need to be weighed into the overall planning balance.

6.2.64 As discussed, the replacement maintenance facility, although somewhat larger than the existing building which it is replacing, it is not inappropriate development in the MOL as it will meet with exception criteria b of paragraph 145 of the NPPF (the provision of appropriate facilities in connection with the existing use of land). The existing steel frame will be dismantled and re-erected with new block-work infill and it will include a green roof and living wall, where possible. A maintenance service yard will be created around the relocated building with enough space for storage and maintenance activities. Although it will be larger than the building it is replacing, the yard will be screened from the Park, neighbours and Sydenham Gate by topography and planting. At detailed design stage the materials, form and scale of this building will need to be carefully considered.

6.2.65 The proposed Information Centre will replace the existing Crystal Palace Information Centre (to be demolished) and will be located on the same site at the eastern end of the Park close to Penge Gate. The existing building (3m high x 25.65m long x 7.5m wide) is in poor condition and no longer fit-for-purpose; the new building will offer a new, modern facility improving the visitor experience of the Park. The proposed information centre is single storey, up to 4.6m in height and up to 150sqm and as such is unlikely to give rise to a significant visual impact. There are no objections in principle to the replacement of this facility within the parameters set out, with details of form and appearance to be provided at the reserved matters stage.

Area H: English Landscape



Fig 18: Proposed English Landscapes (Area H) (Source: AECOM, 2020)

6.2.66 The English Landscape Garden was an important and celebrated part of the original concept for the park. The English Landscape has maintained much of its character, adapted from former park and woodland. It has both historical and aesthetic interest as one of the best-preserved areas of the original park concept. The English Landscape has continued to be open and maintained for the public. New features were added including the concert platform in 1997 and more recently the wheeled sports area opened in 2018.

6.2.67 The western part of the character area has never been accessible to the public forming part of the separate property of Rockhills and the glasshouses for the park. Rockhills formed part of the built enclosure of the park in the north-west and with its destruction during the Second World War, this enclosure was reduced. With the relocation of the caravan and camping site from the Upper Palace Terrace in the 1980s to the site of Rockhills, the built enclosure of the park was not restored. The area has continued to be inaccessible and a tall screen of mature trees, shrubs and fences excludes the public and limits access into the park from the north-west.

6.2.68 Existing development in close proximity to the site is almost wholly residential, but mixed in terms of age and type of dwellings. No. 77 Crystal Palace Park Road (locally listed) is one of the large three storey Victorian "Arts and Crafts" houses (used as flats). On the other side of the road is Hillcrest Close in Lewisham Borough with three/four storey flats backing onto Westwood Hill and a five storey block of flats set back from Westwood Hill. Immediately to the west of those flats is a large two storey interwar house (No. 103) on a 25m wide plot, followed by 5 large two and three storey mainly Victorian buildings – the last (No. 2 Sydenham Hill) is a hotel. Between the junctions of Sydenham Hill and Fountain Drive is a modern three storey block of flats.

6.2.69 Summary of main proposals:-

- removal of caravan site (including demolition of unlisted buildings)

- construction of Rockhills residential development (9702sqm footprint, 140 units) on part of the former caravan site
- restoration of 1.5ha back to public park
- new community centre within the Rockhills development
- renovation of the Grade II listed gatepiers of Rockhills and creation of new pedestrian and cycle access
- realignment of Rockhills entrance currently used for access to the caravan site to form entrance into the park
- new car and coach park accessible from Old Cople Lane
- earthworks to expose and repairs to the North Wing wall
- new natural play area
- improved drainage, particularly around the concert platform and the wheeled sports area
- opening up of views across the Intermediate Lake, including historic views towards the terraces.

6.2.70 Demolition works within Area H includes the removal of buildings and fences within the caravan site and around the Intermediate Lake. The existing fencing around the Lake is to be removed, in addition to some of the vegetation. However a new fence, yet to be determined (as this is an outline planning application), that is less obstructive with viewing areas for the fishing is envisaged. All these structures have been installed in the 1980s and 90s and have limited heritage value and make a neutral/negative contribution to the conservation area. Members will therefore need to consider the potential harm of the proposed Rockhills development to the character and appearance of the conservation area.

6.2.71 The proposed parameter dimensions for Rockhills residential development show the maximum parameter plan as a single block extending 110m east-west along Crystal Palace Park Rd. The minimum parameter plan allows for two separate blocks, extending a total of 102m parallel to the road, separated by the new access road at a distance of approximately 12m. Hedging is depicted in front of the building defining the private outdoor areas for the ground floor flats. Residential parking is provided to the side (along the new access road) and to the rear of the buildings.



Fig 19: Top: Rockhills Residential illustrative Ground floor plan (Source: AECOM); **bottom:** optimized option as approved under 2007 Masterplan (Source: Design and Access Statement, application ref.07/03897/OUT)

6.2.72 The parameters show the blocks set back from the roadway at a similar distance to the existing villas along the main road, and built forms that step gently in height upwards in response to the topography of Crystal Palace Road as it rises towards its junction with Westwood Hill and Sydenham Hill. The development is envisaged as having a maximum of 5 storeys with a maximum height of between 13.6 and 22m (approx.). The minimum parameter height is between 8.5 and 16m (approx.).

6.2.73 Along its eastern edge, the building would project beyond the rear boundary of the locally listed villa (No.77) to the east (by a maximum of approximately 43m) but at a distance of around 18m to the west. It would step-down in height towards the rear of the neighbouring dwelling.

6.2.74 While this is an outline application with all matters reserved, alongside the parameter plans the Design and Access statement includes a set of design principles which, although not for approval, establish the vision for the application site and set out details of scale, character, use and landscape.

Detailed plans and elevations have been provided which illustrate the likely architecture. The submission shows two articulated blocks of five storeys, which draw their architectural references from the existing large Victorian villas. The designs are in red-toned brickwork with contrasting light cladding for the upper elements. The building designs are for illustration purposes only.

6.2.75 The community building is two-storeys with a minimum of 3.35m and a maximum of 11.5m in height and a maximum footprint of 670sqm. It is located just to the south of the residential development within the parameters of the maximum land take as shown on the parameter plan. It is envisaged that the community building would use dark timber cladding to contrast and differentiate it from the residential buildings. The community building has a roof terrace with views over the Park.

6.2.76 Crystal Palace Park and the proposed site of Rockhills is bordered along its northern edge by LB Lewisham and to the north-west by LB Southwark. LB Lewisham have raised no objections to the principle of residential development, but are concerned that the scheme may fail to relate positively to the existing development along the Park's frontage opposite LB Lewisham resulting in a reduction of the existing green setting that contributes to the character of the public realm along this section of Westwood Hill. In addition, they feel that the development should relate better to the Victorian villas that lie directly opposite the application site and, given the topography of Westwood Hill, have questioned how appropriate the scale and height of development would appear when approaching from the east.

6.2.77 At five modern residential storeys plus plant, the development would be significantly higher than the adjacent 3-4 storey locally listed villa (No.77) and the building(s) will dominate this part of the street scene being much larger and bulkier than those nearby. However, the development is stepped down in height to respond to the adjacent residential housing and it would not be seen from all but close-by views from LB Southwark and LB Lewisham, being set slightly downhill along Westwood Hill and mostly obscured by the intervening 3-storey Victorian villas that line the main road.

6.2.78 In terms of the impact on longer-distance views, including from the Dulwich Woods conservation area which is located to the north/north-west of the Park at a distance of approximately 285m away, the development is unlikely to be highly visible from within longer distance views by virtue of its 5 storey height and the screening which is provided by existing buildings and vegetation.

6.2.79 While it is noted that the Visual Impact Assessment submitted as part of the EIA has not assessed any views from beyond the site boundaries of the Park, the methodology for the assessment which assesses the sensitivity of townscape and visual receptors, via an assessment of their value and susceptibility is accepted in principle. Further townscape and visual assessment should be carried out at the reserved matters stage.

6.2.80 The Proposed Development reflects that which was previously granted planning permission. As such, the Council do not consider the proposals to

raise any new issues in relation to the impact on the significance of the historic environment. This view is shared by Historic England.



Fig 20: Proposed north elevation showing relationship of proposed Rockhills residential development to 77 Crystal Palace Park Rd (source: AECOM, 2020)

6.2.81 The boundary wall to Westwood Hill was the original boundary to Rockhills: Paxton's home which was demolished in 1959. The proposed visuals and elevational drawings submitted with the application show the removal of the wall and the boundary being opened-up to provide new vehicular and pedestrian accesses to the flats. It will be replaced with hedge and tree planting. The Environmental Statement submitted with the application recognises that there would be an extensive visual change for residential receptors from the demolition of the wall, vegetation of removal and the construction of Rockhills resulting in a major adverse effect. However, it is noted that by year 15 of occupation the adverse effect is expected to be reduced as new trees and soft landscaping establish.

6.2.82 Whilst the wall does have townscape interest and some historical significance its demolition was consented under the 2007 Conservation Area Consent application (ref. 07/03906/CAC), with the conditions that a) it should not be demolished until a contract for the erection of the flats at Rockhills has been made; and b) the materials from the wall shall be stored and re-used for a replacement front boundary enclosure to the site. As such it is suggested that a condition is imposed requiring replacement of the frontage wall with a lower one built from salvaged materials following demolition.

6.2.83 A number of B category individuals and groups are proposed to be felled to accommodate the construction of the Rockhills development, including at least 6 trees in close proximity to the Park boundary with Westwood Hill. Replacement tree planting is indicated immediately in front of the new building. It is clear that the development, by reason of its frontage width and heights, together with the removal and trees and demolition of the historic boundary of the site, will significantly alter the character of the street scene and the loss of greenery would be visually harmful. At the same time, the new entrances to the residential stair cores and new public access into the Park directly from Westwood Hill, will help to activate and enliven this part of Westwood Hill, giving it a more 'pedestrian-friendly' feel.

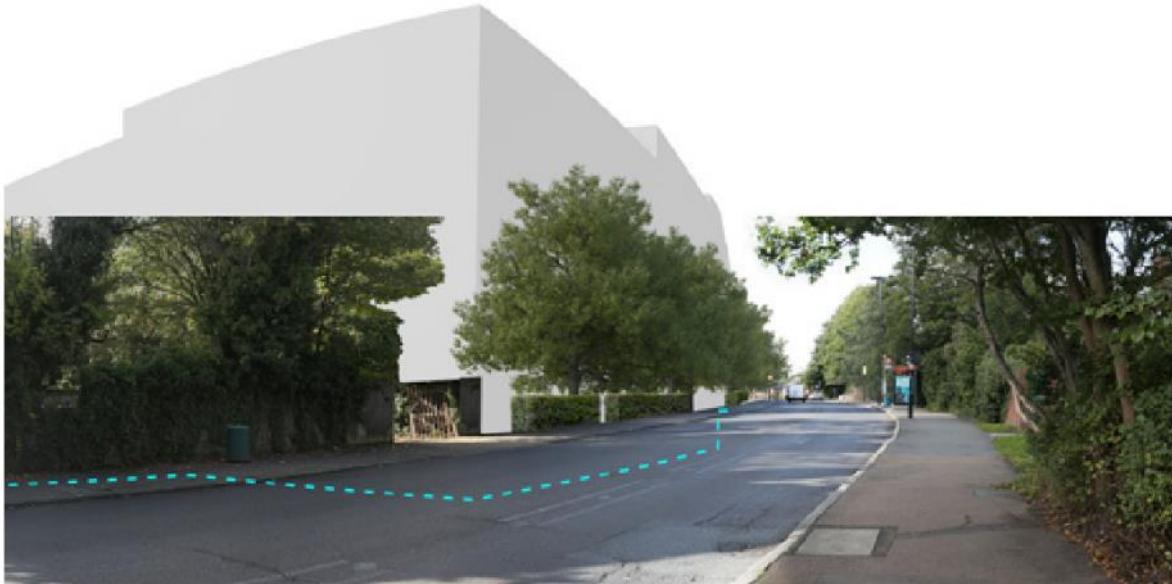


Fig 21: visualisation of proposed Rockhills residential development along Westwood Hill
(source: AECOM, 2020)

6.2.84 Fencing and mature trees and vegetation currently exclude the caravan site from the wider park, and its entrance from Westwood Hill focuses on the caravan site, discouraging access to the park. Trees growing here are one of the main areas in the Park which are targeted for removals to accommodate the regeneration plan. The proposals would significantly open-up this area of the Park to the public, providing replacement soft and hard landscaping and a coach parking area.

6.2.85 Vegetation and fencing removals proposed to open up and reinstate historic views across the Intermediate Lake will connect the lake better with the landscape, whilst enabling the fishing association to continue by providing a level of security.

6.2.86 Landscape removals at Rockhills will also enhance the setting of the listed Gatepiers to Rockhills and to expose the North Wing Wall. This remnant of the palace is currently visible from the caravan site but has been lost within the park. Removal of vegetation and any build up of debris will help to restore its presence within the park and form a solid edge to the Italian Terraces.

6.2.87 Other construction works within Area H will provide new park facilities and are discreetly located within the mature vegetation retained from the caravan site to minimise visual intrusion into the wider park. It should be noted that some of the trees are still early-mature ages and could be transplanted.

6.2.88 It is inevitable that given its height and topography of the land at this point, the Rockhills development would be visible and somewhat obtrusive when viewed from within the Park and this will result in some harm to the visual amenities of the MOL. However, its siting on the Park's edge will help to minimise the physical and visual intrusion of built development into the MOL and the development appears to be in line with the character of Park fringe views where perimeter buildings can be seen through and between trees. Tree

Officers consider that the facilitation felling of trees within the caravan site can largely be mitigated through replacement planting along the Park boundary and within the Park. The establishment of new planting will also help to soften the appearance of new buildings on the periphery of the Site.

6.2.89 LB Croydon has suggested the use of design codes to secure sufficient detail at the reserved matter stage to allow the Council to make an informed decision about the proposals. However, a significant level of detail has been provided in the outline application, drawing on local context, character and density to inform the parameter plans and design principles. While limited details of proposed landscaping have been supplied at this stage, the design and access statement includes design principles for horticulture, ecology and trees which will provide a framework to guide the development of the detailed scheme and aid the determination of future reserved matters applications. The opportunity to replace the historic Oak on or near to the entrance on Anerley Hill/Crystal Palace Parade can also be explored at this point. In addition, the application proposes an overall 14% increase in soft landscaping in the Park.

6.2.90 Therefore, while there are some concerns over the visual impact of both of the residential schemes on the MOL, their relationship to existing buildings in the conservation area and their impact on the setting of the historic Park, the application provides assurances that the future design and landscaping (to be agreed at the reserved matters stage) will take into account and reflect the important design features of the area (including the surrounding arts and crafts villas) and will complement and enhance the key characteristics of the conservation area.



Fig 22: Aerial view of English Landscape as existing showing caravan site, approximate location of Rockhills and No.77 Crystal Palace Park Rd (top right) (Credit: google)



Fig 23: 2007 illustrative elevation as seen from the Park (Design and Access Statement, 2007 Masterplan)

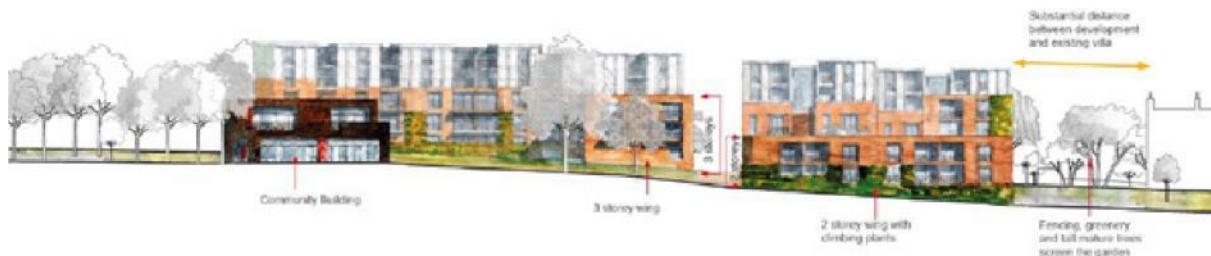


Fig 24: 2020 illustrative scheme – Park Elevation (Source: AECOM, 2020)

6.2.91 All flats appear to comply with the minimum gross internal area standards in policy D6 of the Publication London Plan and will benefit from private outdoor space in the form of balconies or terraces. However, it is noted that there are a number of single aspect units at ground floor and above (including north facing single aspect units), some of which will have their windows and private outdoor spaces positioned in close proximity to public thoroughfares. As such it is unclear how occupiers of some flats will be afforded reasonable sunlight, daylight and privacy. Whilst the proposed courtyard arrangement offers some degree of privacy for future occupiers, at the reserved matters stage an appropriate internal layout will need to be secured to ensure that a high quality form of accommodation is provided.

6.2.92 Given the proximity of both the residential developments to heavily trafficked roads it is likely that glazing will need to be fixed, and that the proposed dwellings will need to have acoustic ventilation options (passive or active) incorporated into their design.

6.2.93 Given the extent to which acoustic glazing options are relied upon to deliver acceptable internal noise levels, the design and construction of the proposed dwellings will also need to ensure that acoustic protection is provided against all noise break-in routes into the dwellings (e.g. via internal layout; window frame construction; services or ducts in the facades; roof construction, etc.). The EIA accepts that it may prove difficult for the recommended internal noise levels to be achieved in all cases, and that achieving the recommended noise levels for external amenity areas will be challenging and may not be possible in all cases. This will be considered in the development of the designs and natural ventilation solutions will be prioritised informing building layout and facade designs. It should be noted that mechanical cooling is not supported by the GLA.

6.2.94 The development incorporates car and cycle parking for the residential element and the community centre. The vehicular access and parking arrangements will need to be carefully considered at the reserved matters stage to avoid any conflict with pedestrians accessing the Park from Westwood Hill. Refuse storage and collection will need to be factored into the design.

Area I: Paxton Axis



Fig 25: Proposed Paxton Axis (Area I) (Source: AECOM, 2020)

6.2.95 Summary of main proposals:-

- Demolition of plinth of the bust of Sir Joseph Paxton which is to be relocated to Lower Italian Terrace
- demolition of seating, planters and hardstanding of parking areas and existing surfaces
- widening of Penge Gate and installation of gateway feature at eastern end of axis
- widening of Paxton Axis within the land owned by the applicant, creating a central route that is hard surfaced with steps and ramps
- continuation of the Paxton Axis onto the Italian and Palace Terraces to re-connect the central unifying features of the park and form clear views along the axis where possible
- formation of central event space on location of Grand Central Fountain
- retention and enhancement of tree avenues along the axis

6.2.96 With the site of the palace, the Paxton Axis was the main unifying feature of the park and today is one of the most damaged and fragmented. Demolition will seek to remove some of the elements which interrupt the feature and help restore it as a strong central axis. Renovation of the western end of the axis with the restored North and South railings and walls on the Upper Palace Terrace will be repeated at the eastern end, opening up access to the park from Penge and providing a gateway to the eastern part of the axis. Re-surfacing and restoration to its original width of the section running through the Transitional Landscape including creation of an event space on the site of

central fountain will re-establish its presence within the centre of the park. This line will be continued westwards across the Italian and Palace Terraces, re-creating the strong central axis.

6.2.97 While there would be a substantial reduction in soft landscape in this character area as a result of these proposals (16,423sqm reduced to 2,200sqm) the proposals will strengthen a defining feature of the original Park design and would improve connectivity, legibility and improve access for all. This aspect of the Regeneration Plan is acceptable.

Skyline

6.2.98 As set out at policy 48 of the BLP the Council will require developments which may impact on the skyline to demonstrate how they will protect or enhance the quality of the views, vistas, gaps and skyline listed in the policy. The view from Addington Hills of panorama across Crystal Palace, Penge, Beckenham and Greenwich towards Shooters Hill, Isle of Dogs and Blackwall Reach is identified in the Bromley Local Plan as a View of Local Importance. It was therefore considered as part of the baseline review for the applicant's visual assessment. However, the view is a long distance, panoramic view toward the centre of London with a high proportion of built development across the extent of the view. Given the scale of the Proposed Development, the nature of the view and the viewpoint's location over 6km away, it is therefore unlikely that the proposals would significantly impact on the protected view and it was therefore scoped out of the ES.

6.2.99 The Council considers that, overall, these proposals would not have a discernible impact on any Views of Local Importance, nor would they impact the Crystal Palace 'Major skyline ridge'.

Density

6.2.100 The two residential sites (Rockhills and Sydenham Villas) are both in areas with a PTAL of 3. The proposed development envisages approximately 527 habitable rooms per hectares across the two sites providing a total of 210 units. The 2016 London Plan advocates a density of 150-250 habitable rooms per hectare in PTAL 3 locations.

6.2.101 It is noted that an additional 30 units and a higher density overall are being proposed than was approved in the 2007 Masterplan. However, the London Plan no longer includes a prescriptive density matrix. Instead it promotes a design-led approach to optimise the capacity of sites.

6.2.102 Policy D3B of the London Plan sets out that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. In this instance, the residential sites are in close proximity to PTAL 4 and PTAL 5 areas, there are a number of bus stops located on the Park's periphery and there is potential for expansion of / improvements to Crystal Palace Bus Station. Additionally, the new and enhanced walking and cycling

connections through the Park proposed in this application will improve connectivity to the Crystal Palace and Penge District Centres and to the NSC.

6.2.103 As such, Officer's consider that the increased residential densities in these particular locations is acceptable in principle.

Conclusions on Design and Visual impact

6.2.104 There will be demonstrable harm to the openness and visual amenities of the MOL as a result of the proposals in this application. This can be attributed to the scale and amount of built development being proposed, in particular at Capel Manor Farm, Rockhills & Sydenham Villas, in combination with the extensive tree loss which will also alter the verdant character of adjacent street scenes in Westwood Hill and Crystal Palace Park Road. This harm has been appropriately weighted into the considerations of whether very special circumstances exist to justify a departure from development plan policy.

6.2.105 However, there are advantages of providing the housing in this part of the site where there has been previous development as opposed to the nine alternative sites in the Park which were assessed as part of the application. The Capel Manor Farm and residential developments would be consolidated to the edges of the Park and, in the case of Sydenham Villas, predominantly outside of the MOL.

6.2.106 It is reasonable to assume that the layout, form, scale and massing which the residential buildings will eventually take, will need to take a similar approach to that set out in the application in order to achieve the amount of enabling residential floorspace required to fund the regeneration plan. However, there is scope at the reserved matters stage to develop more sensitively designed buildings and park-wide infrastructure that respects and enhances the setting of this Historic Park and positively contributes to its adjoining areas.

6.2.107 Going forward, the soft landscaping proposals and mitigation and additional tree planting have the potential to soften the appearance of the new built development, enhance the special features, historic interest and setting of the park and contribute to an overall biodiversity net gain. Furthermore, the Parkwide landscaping proposals to remove hardstanding and car parking, opening-up new areas of publicly accessible park land and facilitating easier access and movement through the park will have a positive impact on the visual amenities and functionality of the MOL.

6.3 Heritage Impacts

Acceptable

Archaeology

6.3.1 The conservation of archaeological interest is a material consideration in the planning process. Paragraph 128 of the NPPF says that applicants should submit desk-based assessments, and where appropriate undertake field

evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. This information should be supplied to inform the planning decision. If planning consent is granted paragraph 141 of the NPPF says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

- 6.3.2 The significance of the site, the exhibition building and its' Bromley park landscaped grounds, is important to record and interpret. This significance is reinforced by the fact that the archive that included detail of the construction of the Crystal Palace was destroyed in either of two fires that were to occur at the site.
- 6.3.3 Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates that the development would not cause sufficient harm to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding.
- 6.3.4 It is recommended that the archaeological investigation consists of a response to the proposed ground disturbance works and the historic material located about the park. With regard to the former, Historic England have recommended a condition to secure the implementation of a programme of archaeological investigation, prior to any development taking place. This will need to include a watching brief which the applicant, in their ES, has committed to undertake.
- 6.3.5 The second element of the archaeological investigation will be an audit of all material stored or otherwise retained about the park, other than material still in original context, plus an indication as to what may reside off-site. This audit will need to occur before any on-site works commence so that the evidence can have the opportunity to inform the works and their possibly re-integration or better placed and interpreted or stored appropriately.
- 6.3.6 The applicant has suggested in their ES that further archaeological mitigation could be provided to offset any necessary loss of archaeological features through the provision of tours and other interpretation on the development of the Park and its subsequent renovation. By highlighting how the landscape has been reinstated and clearly articulating any necessary loss of archaeological features in this process it would embed archaeological assets removed during renovation within the history of the Park and its continued historic narrative.

Built Heritage

- 6.3.7 The proposals seek to address the longstanding Heritage at Risk issues at Crystal Palace Park, including the restoration of many landscape features within the grade II* Registered Park and Garden and its important built structures, including the grade II Italian Terraces and the grade I prehistoric monsters and their associated geological features, lakes and islands. The

'Regeneration Plan' also includes provision for a robust management and maintenance strategy for the park, which would be delivered by the Crystal Palace Park Trust, and seeks to ensure that the park operates as a viable asset.

- 6.3.8 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) set out the obligation on local planning authorities to pay special regard to safeguarding the special interest of listed buildings and their settings, and preserving or enhancing the character or appearance of conservation areas.
- 6.3.9 As discussed in the preceding chapters, there will be conflict with policies 41, 43 and 45 of the Bromley Local Plan and harm to the Grade II* listed park and the Crystal Palace conservation area as a result of these proposals. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.3.10 Paragraph 196 refers to developments leading to harm to the significance of designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.3.11 The current Regeneration Plan, reflects many of the works that were granted planning permission in the 2007 Masterplan, with the main differences comprising removal of Greater London Authority land from the red line boundary and the provision of new buildings for Capel Manor College. The current Regeneration Plan also increases the amount of 'enabling' residential development in the MOL but proposes fewer improvements to the wider park.
- 6.3.12 It is understood that the applicant has engaged with the GLA to try and bring a more cohesive regeneration proposal, but that the GLA are at a less advanced stage in developing their proposals for the area of the Park within their control. However, since this application was submitted the GLA has engaged the LPA for pre-application planning advice and an application is likely to be forthcoming.
- 6.3.13 By excluding the NSC site, the Regeneration Plan is somewhat fragmented and hinders the deliverability of some of the key features and benefits of the 2007 Masterplan such as the restoration of the Paxton axis. Notably, in the absence of any approved scheme for the NSC, the Grade II* registered Park and Garden would remain on the Heritage at Risk Register. In addition, the Base of the Southern Water Tower at Crystal Palace (List Entry: 1469984) which was recently added to the Register (Dec 2020) does not feature in these proposals.

6.3.14 In weighing-up the harm identified in this report against the public benefits associated with the restoration and repair of designated heritage assets integral to the Grade II* listed Park, these are considered to outweigh the less than substantial harm caused to the setting of the Park and Crystal Palace conservation area. However, it is essential that the repair and restoration of the most ‘at-risk’ structures are delivered in the early phases of development. Accordingly, these will need to be linked (in the S106) to the delivery of the enabling residential development in order to ensure that the heritage benefits of the scheme are achieved.

6.3.15 The proposals to conserve the heritage assets in a manner appropriate to their significance is supported by Historic England and the GLA and would accord with the overarching principle of ‘sustainable development’ running through the NPPF.

6.3.16 The works proposed to the statutory listed heritage assets will require listed building consent (LBC). This work can be developed in future LBC applications in consultation with Historic England.

6.4 Impact on neighbouring residential amenities

Unacceptable

- 6.4.1 Development proposals are required, by policy, to respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.
- 6.4.2 The residential sites which will be impacts most notably by the Proposed Development are No's 25 and 29A Crystal Palace Park Road and No's 1 – 6 Crystal Palace NSC. During the demolition and construction phases there would be significant adverse noise and vibration effects at these neighbouring residential properties. However, these significant adverse effects will be temporary and limited to the construction phase. By way of mitigation a Construction and Environmental Management Plan (CEMP) will be prepared by the Principal Contractor prior to the start of construction works in each Phase and will be implemented as agreed with the London Borough of Bromley. This will provide an overarching strategic framework for the management of environmental effects and the implementation of measures prior to, and during, the demolition and construction phase of the Proposed Development.
- 6.4.3 A CEMP condition is recommended in addition to a noise monitoring strategy. Noise monitoring will be undertaken at receptor locations that are considered to be at risk to potential high noise levels. Noise monitoring will determine compliance with Local Authority limits and the need for any additional mitigation if limits are exceeded.
- 6.4.4 Given the height, rearward projection and proximity of the northern-most Sydenham Villa to the neighbouring site boundaries, there is also potential for significant harm to the residential amenities of occupiers of 25 and 29A

Crystal Palace Park Rd, in particular through loss of light, loss of privacy and visual impact. Limited reference is made in the application to how these effects will be minimised; however, the Design and Access Statement envisages that the proposed Villa will step down in storey height to respond to No.25. However, there is no similar consideration given to No.29. In the absence of further reassurances that the final design and layout will respond sympathetically to the amenities of adjoining occupiers, it is concluded that this development is likely to have a significantly harmful impact on neighbouring occupiers' amenities.

- 6.4.5 Concerns have been raised from local residents regarding the impact of Rockhills residential on the adjacent residential property, No.77 Crystal Palace Park Rd, which they consider will be overbearing and will result in a loss of privacy due to overlooking from balconies. The indicative floor plans provided do depict balconies on the eastern side of the building facing the neighbouring site. However, there appear to be no habitable room windows on the western elevation of No.77 which would be overlooked. At five storeys, it may be possible to view into the rear garden of the neighbouring site from the proposed balconies on Rockhills, however, this would be at a distance of around 17m away and would be partially screened by existing trees on the boundary.
- 6.4.6 There would be between approximately 24 and 35m separation between Rockhills and the flats on the opposite side of Westwood Hill. Given the width of the road and the separation distances, this would limit the impacts of the proposed five storey development on existing occupiers.
- 6.4.7 LB Southwark have raised concerns over the impact of the cultural venue on their residents, noting that in the acoustic report, no assessment for the impact on residents from the proposed operation of the culture centre has been carried out. Concerns have also been raised from residents about the viewing platform, its potential use and hours of use. It is noted that the viewing platform would overlook the Park so would not result in any direct loss of privacy at neighbouring sites.
- 6.4.8 With regard to noise, the EIA hasn't been able to carry out a comprehensive Noise Impact Assessment for the component units as not all the necessary noise data is available. This is not uncommon for large or complex developments. The noise levels will also at vary depending on what the cultural venue is being used for at that time. The applicant describes the cultural venue as a "place of learning and recreation" and as a means of securing the subway as a future event space. A museum/exhibition type use is unlikely to cause a nuisance unless it involves regulated entertainment (per the Licensing Act 2003). While there are various exemptions for regulated entertainment under the 2003 Act, events that are put on by commercial operators (concerts, etc.) should be subject to an authorisation under the 2003 Act which can incorporate entertainment noise limits. However, without knowing the detail about *exactly* how the cultural venue will be constructed and utilised, it is not possible to offer meaningful commentary on noise control or suggest any boundary noise limits.

- 6.4.9 However, a requirement for unit specific Noise impact assessment could be included by condition or s.106 agreement, particularly as the applicant/developer will need to ensure that noise from fixed plant and equipment, including kitchen ventilation systems complies with the proposed noise condition.
- 6.4.10 LB Southwark have also requested that, on Saturday the construction hours in Area B: Palace Terrace are 09:00 - 14:00 hours, in line with LB Southwark's hours for construction. While these may be LB Southwark's adopted hours, the hours referred to by the applicant in the EIA are those from Bromley Council's adopted Code of Practice on the control of construction site noise. This is the guidance which the applicant will need to adhere to when drawing up the Construction and Environmental Management Plan. From a project consistency point of view, particularly where any noise from this phase could also impact on Bromley residents or businesses, Officers are of the view that Bromley's construction hours should be followed.
- 6.4.11 To conclude, while there will be significant adverse effects due to noise during the demolition and construction phases, these will be temporary, and the application will be subject to a CEMP condition by way of mitigation.

6.4.12 However, there is potential for the Proposed Development to significantly impact the residential amenities of occupiers of 25 and 29A Crystal Palace Park Rd. While there is some scope at the reserved matters stage to develop more sensitively designed buildings and increase the separation distances to neighbouring buildings within the layout parameters shown, it is possible that the harm to neighbouring occupiers amenities will not be able to be fully mitigated at the reserved matters stage.

Community Engagement undertaken by the applicant

6.4.13 As part of the application the applicant has provided a Statement of Community Involvement (SoCI). In total, there have been three key rounds of major engagement on The Regeneration Plan, commencing in March 2016 and concluding in March 2018, with other opportunities to provide feedback throughout and beyond this period. The process has included meetings, pop-up events and community engagement events. The three-key rounds of engagement took place as follows:

- 1) March to June 2016: this sought to reach a broad section of the community; residents, stakeholders and park users from all surrounding areas of the park to understand key areas of interest and concern to inform the development of the Regeneration Plan. Utilising mobile pop-up consultation stands in 17 different locations, stakeholder workshops and two full-day drop-in exhibitions participants were able express their wishes for the future of the park. In addition, the process provided an opportunity to facilitate direct and constructive dialogue between local residents and stakeholder groups. It also provided an opportunity to raise awareness of existing opportunities for local

people to be involved in; such as Friends of Crystal Palace Park (FoCPP) and the Shadow Board and community led projects.

- 2) July 2016 to May 2017: The key areas of focus identified in the first round of engagement as expressed in the four regeneration aims were developed into six options for the regeneration of the park. These were reviewed by LBB, GLA, Historic England and the Shadow Board to create a preferred option early 2017. Further development of the preferred option resulted in its presentation at an exhibition in May 2017. The exhibition began with an invited event hosted by the Shadow Board for key stakeholders and was followed by a two-day public event in the Information Centre. The SoCI states there was "*Overwhelming support for the preferred option resulted in the Council endorsing the 2017 Regeneration Plan as the future framework for the regeneration of the park*".
- 3) September 2017 to March 2018: Once it was decided to progress the project to an outline planning application engagement continued with an initial public information event in October 2017 to provide an update on the outline planning application process and maintain public interest in the project. This was followed by an exhibition of the detailed Regeneration Plan in March 2018. Undertaken over two days in two locations, the exhibition updated on any minor changes to the Regeneration Plan since May 2017 and presented more detailed information on the residential developments on the edge of the park to fund the regeneration.

6.4.14 The SoCI concludes there was a high level of support for regeneration of the park while preserving existing features and facilities such as open space, the events in the park and free car parking. Whilst the majority of those attending highlighted their support, the main concern was around the impact of the proposed housing development. The London Borough of Bromley will continue its engagement with the local community to ensure all stakeholders are informed and up to date with project progress.

6.5 Housing Land Supply and Affordable Housing

Acceptable

- 6.5.1 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 24th September 2020. The current position is that the FYHLS (covering the period 2020/21 to 2024/25) is 2,690 units, or 3.31 years supply. This is acknowledged as a significant undersupply and for the purposes of assessing relevant planning applications means that the presumption in favour of sustainable development will apply.
- 6.5.2 The NPPF (2019) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for

refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 6.5.3 According to paragraph 11(d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'. In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.5.4 London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. In order to deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This approach is consistent with Policy 1 of the Bromley Local Plan, particularly with regard to the types of locations where new housing delivery should be focused. Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.
- 6.5.5 This application includes the loss of one existing dwelling at 33 Crystal Palace Park Road which is located on the site of the proposed Rangers Maintenance building. Local Plan policy 1 resists the loss of existing housing except where accommodation is unsuitable and incapable of being adapted for continued residential use or where the proposal meets an identified need for community facilities. While this property is currently understood to be occupied, the 210 new homes (209 net additional dwellings) which this development would provide would represent a significant contribution to the supply of housing within the Borough. Subject to the suitability of the replacement development in the context of the conservation area, the loss of No.33 is acceptable in principle.
- 6.5.6 The provision of new housing will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

Affordable housing

- 6.5.7 All schemes are expected to maximise the delivery of genuinely affordable housing and make the most efficient use of available resources to achieve this

objective. The threshold approach to affordable housing set out in policy H5 of the London Plan is applicable to this application and requires the provision of 50% affordable homes (on public sector land) to be funded through the development's value.

- 6.5.8 The NPPF says that provision of affordable housing should not be sought for residential development that are not major developments and where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% to be affordable.
- 6.5.9 In accordance with London Plan Policy H4, all major development of 10 or more units triggers an affordable housing requirement. Policy 2 of the Bromley Local Plan states that in order to meet the needs of the Borough, the Council will seek affordable housing on all housing developments capable of providing 11 residential units or more or where the residential floorspace is more than 1000sqm, irrespective of the number of dwellings. Where an applicant proposes a level below the policy requirement, the Council will require evidence within a Financial Viability Appraisal that will be independently assessed.
- 6.5.10 The Proposed residential development constitutes enabling development, which the applicant argues is essential to enable the delivery of the Regeneration Plan for the Park. The Enabling Development and Financial Viability Assessment (by Knight Frank) explains the implication of the delivery of varying levels of affordable housing within the enabling development and the implications for the delivery of the Regeneration Plan. The introduction of affordable housing at the enabling development sites will, according to the report, result in a lower capital receipt or increased density. As it stands, the level of capital receipt derived from a 100% private scheme covers just over 50% of total expenditure of conservation and repair in the Regeneration Plan.
- 6.5.11 From a planning policy position, the starting point is that affordable housing should be delivered onsite and funded through development value. However, where grant or other public subsidy is available and would increase the proportion of affordable housing, this should be utilised in accordance with the London Plan. As described in the Mayor's Homes for Londoners: Affordable Homes Programme 2016-23, funding through the 'Developer-led route' should be used when a provider requires funding to increase the level of affordable housing on Developer-led projects.
- 6.5.12 Discussions on affordable housing between the LPA, the applicant and the GLA have continued throughout the course of the application and additional information has subsequently been provided. The appraisal for Rockhills residential development has remained unchanged from Knight Frank's initial Enabling Development and Financial Viability report and no affordable housing is proposed on that site.
- 6.5.13 The appraisal of Sydenham Villas is also largely dependent on the same appraisal inputs as per the original FVA, however, further consideration has been given to the potential for the delivery of differing levels of on-site

affordable housing units through grant-funding in line with the Mayor's Affordable Homes Programme.

6.5.14 In recognition of the new funding programme (2021 – 2026) the applicant has submitted further grant-tested scenarios. To ensure that the provision of affordable units on the site does not impact on the £24million land sales target required to fund the regeneration works, Knight Frank have estimated £4,515,000 of grant funding would be required, delivering 24 units of affordable housing (11.43% on a unit basis) within two of the villas.

6.5.15 Knight Frank have summarised the proposed affordable housing provision as follows:

Combined Sites	No. of affordable units (LAR)	No. of bedrooms	No. of hab rooms
	24 units	10 x 1B2P	
2 Affordable Villas	(24 x LAR units)	10 x 2B3P	76 hab rooms
		4 x 2B4P	

6.5.16 The LPA have identified two areas of disagreement with Knight Frank's appraisal (developer profit for the affordable units and profiling affordable revenue) and have adjusted the appraisal inputs accordingly. The effect is a slight improvement in development viability and a reduction in the level of grant funding required to provide the 24 affordable units to £4,070,000, representing grant of £169,583 per unit and an overall decrease in the applicant's estimate of £4,515,000 by £445,000.

6.5.17 It is noted, at paragraph 90 of the Mayor's Affordable Homes Programme 2021 -2026 funding guidance, that funding through the 'Developer-led route' will no longer be permitted in the new programme and this route will only remain available on the current terms until March 2023. Due to the timings and phasing of the Regeneration Plan this could be a significant issue when it comes to applying for grant-funding in the future. Notwithstanding this, the Council are of the view that the applicant's assumptions appear reasonable in terms of costings based on the current grant regime. The mechanism for securing the onsite affordable housing in the S106 legal agreement will need to enshrine the requirement for 24 on-site AH units while also being sufficiently flexible so it can respond to future changes in the grant funding regime, including which tenures would be fundable.

6.5.18 Early and late stage viability review mechanisms are also recommended to test whether the scheme may become more (or less) viable in the future. The future reviews will need to take into account the fact that the development value is providing 0% affordable home and this will be the starting point for future negotiations with the LPA. As such it may be possible that in the future the development viability may have improved or the level of grant funding

available will have increased so as to enable the delivery of more than 24 affordable units (over 11%).

- 6.5.19 In addition to the onsite affordable units, the applicant has identified a number of other sites in its housebuilding programme where there is potential to provide ‘offsite’ affordable units. The applicant is confident that the Council’s housebuilding programme could provide 84 grant-funded off-site units.
- 6.5.20 As landowner the Council would be required by policy to provide a minimum of 50% affordable homes on other sites. In this respect the applicant considers that any over-provision (up to 100%) on its other sites, could count toward ‘offsite’ provision for the purposes of Crystal Palace.
- 6.5.21 As 75% or more AH would be eligible for the fast-track route in the London Plan, irrespective of the tenure split, it is possible that some over-provision on the ‘donor’ sites (above 50% but below 75%) would be required by policy, meaning that only over-provision over 75% could be counted toward the 84 unit offsite provision for Crystal Palace Park. However in the absence of planning permission being secured at all of the other sites, the delivery of the additional affordable units is not guaranteed.
- 6.5.22 There are also concerns over whether there is a sufficient link between the offsite units and this planning application to meet regulation 122 of the CIL regulations which provides that where a determination is made which results in planning permission being granted for ‘development’, a planning obligation can only lawfully constitute a reason for granting that permission if the obligation is necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development.
- 6.5.23 To summarise, the starting point in the development plan is that affordable housing should be delivered onsite and funded through development value. Both Local Plan policy 2 and Policy H5 of the London Plan provide that offsite provision will only be acceptable in *exceptional circumstances*. While Members may consider that exceptional circumstances have been demonstrated which justify a deviation from adopted policy, as set out in this report, there are concerns over how the offsite units will be secured and linked to the Regeneration Plan in a legally binding way. No weight is therefore given to the offsite approach.
- 6.5.24 Furthermore, the onsite affordable units would be entirely reliant on grant funding, the eligibility for which is uncertain. Members will therefore need to give careful consideration to the amount of weight that can be given to the provision of the onsite affordable units, in the overall planning balance.
- 6.5.25 Notwithstanding this, if following the land sales of the Rockhills and Sydenham Villas sites there are surplus funds (above the £24 million target), this could be used to fund some affordable units. A further review could then be carried out following the final sale of all the private sale units and, again, any surplus directed towards affordable housing in the borough. The

applicant has agreed in principle to this approach. A clause in the legal agreement, to this effect, is recommended.

6.6 Transport and Highways

Acceptable

Non-Residential Parking

- 6.6.1 The Bromley Local Plan does not prescribe parking standards for non-residential uses. However, policy 31 requires that any new development likely to be a significant generator of travel should be located in positions accessible or capable of being made accessible by a range of transport modes, including public transport, walking and cycling; and should be accompanied by a Transport Assessment, setting out the impacts of the development on the local transport network (and strategic road network where applicable) and the mitigation measures proposed to deal with the impacts.
- 6.6.2 The London Plan states that, where no standard is provided, the level of parking should be determined on a case-by-case basis taking account of Policy T6 *Car parking*, current and future PTAL and wider measures of public transport, walking and cycling connectivity. Policy T1 states that developments should support a modal shift in line with the Mayor's strategic mode shift target, which is for 75 per cent of journeys in outer London to be made by walking, cycling and public transport.
- 6.6.3 The London Plan requires 5 per cent designated disabled persons bays for education uses and 6 per cent for recreation, leisure and health uses with 4 - 5 per cent of the total provision enlarged, should further provision be required in the future. The provision of disabled persons parking bays should be regularly monitored and reviewed to ensure the level is adequate and enforcement is effective. All proposals should include an appropriate amount of Blue Badge parking, providing at least one space even if no general parking is provided. The process for converting enlarged bays should be set out in a Parking Design and Management Plan and secured at the planning stage.
- 6.6.4 The PTAL of the site ranges from 1a (poor) to 6a (good). The highest rated area is located on the southwest of the park in close proximity to Crystal Palace Station and the Bus Station/Interchange. The PTAL score decreases further to the north and east of the park. Within a 12 minute (960m) walk of the existing site access points there are eight car club bays, operated by Enterprise and Zipcar.

General/visitor parking

- 6.6.5 The table for the existing car parking demonstrates that at Crystal Palace Park and the NSC there are 696 existing car parking spaces in total, 11 coach parking spaces and 4 motorcycle spaces. This includes 226 spaces associated with the National Sports Centre. The applicant's car parking utilisation study indicates that on a typical weekday the maximum utilisation of

car parking spaces at this site is 312, and on a typical weekend it is 258 spaces, representing significant levels of underutilised parking on a non-event day. During an event, however, weekend parking demand significantly outstripped identified standard parking provision and it is understood that this has led to informal parking in overflow areas.

- 6.6.6 Table 5 summarises the proposed changes to parking for visitors to the park excluding the NSC which is outside of the red line site boundary. A total of 124 parking spaces will be provided for visitors to the park, which is a reduction of 350 car parking spaces (74% decrease).
- 6.6.7 The total quantum of car parking spaces (when adding the 222 available at the NSC as identified in the applicants existing parking plan) would equate to 346 (and four motorcycle spaces) at the site. In addition to this, two areas of ‘transitional landscape’ are proposed which would accommodate temporary events car parking for an additional 563 vehicles, making a total of 687 car parking spaces available on event days.
- 6.6.8 TfL have objected to this level of parking in the Park. The applicants utilisation study, which identified that a maximum of 312 spaces are utilised during a weekday (as the worse-case scenario), demonstrates that the proposed provision of 350 is in excess of peak demand even at a weekend and, in TfLs view, is likely to continue to be so. As such, this would not support a strategic modal shift at this site in accordance with the London Plan. A further reduction in parking is requested by TfL.
- 6.6.9 It is noted that TfL have included in their assessment the level of car parking currently provided at the NSC and have added this on to the 124 spaces proposed as part of the Regeneration plan. However, this is land which is outside of the applicant’s control, not forming part of this application. As discussed, the NSC site is engaging in pre-application discussions with Bromley and it is possible that any applications coming forward for that site would also see a reduction in car parking.
- 6.6.10 In order to discourage commuters using the nearby stations from parking in the Park, the applicant has confirmed that The Crystal Palace Park Trust are intending to introduce car parking charges through the whole of Crystal Palace Park. Revenue from car parking charges form an integral part of the Trust’s Business Plan. The introduction of charges will require approval from the relevant LB Bromley committee. It is noted that the Trust are looking to have car parking charges established before the regeneration works are delivered. It is recommended that a Car Parking Management Plan is secured through condition, providing details on the arrangements for the car parking and charging regime.
- 6.6.11 The Council’s Highways officer has not raised any objection to the proposed level of parking provision for general park use, subject to a Car Parking Design and Management Plan and an Event Management Plan being secured as part of a planning condition.

Parking for the permanent uses

- 6.6.12 The Farm Campus is proposed to have two disabled parking spaces plus one minibus parking space. No student car parking will be provided, which is the situation currently.
- 6.6.13 One accessible space/loading bay is proposed on Crystal Palace Parade serving the cultural venue. TfL are concerned about the potential impact this will have on the ability to stand bases on the highway in the bus lane which currently occurs when the bus station stands are full. Furthermore, they consider that it will impact upon pedestrian and cyclist safety and comfort including in respect of the planned new entrance to the park. The applicant has offered to consider this further with options to be options incorporated into the Parking Management Plan and Delivery and Servicing Plan, whose production would be secured by a planning condition. At this stage, the use of the Cultural Venue has not been determined. Once this is confirmed, it will be possible to more accurately determine its loading and potential disabled parking requirements. TfL will need to be consulted on any future details submitted in respect of this condition.
- 6.6.14 There is no dedicated car parking provided for the community building. There will however be a new car park provided adjacent to the residential and community building development at Rockhills. LB Lewisham have raised concerns that, cumulatively, the parking conditions would be exacerbated as there is no dedicated car parking provided for the proposed community building, including the nursery use. Furthermore, LB Lewisham have commented that no details are provided of how the community building and nursery would operate, therefore it is not possible to establish the cumulative impact of the development upon neighbouring residents.
- 6.6.15 Based on the multi-modal trip generation assessment, it is considered that the impact of the proposed permanent uses will have minimal impact on the transport network. Furthermore, the parking utilisation survey allows for a significant reduction in the level of car parking provided within the Park without resulting in an additional parking pressure off-site.
- 6.6.16 As layout is a reserved matter, the number, location and layout of the bays can be agreed via a planning condition, as part of the Car Parking Design and Management plan, following any grant of outline permission. This will also be used to secure a proportion of spaces as active electric vehicle charging spaces with passive provision for the future, in line with the requirement of the new London Plan. It is encouraged that all disabled bays are equipped with active charging facilities from the outset.

Access (full planning permission sought)

- 6.6.17 The applicant has undertaken an Active Travel Zone (ATZ) assessment which identifies a number of areas where the pedestrian environment and walking routes around the park could be improved, including decluttering of pavements, new signage and/or wayfinding to the key transport nodes, all of

which may encourage less journeys by car. Full planning permission is sought for various junction alterations at Anerley Hill Gate, Penge Gate, Old Cople Lane (Rockhills Gate) and Sydenham Gate and 3 new vehicular accesses serving Rockhills and Sydenham Villas residential developments. These are detailed in Tables 13 and 14 along with comments from the Highway authority and TfL:

Location	Proposed alterations	Highways Comments	TfL Comments
Anerley Hill Gate Anerley Hill is subject to a 30mph speed limit, runs on an uphill gradient from southeast to northwest and is street lit	<ul style="list-style-type: none"> • Raised table entry treatment • Two-lane exit reduced to one lane with a flare • New uncontrolled pedestrian crossing with pedestrian refuse island and tactile paving • Removal of 5 on-street parking spaces to the west of the junction to ensure adequate visibility • Removal of left-turn slip road to reduce severance • Removal of existing kerbed island and replacement with pedestrian refuge island <ul style="list-style-type: none"> • Removal/ closure of the north to eastbound slip road • - Realignment of junction circa 2m to the southeast Widening/ extension of existing northern footway • - Relocation of the existing park access to the east to allow for infrequent use by large vehicles (exit only) 	<ul style="list-style-type: none"> • Swept paths were undertaken and are acceptable • Bromley doesn't usually accept vertical or horizontal deflections, i.e. raised tables • If no other traffic calming aid is found then further discussion is required to decide the design and location of the raised table. This can be considered further at the reserved matters/detailed design stage • The width of the pedestrian crossing is acceptable • Loss of parking spaces agreed in principle. 	<ul style="list-style-type: none"> • It is noted that further consideration to the design of the junction will take place at detailed design stage. This should give regard to the provision of a short section of cycle track between Anerley Hill and the access road to improve safety at the junction for cyclists on LCN 27. • It should be ensured that there is no detrimental impact on the bus services which operate on it: 157, 249, 358, 410, 432, N3. • It is noted that the applicant has confirmed that the carriageway width in proximity to Anerley Hill entrance is proposed to be 3m. We would expect 3.2m minimum lane widths to allow safe passage by buses to be maintained.

<p>Penge Gate (car park only) The Penge Gate entrance leads onto Thicket Road which is subject to a 30mph speed limit, runs on a downhill gradient from southwest to northeast and is street lit.</p>	<ul style="list-style-type: none"> • New two-way entry/exit which will be widened to accommodate two-way traffic. • Existing exit-only access removed allowing for improved pedestrian access at Penge Gate • Relocation of existing kerb buildout on Thicket Road • New internally illuminated 'no entry' bollard signs to be installed • Provision of tactile paving on footway at access to provide uncontrolled crossing 	<ul style="list-style-type: none"> • Would not support total removal of pedestrian footway • However, the designer has put forward the proposal to separate pedestrian access from vehicular access and it is assumed suitable signage will be used to reflect this. 	<ul style="list-style-type: none"> • It is understood that the scheme for Penge Gate will only be relocating the existing kerb build out slightly to the north east, as such there will be no changes to the existing carriageway width. We would expect 3.2 minimum lane widths to allow safe passage by buses to be maintained. • The proposed scheme should continue to support bus operations down this road.
<p>Old Cople Lane (Rockhills Gate) The A212 is subject to a 30mph speed limit and is street lit.</p>	<ul style="list-style-type: none"> • Provision of tactile paving on footway at access to provide uncontrolled crossing • Widening of junction and increasing kerb radius to allow coaches to enter and exit 		<ul style="list-style-type: none"> • It is noted that the applicant has confirmed that the proposals for Old Cople Lane include the latest works carried out to the public highway.
<p>Sydenham Gate (car park & maintenance depot) The A234 Crystal Palace Park Road is subject to a 30mph speed limit and is street lit.</p>	<ul style="list-style-type: none"> • Provision of tactile paving on footway at access to provide uncontrolled crossing • Widening of junction and increasing kerb radius 	<ul style="list-style-type: none"> • Tracking showed that there were some over-runs with larger vehicles; however, it is stated that these will be infrequent to the site 	<ul style="list-style-type: none"> • The proposed extension of the cycle lane is noted. This should be secured as part of any permission via a s278 with the relevant highway authority.

Table 13: Proposed junction works

Location	Proposed Works	Highways Comments	TfL Comments
<p>Sydenham Villas 1 The A234 Crystal Palace Park Road is subject to a 30mph speed limit and is street lit.</p>	<ul style="list-style-type: none"> • Provision of new priority T-junction access to residential units • Provision of tactile paving on footway across access to 	-	<ul style="list-style-type: none"> • Whilst the swept path analysis shows that there will be no encroachment on the car parking spaces within the site, there will still be

	provide uncontrolled crossing		encroachment onto to the other side of the carriageway when a refuse vehicle enters and exits the site. As such, there is still potential of conflict between vehicles, therefore contrary to the Mayor's Vision Zero approach.
Sydenham Villas 2 The A234 Crystal Palace Park Road is subject to a 30mph speed limit and is street lit.	<ul style="list-style-type: none"> • Provision of new priority T-junction access to residential units • Provision of tactile paving on footway across access to provide uncontrolled crossing 	<ul style="list-style-type: none"> • If the movement will be left-in/left-out only, how can this be physically enforced? • Proposal accepted subject to detailed design and view of accesses 	-
Rockhills/Westwood Hill The A212 Westwood Hill is subject to a 20mph speed limit and is street lit.	<ul style="list-style-type: none"> • Provision of a new priority T-junction access to residential units • Provision of tactile paving on footway across accesses to provide uncontrolled crossings • Drawing 60553431-M1.013-SK011 details the scheme proposals. 	<ul style="list-style-type: none"> • Widening of the junction will result in more difficulty for pedestrians and cyclists crossing the road. The widening should not be excessively wide but enough to facilitate a coach 	<ul style="list-style-type: none"> • We would welcome further details to support the contention that protective measures are ruled out by carriageway width and the bus stop opposite. <p>AECOM response: <i>"Given the proximity to the crossings, it is considered unfeasible for orcas with wands to be placed prior to where the cycle route joins and these would not offer a particular safety benefit if started after the second vehicle crossover".</i></p>

Table 14: Proposed Residential Access works

6.6.18 The Highways Authority are satisfied with the various junction improvements proposed, subject to their detailed design being agreed. The carrying out of these works will therefore be conditional upon the applicant entering into S278 agreement or obtaining a highways license for the works.

6.6.19 The existing pedestrian and cycle routes throughout the park will also be retained and refurbished and additional connecting routes will be provided with clear wayfinding, lighting and comprehensive maps provided throughout

the Park. The proposals are considered acceptable, in principle, and would accord with policy 33 of the BLP and New London Plan policy T2, which requires development to support the ten Healthy Streets Indicators in line with Transport for London guidance, reduce dominance of vehicles on London's streets, and be permeable and well-connected to walking and cycling routes, as well as public transport.

6.6.20 It is essential that existing cycling routes are continued through the site. Therefore, securing a walking and cycling strategy for the park through an appropriate mechanism is considered appropriate. This will help to ensure that there is no loss in cycle routes and provide detail on how these routes will be maintained.

6.6.21 Accordingly, site-wide pedestrian and cycle strategy and Park management plan conditions are recommended.

Impact on Highways Network and Public Transport Infrastructure

6.6.22 The Proposed Development is intended to make the Park more attractive for visitors, provide new events space and secure the Park's long-term future. The Proposed Development will also give rise to a new residential population. The associated effects of the increase in the number of visitors and the new residential population are considered in the Environmental Statement accompanying the application. This is particularly pertinent in terms of travel to and from the Application Site.

Trip generation – permanent uses

6.6.23 The anticipated vehicular trip generation as a result of the proposed development suggests there will be an additional 33 two-way vehicle trips in the AM peak hour and 35 two-way vehicle trips in the PM peak hour. These trips will be spread across the site with the residential aspects located on the northern edge of the site, Capel Manor college to the south and the cultural venue in the west. For the nursery, these will be re-located trips from its current location, as opposed to new trips and are likely to take place outside of peak hours.

6.6.24 The anticipated public transport trip generation as a result of the proposed development suggests there will be an additional 48 two-way bus/coach trips and 73 two-way rail trips in the AM peak hour and 19 two-way bus/coach trips and 64 two-way rail trips in the PM peak hour. The impact on bus/coach corridors has been assessed for each land use during the network peak hours. The proposed development results in a maximum of one additional person per two buses and a maximum of three additional people per train service. Therefore, it is not considered that there would be a material impact on the local public transport network which warrants any further consideration.

6.6.25 Furthermore, the future operation of junctions where there are proposed changes have been modelled. The results indicate that during the 2026+

development scenario, these junctions will be likely to operate within capacity during the AM and PM peak hours.

6.6.26 Overall, the Council, as Highway Authority consider that the proposed permanent uses are unlikely to result in a significant impact on the surrounding highway network or public transport as the surrounding roads have sufficient waiting restrictions and a reasonable number of parking spaces are provided within the park. A condition restricting new residents and staff from obtaining parking permits in the CPZs (with the exception of Blue Badge Holders) has been recommended by TfL. The highway Authority have agreed, in principle, to implementing this restriction.

Trip Generation - Events

6.6.27 The TA also outlines the possible future events which could be held in the park, alongside the existing events. It concludes at para 5.2.18 that:

While the frequency of events may increase, it is understood that individual events would not be anticipated to have increased visitor numbers compared to existing events at the Park. As such, future events are not anticipated to result in a material increase in the maximum activity witnessed at the Park at present, and therefore have not been considered further as part of this analysis.

6.6.28 The application includes 563 temporary spaces for event days. However, LB Lewisham are concerned that the removal of 338 car parking spaces within the Park would result in a significant amount of overspill parking on an event day and no assessment of the potential impact of overspill parking upon the on-street parking conditions within LB Lewisham has been carried out. In addition, TfL have advised that a 'worse-case scenario' assessment should be undertaken to determine the impacts of events on the public transport and highway network and assist in identifying appropriate measures.

6.6.29 Subsequent to LB Lewisham and TfL's comments, the applicant has suggested a Framework Event Transport Management Plan (FETMP) could be secured as part of a pre-commencement condition. This would set out the key principles for the management of trips associated with events at the Park and thresholds for a requirement to produce a more detailed Event Transport Management Plan (EMTP) for individual events.

6.6.30 TfL will require this to be included within the S106, to ensure that, if required, payment for mitigatory measures i.e. extra staff at station, stewarding at vehicle accesses, more buses, can be received. The wording of the S106 must therefore be clear that the event organiser will be subject to pay any transport mitigatory measures deemed justifiable at the time.

6.6.31 TfL are happy to discuss the thresholds and criteria for when modelling is required. The Event Management Plan will also need to ensure that there is coordination between the Park and the National Sports Centre so as to avoid two large events taking place at the same time or arrivals for one overlapping with departures for another.

6.6.32 This approach is acceptable. The proposals would accord with policy 31d of the BLP which states that any new development likely to be a significant generator of travel will need to incorporate or contribute to improvements to the highway network, including traffic management measures; and policy 33 which requires a consideration of the potential impact on public transport services and their users and seeks the provision on and contributions to suitable infrastructure improvements on a case by case basis.

6.6.33 It is noted that the Capel Manor College proposals at the Anerley Hill site have been removed from the application. As such there would be no significant impact on the safeguarded Tramlink route discussed in policy 36 of the BLP.

Residential Parking

6.6.34 Paragraph 7.10.15 of the Planning Statement indicates the potential residential unit mix of the two sites. This includes 64 x 1 bedroom units, 144 x 2 bedroom units and 2 x 3 bedroom units. However, the Transport Assessment provides for the following mix of units:

Site	Residential Use – Market units				
	1	2	3	Total	
Rockhills	56	79	5	140	
Sydenham Villas	24	46	0	70	
TOTAL	80	125	5	210	

6.6.35 The PTAL rating for the park varies considerably and both Rockhills and Sydenham Villas would be sited in PTAL 3 locations. However, Rockhills immediately adjoins an area of PTAL 4 and Sydenham Villas is in close proximity to a PTAL 5 area.

6.6.36 The new London Plan sets out parking standards (Table 10.3) for different type of development including residential use. The maximum standards for PTAL 3 areas for outer London, are up to 0.75 spaces per unit (for 1-2 bed units) and 1 space per unit (for 3 bed+ units).

6.6.37 Bromley Local Plan policy 30 sets out the minimum and maximum parking standards for developments in PTAL 2 – 6a areas as follows:

- 0.7 (min – 1 (max) for 1-2 bed units
- 1 (min) – 1.5 (max) for 3 bed units

6.6.38 As the new London Plan policies do not set out minimum standards, this is one area where there is a distinct difference with the Local Plan. Taking into account the Bromley Local Plan standards the minimum total requirement across the two sites is 148.5 spaces. Taking into account the maximum standards in the Intend to Publish London Plan the maximum total requirement for these two sites is 158 spaces.

6.6.39 The proposal seeks to provide a total of 127 car parking spaces for the 210 homes, at a ratio of 0.6 spaces per unit. This is below the minimum standards in the Local Plan but does not exceed the maximum standards in the London Plan.

6.6.40 The applicant's trip generation assessment anticipates that, during the AM peak, only 27 vehicle trips will be made and only 22 will be made during the PM peak. With the relatively low vehicle movement, the proximity of the residential sites to PTAL 4 and 5 areas (and parts of the wider Park being in PTAL 6 areas) and the number of bus stops located on the Park's periphery, TfL have requested a reduction in residential car parking, in line with the London Plans' requirement for a strategic modal shift. Failing that, TfL have requested that a condition is imposed which stipulates that parking provision is up to 0.6 and that a parking review mechanism is included that should general parking spaces not be utilised within the residential element then it is removed i.e. changed to green space/children's play space.

6.6.41 At the same time, LB Lewisham have raised concerns over the potential for the residential proposals (particularly Rockhills) to significantly impact upon Lewisham's highways' and residents', and the lack of any assessment to determine the impact of the development upon parking capacity in the vicinity of the site.

6.6.42 The applicant maintains that, in order to promote sustainable modes of travel, a parking provision of 0.6 spaces per dwelling is appropriate. This is consistent with maximum residential car parking standard set out in the Publication London Plan and, given the relatively low trip generation, it is not considered that the proposed development will have a significant impact upon parking capacity in the vicinity of the site.

6.6.43 Furthermore, with the potential for expansion of / improvements to Crystal Palace Bus Station through securing a developer contribution and with the improved permeability through the Park as a result of the proposals, accessibility could improve. However, there are currently limited planned public transport improvements which would significantly boost the PTALs of the residential sites. It is therefore concluded that on balance, the proposed car parking provision is acceptable. A condition requiring a future review of the uptake of the residential car parking is recommended.

Accessible parking spaces

6.6.44 In line with London Plan policy T6.1, the proposed residential development should provide three per cent of dwellings with access to a designated disabled persons parking bay from the outset, with a Parking Design and Management Plan detailing how a further 7 per cent spaces could be provided, should demand arise, which should be secured at the planning stage.

6.6.45 Of the proposed 127 residential car parking spaces across the 2 sites, 14 are disabled persons parking spaces. This equates to 6.66% of dwellings having access to a disabled persons parking space from the outset. The distribution

of the disabled parking spaces at the two proposed residential development sites – 10 at Rockhills and 4 at Sydenham Villas – results in at least three percent of dwellings having access to a disabled persons parking space.

6.6.46 Given that the London Plan seeks the equivalent of 3 per cent provision at the outset and based on the low local Blue Badge holder rates (identified by TfL), TfL consider that the proposed provision of disabled persons' parking at the outset should be reduced accordingly. However, as layout is a reserved matter, the precise location and layout of the parking spaces will need to be assessed as part of a subsequent reserved matters application. Accordingly, it would be appropriate to condition, as part of any outline permission granted, that details of car parking design and management are submitted as part of a specific plan to be subsequently approved by the LPA.

Electric vehicle charging spaces

6.6.47 BLP policy 30 sets out a general requirement for developments to provide 1 in 5 car parking spaces with electric vehicle charging (EVC) points (both active and passive). Policy T6.1 of the London Plan requires 20% of the spaces to incorporate active EVC and the remaining 80% spaces to include passive provision.

6.6.48 The applicant is proposing 20% at Rockhills but only 19% at Sydenham Villas. This should be increased to 20% with the remaining 80% of spaces to include passive provision at both sites. Details of a policy-compliant level of electric vehicle charging spaces will need to be provided as part of the car park design and management plan.

Cycle Parking

6.6.49 The applicant will commit to the provision of 68 new cycle parking spaces (rather than the 54 previously proposed). This would take the overall provision within the planning application site to 125 cycle parking spaces, which could be secured by planning condition. A cycle parking strategy for the Park should be submitted to and approved by the council in advance of any reserved matters application being submitted.

6.6.50 A full Visitor Travel Plan will be prepared after completion of the Park regeneration works which will monitor cycle parking demand and supply increased provision, as required, up to 170 spaces within the red line boundary (an increase of approximately 200% on the current provision). TfL are against any cap on future cycle parking provision, however the applicant says that the Trust will promote active travel modes fully but for the purposes of budgeting, etc, there needs to be an identified cap on the level of cycle parking which they are required to provide. However, if additional funding is made available and the Travel Plan identifies demand for this (noting that the cap already represents a significant uplift compared to existing provision) then the Trust would consider increased provision.

6.6.51 The Visitor Travel Plan should be secured by condition. It is not considered necessary to include a cap and any future viability issues with regard to the provision of additional cycle parking spaces could be looked at as and when the need to provide additional spaces arises.

6.6.52 A condition should also be attached to any outline permission granted requiring the proposed residential and educational uses to provide cycle parking in line with policy T5 of the New London Plan, and for the design to accord with London Cycle Design Standards (LCDS).

Highways & transport S106 Contributions

6.6.53 In addition to the S106 contributions discussed above, TfL have requested a requirement within the S106/Heads of Terms for the developer to submit a proposal, in consultation with TfL, to the LPA for a cycle/electric bike cycle hire club run by a private operator within Crystal Palace. This proposal should then be implemented if demonstrated to be viable.

6.6.54 TfL have also sought S106 to safeguard space for up to 4 docking stations across the park, which have 30 docking points each. A S106 contribution towards the delivery of two of the docking stations (£500,000) is also sought by TfL. The S106 agreement will therefore need to include an obligation to pass the secured money to TfL. The applicant has not objected, in principle, to providing a contribution to cycle docking stations however, the final amount will need to be confirmed once the construction requirements, number of docking points and number of terminals are known.

6.6.55 With regard to the S106 contributions sought by LB Southwark, TfL have confirmed that they do not require a contribution towards bus service enhancements along the A212 Crystal Palace Parade/Westwood Hill and the Transport Assessment accompanying the application finds there is minimal justification for increased frequency of bus services. However, TfL consider that Southwark's comments place further emphasis on the importance of the bus station and the stops nearby. As such, a contribution towards improving the bus infrastructure at the station and along Crystal Palace Parade would be considered to be appropriate.

6.6.56 In regards to the road safety improvements requested for Fountain Drive (Southwark is the highway authority) and Sydenham Hill (Lewisham is the highway authority), it is useful to highlight that there has been a junction improvement scheme which encompasses the area between Westward Hill and College Road. This scheme prioritises pedestrians, cyclists and buses and provides easy access to Fountain Drive directly. Neither LB Bromley or TfL are the highway authority for the roads highlighted by Southwark, as such any improvements should be discussed between the applicant/developer and LB Southwark directly. The applicant has considered LB Southwark's request and, given that the improvements to A212 / Fountain Hill / Sydenham Hill have only recently been introduced, the development is not expected to generate large amounts of additional vehicular traffic through this junction, nor

is crossing the junction a key pedestrian desire line, improvements at this junction are not proposed.

6.6.57 While the Council does not currently have any projects planned for public realm improvements outside of the park, as part of any outline permission granted it would be entirely reasonable for the Council to secure a contribution towards a transport study for the possible introduction of a Controlled Parking Zone or pedestrian safety facilities in the area.

Delivery and Servicing/Construction Logistics/Construction Management

6.6.58 The delivery and servicing arrangements of the proposed residential areas must not impact on the safety and function of the adjoining SRN or bus operations. A number of mitigation measures are proposed to reduce the number of servicing and delivery movements associated with each element of the development. By co-ordinating deliveries for new tenants and encouraging off-peak residential deliveries, where possible, this will ensure the development contributes towards sustainable freight deliveries. A Delivery and Servicing Plan for each land use is required by condition. This should also include arrangements for delivery and servicing for temporary events (or alternatively this could be secured through a Framework Events Management plan).

6.6.59 A Construction Logistics Plan detailing the construction activities in each phase, providing detail on how pedestrian and cyclist movement through the park will be maintained and how public transport will not be impacted during construction should also be secured by condition.

6.6.60 A Construction and Environmental Management Plan will be prepared. This should be provided prior to the commencement of each phase of works, providing an overarching strategic framework for the management of environmental effects and the implementation of measures, prior to and during the demolition and construction phases, as set out in Appendix 14-A the Environmental Statement.

6.7 Green Infrastructure and Natural Environment

Unacceptable

6.7.1 London's green infrastructure is the network of parks, green spaces, gardens, woodlands, rivers and wetlands (as well as features such as street trees and green roofs) that is planned, designed and managed to:

- promote healthier living
- lessen the impacts of climate change
- improve air quality and water quality
- encourage walking and cycling
- store carbon
- improve biodiversity and ecological resilience

- 6.7.2 The London Plan, at Policy G1 states that London's network of green and open spaces, and green features in the built environment, should be protected and enhanced. Green infrastructure should be planned, designed and managed in an integrated way to achieve multiple benefits. Metropolitan Open Land plays a key role in London's green infrastructure.
- 6.7.3 Policy G5 provides that Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The inclusion of urban greening measures in new development will result in an increase in green cover and should be integral to planning the layout and design of new buildings and developments. This should be considered from the beginning of the design process.
- 6.7.4 An Urban Greening Factor (UGF) has been provided, which demonstrates that the proposed scheme would generate a site wide UGF score of 0.47. This would comprise many existing features including the ponds, woodland areas and amenity grasslands but also considers new areas of amenity grassland and flower rich perennial planting proposed, for example where the existing central car park would be removed and replaced by lawns and perennial planting areas. Planting improvements are also proposed on the Upper Italian Terraces and within the caravan club site.
- 6.7.5 Overall the site wide strategy is acceptable in principle but whilst the UGF score of 0.47 score would meet the Mayor's target for residential development, it is not particularly high for the overall Park setting. By comparison, semi-natural vegetation and wetland areas have a score of 1.0. In any case, it should not be aligned with biodiversity net gain or considered to offset the 5% loss of habitat in the Park.
- 6.7.6 Therefore, more detailed urban greening assessments and proposals for the residential and educational elements should be required as part of any reserved matters application(s). These would subsequently need to be secured by condition. Conditions are also recommended to require full details of the proposed landscaping improvements and proposed works to existing landscapes and trees.
- 6.7.7 The majority of the site is a Grade 1 Site of Importance for Nature Conservation (SINC). In accordance with Local plan policy 69 a development proposal that may significantly affect the nature conservation interest or value of a Site of Importance for Nature Conservation (SINC) will be permitted only:
- If it can be shown that the reasons for the development or benefits to the local community from the development outweigh the interest or value of the site, or
 - Any harm can be overcome by mitigating measures, secured through conditions or planning obligations.

6.7.8 The BLP is consistent with policy G6 of the London Plan which states that the following mitigation hierarchy should be applied to minimise development impacts:

- 1) avoid damaging the significant ecological features of the site
- 2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
- 3) deliver off-site compensation of better biodiversity value.

6.7.9 In accordance with BLP policy 70 where development proposals are otherwise acceptable, but cannot avoid damage to and/or loss of wildlife features, the Council will seek through planning obligations or conditions:

- Inclusion of suitable mitigation measures; and
- The creation, enhancement, and management of wildlife habitats and landscape features to contribute towards the Bromley Biodiversity Action Plan.

6.7.10 The Bromley Biodiversity Plan (2015-2020) endeavours to promote coordinated action for biodiversity at the local level. It recommends best practise guidelines for protecting and enhancing biodiversity in the borough and aims to sustain Bromley's local species and habitats for future generations, ensuring that a long-term strategy for conserving, protecting and enhancing biodiversity is in place (LBB: Bromley Biodiversity Plan 2015-2020).

6.7.11 Habitats and species in the Bromley Biodiversity Plan are a material consideration in the determination of planning applications. Planning permission will not be granted for development or change of use of land that will have an adverse effect on protected species, unless mitigating measures can be secured to facilitate survival, reduce disturbance or provide alternative habitats (BLP policy 72).

6.7.12 Biodiversity net gain is an approach to development that leaves biodiversity in a better state than before. This means that where biodiversity is lost as a result of a development, the compensation provided should be of an overall greater biodiversity value than that which is lost. This approach does not change the fact that losses should be avoided, and biodiversity offsetting is the option of last resort.

6.7.13 The NPPF, London Plan and Bromley Local Plan all outline the need to provide biodiversity net gain. The need to enhance biodiversity is a thread running through the Local Plan, from Policy 37(c) through to the 'open and natural space' policies (chapter 5.2) and the 'nature conservation' policies (chapter 5.3).

Protected Habitats and Species

6.7.14 The base of all legal wildlife protection in the UK is the Wildlife and Countryside Act 1981. All Wild bird species and their nests and all species of bats are protected under the Wildlife and Countryside Act 1981. In addition, the NERC Act 2006, section 41 states, The Secretary of State must [...] publish a list of the living organisms and types of habitat which [...] are of principal importance for the purpose of conserving biodiversity.

<http://www.legislation.gov.uk/ukpga/2006/16/section/41>.

6.7.15 The application is accompanied by an Environmental Statement (ES) which considers the potential impacts of the development on Ecology and Biodiversity. The ES was informed by the results of a number of baseline ecological surveys were undertaken in 2017, 2018 and 2019.

6.7.16 There are a number of habitats and priority species on the Site which are listed in the Bromley Biodiversity Plan. Those habitats relevant to the proposed development are ‘woodland’, wetland’ and ‘scrub’. Priority species listed in the Bromley Biodiversity Plan and relevant to the proposed development are birds, mammals (including bats), amphibians and reptiles and invertebrates.

6.7.17 A large area of scrub (and trees) in the western (highest) part of the Site (Character Area B) are to be cleared in order to lay a formalised garden and the new entrance from Crystal Palace Parade and the Phase 1 surveys confirmed that suitable habitat exists on the Site for breeding birds and bats. Further surveys for bats, including emergence surveys on Building E and R (within the Capel Manor Farm site) and an aerial tree climbing assessment of Tree 40, and breeding bird surveys were scheduled for 2020. However, according to the applicant, due to the Covid-19 pandemic, the surveys could not be undertaken, and they will now be carried out between March and September 2021.

6.7.18 Orpington Field Club and Bromley Biodiversity Partnership sub-group have highlighted the importance of scrub for migrating birds and consider that this should be taken into account in further survey work. The applicant has confirmed that migrating birds will be included within the scope of their breeding bird surveys.

6.7.19 Orpington Field Club and Bromley Biodiversity Partnership sub-group are also concerned about the loss of the ‘amenity grass’ which, they say, will lead to the loss of England red-listed strawberry clover (*Trifolium fragiferum*), as recorded in the area to the west of the concert bowl, and possibly other small rare plants. The applicant has confirmed this area of grass will remain, as shown in the application documents as forming part of Area H: English Landscapes, and not altered by the proposals.

6.7.20 The case of *Bagshaw v Wyre Borough Council [2014] EWHC 508* has highlighted the importance of ecological assessment surveys to establish the extent of threat to protected species before taking a planning application decision. Government Guidance also stresses the need for LPAs to consider

the full impact of a proposal on protected species before taking a decision on a planning application.

- 6.7.21 Whilst some mitigation is offered in the ES, until the results of the Phase 2 surveys are known it won't be possible to ascertain what mitigating measures will be required to overcome any harm to protected species as a result of this development.
- 6.7.22 Notwithstanding the lack of available information at this point, the applicant has submitted a Biodiversity Net Gain report which concludes an 11.85% net gain is achievable on the Site. As such it is anticipated that any required mitigation (as identified by impending results of the Phase 2 surveys) will be achievable elsewhere on the Site.
- 6.7.23 While this is not an approach recommended by planning practice guidance, it is suggested that in this case a detailed pre-commencement condition (triggered prior to the demolition of any buildings or clearance of scrub or trees and before the submission of any reserved matters application(s))requiring a programme of mitigation and enhancement measures (led by the survey results) could be used to make the application acceptable in planning terms. By including details of provision of new habitat and roosting opportunities to maximise biodiversity net gain, in this particular instance, this approach could be justified.
- 6.7.24 Should mitigation not be possible then the scheme may need to be subsequently amended (by way of a Section 73 application) in order to avoid damaging the significant ecological features of the site.
- 6.7.25 In terms of an overall biodiversity enhancement, at this outline stage, proposed measures are detailed in Chapter 4 of the Design and Access Statement. These enhancements have been used to inform the calculation of the Urban Greening Factor and the Biodiversity Net Gain (BNG) Calculation. These include regular surveys and monitoring of ecological features; promoting habitat diversity; undertaking tree and shrub clearance outside the bird nesting season (and subject to the presence of protected species); maintaining and enhancing wildlife corridors through Crystal Palace Park and linking to those outside the park; new trees, grassland and shrubs; SUDS features; green roofs and living walls on new buildings; and a10 Year Landscape Management and Maintenance Plan to be developed for all retained and new vegetation.
- 6.7.26 The landscaping and regeneration plans don't define the level of new planting proposed or make it clear how the linking habitats will be achieved, either within the park or to surrounding habitats as claimed. A biodiversity enhancement condition is therefore recommended requiring full details of the measures set out in the outline application, and how they will be incorporated into the Regeneration Plan.

Lighting

6.7.27 The application is accompanied by a Lighting Strategy (AECOM 2020) which sets out the overarching principles for proposed lighting of the Park. It recognises the sensitivity of those parts of the Site which support bats and breeding birds as well as some invertebrates around water bodies. This, it states, will influence the lighting strategy for the development.

6.7.28 The report confirms that introducing lighting in areas that are identified as sensitive should be avoided, where possible, and aimed away from the sensitive location when new light is unavoidable. Use of integrated optical control or aftermarket shields, hoods, cowls or louvres provide additional control over how light is distributed. Additionally, if lighting is required near light sensitive species, it is recommended to keep brightness consistent, or static, to prevent a continuously changing illuminated environment which could disturb species or their food source, such as insects. Light colour and spectral composition can also influence the quality of a habitat or foraging / commuting ground, and in sensitive locations it is recommended to use a light colour with restricted blue light component or UV filtering.

6.7.29 As the proposals are in outline form, further detailed design of the proposed lighting (with input from an ecologist) will be required as part of a planning condition.

Trees

6.7.30 At the National Level it is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) unless there are wholly exceptional reasons and a suitable compensation strategy exists. Footnote 58 provides examples being infrastructure projects “*where the public benefit would clearly outweigh the loss or deterioration of habitat) and a suitable compensation strategy exists*” (NPPF paragraph 175).

6.7.31 The standing advice, issued jointly by Natural England and the Forestry Commission, is a material consideration for planning decisions across England. It explains the definition of ancient woodland, its importance, ways to identify it and the policies that are relevant to it.

6.7.32 In accordance with London Plan policy G7 Development proposals should ensure that, wherever possible, existing trees of value are retained (Category A, B and lesser category trees where these are considered by the local planning authority to be of importance to amenity and biodiversity, as defined by BS 5837:2012). If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments.

6.7.33 Similarly, Bromley Local Plan policy 73 requires proposals for new development to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat,

are considered desirable to be retained. Tree preservation orders will be used to protect trees of environmental importance and visual amenity. When trees have to be felled, the Council will seek suitable replanting.

6.7.34 The application is accompanied by a tree survey, and arboriculture implications assessment in accordance with British Standard BS5837:2012 – trees in relation to construction. There is one tree in the red line Site boundary (in Area G: Cricket Ground) which is covered by a Tree Protection Order. Irrespective of this, all the trees in the Park are protected by virtue of them being in a conservation area. Policy 43 of the BLP states that development will not be permitted if it will damage or lead to the loss of one or more significant and/ or important trees in a conservation area, unless:

- a) Removal of the tree/s is necessary in the interest of good arboriculture practice, or
- b) The benefit of the development outweighs the amenity value of the tree/s.

6.7.35 In granting permission for the development, one or more appropriate replacement trees of a native species will be sought on site through the use of conditions or planning obligations.

6.7.36 Assessment of Tree impacts by Character Area:

Area A: Anerley Hill Edge

6.7.37 This character area includes three key access points to the park: Crystal Palace station; Anerley Hill and Norwood Gate; as well as several important historic remains.

6.7.38 The proposed access arrangement changes will require the loss of trees from Anerley Hill Entrance towards the National Sports Centre and the proposed walkway from Crystal Palace Station to the Anerley Hill entrance will require the loss of some significant trees.

6.7.39 Key trees proposed to be felled are as follows: T1, T2, T9 - T12, T51-52, T186, T340-346. The loss of these trees is avoidable, should the current route of access be utilised. To apply curves to the design, as per other thoroughfares in the park, could enable greater tree retention.

6.7.40 The detailed landscaping design is a reserved matter and, at this stage, the landscape design is illustrative. Therefore the applicant has agreed to revise the design of the paths to allow retention of the majority of these trees. However, T340 to T346 will need to be removed to provide a more level-gradient for access to the Italian Terraces and for the redesign of Anerley Hill junction. The Tree protection Plan has been updated accordingly. On the basis of the justification for improving accessibility from the station and from Anerley Hill, the loss of these trees is acceptable.

6.7.41 A significant number of trees and tree groups will also be removed to facilitate the repairs to the terraces and re-profiling of the ground. G37 is to be

removed to open up access from the south, T337 is to be removed to construct a new footpath on the regraded terrace embankment, T325 and T326 to be removed during regrading of embankment between the Upper and Lower Palace Terraces and the Upper Italian Terrace.

6.7.42 G37 is a group of semi-mature trees in a fair condition with an expected lifespan of 20+ years. Some B category trees in this area also appear to be retainable, including T310, T337. Birch trees T325 and T326 are prominent due to the gradient of the landscape.

6.7.43 Following concerns raised by the Council's Tree Officer T310 will be retained with adoption of method statement with no dig construction, to be secured by condition. The applicant has also provided further justification for loss of T337 and has confirmed the extent of removals in G45:

The southern embankment of the Lower Italian Terrace requires reprofiling to restore the terrace which previously was the location of the southern wing of Crystal Palace. T337 and G45 appear to have become established following the destruction of the palace. T337 will be removed to enable access onto the Lower Italian Terrace and the proposed stone steps which will provide access to the terrace. Half of G45 will be removed to allow for the terrace to be constructed.

6.7.44 Furthermore, with the removal of the Capel Manor College Anerley site, the majority of trees in this part of the site can now be retained.

6.7.45 The loss of the trees in this area is understandable, but replacement planting needs to be better understood on the terraces to consider mitigation efforts. This will need to be considered as part of the tree and landscaping proposals.

Area B: Palace Terraces and Area C: Italian Terrace

6.7.46 A number of trees and groups are proposed for removal due to remodelling of the ground to restore the embankments between the Upper and Lower Italian Terraces, to create a more natural gradient in the Transitional Landscape and to open up historic views from the terraces towards the Intermediate Lake and wider park.

6.7.47 G12, T215, T213 and G10 are all high category trees / groups which the Council has advised should be considered for retention. G12 in particular is a cohesive group of trees providing habitat value and general amenity which the Council consider should be retained. Trees T330 - T332 are also a cohesive group worthy of retention.

6.7.48 T213 is a Notable tree on the Ancient Tree Inventory. Notable trees as described by the Woodland Trust 'are usually mature trees which may stand out in the local environment because they are large in comparison with other trees around them. They don't have any obvious veteran characteristics but are usually worthy of recognition.'

6.7.49 The applicant has provided further supporting information in respect of T213. It is a notable tree located immediately adjacent to steps leading from the Upper Italian Terrace to the terrace running along the North Wing Wall. The steps form part of the Grade II Upper and Lower Terrace of the Crystal Palace Gardens (NHLE 1064352). The steps are derelict, partially due to ground disturbance resulting from tree roots. It is proposed to restore the steps and create a more formal terrace along the North Wing Wall to allow one of the few standing features of the palace to be exposed. Works to the steps are expected to severely impact the root zone of T213. The applicant's tree survey also notes that the tree is in poor condition suffering from '*Guignardia leaf blotch and leaf minor affecting physiological condition.*' T213 will therefore be removed as it is in poor condition and undermines a Grade II listed structure.

6.7.50 The applicant also explains that G12, T215 and T213 are all proposed to be removed due to remodelling of the ground to restore the embankments between the Upper and Lower Italian Terraces, to create a more natural gradient in the Transitional Landscape and to open up historic views from the terraces towards the Intermediate Lake and wider park. T330-332 are proposed for removal to minimise further erosion of the embankments and to open up views from the Upper Italian Terrace.

6.7.51 The applicant has subsequently revised the proposals to retain G12. The removal of trees causing direct damage to the listed built structure and the proposed losses required to restore the grade 2 listed terraces is deemed necessary to remove in line with the regeneration of the park. The remaining trees in this area appear to be justified removals due to their position on the listed terrace, having established since the 1930s. However, trees impacting the soft landscaping should be incorporated into the scheme.



Fig 26: Tree Protection Plan showing T213 (top left corner) and G12 (on right) (Source: AECOM)

Area D: Transitional Landscape and Area I: Paxton Axis

6.7.52 G10 is a row of semi-mature trees which appears to have been planted along the eastern edge of the sunken tarmacked overflow car and coach parking area constructed for the NSC. This car park is to be removed. The contours will be adjusted to remove the sunken area. The majority of the row of trees will be retained but approximately a third is to be removed to allow a more even gradient of the original designed landscape to be restored. The Council consider the loss of G10 is negligible.

6.7.53 The creation of the Paxton Axis is a key objective of the park regeneration that is supported. This is of historic relevance and will improve the connectivity of the park. The existing surfaces here are worn, dated and in need of modernisation. The main avenue of trees from the axis to Penge Gate, will be retained.

6.7.54 Concerns were raised by the Council's Tree officer over the felling of T338 (yew) and part of G4 (a potentially a significant London Plane). The applicant has said that T338 is to be removed to provide access to the terrace walls for restoration. It is close to the terrace walls and its retention would impact on the working area available to restore the walls. The works will include removal of soil which has built up against the walls which will also impact on the root protection area of the tree making it difficult to retain the tree.

6.7.55 The Council's Tree officer has inspected T338 (the yew) and considers its future retention unreasonable given the impact on the listed wall and how the tree would impede maintenance. As such no objections are raised to its removal. Only part of G4 is to be removed to construct a footpath. The route to be determined at detailed design and located to retain the London Plane. *The impact upon G4 is acceptable and can be covered within any forthcoming Arboricultural Method Statement (AMS).*

Area F: Tidal Lakes

6.7.56 Six veteran trees have been identified in the Capel Manor College Farm site. Two veteran trees were also identified to the east of the Maze and in the previous Capel Manor College Anerley site. All veteran trees are to be retained. The retention of veteran trees is to be secured by condition.

6.7.57 Natural England have not objected to the application, however they have referred the Local Planning Authority to their standing advice which requires a buffer zone around an ancient or veteran tree that is at least 15 times larger than the diameter of the tree. Consequently, the Woodland Trust have objected on the grounds that veteran trees have not been afforded a root protection area in line with Natural England's Standing Advice.

6.7.58 The applicant has subsequently clarified that there was an error in the labelling of the condition of some of the trees in their survey and all of the trees that are marked 'OV' for their life stage should read 'OM' (Tree beyond the normal life expectancy for the species). Furthermore, there is no 'OV' category. The Woodland Trust have acknowledged this change in Life Stage

Category for the trees marked OV to OM. Having said this, the applicants should ensure appropriate protection for any trees displaying veteran characteristics and that have the potential to become veteran trees given appropriate time and space to develop. Still of specific concern are T119b, T221 and T420 based on their considerable size and features.

6.7.59 The applicant has also provided an Arboricultural Method Statement (AMS). However, AMS supplied is generic and has not reflected the key issues associated with the proposals at Capel Manor College. It still shows proposed within the root protection areas of several veteran trees on Site. As such the Woodland Trust would like to maintain their objection to this application on this basis. All veteran trees should be afforded an un-encroached buffer zone in line with Natural England's Standing Advice.

6.7.60 Prior to determination a Tree Protection Plan outlining the proposed new structures/buildings and any potential incursion into RPAs is required. Pruning pressures should also be addressed. A pruning schedule should therefore be included, inclusive of facilitation pruning requirements. Despite a request from Officers for this information, at the time of writing, it has not been provided.

6.7.61 While there is scope, at the Reserved Matters application stage, to design the layout of the buildings to avoid impacting the RPZs of veteran trees, in the absence of this information upfront the development will, potentially, lead to the loss or deterioration of veteran trees.

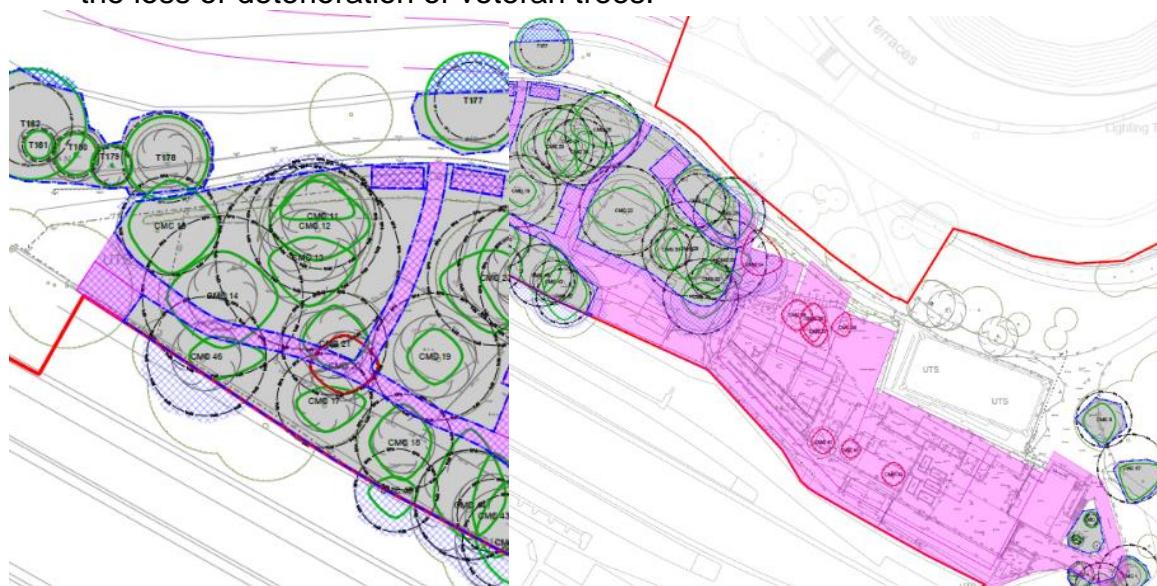


Fig 27: Tree protection plan – veteran trees at Capel Manor college site (source: AECOM)

Area G: Cricket Ground

6.7.62 A number of boundary trees along Crystal Palace Park Road will be removed to facilitate the proposed maintenance/training building and part of the Sydenham Villas development, including a mature sycamore.

6.7.63 Trees are prominent features in the local street scene along both approaches of Crystal Palace Park Road. Tree T523 is also a notable tree from outlooks

from within the park. The losses here would open up views into the site and would be detrimental to the local public domain. Following discussions with the Tree officer, the applicant has revised the proposed tree removals and a number of individual trees and tree groups are now shown as being retained, including T523 and G527 comprising two willow trees that are prominent features of the Park. However, due to the surrounding constraints, the current retention spans of many of the trees along the Park's edge are limited. As such, the Council considers that the loss of trees adjacent to the road is acceptable, subject to suitable replacement planting along the boundary to be secured by condition.

6.7.64 Sheet 11 of the Tree Protection Plan concerns tree removals around the proposed Sydenham Villas development. Trees T528, T529 and T533 are all noted as high amenity trees, worthy of retention. The two oak trees (T528 and T529) are prominent trees on the park periphery. The applicant has subsequently updated the proposals to include the retention of T528 and T533.

6.7.65 However, T529 will be lost as part of these proposals. The applicant states that the removal of T529 is essential to enable the proposed development on this part of the site and reducing the scale of the scheme to allow retention of this tree would, according to the applicant, make the project unviable.

6.7.66 Members may therefore consider that the benefit of the development, particularly the enabling development required to fund the restoration of the Park and its heritage assets, outweighs the amenity value of the tree/s. Subject to suitable replacement trees being secured as part of a condition, this aspect of the proposal may therefore be considered in accordance with development plan policy.



Fig 28: Updated Tree Protection Plan: Sydenham Villas (source: AECOM)

Area H: English Landscapes

6.7.67 A number of B category individuals and groups are proposed to be fell to accommodate the construction of the Rockhills development.

6.7.68 The current layout for the Rockhills development is illustrative however, it shows the retention of T552, a lime tree, within the building footprint. The design and layout is to be agreed at the detailed design stage and there is sufficient space to retain T552 in the layout. Method Statements for retaining trees should be conditioned.

6.7.69 The route of the footpath from the Grade II listed Rockhills Gatepiers is also shown to run through tree group G549, however, the exact route is to be determined and marked out on site at detailed design and positioned to avoid removal of trees within G549. This is acceptable.

6.7.70 The facilitation felling of trees within the Rockhills site can largely be mitigated through replacement planting along the boundary and within the Park. It should be noted that some of the trees are still early-mature ages and could be transplanted. An appraisal to this effect is required by condition.

Conclusions on Green Infrastructure and the Natural Environment

6.7.71 Planning policy requires the protection and enhancement of London's network of green and open spaces, including MOL. Habitats and trees of existing value should be retained, additional trees should be planted in new developments and development should leave biodiversity in a better state than before.

6.7.72 The applicant has demonstrated that a biodiversity net gain is achievable on the Site. However, in the absence of the Phase 2 survey results it is not possible to ascertain the full impact of the proposal on protected species. It is suggested that a condition can be imposed to secure a suitable package of mitigation measures once the potential impacts are known and by including details of provision of new habitat and roosting opportunities to maximise biodiversity net gain, in this particular instance, this approach could be justified.

6.7.73 Members will also need to consider the widespread loss of trees and the potential loss or deterioration of veteran trees and whether the "*wholly exceptional reasons*" test required by the NPPF has been met. In the event outline permission is granted, a suitable compensation strategy will have to be secured through conditions and/or S106.

6.7.74 As part of this, an assessment of overall tree removal and replacement planting so that there is no net loss should be carried out prior to the submission of any reserved matters application(s). This could be undertaken via a CAVAT or iTree evaluation as described in London Plan policy G7. However, as it is unlikely to be possible to replace those removed with trees of a similar size, the replacement tree planting is unlikely to reap the same environmental benefits (such as CO₂ uptake) as the mature trees being lost through this development. This is another consideration which will have to be factored into the overall planning balance.

6.7.75 Appropriate method statements to ensure the protection of all retained trees should also be secured by condition and addressed further at detailed design stage.

6.8 Energy and Sustainability

Acceptable

6.8.1 The new London Plan Policy SI2 – Minimising greenhouse gas emissions - states that Major development should be net zero-carbon, reducing greenhouse gas emissions in accordance with the energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

6.8.2 Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.

6.8.3 A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required – Of the 35% residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures.

6.8.4 Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
- 2) off-site provided that an alternative proposal is identified and delivery is certain.

6.8.5 Major development proposals should calculate and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations, i.e. unregulated emissions.

6.8.6 Development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.

6.8.7 Policies 123 and 124 of the 2019 Bromley Local Plan are consistent with the strategic aims of the London Plan energy policies.

6.8.8 In 2019, the London Borough of Bromley also approved a ten-year plan to ensure that the Council will have net zero emissions by 2029. The commitment is one of the most ambitious targets of any London borough.

Work to move towards the net zero emission target will include tree planting, an energy efficiency programme, expanding renewable energy and LED street lighting, and other initiatives.

- 6.8.9 The applicant submitted an Energy Statement (AECOM, January 2020) to demonstrate how all the elements of the application would address relevant London Plan Policy. Although the New London Plan was not adopted at this time, the strategy was to comply with the draft new Policies and GLA guidance (2018). The proposal as a whole aims to achieve the required 35% on-site reduction of carbon dioxide, with a minimum 10% from energy efficiency from the residential and 15% from other uses. A shortfall to zero carbon was calculated to be offset by a payment in lieu to the Council's carbon offsetting fund of approximately £500,000 (full calculation set out below), using the new London Plan price of £95 per tonne of carbon.
- 6.8.10 Addressing the “Be Lean” element of the Policy, the energy statement sets out indicative carbon savings from efficiency which are to be confirmed at Reserved Matters stage. It states that modelling of both the residential and non-residential buildings representative apartments suggests that it should be possible for the new homes on the site to exceed Part L 2013 through energy efficiency measures alone. Whilst there would be no active cooling in dwellings, in line with best practice, it is acknowledged that there could be a need for cooling measures in some of the non-residential. The approach to reducing overheating in accordance with Policy SI4 of the London Plan is discussed below. Across the site, the average reduction from energy efficiency measures is predicted to be 12%.
- 6.8.11 In order to satisfy the “Be Clean” element of the energy hierarchy, the applicant has investigated the possibility of connecting to an existing energy network, but it is confirmed that there is not suitable existing or planned infrastructure in the vicinity. Notwithstanding this, the applicant has committed to adopting strategies that will allow future heat network connection, possibly with the National Sports Centre. These will be worked into the final designs of the buildings at the reserved matters stage.
- 6.8.12 The GLA have also asked the applicant to further investigate a site-wide heat network supplied by a centralised energy centre which will connect to all apartments and non-domestic buildings, and provide drawings showing the route of the heat network on the Site. However, the applicant considered that, given the low density development relative to the pipework network connection lengths required, this is unlikely to be viable and this has not been proposed.
- 6.8.13 Instead, it is expected that heat will be generated centrally within each building which is likely to be an electric heat pump system. This technology is considered to be “renewable” and thus no savings are strictly from the “Be Clean” part of the hierarchy.
- 6.8.14 The energy statement goes through the potential renewable energy technologies (“Be Green”) that could be used to bring the carbon reduction to the minimum of 35% on-site. The majority of renewable technologies are

discounted but the use of PV (Photovoltaic) panels to produce electricity is considered feasible. Further details will be needed at Reserve Matters stage as to the availability of roof space – around 820 sq m would be required. It is assumed that air source heat pumps will fulfil all heat demands across the site. Together, the PV panels and heat pumps will give a reduction of an additional 23% of carbon dioxide.

6.8.15 The energy strategy commits to the production of a Whole Life Cycle Carbon Emissions assessment as required by the GLA as a referable application.

6.8.16 The applicant has confirmed the use of SAP 10 emission factors as per GLA guidance (October 2018). Indicative models have been used to determine the baseline SAP 10 carbon emissions. The reporting spreadsheets will be submitted with each subsequent detailed application confirming that the target reductions stated in this outline submission have been met or exceeded.

6.8.17 Whilst further details are to come, through Reserved Matters applications, the applicant commits to achieving the minimum on-site carbon reduction of 35%. In order to achieve the policy requirement of “zero carbon” it is agreed that a payment in lieu will be required to the Council’s carbon off-setting fund. As it stands, for this Outline application, the calculation is as follows:

- On site regulated carbon dioxide emissions (Building Regs 2013 Compliant Development) = 267 tCO₂ per annum
- Proposed on site reduction of carbon emissions from energy demand/CHP/renewables = 94 tCO₂ per annum
- On site shortfall = 173 tCO₂ per annum
- **Payment-in-lieu** amount calculated as 173 (tCO₂) x £95 (per tCO₂) x 30 (years) = **£493,050**

6.8.18 The energy strategy acknowledges the requirement for monitoring and reporting on carbon performance, as required by the “Be Seen” element of the policy and states that metering will be included in all buildings. At Reserved Matters stage the reporting requirements should be secured through a s106 agreement in which responsibilities should be clearly set out. Information should be submitted to clarify who (e.g. developer, building owner, landlord or occupier) will be responsible for the post-construction annual reporting, when the reporting will begin and how it will be achieved.

6.8.19 To secure the commitment set out in the energy strategy for the Outline application, and also allow flexibility for forthcoming Reserved Matters applications, it is suggested that a negatively worded pre-commencement condition be added, requiring the full updated energy assessment to be submitted prior to each phase. It would require a minimum 35% in accordance with the London Plan hierarchy and it would include a requirement to pay a calculated off-setting payment upon commencement of the development (by entering into S106 or transfer of funds if council is developer).

6.8.20 The reserved matters would be submitted in advance of the pre-commencement conditions so once the building designs are known in detail this can be factored into the submission of the energy condition at pre-commencement stage

6.8.21 London Plan Policy SI4 – Managing heat risk – sets out expectations for developments to minimise adverse impacts on the urban heat island, reduce internal overheating and reduce the need for air conditioning through their design, layout, orientation, materials and the use of green infrastructure.

6.8.22 Major developments should include information in their energy strategy as to how they propose to meet policy requirements in accordance with the cooling hierarchy:

- 1) reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure
- 2) minimise internal heat generation through energy efficient design
- 3) manage the heat within the building through exposed internal thermal mass and high ceilings
- 4) provide passive ventilation
- 5) provide mechanical ventilation
- 6) provide active cooling systems.

6.8.23 The energy strategy submitted with the application (AECOM, January 2020) includes a chapter on how the proposal will address Policy SI4. It acknowledges that, as an Outline application, there are limits to the information that can be provided at this point – it is not possible to undertake a full overheating analysis. It does commit to modelling on Reserved Matter applications and sets out a general strategy in line with the London Plan cooling hierarchy. It acknowledges the link with noise and location (of dwellings in particular) when passive ventilation (opening windows) is the preference.

6.8.24 In response to comments from the GLA the applicant has provided an overheating checklist based on information that is available, to help identify potential site-specific risks. As described in the Energy Strategy, the applicant will undertake a Dynamic Overheating Analysis to assess the overheating risk at detailed/reserved matters design stage.

6.8.25 It has been stated by the applicant that there may be issues with openable windows due to associated noise and air quality concerns. Given some of the building proximities to busy roads, the applicant anticipates that surveys completed as part of the detailed design process will identify limitations of natural ventilation for some areas. This will be considered in the development of the designs and natural ventilation solutions will be prioritised informing building layout and facade designs. It should be noted that mechanical cooling is not supported by the GLA.

6.9 Environmental Health - Air Quality, Noise & vibration and Land Contamination

Acceptable

Air Quality

- 6.9.1 The site lies wholly within an Air Quality Management Area (AQMA) declared in 2007 for NOx where increased exposure to existing poor air quality should be minimised by avoiding introduction of potentially new sensitive receptors in such locations: particular attention should be paid to development proposals such as housing in this respect (para.7.51, London Plan).
- 6.9.3 The development will result in the creation of new-build dwellings in an area of existing poor air quality. The development will therefore need to ensure that appropriate measures are in place to minimise/prevent emissions to air, and to safeguard future occupiers (e.g. through layout and ventilation design).
- 6.9.4 In order to be at least 'air quality neutral' and not lead to further deterioration of existing poor air quality, the AQA has proceeded on the basis that there will be no building emissions element at all, and recommends that there be no on-site centralised combustion plant and that a separate communal energy system will use ground & air source heat pumps. Commentary goes further, recommending the elimination of gas combustion for heating and hot water, although accepts there may be demand for the use of gas cooking in catering elements of the development.
- 6.9.5 In order for the assumptions, findings and projections of the AQA to be relied upon, it will be necessary for the development to proceed on the above basis through the attachment of suitably worded conditions to any permission that may be granted. As the impacts of commercial gas cooking have not been accounted for within the AQA, any restriction on energy supply and use should be extended to include commercial catering as well.
- 6.9.6 The traffic emissions element of the AQA uses ADMS modelling and associated data for comparison against the Transport Emissions Benchmark (TEB). This approach based on the information available at the time of the report is considered reasonable.
- 6.9.7 As part of the AQA, localised diffusion tube monitoring has been carried out for the 3 months January – March 2018. While this is a typical period of short-term monitoring for studies of this nature, it is the minimum period recommended as short duration studies can miss longer term (annual) trends. The monitoring locations were situated so as to form a perimeter around the development site with tubes being located in a position approximating to the where the new residential accommodation is proposed. The results are used in comparison with the Council's own NOx tube data as reported in its Air Quality Annual Summary Review (ASR) for 2018. At the time the report was written, this was the most up to date ASR available:

- i) The ASR for 2019 has subsequently been published. The Annual Mean NO₂ Ratified and Bias-adjusted Monitoring Results for Anerley Hill and Anerley Road both increased slightly to 42.5 & 36.4 µgm-3 respectively which, in the case of Anerley Hill, was sufficient to exceed the NO₂ annual mean Air Quality Objective of 40 µgm.
 - ii) In addition to this increase in measured annual mean concentrations of NO₂, concerns have been raised about the amount of displaced traffic being routed into the road network around the borough boundary as a result of traffic calming measures installed in neighbouring boroughs (as reported in both local and national media) and central London. As this is a relatively recent occurrence, it is not known at this stage when, or if, this issue will be resolved.
 - iii) While air pollution levels rise and fall continuously, and for which there has previously been a downward trend for NO₂, more recent air quality data for 2019 has shown that NO₂ levels have risen, not fallen, contrary to the model's assumptions.
- 6.9.8 With regard to point iii the applicant has confirmed that increasing local NO₂ concentrations will not affect the modelling. The adjustment factor is based on comparing real data to predicted data, thus the monitoring needs to be for the same year as the traffic data. As such the approach would not change. If concentrations are marginally higher than predicted it is unlikely to affect the conclusions of the assessment as the magnitude of change would remain the same.
- 6.9.10 The roads for which data was used in the model are highlighted in blue in Fig 5.1 in Part 2 of the AQA. The highlighted roads appear to be those most likely to contribute to traffic related NOx. Railway infrastructure is present at a similar distance and in some cases closer to the development site boundary than some of the roads used in the model. While NOx and particulate emissions are only likely to be associated with diesel engine trains, rolling stock/permanent way interactions may also give rise to particulate emissions the applicant has clarified that Rail emissions are not included in the AQA as they are not being affected by the development. Rail emissions are accounted for in the background concentrations and in the monitoring (and therefore model adjustment).
- 6.9.11 In response to the outcome of the dust risk assessment, dust mitigation measures are listed in detail in section 5.7 (Table 5-20) of the AQA. If the predicted dust impacts within the AQA are to be realised, it will be necessary to ensure that all of these control measures are implemented. This may be achieved directly through the attachment of a suitably worded condition to any permission that may be granted, or through incorporation of all of the control measures within the Construction and Environment Management Plan (CEMP) for the development.
- 6.9.12 The introduction to the AQA makes specific reference to including emissions from NonRoad Mobile Machinery (NRMM) that will be associated with the development. NRMM receives one further mention in Table 5-16 within section 5.7 of the AQA but is not otherwise considered in detail by the AQA.

Controls over the operation and use of NRMM can be achieved directly by way of a specifically worded condition of any permission that may be granted, or through control measures detailed within the CEMP for this development.

Summary

6.9.13 The AQA appears to have followed well established approaches in its assessment and, based on the data available at the time of the report and considered by the model, has concluded that air quality impacts are not significant. Post development emission impacts are reported likely to be negligible, and traffic impacts are indicated as being likely to decrease, not increase, and that as a result the proposed development meets the criteria for being Air Quality Neutral. This does however rely on a range of controls and mitigation measures being put into effect. It will be necessary for the assumptions, controls, and mitigations to be given effect e.g. by way of attachment of suitably worded conditions to any permission that may be granted in order to ensure that the predictions within the AQA will be realised.

Noise & Vibration

6.9.14 The EIA uses recognised noise modelling software for the purposes of predicting future likely noise impacts both in the absence and presence of any development. The model is acknowledged as being a guide to likely future noise impacts, rather than a definitive prediction as some future noise sources have yet to be finalised.

6.9.15 The noise measurements were carried out in mid-November. While confirmed as being typical measurements, they will be typical for the time of year. Use of Crystal Palace Park and the various facilities within it will vary throughout the year, with greater use of open/outdoor areas being more likely during the summer months. Noise from park activities and associated road traffic is therefore likely to vary over the course of the year and consequently the modelled predictions may not reflect all potential future use noise impacts.

6.9.16 A rail impact assessment has not been carried out as agreed during the scoping agreement for the EIA. The assessment has, however, assumed a +2dB increase in ambient noise for the east of the development site to account for future increases in rail traffic.

6.9.17 The post development future operating noise arising from road traffic are predicted to be +0.1 LAeq,T, a level of change that will be imperceptible and is rated as having an impact that is negligible.

6.9.18 The applicant has clarified there is an error (typo) in the Appendix with the correct levels presented in Table 9-15 of the ES. Analysis of measured noise data from LT1 and LT2 was updated on review of the Appendix, but the summary of results presented in the appendix was not updated. The correct results for noise measurements at LT1 and LT2, as presented in the ES, were used for the assessment.

6.9.19 The EIA includes commentary on the likely noise levels that future dwellings will be exposed to and identifies indicative mitigation works based on the modelled data that would be necessary in order to ensure that the internal noise levels recommended in BS 8233 can be achieved. The EIA accepts that in order for the necessary levels of noise reduction to be achieved, the design options for façade finishes and treatments will be limited. Given the nature and extent of acoustic double glazing indicated, it is likely that glazing fronting on to heavily trafficked roads will need to be fixed, and that the proposed dwellings will need to have acoustic ventilation options (passive or active) incorporated into their design. Given the extent to which acoustic glazing options are relied upon to deliver acceptable internal noise levels, the design and construction of the proposed dwellings will also need to ensure that acoustic protection is provided against all noise break-in routes into the dwellings (e.g. via internal layout; window frame construction; services or ducts in the facades; roof construction, etc.). The EIA accepts that it may prove difficult for the recommended internal noise levels to be achieved in all cases, and that achieving the recommended noise levels for external amenity areas will be challenging and may not be possible in all cases.

6.9.20 Noise from mechanical plant and equipment is addressed in more general terms as no building services designs have been finalised yet. The EIA suggests a target level of 5dB below background over a 15-minute time averaging period and confirms that noise from plant and equipment serving commercial uses would need to be subject to assessment and rating in accordance with BS 4142. Building services noise and BS 4142 rated noise levels are normally expected to achieve 10dB below ambient noise levels in order to minimise the likelihood of background noise level creep.

6.9.21 The EIA predicts widely varying demolition and construction noise and vibration impacts, from low to significant, and recommends minimising and mitigating construction related noise through the use of a detailed CEMP. The EIA recommends that a CEMP adopts a site boundary noise level limit of 75 dB LAeq,T based on an urban categorisation for the development site. While this may be challenging in some cases, due to the proximity of noise sensitive receivers to development works where construction noise arises from within the park and impacts on park facing facades, the impacted buildings will act as barriers against road traffic noise. In these cases, the locality may be better described as “urban areas away from main road traffic” and for which a boundary noise level limit of 70 dB LAeq,T may be more appropriate.

Summary

6.9.22 This chapter of the EIA covers a wide range of potential noise sources, receivers, and impacts. The environmental noise measurements are, of necessity, over a short period of time and while considered representative of ambient noise levels at the time the measurements were carried out, will not necessarily reflect the wider range of ambient noise levels associated with the site over the course of a year. As a result of various uncertainties, the EIA confirms that the predictive noise model should be viewed as a guide only. However, the EIA confirms it should be possible to design an engineering solution to high levels of external noise and provides further modelling to

identify the likely sound resistance required by windows in the proposed dwellings. It also indicates likely construction requirements. While windows are normally the acoustically weakest part of a building envelope, consideration will need to be given to the acoustic aspects of the design of the dwellings as a whole, including any amenity areas.

6.9.23 All aspects of the design, including acoustic mitigation works and ventilation requirements should be reserved, and post construction testing to demonstrate attainment of the target internal noise levels is recommended where this would not normally be carried out to comply with other statutory requirements (e.g. Building Regulations).

6.9.24 Given the outline nature of the proposal, details of extract ventilation, and other plant and equipment for both the dwellings and the commercial components of the development remain unknown. This is not unusual for large developments and residential amenity is usually safeguarded by attachment of a suitable condition to any permission that may be granted.

6.9.25 The most significant noise impact will be a temporary one, albeit of extended duration – that of construction noise. The EIA refers to the use of a CEMP to control construction noise impacts which is referred to in absolute terms in section 9.5.3. This reflects the expectations for the project in the scoping agreement (Table 9-13, section 9.3.55).

Land Contamination

6.9.26 The information referred to and contained within the assessment is generally consistent with information available to the Council's Environmental Health Service. The assessment is a Phase I desk study only; recommends further intrusive investigation to validate the conceptual site model but does not provide details of an intrusive investigation strategy. The Phase I desk study has identified made ground over large areas of the development site and, given the broad nature of activities carried out on site and in close proximity to the site boundary, has also identified a range of contaminants that have been found in previous investigations or may reasonably be expected to be present because of historical land uses.

6.9.27 The Conceptual Site Model does not provide details of mitigation measures to be used to reduce risks to a negligible level as mitigation measures will need to be designed to specifically address the findings of the recommended intrusive site investigation. The assessment indicates likely control measures could include removal and disposal of areas of 'hot spot' contamination, and that building design could incorporate vapour membranes or chemically resistant foundations where required. Again, the specific control measures would be tailored to the findings of the recommended intrusive investigation. Part of the control measures recommended include ensuring appropriate environmental protection measures are put in place during the development process through the project's CEMP.

6.9.28 The development is currently proposed in four phases. It is not unusual for large developments to be carried out in this manner as the phasing will allow more detailed localised plans and control measures to be drawn up and implemented. In this case, it would allow for a more detailed assessment to be made of contamination risks local to each phase and for appropriate control measures to be tailored to any risks found to be present.

Summary

6.9.29 The assessment's approach is considered reasonable for the nature of the development and its findings and recommendations are not unexpected. The recommendations made appear consistent with good practice and expect the development process to result in negligible risks to end users. The phased development approach will allow more detailed assessments of localised areas to be more easily carried out and suitable mitigation measures to be designed and delivered. In order to ensure that the assessment remains valid and that the development proceeds in accordance with the assessment recommendations, it will be necessary to attach the conditions for contaminated land assessment and for a CEMP to any permission that may be granted.

6.10 Flooding and Drainage

Acceptable

- 6.10.1 Development Plan Policy requires all developments to incorporate Sustainable Urban Drainage Systems (SUDS) or demonstrate alternative sustainable approaches to the management of surface water as far as possible. Development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 6.10.2 Drainage should be designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.
- 6.10.3 The site is in Flood Zone 1 and the surface water flood risk is generally low, although there are medium and high risk areas. However, there are drainage issues across the park, particularly on pedestrian pathways around the lower lakes.
- 6.10.4 The applicant states there is currently very little information on the existing drainage network within the site, and that waterlogged conditions were observed during site visits. This was one of the motivations for proposing a further reduction of runoff from unaffected areas as part of the drainage strategy, as it was uncertain whether the existing network was coping with these in an acceptable manner.
- 6.10.5 The surface water drainage strategy provides an assessment of the existing runoff rates and the attenuation storage required to restrict the 100 year (plus 40% climate change) post-development discharge rate for new impervious

areas to Greenfield rate. The discharge rates for existing impervious areas would be reduced by 50% from existing situation.

6.10.6 The drainage strategy proposes a range of Sustainable urban drainage (SuDs) measures, in line with the London Plan drainage hierarchy. This would make use two attenuation ponds, but also include rain gardens, swales and the use of storage attenuation tanks where necessary, for example, with parking areas incorporating permeable paving and attenuation tanks to control run-off rates. Of the total attenuation volume required (7,850 cubic metres), the majority would be met by the two existing ponds (approximately 60%), with storage tanks provided to address the remaining capacity required.

6.10.7 In relation to the assessment of storage capacity of the lakes, limited information about the existing park features was available at this outline stage in the design. The Drainage Strategy proposes two overspill/weirs from attenuation pond P1 (by the Concert Platform):

- 1- discharge into the Intermediate Lake via a hydrobrake,
- 2- discharge to the local sewer under Orchard Grove via a combination of hydrobrake, swale and attenuation tank features.

6.10.8 There is a clear caveat on the drawings accompanying the Drainage Strategy, as well as within the report (Section 8) stating that the discharge into the lake (1 – above) would “*require further assessment of the current connectivity and hydrology of these waterbodies in order to avoid any increase in flood risk.*” This assessment will be undertaken as part of detailed design as part of reserved matters submissions, subject to grant of outline planning permission.

6.10.9 In relation to the detailed comments raised by the Angling Club, more detailed assessment and design will be undertaken as part of detailed design, subject to grant of outline planning permission. During this phase, consideration will be given to the outlined suggestions. Greater park historic information will be sought to inform the refined design and endeavour to remain in keeping with the park’s original features whilst improving the current drainage issues.

6.10.10 The Angling Club raised a specific query in relation to swale design. In response the applicant states that the area of the park south-east of the Italian Terraces will be re-contoured as part of the proposed works (see Drawing 60553431_DWG_ZZ_005 Topography Proposed). The swale design will be combined with this re-grading and is proposed to eventually discharge into the local surface water sewer under Orchard Grove, which has an invert level of 59.84mAOD (source: Thames Water sewer records).

6.10.11 This overall approach which demonstrates a reduction in surface water run-off to greenfield rate, is acceptable. Further detailed drainage strategies (both site wide and by phase) should be submitted and approved as part of a planning condition.

6.11 S106 Planning Obligations and CIL

6.11.1 As developer responsible for the delivery of the Regeneration Scheme, the London Borough of Bromley (as applicant) envisages entering into the following obligations should permission be granted:

- Restrictions on use of capital receipts from the enabling development such that they can only be used to deliver the Regeneration Scheme
- Restrictions on the timing of residential development until the appropriate Regeneration Scheme works have been delivered
- Highways improvements
- Use of community facility at Rockhills
- Employment and training initiatives
- Residential Travel Plan
- Non-residential Travel Plan
- Financial contribution to healthcare facilities
- Financial contribution to education facilities
- Financial contribution for planning obligation monitoring
- Financial contribution for legal services

6.11.2 Through consultation with third parties and as identified in this report, the LPA has identified the following Heads of Term (HoT) which it considers necessary to make the development acceptable overall. These are summarised as:

- Phasing Plan linked to the timing and delivery of the enabling works and the heritage works
- Affordable Housing – 24 onsite units
- Affordable housing and viability review mechanisms
- Re-provision of St John's Ambulance accommodation
- Financial contribution to health infrastructure: £329,613.00
- Financial contribution to education infrastructure: £487,021.57
- Financial contribution to carbon off-setting projects: £493,050.00
- Financial contribution towards 2 cycle docking stations: £500,000
- Highways contribution towards a transport study for possible introduction of a CPZ or pedestrian safety facilities in the area: £5000
- Financial contribution towards bus stops and bus shelter enhancements around the perimeter of the park: £100,000
- Framework Events Transport Management Plan
- Agreement with private cycle / electric bike hire club to operate in the Park
- Safeguarding space for 4 cycle docking stations
- Obligation monitoring fees: £10,000

6.11.3 A complete list of the proposed HoT is attached at Table 11. These obligations meet the statutory tests set out in Government guidance, i.e. they are necessary, directly related to the development and are fairly and reasonably related in scale and kind to the development. These are considered necessary to make the development acceptable in planning terms.

6.11.4 The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

6.11.5 The Council's has published a draft charging schedule. Following the examiner's report on the draft charging schedule, the Bromley CIL charging schedule can be adopted pending approval by Full Council. At this stage, it is envisaged that a report recommending adoption will be taken to the Full Council meeting in the coming weeks. The actual date of adoption (when we will start charging CIL) is still to be confirmed but is expected to be around 8 weeks after Full Council approval is received. The CIL charge, if adopted, will encompass some of the financial contributions identified in this report.

6.11.6 The Mayor of London's CIL will continue to be payable alongside the Local CIL once it has been adopted.

7. ENVIRONMENTAL IMPACT ASSESSMENT

- 7.1 The relevant regulations are Directive 2014/52/EU of the European Parliament and the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (the Regulations). Guidance on procedures under the Regulations is set out within the Planning Practice Guidance.
- 7.2 The objective of the EIA is to identify any likely significant effects that may arise from the Proposed Development and to identify measures to prevent, reduce or offset any adverse effects and to enhance any beneficial effects. During the EIA process for the Proposed Development, opportunities and management measures have been identified and incorporated within the development proposals to prevent or reduce any adverse effects and to enable for sustainable design and construction principles to be embedded within the Proposed Development.
- 7.3 The ES explains the methodology undertaken for carrying out the EIA; discusses Alternatives and Design Evolution and considers the following environmental impacts of the Proposed Development: Air Quality; Cultural Heritage; Ecology and Biodiversity; Ground Conditions; Noise and Vibration; Socio-Economics; townscape & Visual Impact Assessment and Traffic and Transport. In addition, the ES considers the cumulative and residual effects of the Proposed Development.
- 7.4 This information has been taken into account in the determination of the planning application. As required, third party representations have been taken into account and where points have been raised, they have been worked into the substance of the report where appropriate. Where the ES concludes that mitigation is necessary this is appropriately secured by condition or S106.
- 7.5 An overview and the main findings and conclusions of each chapter, where applicable, is provided below:

Chapter 1: Introduction

- 7.6 This explains the purpose of ES, gives the planning background of the application Site and outlines the process for undertaking EIA.

Chapter 2: EIA Methodology

- 7.7 The environmental effects of the Proposed Development have been assessed both during construction and once the Proposed Development is complete and occupied. There is some uncertainty over the exact construction phasing as a contractor has yet to be appointed, however, it is assumed that the construction programme for the Proposed Development will run from 2021 to 2026 with the peak year of construction activity in 2022.
- 7.8 The ES considers the duration and geographic scale of the effects. Where significant effects are likely to occur, additional measures are proposed to reduce effects where practicable. Any effects that remain, once these measures are taken into account, are reported as ‘residual effects’. ‘significant’ effects are considered to be those effects which represent key factors or material influences in the decision-making process. The beneficial effects are also reported in the ES to ensure the benefits arising from the proposed development are realised and the balance of issues is understood.
- 7.9 This Chapter provides limited explanation of what scheme parameters the assessment work has been based on, with reference to the fact that it is an outline planning application and thus EIA case law precedents should be taken into account. By convention, EIAs for outline planning applications should identify and demonstrate how they have assessed the reasonable worse-case impacts of the development.
- 7.10 Following the Regulation 25 request a revised chapter was submitted providing additional information in relation to the basis of the assessment and worst case assumptions. No further information is deemed necessary.

Chapter 3: Alternatives and Design Evolution

- 7.11 The alternatives to the Proposed Development that have been considered by the Applicant include:
- The ‘No Development’ / ‘Do Nothing’ Alternative;
 - Alternative Sites; and
 - Alternative Designs.

The ‘No Development’ Alternative

- 7.12 The ‘No Development’ Alternative refers to the option of leaving the Site in its current state. For the Park, this assumes the continuation of the current management. The ES finds that this would result in several negative effects, including the loss of opportunity to improve the amount and quality of public spaces; the historic landscape and listed buildings; and pedestrian permeability and safety in the Park.

- 7.13 For Capel Manor College, this would involve leaving Capel Manor College in its current state which the ES states would leave it unable to deliver its education function at Crystal Palace. However, the ES also notes that Capel Manor College will continue to use the Jubilee Stand, which is part of the NSC, as they do presently.

Alternative Sites

- 7.14 Nine alternative sites for the residential developments within the Park were identified. Some of these alternative sites were originally considered in the 2007, with further alternative sites considered from 2016 to 2018. All nine alternative sites were located on the periphery of the Park, with easy access from adjacent roads and potential capacity to integrate with existing residential developments.
- 7.15 The two locations selected are Rockhills and Sydenham Villas. The justification for this being that both locations have been previously developed and provide an opportunity to restore the line of villas that enclosed the Park from the 1870s to the 1950s. These locations are also deemed to have fewer development concerns, as the ground surface is relatively level at these locations, there are surrounding mature trees and shrubs to integrate them into the Park, and there are existing vehicle access points.
- 7.16 Alternative sites for Capel Manor College within Crystal Palace Park, the wider Crystal Palace area and the south of London were also investigated, however, the existing Farm (and Anerley Hill sites) were considered to be the most suitable for a range of factors, including greater chance of securing planning permission, more secure long-term tenure, safe and easy public transport access and sufficient outdoor space.

Alternative Designs

- 7.17 A number of alternative designs have been considered during the evolution of the Proposed Development, which has included the development of a Masterplan in 2007 and an option appraisal of six options as part of the development of the regeneration plan in 2016 to 2017. Throughout this design process, there has been frequent consultation with the LBB and other statutory and non-statutory stakeholders, including a comprehensive community engagement programme.
- 7.18 The alternative designs allowed stakeholders to comment on what they felt best achieved the aims of the regeneration project. Those aims included re-establish the national and international significance of the Park through repairing infrastructure, conserving and restoring the historical assets, reconnecting the central walk and Paxton Axis through the Park, and restoring the architectural presence and grandeur of the Italian Terraces.
- 7.19 The Council considers that this Chapter would have benefitted from some additional information and figures to illustrate the evolution of the design of the built development. For example, no alternative development layouts have been discussed for the Rockhills or college development. If no other massing

layouts were explored this should have been explicitly stated. Notwithstanding these comments, the revised chapter is considered to meet the minimum requirements of the EIA Regulations.

Chapter 4: The Proposed Development

- 7.20 This chapter discusses the key components of the Proposed Development: the Landscaping works (including the conservation and repair of heritage assets), the residential development including the construction of 210 residential dwellings, the three-storey cultural venue and the two storey community centre, and the redevelopment and extension of Capel Manor College campus in the Park.
- 7.21 The scheme amendments (Sep 2020) proposed includes minor design changes that respond to stakeholder comments. There are no additional works required outside of the red line boundary or requiring an extension of the boundary. The alterations proposed therefore do not materially affect this chapter of the January 2020 ES.

Chapter 5: Air Quality

- 7.22 The air quality assessment considers the potential for the Proposed Development to generate dust during the demolition and construction phase, as well as the potential air quality impacts of additional road traffic generated by the Proposed Development once complete and operational. Where necessary, mitigation measures are proposed to reduce air quality impacts.
- 7.23 With regard to the further clarifications sought by the Council, the modelling scenarios listed in paragraph 5.3.11 of ES Volume I Chapter 5: Air Quality do not include a peak construction year. This is because an assessment of construction road traffic emissions was scoped out of the assessment. The justification for this is that the maximum increase in traffic due to construction is 56 AADT (with 40 HDV). While this is above the IAQM screening criteria for developments in AQMAs, it must be acknowledged that the construction phase is temporary. The IAQM guidance does not specifically state that the screening criteria should be used for construction phase assessments, and in fact refers back to previous guidance where the screening criteria is 200 AADT. The construction traffic estimated for the Proposed Development is well below this level and therefore an assessment of construction road traffic emissions was been scoped out on this basis.
- 7.24 Although a quantitative assessment of construction traffic road emissions was scoped out of the assessment, a qualitative construction dust risk assessment has been undertaken and is included in ES Volume I Chapter 5: Air Quality. The construction dust risk assessment has accounted for the expected number of HDV movements during the peak construction period (assumed to be 2022) in the assessment of dust impacts arising from vehicle ‘track out’. The construction dust risk assessment conservatively assumes that all receptors are of “high” sensitivity. As such, the highest level of mitigation

measures are recommended for implementation on site, which would ensure that off-site impacts are avoided.

Effects during Construction

- 7.25 The effect of construction road traffic on pollutants other than dust is scoped out due to the low construction traffic volumes and the temporary nature of the emissions. Emissions from Non-Road Mobile Machinery (NRMM) are considered to be not significant.
- 7.26 Overall, the Dust Risk Assessment conservatively identified the Site as having a ‘high risk’ of causing dust impacts. Mitigation measures will include a dust management plan and good practice measures specific to site management, air quality monitoring, preparing and maintaining the site, operating vehicle machinery and sustainable travel, operations and waste management. Following application of these measures, it is considered that the residual dust effects are not significant to local air quality.
- 7.27 With effective mitigation measures and management in place, the effects of dust are not considered to be significant.

Effects during Operation

- 7.28 When combining the future baseline with predicted transport emissions generated by the Proposed Development, the predicted nitrogen dioxide (NO_2) concentrations remain below air quality objectives for the area at all nearby sensitive receptors. The maximum change in annual concentrations of NO_2 is predicted to be $0.5 \mu\text{g}/\text{m}^3$ at A234/Sydenham Avenue, which is not significant.
- 7.29 Another key air quality indicator is particulate matter that is 10 micrometres or less in diameter (PM_{10}). The predicted PM_{10} concentrations are below air quality objectives for the area at all nearby sensitive receptors. The maximum change in annual concentrations of PM_{10} is shown to be $0.1 \mu\text{g}/\text{m}^3$, which is not significant. There are no anticipated building operational plant emissions associated with the Proposed Development.
- 7.30 The predicted total emissions generated by additional car trips to and from the Proposed Development are well below the assessment guidance benchmarks for this type of development. Consequently, the Proposed Development is considered to be ‘air quality neutral’ with respect to transport emissions.
- 7.31 The amended proposals do not materially change this chapter of the January 2020 ES. Sufficient clarification has been provided on this chapter in the Clarifications Report. No further action is required.

Chapter 6: Cultural Heritage

- 7.32 This chapter of the Environmental Statement (ES) reports the findings of an assessment of the likely significant effects on Cultural Heritage as a result of the Proposed Development. The assessment considers impacts on archaeology and built heritage during enabling works, demolition, construction

and once the Proposed Development is complete and occupied. Where necessary, recommendation for mitigation have been made.

Built Heritage

- 7.33 During construction, it was assessed that there was potential for negligible to minor adverse effects on the following built heritage assets due to the construction of the Anerley Hill Site occurring nearby.
- Crystal Palace Park Registered Park and Garden – Grade II* - BH1 – minor adverse (not significant) effect
 - South Tower – Locally Listed – BH33 – minor adverse (not significant) effect
 - Crystal Palace School of Practical Engineering – non-designated heritage asset – BH43 – minor adverse (not significant) effect
 - Harefield – grade II listed – BH15 - negligible (not significant) effect
- 7.34 In each case, this assessment was also based on other nearby construction activities. As a precautionary approach, it is considered that the removal of the Anerley Hill Site does not materially affect the above conclusions.
- 7.35 Once complete and operational, it was assessed that the grade II listed Harefield would experience a permanent minor adverse (not significant) effect due to the change in its setting following introduction of the Anerley Hill Site. Now that this is no longer proposed, the effect during operation on the grade II listed Harefield is considered to be a negligible (not significant) effect.
- 7.36 None of the other supplementary submission elements proposed are considered to materially change the assessment of built heritage.
- 7.37 There will be one significant adverse environmental effects on built heritage assets as a result of the Proposed Development at the Enabling Works/ Demolition and Construction phase. This will be a moderate adverse effect on the Pedestrian Subway under Crystal Palace Parade. The effect will be temporary (medium term).
- 7.38 There will be eight significant environmental effects on built heritage assets as a result of impacts caused by the scheme at the Completed and Occupied Development phase, all of them deemed to be beneficial.

Buried Archaeology

- 7.39 There are three archaeological assets within the Site, which includes the site of the former Crystal Palace. One of the objectives of the Proposed Development is to reinstate the Palace site and Upper and Lower Italian Terraces, making these the focus of the Park. To achieve this, earthworks would be required to reveal the two levels of the Palace Terrace.
- 7.40 A comparison of the ground levels indicated on historic maps reproduced in the Crystal Palace Park Conservation Plan and the Crystal Palace Park Regeneration Plan indicates that the proposed ground levels will closely replicate the terraced ground levels of the historic parkland design. As such the proposed earthworks will encounter the remains of terrace features such as fountain bases. The impact on features is therefore likely to be variable

with some removed by the works due to poor survival, while others could be retained.

- 7.41 During the earthworks around the Upper and Lower Italian Terraces, it has been assessed there would be a moderate adverse effect on buried archaeology. Therefore, archaeological monitoring will be carried out to enable the identification of buried historic terraces features. When features from the historic terraces are encountered, a decision will be made to either remove or retain the feature within the renovated landscape, following the principles set out in the design principles and in consultation with Greater London Archaeology Advice Service (GLAAS). A record of all historic terrace features will also be made. Following implementation of this mitigation, it has been assessed that there would be a residual minor adverse effect. This is not considered significant.
- 7.42 Overall, it concludes that there will be no significant environmental effects on archaeological assets as a result of impacts caused by the Proposed Development during either the enabling Works, demolition and construction or completed and occupied Development phases.

Chapter 7: Ecology and Biodiversity

- 7.43 This includes a detailed assessment of the expected effects of the proposed development on the biodiversity of Crystal Palace Park. The assessment follows the 'Guidelines for Ecological Impact Assessment (EclA) in the UK and Ireland' issued by the Chartered Institute of Ecology and Environmental Management (CIEEM). This provides guidance on the process of identifying the value of ecological features, characterising impacts upon them and assessing whether these impacts are significant. The assessment considers effects on designated sites, habitats and protected species. The 'mitigation hierarchy' of avoidance, mitigation, compensation and enhancement underpin the CIEEM EclA guidelines.

Effects during Construction

- 7.44 During construction, a CEMP will be implemented, which will include mitigation measures to minimise impacts on ecological receptors, including reducing dust emissions, appropriate management of waste, secure storage of fuels, sensitive temporary lighting and appropriate contractor training on protected species awareness and spill response.
- 7.45 Where buildings or trees with potential for roosting bats require removal, further surveys will be carried out to confirm whether or not those features are actively used by roosting bats. If this is confirmed, a European Protected Species Mitigation Licence will be applied for from Natural England in order to remove the roost assuming no alternatives are possible.
- 7.46 The implementation of this CEMP, together with precautionary methods of working in areas suitable for protected species and if necessary an ecological watching brief, is assessed to mitigate effects on protected species during

construction to negligible or minor adverse levels. These effects are not considered significant.

Effects during Operation

- 7.47 Once complete and operational, although the Proposed Development will result in a net reduction in the total vegetated area of the Site, there will be an increase in the habitat diversity of the Site, including habitats of better value to wildlife, new tree planting, swales and attenuation basins. In addition, the landscaping works will incorporate more floristically diverse grasslands. No significant environmental effects are therefore predicted. However, it is noted that these conclusions are based on further survey work being carried out at the appropriate times.
- 7.48 The supplementary submission proposed does not materially change this chapter of the January 2020 ES.

Chapter 8: Ground Conditions

- 7.49 The site is directly underlain by made ground overlying London Clay. Beneath the clay are the Lambeth Group, Thanet Sands and Chalk. There are no licensed groundwater abstractions within 1km of the site and it is not located within a Source Protection Zone
- 7.50 Potential sources of contamination and hazards identified within the Site include:
- Potential hotspots of soil and groundwater contamination (including ACM) within made ground and the underlying deposits;
 - Several electrical substations; and
 - Unexploded ordnance (UXO).
- 7.51 Based on the proposed end use of the Proposed Development, sensitive human health and controlled waters receptors were identified, which included the below:
- Contractors carrying out construction works;
 - Neighbouring uses, occupiers and the general public immediately adjacent to the Site;
 - Users of the Proposed Development once complete and operational;
 - Controlled waters, including surface water features such as the lakes and ponds, and the underlying groundwater; and
 - Existing and proposed new utilities and infrastructure both on-site and in close proximity.
- 7.52 The *Clarifications Report* explains that the mitigation measures within *ES Volume I Chapter 8: Ground Conditions* can be split into two distinct groups.
1. Standard Environmental Mitigation Measures; and
 2. Additional Mitigation Measures.

- 7.53 Standard Environmental Mitigation Measures are described in Section 8.5 Environmental Design and Management of *ES Volume I Chapter 8; Ground Conditions*. These are the standard environmental mitigation measures that would be expected to be employed as best practice demolition and construction techniques in the UK. They can be split into Primary and Tertiary mitigation measures. They are listed out in *Table 8-11 Enabling Works, Demolition and Construction Standard Environmental Mitigation Measures of ES Volume I Chapter 8; Ground Conditions*. These mitigation measures are treated as embedded mitigation and form the basis of the pre-mitigation status of the assessment.
- 7.54 The Additional Mitigation Measures are described in Section 8.7 of *ES Volume I Chapter 8; Ground Conditions*. The Additional Mitigation Measures are listed in *Table 8-12 Secondary (Foreseeable) Mitigation Measures of ES Volume I Chapter 8; Ground Conditions*.
- 7.55 As stated in paragraph 8.1.3 of *ES Volume I Chapter 8; Ground Conditions* “*the assessment of effects is undertaken pre-mitigation, after having previously considered the standard environmental mitigation measures which would be expected to be carried out as best practice demolition and construction techniques, as specified in the Environmental Design and Management section of this chapter.*”
- 7.56 Paragraph 8.1.3 goes on to say that “*The requirement for any additional mitigation measures during the demolition and construction phase and once the Proposed Development is occupied is then assessed. Following the application of the mitigation measures, the resultant residual effects are assessed in accordance with the set significance criteria.*”
- 7.57 In summary the construction assessment is carried out assuming that Standard Environmental Mitigation Measures are already applied. The result is a pre-mitigation effect as it does not yet take account of the Additional Mitigation Measures required to reduce the likely significant effects. The residual effect takes account of the Additional Mitigation measures, to give a residual effect significance.

Effects during Construction

- 7.58 During construction, a number of standard environmental mitigation measures will be carried out as industry best practice demolition and construction techniques. The standard mitigation measures are protective of both human health and controlled waters will be based on Environment Agency pollution prevention guidance, and on waste management and construction related regulations. These measures will be set out in a Construction Environmental Management Plan.
- 7.59 Further intrusive site investigations will be completed to analyse ground and stability conditions. The results of these investigations will inform any additional mitigation measures that may be required for the Proposed Development. This will likely include seepage analysis and groundwater level monitoring to assess deformation and stability of surrounding structures.

Remediation of contaminated hotspots and the importation and placement of clean fill within the green areas will create an effective barrier to any residual contamination. The results and recommendations from any further site investigations will be consulted and agreed with LBB and the EA.

- 7.60 With the recommended standard and additional mitigation measures in place during construction, it is considered that there will be no likely significant residual ground contamination effects.

Effects during Operation

- 7.61 Once complete and operational there is considered to be no further risk of significant effects on ground conditions and land contamination as a result of the mitigation measures implemented during the construction phase.
- 7.62 Sufficient clarification has been provided on this chapter in the Clarifications Report. No further action is required.

Chapter 9: Noise and Vibration

- 7.63 The study area that was considered for the noise and vibration assessment includes the Proposed Development and nearby sensitive receptors (e.g. residential properties), that may be affected by noise and vibration during the construction and operation of the Proposed Development. In order to inform the assessment, baseline monitoring surveys were undertaken to establish the existing noise and vibration conditions around the Site, with measurements taken at the locations of existing and future receptors sensitive to noise and vibration.
- 7.64 The greatest noise generation by the Proposed Development will be during the demolition phase, including when existing hard-standing surfaces within the Park are broken up and removed. The noise generated during the construction phase of the Proposed Development is likely to vary across different construction phases and activities.
- 7.65 Significant construction noise effects have been identified at sensitive receptors where high noise generating works are undertaken in close proximity to sensitive receptors. When high levels of noise are anticipated, provision of information to occupants of affected receptors is a key strategy to reducing disturbance. Consequently, it has been recommended that prior to works being undertaken, liaison will be undertaken with occupiers of sensitive receptors that may be adversely affected by construction noise and vibration. Providing information of construction works and notice of when high noise and/or vibration generating activities are taking place can reduce adverse effects. All communications will contain contact details to direct any questions or complaints to.
- 7.66 In addition to a communication strategy, mitigation measures will be applied to reduce noise as far as reasonably practicable. The preferred approach for controlling construction noise is to reduce source levels where possible, but with due regard to practicality. Only plant conforming with relevant national or

international standards, directives and recommendations on noise emissions will be used.

- 7.67 Even with mitigation in place, however, there will remain temporary moderate adverse effects as a result of construction noise at monitoring locations R23 and R28. R23 is located around 25 and 27 Crystal Palace Park Road, where the Sydenham Villas residential development is proposed around the edge of the Park. R28 is located at the location of the National Sports Centre, which the Site surrounds. However, these significant adverse effects will be temporary and limited to the construction phase.
- 7.68 The Council requested further information on mitigation for the effects of noise and vibration on nearby sensitive receptors during construction. The Clarifications Report identifies that levels of construction vibration at receptor location R23 (effecting 25 and 29 Crystal Palace Park Rd) may exceed a peak particle velocity (PPV) of 1.0 mm/s. This PPV level has been identified due to operation of construction vehicles at a distance within 10 m of R23. This is considered to represent a worst-case scenario as it is unlikely that, for construction of low-rise buildings, heavy plant will be operated in close proximity to existing receptors. The report acknowledges that "*It is likely that vibration of this level in residential environments will cause complaint, but can be tolerated if prior warning and explanation has been given to residents*". As PPV levels significantly in exceedance of 1.0 mm/s are not expected at R23, it is considered that the effect can be reduced if prior warning to works is provided in accordance with guidance in BS 5228-2.
- 7.69 Prior to works commencing, the requirement for heavy plant and the likelihood of vibration generated can be identified and, wherever practicable, heavy plant can be restricted from areas in close proximity to existing receptors to ensure that disturbance is minimised. If necessary works are required in close proximity to existing receptors, monitoring of vibration levels would be recommended to determine compliance with Local Authority limits.
- 7.70 The simplest and most effective method of reducing noise at nearby receptors is to ensure that noisy plant is located as far from receptors as practicable and screened using temporary barriers. Site hoarding will be placed around the site perimeter and will form an acoustic screen where works are to be undertaken in close proximity to sensitive receptors.
- 7.71 The Council requested clarification on the potential impacts on future on-site receptors as these had not been considered in terms of construction impacts. Whilst the phasing of the construction of the Proposed Development has not been confirmed at this stage, the Clarifications Report considers the impacts should the residential developments be completed prior to the completion of the landscaping works, as follows:
- 7.72 Rockhills is within the English Landscape area of the Proposed Development with key features in close proximity being a natural play area and a car park. Consequently, construction works that may affect future occupiers of Rockhills will comprise of earthworks and landscaping. These have the potential to

result in high levels of noise (i.e. exceeding 70 dB LAeq,T) if works are required to be undertaken in close proximity to new dwellings. However, given the scale of the English Landscape area and the dynamic nature of landscaping and earthworks, it is expected that these periods will be limited to a number of days over the construction programme. Consequently, given the anticipated limited period of exposure to high levels of noise, it is considered that the effect of construction works would be classed as a minor adverse (not significant) effect.

- 7.73 Sydenham Villas is adjacent to the Cricket Ground area with key features in close proximity being a car park and the community play area. Consequently, construction works that may affect future occupiers of Sydenham Villas will comprise of earthworks and landscaping. As identified for Rockhills, high levels of noise may be expected when works are undertaken in close proximity to new dwellings. However, given the anticipated limited period of exposure to high levels of noise, it is considered that the effect of construction works can be classed as a minor adverse (not significant) effect.
- 7.74 As a detailed construction methodology will not be prepared until a Principal Contractor is appointed, it is recommended that mitigation is implemented into the programme by scheduling works in close proximity to new residential developments prior to their occupation whenever practicable.
- 7.75 The mitigation measures recommended are considered to represent best practicable means (as defined in Section 62 of the Control of Pollution Act). In addition to mitigation, a noise monitoring strategy will be agreed with the Local Authority once a Principal Contractor has been appointed. Noise monitoring will be undertaken at receptor locations that are considered to be at risk to potential high noise levels. Noise monitoring will determine compliance with Local Authority limits and the need for any additional mitigation if limits are exceeded.
- 7.76 Sufficient clarification has been provided on this chapter in the Clarifications Report. No further action is required.

Chapter 10: Socio-Economics

- 7.78 This chapter presents the findings of an assessment of the likely significant effects of the Proposed Development on socio-economics at the Site and within the surrounding area. The assessment considers the social impacts (housing provision, access to education, healthcare, play space and open space) and economic impacts (employment and local spending) of the Proposed Development.
- 7.79 The construction phase of the development which is likely to last 56 months (from Feb 2022 to October 2026) is expected to create a total of 82 construction-related jobs per year. This is considered to be a small beneficial, but not significant, increase. Once complete and occupied the Proposed Development is expected to create 46 net jobs in Greater London which, again, is not significant.

- 7.80 Additional spending from the occupiers of the new residential developments is considered a minor beneficial effect. The 210 dwellings will account for 2.7% of the total housing target set for Bromley in the new London Plan between 2019/20 and 2028/29. The ES refers to the 2016 London Plan housing target, of which the new dwellings would account for 3.3%. This was considered to be a minor beneficial effect on housing supply at a district level but was not considered significant.
- 7.81 The effect on primary healthcare within a 1km area was also assessed. Primary healthcare facilities within 1km of the Site currently have an average of 1,863 patients per GP, which is broadly in line with the standard of one GP per 1,800 registered patients. The residential elements of the Proposed Development will increase this ratio to 1,875 patients per GP, but this is still considered broadly in line with the set target for the UK. A negligible effect is therefore assessed.
- 7.82 In terms of education infrastructure, local primary and secondary schools in the relevant catchment areas to the Proposed Development have surpluses of 663 and 4,434 places respectively above the desired occupancy rate for schools. These surpluses are far greater than the additional demand generated by the new dwellings and therefore, the Proposed Development is assessed to have a negligible effect on education provision.
- 7.83 The landscaping works within the Proposed Development are expected to improve and expand open space across the Site. The ES states that the Park will be expanded by around 2.7ha and will be enhanced through the landscaping works and heritage regeneration, resulting in major beneficial effects upon the provision of open space locally.
- 7.84 In addition, the Proposed Development will provide 2,730m² of publicly accessible play space across three separate areas. This space will be accessible from the residential units within the Proposed Development and will cater for the needs of children of all ages within these units as well as improving the provision of local play space for visitors and the community. These are considered a moderate beneficial effect locally.
- 7.85 This assessment has identified no potential significant adverse effects relating to socio-economics within either the construction/demolition or operational phase hence there is no requirement for mitigation.
- 7.86 The supplementary submission proposed does not materially change this chapter of the January 2020 ES.

Chapter 11: Townscape & Visual Impact Assessment

- 7.87 The Visual impact assessment submitted as part of the EIA has determined a townscape and visual study area of 500m around the Site. The visual assessment has been informed by the use of ZTVs. In summary, the ZTV models the maximum height and mass of the proposed buildings, in relation to the existing landform, buildings and vegetation across the study area. The

ZTV provides a theoretical indication of where the proposed buildings may be visible from, which is then used to inform the fieldwork.

- 7.88 In their scoping opinion the Council stated that the proposed TVIA study area of 500m from the boundary of the site (measured radially) can only be confirmed to be adequate once the Zone of Theoretical Visibility (ZTV) has been established and is presented as a figure. However, the ZTV is not explicitly stated or shown on a drawing and it is not clear what the actual ZTV is.
- 7.89 Notwithstanding this, the ES confirms that the Townscape and Visual has been undertaken in accordance with the Guidelines for Landscape and Visual Impact Assessment, Third Edition, 2013. The methodology assesses the sensitivity of townscape and visual receptors, via an assessment of their value and susceptibility. The magnitude of impacts (or change) from the Proposed Development is then assessed, in relation to matters including scale, extent and duration. The combination of the sensitivity of the townscape and visual receptors and the magnitude of impact is used to determine the significance of effects, i.e. whether the effects are significant or not.
- 7.90 Sixteen visual receptors, with corresponding viewpoints (VP) have been identified from within the zone of theoretical visibility (ZTV) and fieldwork, to represent a range of different types of people's views and are used to assess the visual impacts and effects of the Proposed Development. However, none of the selected viewpoints are at positions beyond the site boundary itself. Therefore, although the study area extends to 500m, no views were assessed at this distance (or beyond).
- 7.91 The assessment of visual value was informed by the quality or designation and sensitivity of various views including the 2 views of Local Importance in the Bromley Local Plan, and where these have not been assessed, sufficient justification has been provided.
- 7.92 During the construction phase, significant adverse effects are predicted for a small number of the identified townscape viewpoints/receptors. These significant effects are as a result of demolition and construction activity introducing new features in the form of construction machinery and activity that are not in keeping with the local character of the area. The townscape receptors which are predicted to experience a significant adverse effect are:
- Local TCA 8: Crystal Palace Park (the Site), predicted to experience a temporary major adverse effect (significant); and
 - Anerley Hill Edge SCA, English Landscape SCA, Palace Terrace SCA, Tidal Lakes SCA, Italian Terrace SCA and the Cricket Ground SCA, predicted to experience temporary moderate adverse (significant) effects.
- 7.93 Visual effects on receptors within and on the edge of the Site would result from the removal of features within the Site, the restoration works for heritage features, the construction of new landscape improvements, and the construction of the new residential, college and cultural buildings. Since most

of the identified receptors are at close range to the Site, changes to views would typically be extensive, albeit temporary.

- 7.94 All 16 of the identified visual receptors are predicted to experience temporary significant effects ranging from moderate adverse to major adverse during the construction phase. These effects are considered inevitable at a local scale due to the presence of construction activity and earthworks.
- 7.95 However, the assessment of the demolition and construction phase assumes a worst-case scenario, with a precautionary assumption that peak construction and demolition activity occurs consistently throughout the construction and demolition phase, when in reality the activity would be phased and therefore of a lesser overall visibility.
- 7.96 The ES also considers the effects during years 1 and 15 of operation. At year 1 of operation, there would be a beneficial townscape impacts at the Site level, due to the enhancement to the character of the Park. However, there would also be significant adverse effects in relation to the introduction of new built elements resulting from the residential development and the Capel Manor College redevelopment. The following receptors are predicted to experience major adverse residual effects:
- VP10 (views from Upper Sydenham) of Rockhills residential
 - VP11 (views along Crystal Palace Parade) of Sydenham Villas residential
 - VP15 (view from footpath within Crystal Palace Park) of Capel Manor College
- 7.97 The year 1 assessment is based on the Proposed Development as set out in the parameter plans which includes the embedded mitigation of a new layout and structure of the Site and siting of new building massing. In this respect, there is no additional mitigation required for the purposes of the assessment. In reality, the architectural design of the new buildings would differ from the massing on the parameter plans, and planning conditions should ensure that the detailed design achieves high-quality buildings through articulation and detailing. Therefore, there would be a reduction in the adverse impact associated with the massing shown on the parameter plans and predicted at year 1, from the detailed design process.
- 7.98 After 15 years of operation, major beneficial significant beneficial townscape effects are predicted to remain for Crystal Palace Park. As well as this, Palace Terrace and Italian Terrace are also predicted to experience permanent moderate beneficial effects, which are significant. This is as a result of the proposed planting within the character areas becoming established and being taller in height than in comparison to the year 1 assessment.
- 7.99 The ES concludes that at year 15 of operation the Proposed Development will have:
- Major beneficial (significant) effects on VP1 (The view of local importance from the Upper Italian Terrace of Bromley, Beckenham and West Wickham), VP3 (historic view along Paxton Axis) and VP14 (views form lower terrace).

- Moderate beneficial (significant) effects on VP2 (view upon entrance into subway from railway station) and VP8 (representative of views from Anerley Hill).
- Moderate adverse (significant) effect on VP15 (view from footpath within Crystal Palace Park) due to the position of the proposed building within the Farm Site, which would retain views of the massing, reflecting the year 1 assessment.

- 7.100 By Year 15 the effect on VP10 is reduced to ‘minor adverse’ because the proposed soft landscaping along Westwood Hill and around the base of the proposed Rockhills residential building would have established and would be maturing, such that it softens views of the massing. The impact would reduce to low as on balance it is judged that there would only be a subtle change to the overall characteristics of the view, to include new built form.
- 7.101 Similarly, the effect on VP11 is reduced to ‘minor adverse’ as by year 15 the proposed soft landscaping along Crystal Palace Park Road and around the base of the proposed Sydenham Villas residential buildings would have established, such that it softens views of the massing and enhances the channelled view along the road corridor.
- 7.102 Sufficient clarification has been provided in the Clarifications Report. No further action is required.

Chapter 12: Traffic and Transport

- 7.103 The existing baseline traffic and transport conditions and sensitive receptors were identified during the preparation of this assessment. The effects on traffic and transport during the construction phase and the operational phase of the Proposed Development was compared against the future baseline without the Proposed Development to assess effects of the Proposed Development

Effects during Construction

- 7.104 Based on the traffic data available, it has been forecast that the peak level of construction activity will occur in 2022. The peak activity is associated with the coinciding of the construction of the Sydenham and Rockhills residential developments, the construction of the Cultural Venue and some of the landscaping works. This work involves the demolition, site clearance, earthworks, landscape, highway drainage, utilities and landscaping associated with the Italian Terrace, Tidal Lakes and Information Centre.
- 7.105 Road links with an increase in two-way flow (either total vehicles or Heavy Goods Vehicles (HGVs)) of 10% or more in either the peak hours have been identified. While it is anticipated that delivery activity will be spread across the day, therefore minimising the impacts of HGVs, both Old Cople Lane and A212 Westwood Hill (East of A234) are identified to have increases in activity of at least 30 HGVs in either or both the average weekday (Monday to Friday)

or average day (Monday to Sunday). Based on a number of criteria such as driver delay and pedestrian and cycle amenity, the effects of the construction phase on Old Cople Lane and Westwood Hill were deemed negligible.

Effects during Operation

- 7.106 During operation the additional trips generated by the Rockhills and Sydenham Villas residential developments, the Cultural Venue and the Capel Manor College redevelopment are not expected to breach a 10% threshold for further assessment on any external highway links in the vicinity of the Park, with changes in peak hour flows of between 0% and 2%. The only link which is forecast to witness increases in flow above this threshold is Old Cople Lane which will provide vehicular to coach parking and car parking associated with the Park and car parking for the Rockhills residential development. It will also provide an alternative cycle access point to the Park and a separate pedestrian access point will also be provided to the east of Old Cople Lane. It is not considered that the increase in traffic flow using the Old Cople Lane link results in a significant adverse effect to severance and overall, severance is assessed to have a negligible (not significant effect).
- 7.107 The Proposed Development was assessed to have a minor beneficial (but not significant) effect on pedestrian and cycle amenity due to the number of new or improved pedestrian and cycle accesses to the Park, with improved segregation of pedestrian / cyclist and vehicle activity at the Penge Gate Access and improved pedestrian crossing facilities at the Anerley Hill access.
- 7.108 Routes through the Park will be capable of accommodating all modes and will feature segregated pedestrian footways with cycle provision either provided on carriageway or as part of a shared pedestrian facility.
- 7.109 Furthermore, the effect on public transport is also considered to be negligible as current services will be able to accommodate the small increase in demand which will arise from the Proposed Development.
- 7.110 With regard to car parking, the Proposed Development creates a significant reduction in day-to-day parking provision within the Park, with the Proposed Development identifying a reduction from 707 spaces to 368 spaces. However, the assessment of demand for parking spaces during operation of the scheme seems to be based on the existing demand (peak of 312 vehicles) and does not consider what the future demand for car parking spaces will be. Given that the proposed development will enhance and improve the park facilities, it can reasonably be expected that more visitors will be drawn to the park and require on- site parking.
- 7.111 The ES Clarifications Report explains that future demand for parking will be less than the existing demand because of the implementation of measures outlined in the Visitor Travel Plan to discourage private car use (e.g. reducing visitor car parking) and encourage sustainable means of transport in line with wider London policies. The assessment of parking spaces is therefore based on existing demand.

- 7.112 Further to the submission of the outline planning application in January 2020, the GLA have requested further reduction in non-residential car parking, which is reflected in the minor scheme amendments set out in the resubmission. The revised provision would reflect an occupancy of approximately 90% of capacity based on the demand surveyed on a non-event weekday (compared to 87% in the original assessment). Areas for temporary parking will be made available for events, where required, and will be strictly controlled. The revised further reduction in parking is not considered to have a significant effect that will lead to either extended searching for a parking space or off-site impacts and therefore does not materially change the results of the assessment.
- 7.113 While improvements to the Park may lead to an increase in trips (and as explained above this would be encouraged to be via sustainable means of transport), these would generally be anticipated to be off-peak and therefore not have a significant effect on the operation of the local transport networks. Some of these trips would also be linked trips associated with the proposed residential units, cultural centre and college and as such are effectively considered within the trip generation analysis.
- 7.114 The supplementary submission proposed does not materially change this chapter of the January 2020 ES. Overall, the Proposed Development is assessed to have negligible (not significant) effects on traffic and transport.

Chapter 13: Cumulative Effects

- 7.115 The EIA Regulations require that the EIA considers in-combination effect interactions (referred to 'Type 1' effects), these being the combined effects of individual impacts of the Proposed Development, for example noise, airborne dust or traffic effects on a single receptor.
- 7.116 A further consideration is the cumulative ('Type 2' effects) which considers other development projects which may, on an individual basis not be significant but, cumulatively, have a significant effect on a receptor.

Type 1 effects

- 7.117 During the demolition and construction phase of the Proposed Development, local residents within the vicinity of the Site may experience adverse effects due to emissions from road traffic and dust, impacting on human health, noise from construction activities and visual effects on close distance receptors. Due to the temporary nature of the demolition and construction period, and the construction environmental management measures set out within the CEMP, the combined effects on the local residents are not considered to be any more significant than the moderate to major adverse visual effects on close distance receptors already reported in ES Volume I Chapter 11: Townscape and Visual Impact.
- 7.118 There is the potential for a series of effect interactions to take place once the Proposed Development is complete and occupied. Local residents can be expected to see minor beneficial (not significant) effects due to a combination

of effects from socio-economic and visual benefits including increases in open space and renovation of cultural heritage assets.

- 7.119 The ability for adverse effects to interact is limited due to the design of the Proposed Development being able to remove environmental impacts. No significant in-combination effects during the operational phase are predicted.

Type 2 effects

- 7.120 Other known nearby developments that are of a sufficient scale to have the potential to combine their effects with the Proposed Development were identified and agreed through pre-application consultations with LBB. The following applications were identified and considered:

- LPA ref. 16/02117/FULL1: Orchard Lodge, William Booth Road, SE20 8BG - consented scheme for the provision of 252 residential units
- LPA ref.16/06512/FUL: Parcels of Land adjacent to Auckland Rise, Church Rd and Sylvan Hill, London, SE19 2DX– consented scheme for the provision of 47 new flats
- LPA ref.18/00831: Queens Hotel, 122 Church Rd, SE19 2UG – application at appeal for demolition of some of the existing buildings, extensions and five subterranean levels to provide parking, swimming pool and servicing space to create a total of 495 hotel rooms and 207 car parking spaces
- LPA ref.12/02611 as amended by 15/02658/P, 17/04227 and 18/01817/NMA: Land at Victory Place/Carberry Road/Carberry Works, Crystal Palace, SE19 3RU – consented scheme for the demolition of some of the existing buildings and re-development with a mixed-use scheme including retail, office, restaurant/bar and hotel, together with 33 flats.

- 7.121 Once the Proposed Development is complete and occupied, given the relatively small-scale nature of the cumulative developments, combined with their distance from the Site, it has been assessed that there are no significant cumulative effects.

- 7.122 In terms of socio-economics, the following significant cumulative effects have been identified:
- permanent moderate beneficial (significant) cumulative effect on housing provision;
 - permanent major beneficial (significant) cumulative effect on provision of open space locally; and
 - moderate beneficial (significant) cumulative effect on the provision of play space locally.

Chapter 14: Residual Effects and Conclusions

- 7.123 Residual effects are defined as those effects that remain following the implementation of the identified mitigation measures. Table 14-1 of the ES provides a summary of the identified construction residual effects and Table 14-2 outlines the residual effects once the proposed development is complete and occupied.

- 7.124 Throughout the demolition and construction phase of the Proposed Development, several adverse environmental effects have been identified. The majority of the residual effects identified during this phase are classified as either negligible or minor adverse, which are not considered to be significant. Those that do have a significant adverse effect have been identified almost entirely with townscape and visual receptors, relating to close distance receptors during construction, as a result of disturbance caused by construction machinery, scaffolding, the sight of uncompleted buildings, site-deliveries, lighting and service connections. This effect will be short-term and temporary in nature and will be managed as far as possible via mitigation measures included in a CEMP. The CEMP will follow industry best practice construction standards, such as the use of appropriate hoarding. No permanent adverse effects have been identified.
- 7.125 The only other significant adverse effects identified is associated with construction activity near the Grade II* Pedestrian Subway under Crystal Palace Parade. Structural surveys will be required prior to any works commencing in this part of the Site. Significant adverse effects from construction noise at neighbouring residential sites in Crystal Palace Park Road are also likely. A number of environmental management and mitigation measures will therefore need be included in a Construction Environmental Management Plan (CEMP) which should be secured by planning condition. This will also include commitments and mitigation measures proposed throughout the ES across all topic areas.
- 7.126 Upon completion of the Proposed Development, beneficial effects have been identified in relation to the socio-economic, townscape and visual and cultural heritage assessments. There will be eight significant environmental benefits on built heritage assets as a result of impacts caused by the Proposed Development once complete and occupied arising from the repair and maintenance of built heritage assets within the Park
- 7.127 However, there will also be adverse visual effects arising from the proposed Capel Manor college development and the residential development, although, with regard to the residential proposals, the effects are anticipated to reduce to 'minor adverse' after year 15 of operation, following the establishment of planting and soft landscaping.
- 7.128 The supplementary submission proposed does not introduce any new sensitive receptors, nor introduce any new pathways for pollution. The removal of the Anerley Hill Site reduces some of construction phase effects relating to townscape and visual impact that were previously assessed as significant adverse effects being reduced to not significant effects.
- 7.129 In conclusion the only new or materially different effects relate to the removal of the Anerley Hill element of the Capel Manor College and these relate to Built Heritage and Townscape and Visual only. No other new or materially different effects are identified as a result of the other elements of the supplementary submission.

- 7.130 The overall conclusion of the ES is that the Proposed Development will have an overriding beneficial effect and will regenerate and enhance the Park. Of most concern to Officers however is the visual impact of the development and the impact upon Green Infrastructure and the Natural Environment. Chapter 7 of the ES concludes that although the Proposed Development will result in a net reduction in the total vegetated area of the Site, there will be an increase in the habitat diversity of the Site and no significant environmental effects are therefore predicted.
- 7.131 However, based on the commentary of third-party representations and Officers in relation to the impact on veteran trees, the potential harm to protected species through loss of habitat, and the wider dis-benefits of tree removals in the Park, there is potential for the development to cause harm to the wider environment contrary to local, regional and national policy.
- 7.132 Officers have also highlighted that there will be demonstratable harm to the openness and visual amenities of the MOL as a result of the Proposed Development. This can be attributed to the scale and amount of built development being proposed, in particular at Capel Manor Farm, Rockhills & Sydenham Villas, in combination with the proposed tree removals.
- 7.133 Notwithstanding the above points of conflict the methodology for the assessment of the ES is accepted. It is considered that the ES complies fully with the requirements of the EIA Regulations 2017.

8. CONCLUSION AND RECOMMENDATION

- 8.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 8.2 The application Site is almost wholly within MOL where inappropriate development should be refused unless there exist compelling reasons and 'Very Special Circumstances' which clearly outweigh any harm resulting from the proposal by reason of inappropriateness, and any other harm. Further to LP Policy G3 and BLP Policy 50, the proposal is inappropriate development and there would be material harm to the openness of the MOL.
- 8.3 Representations received from statutory consultees, amenity groups, adjoining London Boroughs and members of the public, as well as advice received from Council Officers have highlighted a number of areas where these proposals conflict with the open space, natural environment and design policies of the development plan. Of most significant concern to local residents and the wider public is the proposal for land on the Park's periphery to be given over to 'enabling' residential development.
- 8.4 These proposals will have a significant visual impact on the Park and its surroundings and, potentially, will result in significant harm to biodiversity and veteran trees. In accordance with paragraph 175 of the NPPF (a) significant harm to biodiversity resulting from a development should be avoided,

mitigated or, as a last resort, compensated for and, (C) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

- 8.5 The land sale receipts of the two housing sites will be used to fund a significant proportion of the Regeneration Plan, the overarching aim of which is to “enable the conservation and repair of the historic fabric, make the park more accessible and engaging for all its local communities to enjoy, and to ensure that a variety of income streams are established to both sustain the repair of the historic fabric, and continue to support the wellbeing of local communities, by keeping the park on a financially robust footing (Para 1.5 Enabling Development and Financial Viability Assessment, Knight Frank).
- 8.6 The proposals to conserve the heritage assets in a manner appropriate to their significance is supported and would accord with the overarching principle of ‘sustainable development’ running through the NPPF. The enabling residential developments are important sources of income generation needed to fund the repairs of the heritage assets and the high priority conservation work will be undertaken at an early stage of the phased works. Going forward, commercial revenue from events and other activities will assist with the Park’s on-going maintenance costs while the proposed cultural venue will secure a beneficial reuse of the listed subway.
- 8.7 Furthermore, the proposed landscaping works appear sympathetic to the original Park layout and the proposals will see the delivery of a net increase in publicly accessible green space with the caravan site returned to the park. The new built facilities and gardens also aim to bring community, educational and cultural enhancements for park visitors. All of this would provide substantial public benefits and an enhanced visitor offer which would benefit the wider renewal area and strengthen the sub-regional importance of the Crystal Palace Strategic Outer London Development Centre, in accordance with policies 15 and 111 of the Bromley Local Plan.
- 8.8 Furthermore, Officers consider that the proposed provision of 210 new homes (and to a lesser degree the proposed affordable homes which are reliant on GLA grant-funding), should be afforded significant weight in the consideration of this application, given Council’s inability to currently demonstrate a 5-year Housing Land Supply.
- 8.9 This is a finely balanced case. There will be demonstratable harm to the MOL as a result of these proposals, which is given substantial weight in the consideration of this application. At the same time the Regeneration Plan proposals would give rise to a number of significant benefits which, when taken together, Officers consider could constitute Very Special Circumstances outweighing the harm to the MOL.
- 8.10 On this occasion, and in light of the unique circumstances of the application, it is also considered that the “wholly exceptional reasons” test required by the

NPPF has been met in respect of the loss or deterioration of veteran trees. Suitable mitigation, compensation and enhancement measures in respect of trees and biodiversity will need to be identified through further assessment and survey work and agreed with the LPA as conditions of any outline permission granted.

- 8.11 This application must be referred back to the Mayor of London in accordance with the request of the GLA in its Stage One Response. The application will also need to be referred to the Secretary of State in accordance with the EIA Regulations.

RECOMMENDATION	PERMISSION SUBJECT TO THE PRIOR COMPLETION OF S106 LEGAL AGREEMENT, ANY DIRECTION BY THE MAYOR OF LONDON AND SECRETARY OF STATE AND CONDITIONS
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SUMMARY OF CONDITIONS (TO BE AGREED WITH THE APPLICANT (WHERE NECESSARY) AND THE ASSISTANT DIRECTOR OF PLANNING):

- Time limit/Reserved matters
- Compliance with plans and drawing numbers
- Construction and Environmental Management Plan
- Highways, including:
 - Car parking
 - Refuse storage
 - Pedestrian and cycling strategy
 - Parking Design and Management Plan
 - Delivery and Servicing Plan
 - Construction Logistics Plan
 - Travel Plan
 - Bus station safeguarding
 - Park Management and Wayfinding Plan
- Structural surveys
- Replacement boundary wall to Rockhills
- Landscaping and Landscape Management
- Biodiversity / protected species mitigation and enhancement
- Biodiversity net gain
- Biodiversity management plan
- Urban greening assessment
- Lighting
- Energy strategy
- Trees, including:
 - Tree valuation
 - Net loss/gain calculation
 - Compensation strategy

- Arboricultural Method Statement
- Tree Protection Plans
- Slab levels and finished floor levels
- Secured by Design
- Water use and network capacity
- Thames Water assets
- No Piling
- Surface Water Drainage
- Green wall/roof
- Environmental Health including:
 - Noise monitoring
 - Noise levels
 - Acoustic design
 - Air Quality – NRMM
 - Land Contamination Assessment
 - low NOx gas boilers

And any other conditions as considered necessary by the Assistant Director and/or the Director of Corporate Services