

Committee Date	6 th January 2022	
Address	Pedestrian Subway Under Crystal Palace Parade Crystal Palace Parade Anerley London	
Application number	21/02649/LBC	Officer: Claire Brew
Ward	Crystal Palace	
Proposal (Summary)	Repairs to and restoration of Crystal Palace subway including partial deconstruction and rebuilding of existing retaining walls and construction of new parapet walls and roof structure (LISTED BUILDING CONSENT)	
Applicant	Agent	
Mollie Lyon London Borough of Bromley	Clive England Thomas Ford and Partners	
Reason for referral to committee	LB Bromley is the applicant	Councillor call in No

RECOMMENDATION	Grant Listed Building Consent
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Summary

<p>KEY DESIGNATIONS</p> <p>Grade II* Listed Building Grade II* Registered Historic Park and Garden Metropolitan Open Land (MOL) Strategic Outer London Development Centre (SOLDC) in the London Plan Renewal Area Air Quality Management Area Archaeological Priority Area Green Chain</p>
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Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	F2(b) Halls or meeting places for the principal use of the local community	587
Proposed	F2(b) Halls or meeting places for the principal use of the local community	587

Representation summary	A site notice was displayed from 30.06.21 for 21 days. Neighbour letters were sent on 23.06.2021 A press ad was displayed News Shopper on the 7.7.21 Consultation is for a minimum of 21 days	
Total number of responses	44	
Number in support	41	
Number of objections	1	

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposals would sustain and enhance the significance of the grade II* listed subway and enable viable uses consistent with its conservation

1. LOCATION



Fig 1: Site Location Plan

- 1.1 The 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.
- 1.2 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.
- 1.3 The subway site is located partially beneath and to the east of Crystal Palace Parade. The east courtyard of the Subway is set within the historic Crystal Palace Park which is a Grade II* listed Registered Park and Garden. Designated as MOL, Green Chain, Conservation Area and an Archaeological Priority Area, Crystal Palace Park, as a whole, is on Historic England's Heritage at Risk Register.
- 1.4 To the west the site is bounded by Crystal Palace Parade. To the west of the Subway, below Crystal Palace parade, is a small open terrace which is within the London Borough of Southwark and the surrounding context is made up primarily of residential dwellings. There is no access to site from the Crystal Palace Parade side.
- 1.5 The previous use of the site was a pedestrian Subway link from Crystal palace High Level Station until 1954. The site has been unused since that time except periodically for Open House weekend and occasional tours run by the Friends of Crystal Palace Subway.
- 1.6 The Subway is said to have been built by Italian cathedral bricklayers and to the designs of Charles Barry Junior. It is constructed in a striking Byzantine style, with dramatic fan vaults in red and cream brickwork with a paved floor in two types of stone. The remaining external staircases and courtyard parapet walls are constructed out of similar bricks with a patterned stone paving floor. Much of this external structure is in a poor state of repair and collapsing. Two sets of stairs are entirely derelict and all of the parapet walls are missing.
- 1.7 The Subway, Vestibule, Terrace and Stairs to the former Crystal Palace are all grade II* listed and are included on Historic England's Heritage at Risk Register.



Fig 2: Existing Subway vaults (Design & Access Statement)



Fig 3: View of the west elevation of the east courtyard (Design & Access statement)



Fig 4: View of the east elevation of the east courtyard (Design & Access statement)

2. PROPOSAL

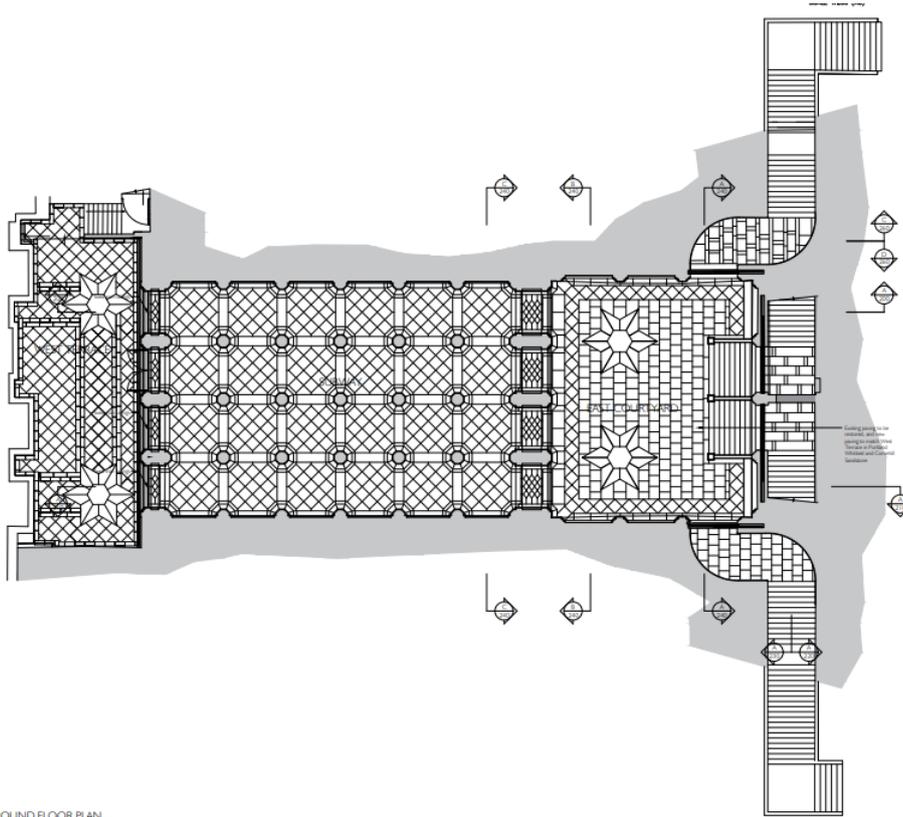


Fig 5: Lower Ground Floor Plan as proposed



Fig 6: 3D render looking west from within the Subway (Design & Access statement)



Fig 7: 3D render looking south east from within the Subway (Design & Access statement)

2.1 The overall objectives of the project are:

- To fully repair the Grade II* listed structure.
- To provide the Subway with a sustainable long-term future through its use as a community and cultural venue
- To remove the Subway from the 'At Risk' Register

2.2 The proposals include:

- Construction of a new roof over the east courtyard
- New parapet walls around the east courtyard and stairs
- Dismantling of east courtyard wall and re-constructing using reclaimed material
- Local repairs to damaged parts of the subway and stairs including new bricks to the vaulted ceiling
- Dismantling of north wall of upper stairs and reconstruction with a new retaining wall behind
- Reconstruction of south stairs together with its flanking walls, the supporting arch to the upper landing, and the landings themselves to match brick and stone on the north side
- Dismantling of west wall, reconstruction and refacing of damaged bricks
- Installation of metal handrails and lighting to staircase
- Installation of lights to new roof structure
- Installation of lights in the original positions in the vaulted ceiling
- Removal of concrete from courtyard floor and missing areas of paving reinstated
- Reinstatement of sliding doors from the courtyard to the four east staircases
- Reinstatement of parapet walls around courtyard and stairs
- New 1.55m high 'mild steel' gates at the top of the stairs to secure the development

2.3 The following materials are proposed:

- External walls: Brickwork and stone to match existing
- Roof covering: Stainless steel and glazing
- External doors: Solid timber doors to original design
- Floors: Stone paving slabs to match existing in Portland Whitbed and Corsehill Sandstone
- Lighting: To staircases: LED built into handrails To vaults: LED fittings in location of original gas fittings To new roof: LED fittings attached to structure

2.4 A separate planning application has been submitted in conjunction with this LBC application for the works requiring planning permission under application ref.21/02656/FULL1

3. RELEVANT PLANNING HISTORY

28.04.1997: Listed building consent granted for Structural Investigation (ref.96/02245/LBCALT)

20.10.2016: No objection raised to Resurfacing of the subway (ADJOINING AUTHORITY CONSULTATION BY LONDON BOROUGH OF SOUTHWARK) (ref.16/04025/ADJ)

27.02.17: No objection raised to Details of the replacement stone flags as required by condition 2 of planning permission dated 17/11/16 (16/AP/2620 resurfacing of the subway) ADJOINING AUTHORITY CONSULTATION LONDON NOROUGH OF SOUTHWARK (ref.17/00044/ADJ)

09.10.2017: Listed building consent granted for Installation of new retaining walls behind the existing north and south retaining walls of the East Courtyard of Crystal Palace Subway. Removal of the trees behind the north retaining wall of the East Courtyard (ref.17/03321/LBC)

13th December 2010: Part full/part outline permission granted 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, children's 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 (ref. DC/07/03897/OUT)

13th December 2010: Conservation Area consent granted for demolition of walls, fences, gates and various buildings including park maintenance and office buildings, 3 public conveniences, café, St John's Ambulance premises and One

O'Clock Club (Nos 23 and 27 Crystal Palace Park Road), the Paxton Suite and the hostel at The Lodge, the Jubilee Stand and Stadium Stand, buildings at the Caravan Club site, and dwellings at Nos 1-7 (con) National Sports Centre (Ref.07/03906/CAC)

13th December 2010: Listed Building Consent granted for internal and external alterations including flooring over the swimming pools, provision of toilets and showers within the existing squash courts, removal of the Crystal Suite mezzanine structure at Level 6, refurbishment of the façade including replacement glazing, replacement roofing systems including the copper roof and central roof lights; demolition of high level walkways and ramps, covered football pitch and restaurant, training pool building, concrete ventilation duct structures; associated/ancillary works including plant and equipment (ref.07/03907/LBC)

AWAITING DECISION - 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 (Ref. 20/00325/OUT)

AWAITING DECISION - Repairs to and restoration of Crystal Palace Subway including partial deconstruction and rebuilding of existing retaining walls; construction of new parapet walls and roof structure (ref.21/02656/FULL1).

4. CONSULATION SUMMARY

a) Statutory

4.1 Historic England – No Objection

- Strongly support these proposals which seek to address the conservation needs of the Subway and provide it with public access and sustainable uses.
- We hope that this will enable the removal of the building from our

Heritage at Risk Register.

4.2 Historic England (GLAAS) – No objection

- Written Scheme of Investigation condition recommended
- Building recording recommended

b) Local groups & Adjoining Boroughs

4.3 LB Southwark – No objection/No comment

- We should determine our own (LBC) application as this is the approach we have taken elsewhere.

4.4 LB Croydon – No objection/No comment

- It is considered that as the proposals are of a sufficiently minor nature and an adequate distance away from the Borough boundary, the Council would not wish to comment on the proposals.
- The proposals should be considered in the context of your local planning policies and any representations received from nearby occupiers, including those from the Borough of Croydon, should be fully taken into account.

4.5 LB Lambeth – No objection/No comment

4.6 LB Lewisham – No objection

4.7 Ancient Monuments Society

- Support the proposal for repairs and restoration works to the Crystal Palace Subway, including partial deconstruction and rebuilding of existing retaining walls, parapet walls and staircases that have unfortunately been lost, and re- instatement of the roof structure
- While the glazed roof to the Eastern court was originally two double-pitched roofs with a central valley, we recognise the benefits of the proposed single pitched roof as a contemporary interpretation that addresses the issues of drainage and potential vandalism, and the overall benefits to the stabilisation and restoration of the structure outweighs the less than substantial harm of the proposed roof design
- The schedule of works are well considered and informed by a detailed Condition Survey and will help stabilise the structure and in order to remove it from Historic England's Heritage at Risk register

4.8 Friends of Crystal Palace Subway

- Fully support proposals

4.9 The Victorian Society

- The proposed restoration of the Grade II* listed subway is laudable, and we strongly support the refurbishment and reuse of this significant structure. However, we have some concerns with aspects of the restoration, in particular, the proposed design for the replacement roof structure.

- Paxton was known for championing the ridge-and-furrow roofing system and notably employed this in the design of the Crystal Palace. Although built over a decade later, Barry's decision to incorporate the ridge-and-furrow method into his own design is a clear attempt by the architect to link this building with the Palace it served.
- Whilst the subway courtyard has suffered much damage, including the loss of the glazing and roof structure, enough evidence of the original structure remains to replicate the original roof design, and in doing so, allude to the historical relationship with the now lost Crystal Palace. We understand that the construction of this type of roof would present additional issues in regard to vandalism and maintenance, but we remain unconvinced that these could not be overcome with the incorporation of elements such as double glazing, or solar glazing.
- Additionally, we are of the view that the replication of lost central columns would be more appropriate in the reinvigoration of the space, creating a sense of variety and contributing to the special spatial quality of the subway.
- As stated, we strongly support the principle of restoring the subway. However, given its great significance as a Grade II* listed structure, we urge the council to reconsider elements of the scheme, particularly the installation of a double-pitched roof

c) Adjoining Occupiers

4.10

- Concerned about potential noise pollution from this area into Bowley Lane, Burntwood Close and Spinney Gardens
- What sort of premises license will be granted and what will the hours of the license be?
- Construction timeframe
- Delivery and servicing
- In the initial drawing there was a viewing platform, is that still the case?
- What is the viewing platform going to be used for and what will the hours of the viewing platform be?

5. POLICIES AND GUIDANCE

5.1 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.

National Policy Framework (NPPF) 2021

5.2 Paragraph 197 of the NPPF states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.3 Paragraph 199 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.
- 5.4 Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional
- 5.5 Paragraph 201 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 5.6 Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

National Planning Practice Guidance (NPPG)

- 5.7 Relevant paragraphs are referred to in the main assessment.

The London Plan (March 2021)

- 5.8 Relevant policies:

- Policy HC1 Heritage conservation and growth

Bromley Local Plan (2019)

5.9 Relevant policies:

- 37 General Design of Development
- 38 Statutory Listed Buildings
- 45 Historic Parks and Gardens
- 123 Sustainable Design and Construction

6. ASSESSMENT

- 6.1 The main consideration relates to the impact of the proposed amendments on the special architectural and historic interest of the listed building and its setting.
- 6.2 The Crystal Palace Subway is recognised by Historic England as a rare and important listed building within the borough. It is however, in poor condition as recognised in its Heritage at Risk status.
- 6.3 The majority of the works affecting the listed building are internal. The most significant intervention would be the reinstatement of a roof to the courtyard.
- 6.4 The applicant acknowledges that the proposed roof would not match the original design, however they are of the view that resemblance to the roof design of Paxton's Crystal Palace was entirely accidental, and that the roof was simply a straightforward design with two parallel pitched roofs sharing a common valley gutter. While the roof would not be a like for like replacement of the original, this is due to the perceived issues with maintenance and vandalism that a central valley could create and officers consider that there is clear justification for this approach. Historic England share this view.
- 6.5 The proposal to re-instate the original parapet walls to their original scale and materials is welcomed. Historic England's comment that the visualisations suggest a somewhat unresolved visual relationship between the parapet wall and roof pitch, as well as the roof interfaces with the courtyard internal walls are noted; however it is not considered by Historic England (or officers) that the visual impacts of the proposed roof along Crystal Palace Parade would be harmful due to the very localised subterranean setting of the Subway. Historic England have subsequently confirmed that the additional drawings submitted on 03.08.21 provide much more detail on the interfaces/junctions between the proposed roof and historic fabric and they are satisfied that this issue has been resolved, but materials etc should still be subject to condition.
- 6.6 The applicant is proposing to install new, modern light fittings in the courtyard roof and low voltage lighting in the vaulted ceiling in the positions of the original gas lights. The exact detail of this will be resolved through prototyping utilising the specific light fittings. There are very few

opportunities within the construction to provide the cupboards that the drivers require, or to run wires to reach them. These, and the main electrical intake cabinet, will be provided as a combination of cupboards constructed within the depth of the rebuilt parapet walls and freestanding cabinets. A lighting condition is recommended which will require further details of all the proposed lighting to be submitted to the LPA for approval.

Response to adjoining occupier comments received

- 6.7 Noise impacts from the development are considered in more detail under the associated planning application (ref.21/02656/FULL1). In summary, whilst there is potential for some increased noise and disturbance at the nearest residential sites resulting from the re-use of the subway for events, no change of use or significant noise-generating uses are being proposed. Events that are put on by commercial operators (concerts, etc.) would be subject to a separate licensing regime which can incorporate entertainment noise limits.
- 6.8 Construction impacts are discussed in more detail in the associated report for the full planning application. Construction and Environmental Management Plan (CEMP) and delivery and servicing plan conditions are recommended in the event that planning permission is granted.
- 6.9 The proposals which are the subject of this application are solely for the repairs and restoration of the subway, along with a new roof over the east courtyard. The viewing platform is a feature of the proposed cultural venue under application ref.20/00325/OUT (Crystal Palace Park regeneration plan).

7. CONCLUSION

- 7.1 These proposals would sustain and enhance the significance of this important designated heritage asset and should enable its removal from the Heritage at Risk Register. At the same time these proposals would bring back the derelict structure of the Subway into use to allow cultural, educational and recreational events, enabling London's residents and visitors to better appreciate and understand the historic significance of this listed building.
- 7.2 These proposals have been worked up closely with Historic England and the Council's Conservation Officer fully endorses and supports comments made by Historic England.
- 7.3 Having regard to the provisions of the NPPF the less than substantial harm to the significance of the grade II* listed subway which would result from these proposals is outweighed by the public benefits of the scheme.
- 7.4 In the light of the above, the proposals are considered acceptable in accordance with the overarching principles of the NPPF and the relevant

policies of the development plan. Accordingly Listed Building Consent should be granted.

RECOMMENDATION GRANT LISTED BUILDING CONSENT

SUMMARY OF CONDITIONS AND INFORMATIVES

Standard condition

- **Time limit of 5 years**
- **Compliance with approved plans**

Pre- commencement

- **Construction and Environmental Management Plan**
- **External and internal finishes**
- **Paint finishes**
- **Details of the interfaces between the parapet wall and roof pitch**
- **Ecological Mitigation**
- **Fixtures and fittings**

Compliance

- **Non-Road Mobile Machinery (NRMM)**

Any other planning condition(s) considered necessary by the Assistant Director of Planning

Informatives

- **Access to fire appliances in accordance with Part B5 of the Building Regs**

Any other informative(s) considered necessary by the Assistant Director of Planning