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| <b>Committee Date</b>                                | 26 October 2023  |  |                                     |
| <b>Address</b>                                       | Pedestrian Subway Under Crystal Palace Parade<br>Crystal Palace Parade<br>Anerley<br>London  |  |                                     |
| <b>Application Number</b>                            | 23/03116/PLUD  | <b>Officer:</b> Stephanie Gardiner                     |                                     |
| <b>Ward</b>  | Crystal Palace And Anerley   |  |                                     |
| <b>Proposal</b>                                      | The proposal consists of the erection of 3 no. electrical cabinets to supply the Crystal Palace Subway with small power, lighting and emergency lighting. These are to be erected to the north of the site (Lawful Development Certificate Proposed) |  |                                     |
| <b>Applicant</b>                                     |  | <b>Agent</b>   |                                     |
| Ms Mollie Lyon<br>Civic Centre<br>Bromley<br>BR1 3UH |  | Mr Clive England<br>177 Kirkdale<br>London<br>SE26 4QH |                                     |
| <b>Reason for referral to committee</b>              | Outside Delegated Powers   |  | <b>Councillor call in</b><br><br>No |

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| <b>RECOMMENDATION</b> | Proposed Use/Development is Lawful. |
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| <p>KEY DESIGNATIONS</p> <p>Areas of Archaeological Significance<br/>Biggin Hill Safeguarding Area<br/>London City Airport Safeguarding<br/>Metropolitan Open Land<br/>Smoke Control SCA 6</p> |
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| <b>Representation summary</b> | Local neighbours were written to. |  |
| Total number of responses     | 0                                 |  |
| Number in support             |                                   |  |
| Number of objections          |                                   |  |

- The proposal is considered to comply with Schedule 2 Part 12 Class A of the General Permitted Development Order (2015) (As Amended). It is recommended that a Lawful Development Certificate is granted.

2.1 The application relates to the East Courtyard of the Crystal Palace Subway. This is set within the historic Crystal Palace Park which is a Grade II\* Listed Registered Park and Garden. It is also Designated as MOL, a Conservation Area and an Area of Archaeological Significance.

The site plan illustrates the layout of Crystal Palace Park and the Crystal Palace site. Key features include:

- Crystal Palace (pre-fire):** Indicated by a dashed orange line, showing the large rectangular footprint of the original building.
- East Courtyard:** A red-outlined area within the pre-fire site, containing several small rectangular structures.
- subway:** A red-outlined area adjacent to the East Courtyard, connected by a dashed red line.
- West Terrace:** A large, dark grey, L-shaped building complex on the left side of the plan.
- Crystal Palace Park:** A large green area on the right side of the plan, containing a large white irregular shape representing a pond or open space.
- Crystal Palace Parade:** A vertical road running through the center of the site.
- Jasper Road:** A road on the far left side of the plan.
- LB Southwark:** A label indicating the local authority responsible for the area.

### 3. PROPOSAL

- 3.1 The application seeks a Lawful Development Certificate under Section 192 of the Town and Country Planning Act 1990 (as amended) for erection of 3 no. electrical cabinets to supply the Crystal Palace Subway with power, lighting, and emergency lighting. The cabinets have now been erected to north of the East Courtyard. The three cabinets measure:

Cabinet A: 0.5m x 2m x 2m

Cabinet B: 0.65m x 1.51m x 1.5m

Cabinet C: 0.85m x 2m x 1.68m

Fig 3: Photos of cabinets in situ.



### 4. RELEVANT PLANNING HISTORY

17/03321/LBC - 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. Consent

20/00325/OUT - 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. (amended description). Permission subject to Legal agreement

21/02656/FULL1 – 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. Permission

21/02649/LBC - Repairs to and restoration of Crystal Palace Subway; partial deconstruction and rebuilding of existing retaining walls; construction of new parapet walls and roof structure (LISTED BUILDING CONSENT). Consent

## **5. NEIGHBOURING CONSULTATION SUMMARY**

- 5.1 Nearby owners/occupiers were notified of the application and no representations were received.

## **6. PLANNING CONSIDERATIONS**

- 6.1 The application requires the Council to consider whether the proposal falls within the parameters of permitted development under Schedule 2, Part 12, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 and specifically whether any limitations/conditions of the Order are infringed.

## **7. CONCLUSION**

- 7.1 Schedule 2, Part 12 relates to Development by Local Authorities. Class A Permits 'The erection or construction and maintenance, improvement, or other alteration by or on behalf of a local authority of -

- (a) any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on land otherwise as statutory undertakers.

Paragraph A.2 clarifies that any small ancillary building, works or equipment in reference to any ancillary building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity.

- 7.2 The application is made by the London Borough of Bromley. The proposal includes the erection of equipment to supply emergency power, electricity, and lighting to the Site. The cabinets would not exceed 200 cubic metres in capacity or 4m in height.

- 7.3 Therefore, the proposed development would comply with Class A, Schedule 2, Part 12 of the General Permitted Development Order (2015) (as amended).
- 7.4 Background papers referred to during production of this report comprise all correspondence on the file, excluding exempt information.

**Recommendation: CERTIFICATE BE GRANTED**

The proposed development would comply with Class A, Schedule 2, Part 12 of the General Permitted Development Order (2015) (as amended).