

Committee Date	13.06.2024	
Address	Crystal Palace Football Club Academy Copers Cope Road Beckenham BR3 1NZ	
Application Number	23/04907/FULL1	Officer - Susanna Stevenson
Ward	Beckenham Town And Copers Cope	
Proposal	Installation of 4 no. 21.3m floodlighting columns to serve central pitch (Pitch 01).	
Applicant	Agent	
c/o Agent	Mr Aaron Zimmerman	
c/o Centro Planning Consultancy 104C St. John Street London EC1M 4EH United Kingdom	104C St John Street London EC1M 4EH United Kingdom	
Reason for referral to committee	Call-In	Councillor call in
	Call-In	Yes Councillor Tickner –concern regarding hours of use, traffic congestion, light pollution, impact on neighbouring amenity and wildlife Councillor Connolly – resident concern regarding light pollution and effect on local wildlife

RECOMMENDATION	PERMISSION
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KEY DESIGNATIONS Article 4 Direction Biggin Hill Safeguarding Area Flood Zone 2 Flood Zone 3 Green Chain London City Airport Safeguarding

Metropolitan Open Land
Smoke Control SCA 12

	Use Class or Use description
Existing	Football academy grass pitch
Proposed	Football academy grass pitch

Representation summary	Letters sent to neighbouring residents 4 th January 2024. Site notice displayed 4 th January 2024. Press advertisement published 10 th January 2024.
Total number of responses	48
Number in support	0
Number of objections	48

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would provide floodlighting to support the existing use of the site as a Football Academy
- The proposal would not result in the intensification of the use of the site – since the existing planning conditions relating to number of spectators and hours of operation would be applied to the proposed floodlit pitch
- There are no objections to the proposal from the Environmental Health and Highways Officers
- Sufficient information has been provided to demonstrate that the impact of the floodlighting (glare/lightspill) would not adversely impact on neighbouring residential amenity
- The design of the floodlighting is streamlined and the height of the columns would limit the number of columns to 4. There would be no significant adverse impact on the openness of the site, and the proposal would support the existing/future outdoor sports use of the site
- Sufficient information has been provided to demonstrate that the proposal would not impact adversely on wildlife within/adjacent to the site (including along the Pool River corridor).

2. LOCATION

- 2.1 The wider application site is located on the north-western side of Copers Cope Road and comprises a private sports ground – the Crystal Palace Football Club Academy. The application site comprises Pitch 1, which is located broadly centrally within the wider area associated with the Academy. Pitch 1 is indicated in red in Figure 1 below and is located approx. 73m from the north western boundary of the site with the former Footzie site, approx. 180m from the boundary of the site with Worsley Bridge Road and approx. 91m from the boundary of the site with the railway line. The separation between the pitch and the nearest residential gardens of dwellings fronting Copers Cope Road is approx. 47m.

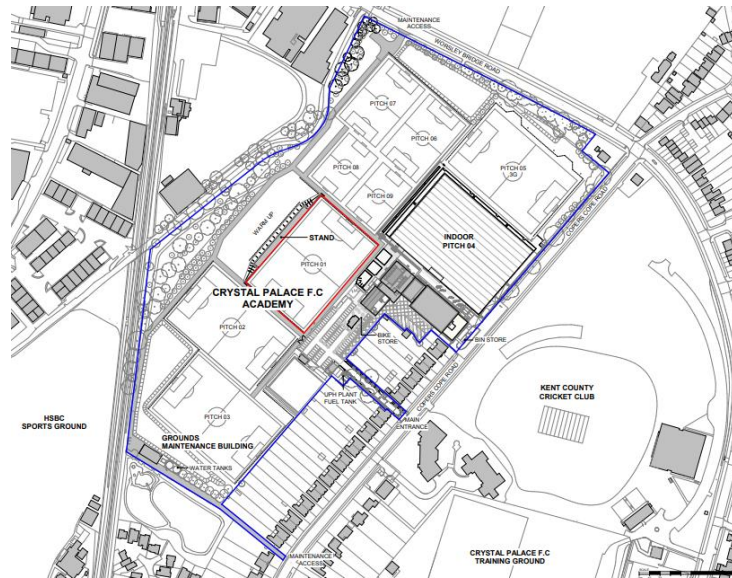


Figure 1 – Site location plan (pitch outlined in red)



Figure 2 – Aerial view of application site

- 2.2 The overall site has passed from comprising a mix of a gym, the Gambados space, and Goals 5-a side Soccer Centre, to being used exclusively by the Crystal Palace FC Academy.
- 2.3 The site has been altered significantly since the commencement of the Academy use of the site, and following applications for planning permission submitted since 2019.
- 2.4 The nearest residential properties to the pitch are those located fronting Copers Cope Road, with further residential flatted buildings recently constructed/under construction at the former Footzie Site, which is located to the north, on the other side of the Pool River.



Figure 3 – Pitch 1, facing north towards Footzie Site

- 2.5 The entire site (red line application site and blue line indicating land in applicant's ownership) is within Metropolitan Open Land (MOL) and the South East London Green Chain.



Figure 4 – From Pitch 1 towards ball-stop netting and railway line

- 2.6 The site already includes 8 no. 15m floodlighting columns positioned around the astroturf pitch (Pitch 05) which is located towards the western corner of the site.



Figure 5 – From side of Pitch 1 facing towards Worsley Bridge Road

- 2.7 The main vehicular access to the site lies between Nos. 153 and 155 Copers Cope Road. Historically, the site included a one-way system with vehicles entering the site from this access point, and exiting between the application building and No. 169 Copers Cope Road.



Figure 6 – From car park towards Pitch 1 and development at Footzie site

- 2.8 The site is in an area with PTAL rate of between 1b and 2 (on a scale of 0 – 6b, where 6b is the most accessible). Lower Sydenham Station which is located approximately 300m to the north of the site.

3. PROPOSAL

- 3.1 It is proposed to install 4 no. floodlights, one at each corner of the show pitch (pitch 1). Each floodlight would be 21.3m in height.

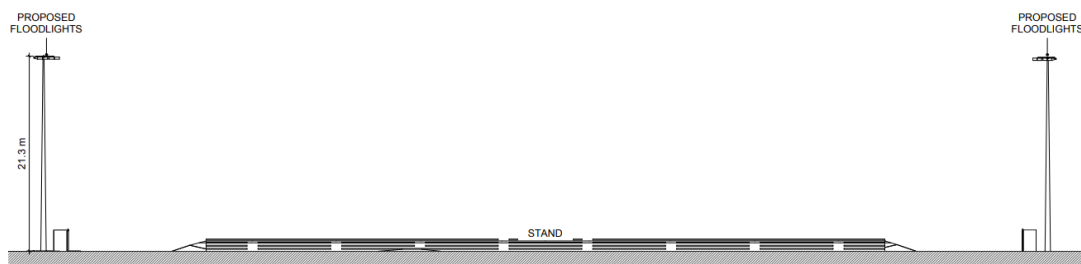


Figure 7 – side elevation showing floodlights, with stand beyond

- 3.2 The floodlights would be set into a pre-cast concrete base with the columns comprising galvanised steel poles with integrated electrical component enclosures, above which a pole-top LED luminaire/lighting array would be fixed. Each column would carry 7 no. LED lights. Figure 8 below shows the appearance of each LED unit.



Musco TLC 1500 Floodlight

Figure 8 – Image of proposed floodlight (7 to be attached to each luminaire)

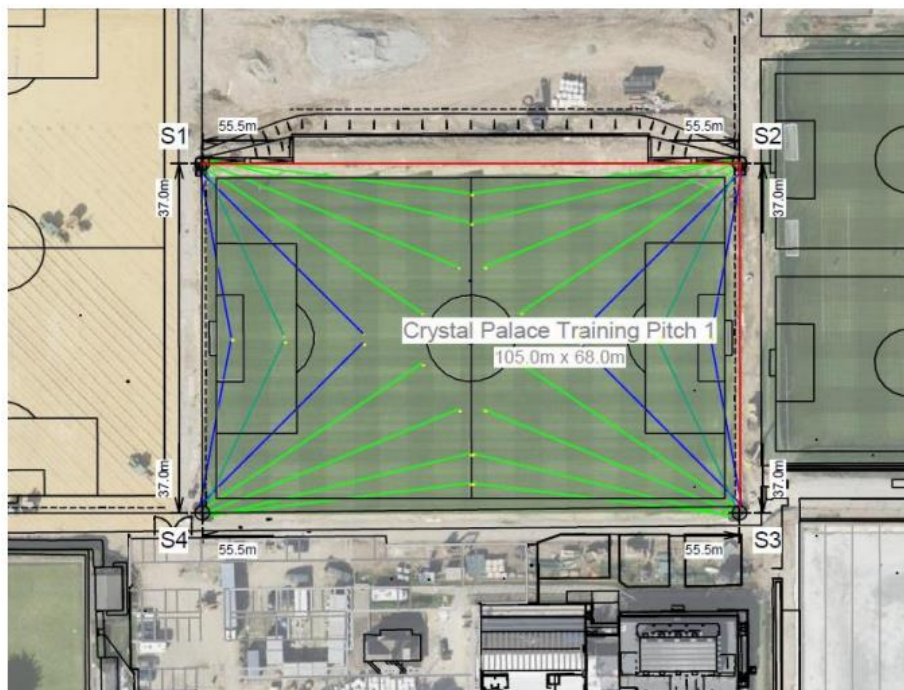


Figure 9 – Proposed floodlighting columns S1, S2, S3 and S4

3.3 The application has been submitted with the following supporting documents:

- Planning Statement
- Design and Access Statement (prepared by Lighting Consultants, including information on light spillage/coverage)
- Brochure detail of proposed light structure system
- Lighting system plotting of light spillage/coverage

- 3.4 The Planning Statement sets out the background to the application, and includes confirmation that conditions imposed on planning permission 19/04644/FULL1 which are relevant to the scope of the proposal would be acceptable, stating also that there would be no change to the hours of use of the site.
- 3.5 It is stated that the purpose of the lighting is to allow matches to be played after sundown, with the need for the floodlights having arisen over the last winter. The match schedule for competitive academy fixtures requires games to be played after sunset, and the club is required to host outdoor matches in winter. The requirements for competitive games includes the need for spectator seating. Under permission reference 19/04644/FULL1 planning permission was granted for some spectator seating around the host outdoor pitch (the pitch which is the subject of this application) and the solution to meet the requirements for seating in tandem with lighting has led to the submission of this application for planning permission.
- 3.6 Additional information was provided on 25th March 2024 to state:
- Premier League 2 (PL2) is equivalent to the under-21 league. PL2 rules state that apart from 3 fixtures per season, all PL2 games must “be played at either a Stadium or a PL approved alternative venue” and “For the Academy to be approved as an alternative venue, there must be floodlights. Fixtures in this competition have to be played either Friday after 7pm, Monday after 7pm or Saturday or Sunday afternoons.”
 - Currently, the main pitch at the academy is not an approved venue. The Club has had to rent from Sutton United for most home matches
 - While the EFL Youth Development Rules state floodlighting not required if planning permission is refused, they also state that the academy has to meet the requirements of the PL2 rules which are less flexible in that regard. Appendix 1 of the PL2 rules relates to venue criteria and includes that floodlights must have an average lux value of 250 lux minimum
 - Details of home matches for 2023/2024 athletic year provided. 20 in total, 15 of which kicked-off at 19.00 – nearly all of which played at Sutton United

4. RELEVANT PLANNING HISTORY

- 4.1 The application site has an extensive recent planning history, with the relevant planning history summarised below.
- 4.2 Members are advised that there are currently several other applications pending determination, comprising 23/01759/FULL1 (relating to the installation of a flue/plant associated with the under pitch heating, and modifications to a building adjacent to the main vehicular access to the site), 23/01054/FULL1 (relating to the former Gambados Building), and 24/01521/FULL1 (recently received, relating to the construction of a small refreshment kiosk to the north of the application building).

4.3 22/00063/FULL1

Planning permission was granted for the formation of a maintenance vehicle site access from Worsley Bridge Road.

4.4 21/03379/FULL1

Planning permission was refused for the installation of a fuel tank for the storage of heating oil (retrospective application)

4.5 21/02984/FULL1

Planning permission was granted for the erection of a security hut and access controls with associated works to the site access road.

4.6 21/02760/FULL1

Planning permission was granted for the construction of open-air canopy covering for spectator seating stand.

4.7 19/04644/FULL1

Planning permission was granted under 19/04644/FULL1 for development across the site, which included in relation to the host building, the provision of a first floor mezzanine to provide classrooms, breakout area and circulation space, a single storey lobby extension, and internal reconfiguration to provide classrooms/education space, dining and kitchen area for visitors, staff and players, physio and medical room, main hall PE space, changing rooms, offices and meeting rooms and a plant room.

Externally, the planning permission included site-wide alterations/development. In terms of those aspects of the development granted under reference 19/04644/FULL1 to the current proposal, highways and parking proposals included the provision of a coach parking drop-off bay immediately to the south of the refurbished Gambado building, and the reconfiguration of access/egress arrangements.

4.8 15/01407/ELUD

A Lawful Development Certificate was granted for the existing use of the premises as a children's indoor play centre (former D1 use).

4.9 14/04622/SCHPA

Prior approval was required and refused for the change of use of part of the play centre to provide a registered child care nursery. The application was refused on the basis that as the existing use was considered to fall within Class D1 of the Use Classes Order, the permitted development change afforded by Class K, Part 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) did not apply.

4.10 08/00148/DET

Details were approved relating to landscaping, bicycle parking/floodlights and community use agreement pursuant to conditions 2,4,6 and 10 of permission 04/02725 granted for 10 five-a-side football pitches/5m high netting and eighteen 8m high floodlights

4.11 04/02725/FULL1

Planning permission granted for Artificial playing surface for 10 five-a-side football pitches, 5m high side netting and eighteen 8m high floodlights

4.12 04/04202/FULL1

Planning permission was granted for the construction of an entrance canopy and doors and elevational alterations to the application building.

5. CONSULTATION SUMMARY

A) Statutory

Highways (LBB): No objection

Comments of Environmental Health should be sought regarding light spillage

Network Rail: No objection

No informatives/conditions required.

Drainage: No objection

Environmental Health: No objection

It has been confirmed that compliance with the parameters of Table 4 "The Reduction of Obtrusive Light" produced by the Institute of Lighting Professionals can be achieved (within the lighting design document and the Design and Access Statement). No objections on this basis.

Sport England: No objection

The application is considered to accord with exception 2 of the Playing Fields Policy and paragraph 103 of the National Planning Policy Framework.

Environment Agency: No objection

The application has been assessed as having low environmental risk. No comments.

Orpington Field Club & Bromley Biodiversity Partnership: No objection

No objection so long as the restriction in the hours of lighting as set out in the Planning Statement are adhered to.

B) Local Groups

North Copers Cope Road Action Group (NCCRAG)

The North Copers Cope Road Action Group (NCCRAG) has expressed concerns, including by way of providing a background to the current application, along with a Highways Technical Note.

The comments received include a background to the objection, referring to a lack of genuine and accurate community engagement, and the deliberate “toning down” of the scope of the development which was proposed in application 19/04644/FULL1 (with regards to underpitch heating, covered stand and future floodlighting submissions).

Concerns on current application

- Proposed floodlighting would constitute inappropriate development on Metropolitan Open Land and no very special circumstances have been advanced to justify inappropriate development
- If minded to approve, the planning application should not be granted until the applicant has provided detail including justification for the development and information on potential intensification of the use of the site/hours of operation and highways/traffic/parking impacts
- Reference to Rule 320 of the Premier League Youth Development Rules – which allows for the requirement for floodlighting to be waived in planning permission is refused for it
- In the past few years very few matches have been played on the show pitch, and very local clubs have been used for matches – Dulwich Hamlet, Sutton United, Bromley FC and Selhurst Park (all of which have covered stands for 500 spectators, and floodlighting)
- The site has been subject to incremental changes, impacting detrimentally on the MOL and on neighbouring amenity and in the absence of information, will increase the use of the Academy site
- Conditions imposed on previous permission restrict the maximum number of people on site to 360 and the number of spectators to 150 (unless an Event Management Plan has been submitted to and approved by the LPA)
- There is doubt that if conditional permission is granted, those conditions will be complied with (in view of on-going issues associated with the use of the site/compliance with approvals)
- The proposal will lead to an increase in the number of matches played at the site and the number of spectators

- Data collated indicates that from 2019/2020 – 2023/2024 the use of the site has increased in intensity and in relation to later starts from 3pm (3 occurrences increased to 29), home matches (33 increased to 49) and Friday/Saturday/Sunday matches (38 increased to 68)
- Most matches take place on Fridays and at the weekend
- No provision made to address parking and traffic concerns for spectators
- No proper Bat Survey has been undertaken – a live bat survey should be undertaken, and government advice with regards to impact on wild birds should be taken into account
- Impact on the residential development at former Footzie site
- The planning application form refers to work commencing in March 2024
- Reference to development at the 1st team training ground (on other side of Copers Cope Road)
- Impact on residential amenity associated with foot traffic, noise, pollution and congestion

C) Local Residents

Highways (addressed at 7.4)

- Concern that the proposal will give rise to additional traffic and unacceptable parking impacts – the games can be popular and over 250 spectators currently visit Sutton Utd (where the games are currently played)
- A condition on the original permission requires that no more than 150 spectators shall visit the site unless an Event Management Plan has first been submitted to/approved by the LPA
- Additional information required regarding an increased intensity of use of the site, including car and coach movements
- Lack of parking on site
- Impact on highways safety
- Club fail to control on-street parking, including of coaches
- Poor transport connections

Visual amenity (addressed at 7.2)

- Floodlighting columns are unsightly
- Impact on Green Belt (Metropolitan Open Land)

Impact on neighbouring amenity (addressed at 7.5)

- Will lead to light pollution to the rear of the houses backing onto the grounds
- Visual impact of the floodlighting columns
- Noise disturbance associated with the extra traffic and people exiting the site at 10pm

Wildlife impact (addressed at 7.3)

- Impact on bats, their prey, and other wildlife, including hedgehogs
- Assessment of impact on bats/bat population should go beyond a desk-top study
- Independent ecological survey should be undertaken

Site wide and other issues (addressed at 7.6)

- Concern regarding the display of the site notice
- Limited information provided regarding the frequency of the use of the lights
- Will waste energy
- Concern that the proposal will lead to a “stadium by stealth”
- Floodlighting not required – the games could be played on the artificial pitch which is already floodlit or at the club’s main ground
- Concern that the floodlights will effect the use of the site i.e. frequency, duration, number of visitors, traffic
- Club has not complied with terms of previous applications, including conditions
- Repeated applications at the site – Club should have made full disclosure at the outset
- Anti-social behaviour associated with additional footfall, including littering
- Club should be forced to open the facilities for local community/residents
- Lack of community engagement
- Site should be located in a less sensitive area

6. POLICIES AND GUIDANCE

- 6.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-
- (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.
- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.
- 6.3 The National Planning Policy Framework was published in December 2023. The development plan for Bromley comprises the London Plan (March 2021) and the Bromley Local Plan (January 2019). The NPPF does not change the legal status of the development plan.

National Planning Policy Framework 2023

NPPG

The London Plan (2021)

- GG3 Creating a healthy city
- D1 London's form and characteristics
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D11 Safety, security and resilience to emergency
- D13 Agent of change
- D14 Noise
- G3 Metropolitan Open Land
- S5 Sport and recreation facilities
- T4 Assessing and mitigating transport impacts

Bromley Local Plan (2019)

- 26 Health and Wellbeing
- 30 Parking
- 31 Relieving Congestion
- 32 Road Safety
- 33 Access for All
- 37 General Design of Development
- 44 Areas of Special Residential Character
- 50 Metropolitan Open Land
- 54 South East London Green Chain
- 57 Outdoor Recreation and Leisure
- 58 Outdoor Sport, Recreation and Play
- 69 Development and Nature Conservation sites
- 70 Wildlife Features
- 72 Protected species
- 73 Development and Trees
- 77 Landscape Quality and Character
- 78 Green Corridors
- 79 Biodiversity and Access to Nature
- 115 Reducing Flood Risk
- 116 Sustainable Urban Drainage Systems
- 117 Water and Wastewater Infrastructure Capacity
- 119 Noise Pollution
- 122 Light Pollution

Supplementary Guidance

Urban Design SPD (Bromley 2023)

7. ASSESSMENT

7.1 Principle of development (including acceptability in relation to MOL) - ACCEPTABLE

- 7.1.1 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.
- 7.1.2 The London Plan affords Metropolitan Open Land (MOL) the strongest possible protection, with Policy G3 of the LP stating that national Green Belt Policies as set out in the National Planning Policy Framework, apply to Metropolitan Open Land, the effect being that MOL is effectively afforded the same protection as Green Belt. Bromley Local Plan Policy 50 is consistent with the London Plan.
- 7.1.3 The NPPF sets out that the construction of new buildings should be regarded as inappropriate development in the Green Belt, with listed exceptions including the provision of appropriate facilities for outdoor sport and recreation (exception in paragraph 154b), subject to the requirement that the facilities/development preserve the openness of the Green Belt and do not conflict with the purposes of designation.
- 7.1.4 Policy 54 relates to the South East London Green Chain and requires that development proposals respect the character and function of the area, and measures are taken to protect the designated area including as appropriate the use of suitable screening, landscaping and enhancement of wildlife habitats.
- 7.1.5 Policy 57 of the Bromley Local Plan states that proposals for development related to outdoor recreational uses on land designated as Green Belt, MOL or Green Chain will be permitted provided that the proposal constitutes appropriate development or use of land.
- 7.1.6 Policy 58 of the BLP states that the Council will support the enhancement of outdoor sport and recreation facilities provided that:
- a - Proposals address nature conservation, Green Belt and Open Space Policies, and
 - b - Any loss from a proposed development is re-provided to an equivalent or higher standard in terms of quantity and quality in a suitable location, or the development is for alternative sports and recreation provision, the need for which clearly outweighs the loss, and
 - c -The activity and associated car parking do not adversely affect the countryside, nature conservation, or amenities of adjoining occupiers in ways which cannot be mitigated though planning conditions or obligations.
- 7.1.7 Representations have stated that the proposal would constitute inappropriate development, for which Very Special Circumstances would be required to be demonstrated to outweigh the harm by inappropriateness of the development. While

these comments are noted, the proposal would provide appropriate facilities for outdoor sport and recreation, which would comprise an exception under paragraph 154(b) of the National Planning Policy Framework. The specific paragraph does not speak to necessity or justification for the need for the facilities. As such it is not considered that the proposal would comprise inappropriate development in principle, subject to further consideration of the impact of the proposal on the openness of the Metropolitan Open Land.

- 7.1.8 While the proposed floodlighting columns would each be considerably high, it is noted that the installation is limited to 4 no. tall columns, each positioned at a corner of the pitch, and that floodlighting at height can allow for the provision of fully directional lighting, reducing glare and light spillage beyond the playing surface, as well as the overall number of lighting columns required to light the defined area.
- 7.1.9 In terms of the Metropolitan Open Land impact associated with the design of the floodlighting, the supporting columns themselves would be streamlined and of minimal visual impact, and although the pole top luminaires would have some visual bulk, in general views the bulk would not be significant and against the sky backdrop and in the context of the openness of the site, it is not considered that the proposal would undermine MOL site openness.
- 7.1.10 The proposal would support the established sports and outdoor recreation use of the site and it is considered that since the proposal is to provide appropriate facilities for outdoor sport and recreation, in principle the proposal would comply with Policy 50 of the Local Plan and the exceptions in paragraph 154(b) of the NPPF relating to Green Belts, subject to further consideration of the requirements set out in Policy 58 of the BLP with regards to nature conservation, impact on neighbouring amenity and the design of the installation.

7.2 Design and impact on character/visual amenity - ACCEPTABLE

- 7.2.1 Design is a key consideration in the planning process, with good design being an important aspect of sustainable development, and indivisible from good planning.
- 7.2.2 The NPPF requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, optimising the potential of sites, sustaining an appropriate level of green space and supporting local facilities and transport networks. Places should be created that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.2.3 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.2.4 The submitted design and access statement, prepared by the lighting contractor, includes 3d visual representations of examples of similar (though not identical) lighting arrangements at other academy venues including Fulham FC Training Academy and the Manchester City FC Academy.

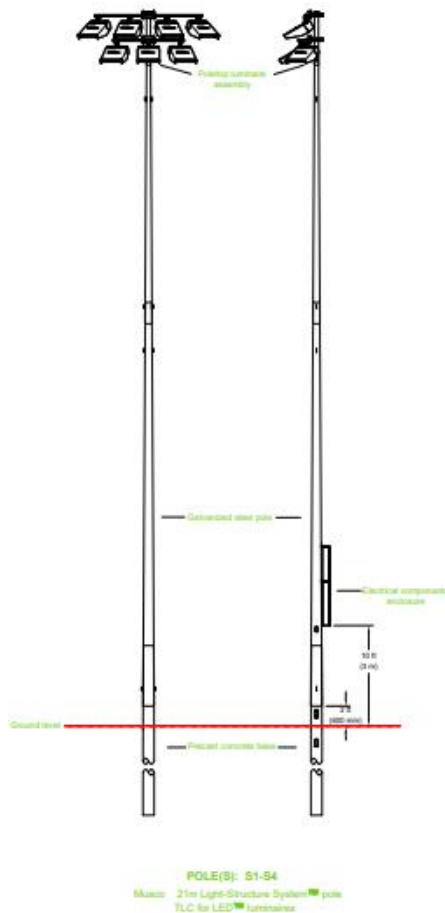


Figure 10 – Proposed floodlighting column

7.2.5 The proposed development will introduce floodlighting within an existing dark area of the site, but modern floodlighting systems are increasingly capable of limiting wider visual impact through the use of streamlined lighting mounts, a reduced number of columns required to light a defined area, and by including directional floodlighting. The applicant has provided detail on other examples of similar lighting installations, as well as substantial detail on light spillage (horizontal and vertical).

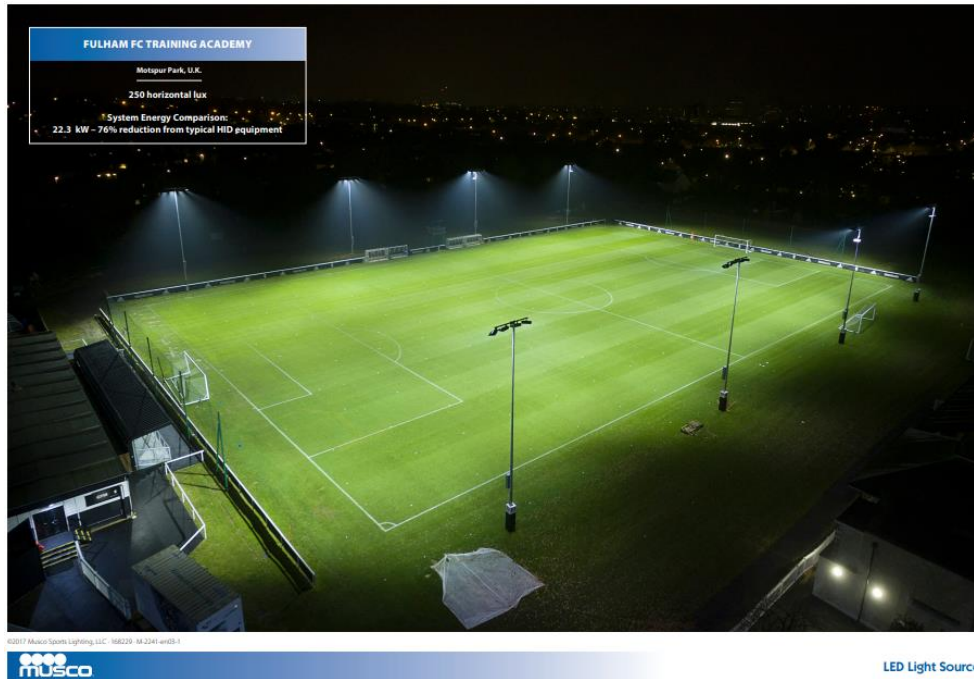


Figure 11 – Lighting system at Fulham FC Academy site

7.2.6 The installation would be appreciable as one supporting the outdoor sports use of the site, and within the wider site there are upright features including ball-stop netting and frames, and the artificial pitch visible from Copers Cope Road and Worsley Bridge Road benefits from its own (albeit lower height) floodlighting. As such it is not considered that the design of the proposal would be out of character with the long-established outdoor sports use of the site, and the design would be “legible” contextually with the site’s land use and the area in general. While the columns would be visible at distance from neighbouring sites, this visibility is not considered to equate to harm, or to result in a lowering of the visual amenities of the area. The design of the floodlighting would be of an acceptable design, and would be typical of other sports ground developments.

7.3 Impact on wildlife/biodiversity - ACCEPTABLE

7.3.1 The application has been submitted with an Ecology Lighting Strategy Review (December 2023) which was commissioned in order to assess potential impacts and develop suitable mitigation measures if impact identified, in relation to ecological features of the site and surroundings, including bats. It identifies, from a desk study, that 5 species of bat are present in the local area, assumed to be using the river corridor for commuting and foraging purposes. The desk study included available detail on the Pool River Site of Importance for Nature Conservation.

7.3.2 The lighting proposals have been assessed against the baseline ecology of the site and in the context of the Bat Conservation Trust guidance “Landscape and Urban Design for Bats and Biodiversity” as well as the Institute for Lighting Professionals (ILP) publication “Bats and Artificial Lighting in the UK.” It is noted that the application has also been submitted with a Design and Access Statement prepared by the

lighting engineers, along with additional supporting information, indicating the technical specification of the proposed lighting system, and providing detail on light spillage and glare.

7.3.3 The applicant's Ecology Lighting Strategy Review concludes that in view of the design of the lighting system, including directional LED luminaires, there is considered to be minimal ecological impact arising from the proposal. It is stated that for the watercourse corridor and most of the semi-natural vegetation surrounding it, the predicted lux levels would be 0.0 (zero) and the closest peripheral zones of the Pool River corridor would experience lux levels ranging from 1.0 to 0.0.

7.3.4 It is acknowledged at Paragraph 4.2.1 of the report that roost sites should remain unilluminated – and this would be the case on the basis of the lighting modelling submitted with the application. The report concludes that:

- the technical specification and design of the lighting would have exceptional upward and rearward shielding for light spillage
- the species of bat in the local area do not include the most light-averse species
- the urban setting of the site is subject to light pollution generally at a higher level than a rural landscaping setting (where the most light-averse bats will be more prolific)
- the majority of the corridor of the River Pool would register at 0.0 (zero) lux on the horizontal and vertical planes, with the light spill not exceeding 1.0 at the closest edge of the river corridor

7.3.5 The application, including supporting documents, has been reviewed by the Bromley Biodiversity Partnership(BBP)/Orpington Field Club(OFC), as is the practice in applications where there is some concern at potential impact on wildlife and ecology. It has been confirmed that following review there are no objections from the BBP/OFC from the perspective of wildlife/biodiversity impact, subject to a condition relating to the hours of floodlighting operation.

7.3.6 It is noted that comments have referred to the potential impact of the proposal on wild birds. Again, there are no objections to the proposal from the BBP/OFC with regards to the wider implications of the development on wildlife (in addition to impact on bats).

7.4 Highways - ACCEPTABLE

7.4.1 It is acknowledged that a significant number of objections have been received which express concern at the impact of the proposal on the adjacent highway, on road safety and with regards to parking and Public Transport Accessibility. Where concerns relating to the highways/parking implications of the site's wider use on the surrounding area are noted, it falls in the assessment of this specific application to consider in what ways, if any, the proposed floodlighting would alter or worsen the impact of the site's operation as approved within the planning history of the site.

7.4.2 To this end, the applicant was asked to provide clarification on the need, purpose and implications (in terms of number of fixtures) of the proposal, all the time framed by the requirements of the pre-existing conditions imposed on permission reference

19/04644/FULL1 with regards to hours of operation, number of spectators and intensity of use.

7.4.3 The applicant provided a response to objections, and general additional/explanatory information, which is summarised as follows:

- The Premier League 2 (PL2) is the FA's new name for the under-21 league
- The PL2 rules require that apart from 3 fixtures per season, all PL2 fixtures (including cup and international fixtures) must be played at either a stadium or approved alternative venue
- In order for the Academy to be approved as an alternative venue, floodlighting is required
- The competition fixtures have to be played on either after 7pm on Fridays and Mondays, or on Saturday/Sunday afternoons
- While acknowledged that EFL 2022-2023 Youth Development Rules state that floodlighting is not required where planning permission for floodlighting has been refused (Rule 320), the rules also require compliance with the requirements of the PL2 rules which are less flexible (EFL rule 178, EFL rule 184, PL2 rule 43, PL2 Rule 44, PL2 Appendix 1).
- Details provided of home matches for 2023/2024 (played at Sutton United), indicating 14 such games with a 19.00 kick off, and 1 game played at Selhurst Park (final game of the season). This information applying for the period 14/08/23 – 16/04/23.
- The playing of home matches at Sutton United is greatly inconvenient to players – meaning that almost every match is an away-match and means the Academy is reliant on third-party agreement/booking
- The playing of Academy games at Selhurst Park is a treat – only 2 matches per the 2023/2024 season. Hosting all PL2 matches at Selhurst Park would be unsustainable in terms of conflict with pitch maintenance for the premiership matches, as well as the operating burden/preparation involved in “opening up” a full premiership stadium for PL2 matches
- All matches played at the Academy site would comply entirely with the approved use of the site – planning condition 28 of the 19/04644/FULL1 condition requires an Event Management Plan for events with more than 150 spectators, and PL2 matches are attended by far fewer people than the limit in this condition
- The pitch will not be rented to third parties – will be used by the Academy alone

The home matches for the 2023/24 athletic year are listed below.

14/08/23 – CPFC v Man United – CPFC Academy 13.00 KO
28/08/23 – CPFC v Fulham – Selhurst Park 12.00 KO
27/09/23 – CPFC v Athletic Bilbao – Sutton United 19.00 KO
01/10/23 – CPFC v Liverpool – CPFC Academy 14.00 KO
24/10/23 – CPFC v AS Monaco – Sutton United 19.00 KO
30/10/23 – CPFC v WBA – Sutton United 19.00 KO
10/11/23 – CPFC v Ipswich – Sutton United 19.00 KO
06/12/23 – CPFC v Benfica – Sutton United 19.00 KO
11/12/23 – CPFC v Middlesbrough – Sutton United 19.00 KO
18/12/23 – CPFC v West Ham – Sutton United 19.00 KO
17/01/24 – CPFC v Feyenoord – Sutton United 19.00 KO
22/01/24 – CPFC v Birmingham – Sutton United 19.00 KO
26/01/24 – CPFC v Brighton – CPFC Academy 13.00 KO
26/02/24 – CPFC v Wolves – Sutton United 19.00 KO
01/03/24 – CPFC v Leicester – Sutton United 19.00 KO
11/03/24 – CPFC v Aston Villa – Sutton United 19.00 KO
29/03/24 – CPFC v Tottenham – Sutton United 12.00 KO
08/04/24 – CPFC v Everton – Sutton United 19.00 KO
12/04/24 – CPFC v Chelsea – Sutton United 19.00 KO
16/04/24 – CPFC v Everton – Selhurst Park 19.00 KO

Fixtures marked in **bold** type were or will be played over sunset or after dark.

Figure 13 – Information provided by applicant listing time/venue of home matches for the 2023/2024 season

7.4 No technical objections are raised to the proposal by the Highways Officer. If planning permission is granted it would be prudent and practical to reimpose those conditions of the permission 19/04644/FULL1 that speak to the scope of the application i.e. hours of floodlighting operation, number of spectators, use by Academy, all with the aim of preventing an intensification of the use of the site.

7.5 Impact on neighbouring residential amenity - ACCEPTABLE

7.5.1 Policy 37 of the Bromley Local Plan seeks 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.

7.5.2 The proposed hours of operation of the floodlighting have been provided and are considered to be reasonable in the scope of existing lighting installation at the ground, the relationship between the proposed floodlighting and the existing activities/operation of the site and the extant (and repeated) conditions relating to hours of use and number of persons/spectators at the site.

7.5.3 The application has been submitted with a Design and Access statement which provides modelling of the light spillage associated with the proposal.

7.5.4 The Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light set out various parameters for assessing the impact of outdoor

lighting, these parameters being informed by the type of area in which the lighting is sited. A suburban area is defined as “small town centres or suburban locations” and given the annotation “E3” and a rural area is defined as “village or relatively dark outer suburban locations” and given the annotation “E2.” Within an E3 (suburban area) the allowable light intrusion at the façade/windows of neighbouring dwellings should not exceed 10 lux, and within an E2 (rural) area the luminance should not exceed 5 lux.



Figure 12 – Image of horizontal light spill contours

7.5.6 Figure 12 shows the horizontal light spill levels associated with the floodlighting, with the outer “ring” representing a light level of 2 lux, the middle (green) ring a light spill level of 5 lux and the inner (light blue) ring a light spill of 10 lux. What the diagram indicates is that even at the rear boundary of gardens of dwellings fronting Copers Cope Road, and in relation to the residential development to the north of the site, the maximum lux level of light spill would be consistent with the parameter applicable to a rural area (E3), with is more exacting than that applicable to a suburban area (E2). The levels stated refer to window/façade impact. The submission indicates that the window/façade light spill at the rear wall/windows of the dwellings fronting Copers Cope Road would be 0 lux.

7.5.7 Figure 13 below shows the vertical light spill contours. These are also indicated to be within the acceptable range.

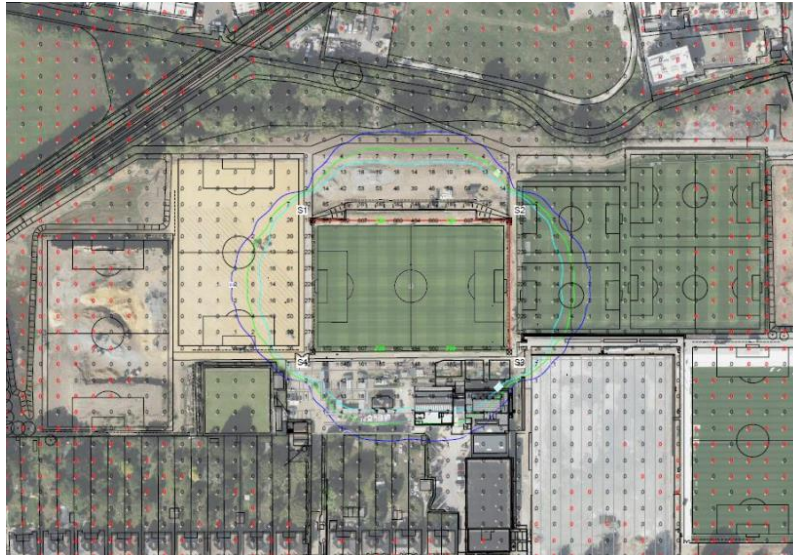


Figure 13 – Image of vertical light spill contours

7.5.7 The lighting design calculations indicate that there will be negligible amount of direct light spillage. The information also speaks to “sky glow” (also known as the Upward Light Ratio) and the application documents confirms that the proposed system would achieve 0% ULR where the ILP guidance states that 5% and 2.5% ULR is allowable in suburban and rural areas respectively. This is illustrated in Figure 14 below:

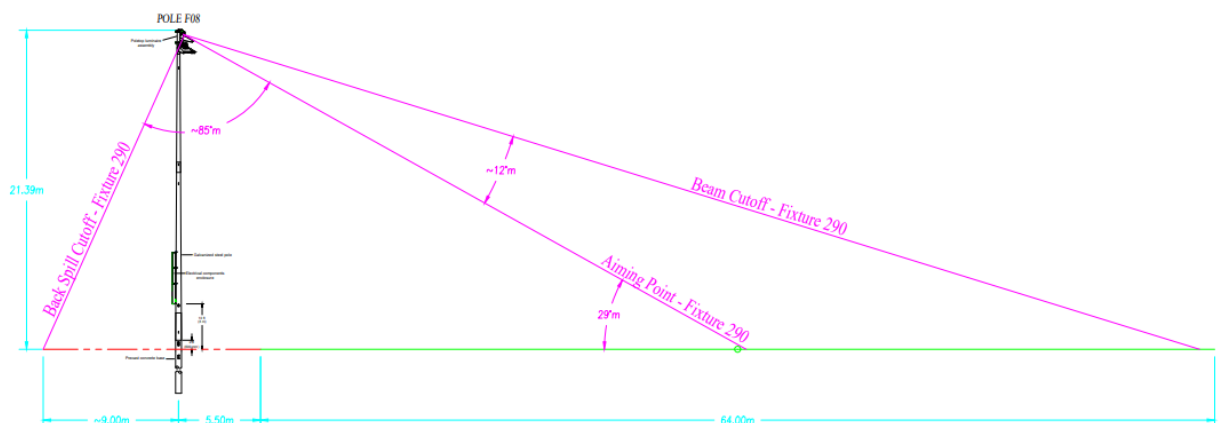


Figure 14 – Beam cut-off image

7.5.8 The application including this information has been reviewed by the Environmental Health team and no technical objections are raised in respect of the proposals with regards to the impact of the floodlighting on neighbouring residential amenity.

7.5.9 Representations have been received which refer to the impact of the proposal with regards to noise and disturbance associated with the use of the site. However, as previously stated, existing conditions associated with the intensity of the use of the site could be repeated if permission is granted. In this context, and taking into account the existing hours of use of the site, it is not considered that the refusal of planning permission on the grounds of impact on neighbouring amenity would be justified.

7.6 Other matters

- 7.6.1 It is acknowledged that representations, including from the North Copers Cope Road Action Group, have referred to the incremental nature of development on the site, and concerns in relation to compliance with conditions (referencing the recent retrospective applications for planning permission and on-going investigation of the site).
- 7.6.2 While these comments are understandable and speak to a concern over the relationship between the Club and neighbouring residents, it is axiomatic that this application be considered on the basis of the specific development proposed rather than in the wider context of the planning history of the site. The application submission relates to the installation of floodlighting to the show pitch, where at present construction works as permitted under reference 21/02760/FULL1 are on-going to construct a covered spectator stand. The floodlighting would, if permitted, have specified hours of illumination and the use of the pitch would be subject to hours of operation and spectator numbers equivalent to those of the wider site application granted under reference 19/04644/FULL1.

8. CONCLUSION

- 8.1 It is acknowledged that there is significant local concern regarding the incremental alterations/additions to the scope of works at the site, querying why floodlighting and aspects the subject of other on-going applications were not included in the “master” application 19/04644/FULL1, and expressing scepticism at the extent to which the Academy will abide by conditions imposed within any future application.
- 8.2 While these concerns are noted and understood, the scope of the assessment of this specific application is limited to the development at hand – in this instance, the installation of 4 no. floodlights for the pitch 1, and it is considered that conditions could be reasonably imposed such that would address concerns over the impact of the proposal on wildlife, neighbouring residential amenity and the visual amenities of the area. There are no objections to the proposal from the Highways Officers, and the use of the site would be consistent with the existing use in terms of the hours of operation and people on/visiting the site. In this context it is recommended that planning permission be granted.
- 8.3 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: Application Permitted

Subject to the following conditions:

- 1. Time limit for commencement of development**
- 2. Accordance with the submitted plans/documents**

- 3. Floodlighting hours of illumination**
- 4. Use of pitch to accord with sitewide operation (number of spectators)**
- 5. Floodlighting to be used only by Crystal Palace Football Club Academy**
- 6. Floodlighting verification report – following installation**

Delegated Authority be given to the Assistant Director: Planning & Building Control to make variations to the conditions and to add any other planning condition(s) as considered necessary.

DRAFT CONDITIONS ONLY

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

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

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and documents submitted with the application, unless previously agreed in writing by the Local Planning Authority.

Reason: To prevent any unacceptable deviation from the approved plans/proposal.

3. The floodlighting shall not be switched on before 08:00 on any day and shall be switched off no later than 22:00 on Monday to Saturday inclusive, and no later than 21:00 on Sundays and bank holidays.

Reason: In order to minimise the impact of floodlighting on local residential amenity and to comply with Policy 122 of the Bromley Local Plan

4. No football match(es) with more than 150 spectators shall take place unless an Event Management Plan has first been submitted to and approved by LB Bromley. The Event Management Plan shall set out:
 - o Off-site parking arrangements
 - o Forecast spectator travel patterns
 - o Key event timings

Reason: In order to comply with Policies 30 and 31 of the Bromley Local Plan and to avoid development which would be detrimental to amenities and prejudicial to road safety.

5. The floodlighting hereby granted planning permission shall only be used when home matches associated with the Crystal Palace Football Academy are played, and before the beginning of each athletic season, a schedule/calendar of planned matches requiring operation of the floodlighting shall be provided to the Local Planning Authority.

Reason: in the interest of the residential amenities of neighbouring properties and to accord with the scope of the application/intended use, to comply with Policy 37 of the Bromley Local Plan.

6. (i) On completion of the installation of the floodlighting a verification report shall be submitted to the Local Planning Authority for written approval. The Report should include photographs and measurements where necessary and shall be produced by a suitably qualified person to confirm that lighting has been installed in accordance with the approved scheme.

(ii) The use of the floodlighting shall not commence until written approval has been granted by the Local Planning Authority under Part (i) of this condition, and thereafter the

approved scheme shall be permanently maintained in an efficient working manner and no further lighting shall be installed on the site without the prior approval in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, nature conservation and the environment and to comply with Policies 37 and 112 of the Bromley Local Plan.