

21 July 2010

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Our Ref: APP/G5180/V/09/2098454  
APP/G5180/V/09/2100067  
APP/G5180/V/09/2100066

Your Ref: HJWB/THO/J5496

Dear Sirs,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990  
APPLICATIONS BY THE LONDON DEVELOPMENT AGENCY  
CRYSTAL PALACE PARK, LONDON SE20 8DT  
APPLICATIONS: REF 07/03897/OUT; 07/03906/CAC; and 07/03907/LBC**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, Mr Alan Novitzky BArch(Hons) MA(RCA) PhD RIBA, who held a public local inquiry on dates between 7 July and 9 September 2009 into the following applications by your client:

Application A for planning permission 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 (part outline/part full application);

Application B for conservation area consent for:

- demolition of walls, fences, gates and various buildings including park maintenance and office buildings, 3 public conveniences, café, St John's

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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;

Application C for listed building consent 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;

all on a site at Crystal Palace Park, London SE20 8DT, in accordance with applications 07/03897/OUT; 07/03906/CAC; and 07/03907/LBC respectively, and all dated 1 November 2007.

2. On 28 January 2009, the then Secretary of State directed, in pursuance of section 77 of the Town and Country Planning Act 1990, that Application A be referred to her instead of being dealt with by the relevant planning authority, the Council of the London Borough of Bromley, because the proposal might conflict with national and regional policies on important matters. On 26 February 2009 she also directed, in pursuance of section 12 of the Planning (Listed Buildings and Conservation Areas) Act 1990, that Applications B and C be referred to her instead of being dealt with by the London Borough of Bromley.

**Inspector's recommendation and summary of the decision**

3. The Inspector recommended that planning permission, conservation area consent and listed building consent all be granted subject to conditions. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions, except where stated, and is minded to agree with his recommendation (see paragraphs 34-35 below). A copy of the Inspector's full report (IR) is enclosed for the main parties. Other interested parties, for whom only the Inspector's conclusions are enclosed, may obtain a copy of the full report on request to the address at the foot of the first page of this letter. All references to paragraph numbers, unless otherwise stated, are to that report.

**Procedural matters**

4. In reaching this position the Secretary of State has taken into account the Environmental Statement which was submitted in 2007 under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and subsequently clarified and amended as set out at IR4-6. The Secretary of State is content that the Environmental Statement complies with the above regulations and that sufficient information has been provided for him to assess the environmental impact of the application.

5. As set out at IR4, revisions were made in 2008 to the original planning application following a review of the 2007 Environmental Statement. The Secretary of State is satisfied that no prejudice has been caused to any party by this course of action and has determined the application on this basis.
6. The planning application is described as a hybrid application. It is an outline application, with all matters except means of access reserved, except that the proposed changes associated with the Grade II\* listed National Sports Centre are fully detailed (IR8).

### **Matters arising after the close of the inquiry**

7. Following the close of the inquiry, the London Borough of Bromley notified the Secretary of State on 15 February 2010 that, on 4 February 2010, the following structures had been added to the list of buildings of special architectural or historical interest at Grade II: north and south railings, walls and boundary marker, Crystal Palace Parade, Bromley, Greater London. The Council supplied details of the listing on 17 February 2010. The Secretary of State has taken account of this new information, but does not consider that it raises any new issues that would either affect his determination of the applications before him or require him to refer back to the parties for further representations on them prior to reaching his decisions. Copies of the post inquiry correspondence can be made available on written request to the address at the foot of the first page of this letter.

### **Policy considerations**

8. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.
9. In this case, the development plan comprises the *London Plan* (consolidated with alterations since 2004), February 2008, and the London Borough of Bromley Unitary Development Plan (UDP), July 2006. The Secretary of State considers that the development plan policies most relevant to the appeal are those discussed by the Inspector at IR1271-1290.
10. A formal review of the London Plan has been initiated but this is still at a very early stage and the Secretary of State accords it little weight. The London Borough of Bromley's draft Core Strategy is also at a very early stage and carries little weight.
11. Other material considerations which the Secretary of State has taken into account include Planning Policy Statement (PPS) 1, *Delivering sustainable development*; PPS3, *Housing*; PPS 5, *Planning for the Historic Environment*; PPS9, *Biodiversity and geological conservation*; and PPG17, *Planning for open space, sport and recreation*. Other material considerations include Circular 11/95: *Use of Conditions in Planning Permission*; and Circular 05/2005: *Planning Obligations*.

12. The final version of PPS5, *Planning for the Historic Environment* was published after the close of the inquiry, on 24 March 2010. The Secretary of State considers that this document is relevant to the determination of these applications, but that the final version has not introduced significant changes to the relevant draft PPS policies. He therefore considers that the publication of the final PPS5 document does not constitute a material change in circumstances in the matters relevant to this proposal to an extent that would affect his decision or require him to refer back to the parties for further representations prior to reaching his decisions (IR1235-1236).
13. The Secretary of State has also had regard to the Community Infrastructure Levy Regulations (CIL) which came into force on 6 April 2010, and which replace the policy tests for planning obligations set out in Circular 05/2005 with three statutory tests. He is satisfied that the Regulations do not have any significant implications for the proposal which would require him to refer back to the parties.
14. He has also taken into account the draft document entitled *New Policy Document for Planning Obligations*, issued for consultation on 25 March 2010. However, as this document is still at consultation stage and may be subject to change, he affords it little weight.
15. In deciding the applications, the Secretary of State has had regard to their potential impacts on the listed buildings within and in the vicinity of the site, comprising those listed at IR25-26 along with the north and south railings, walls and boundary marker, Crystal Palace Parade referred to in paragraph 7 above, with particular regard to the desirability of preserving those buildings or their settings, as required by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. He has also had regard to the potential impacts of the applications on the Crystal Palace Conservation Area. In accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, he has paid special attention to the desirability of preserving or enhancing the character or appearance of this area. In deciding Application C, the Secretary of State has had regard to the status of the building which is the subject of the application as a Grade II\* Listed Building. In accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, he has paid special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it may possess.

## **Main issues**

### **PPS1**

#### *Design considerations*

16. The Secretary of State agrees with the Inspector (IR1102) that, despite the problems which may exist with regard to deliverability of the complete Masterplan proposals, an overall vision such as this is essential to guide the long term development process, and to avoid past problems of uncoordinated piecemeal development leading to short term aims and conflicting solutions. He has had regard to the Inspector's detailed analysis of the Masterplan proposals for the eight character zones of the park identified in that plan, and agrees with his

conclusions on the acceptability of the proposals (IR1104-1165). The Secretary of State has given particular consideration to the potential impacts of the proposed Capel Manor College Building on the living conditions of the residents of the Anerley Hill terrace and, for the reasons given by the Inspector at IR1115-1122, concludes that these impacts would not be unacceptable.

#### *Sustainable development*

17. Like the Inspector, the Secretary of State is of the view that, overall, the proposals would work in favour of social cohesion and inclusion (IR1166), and that the removal of barriers between areas of the park; enhancement of circulation; ease of use for all abilities; opening up of views; integration of points of interest, facilities and events; and clear but not overly formal organisation based on Paxton's principles, would all assist in this (IR1167). He also agrees that, in general, the landscape of the park would be enhanced and restored to a cogent design based on organising principles consistent with Paxton's vision; the listed structures, including the dinosaurs, the National Sports Centre, the High Level Station Subway, and the Italian Terraces, would receive appropriate attention with uses and in settings which make much of their special interest; and biodiversity would be respected, and enhanced overall (IR1168-1169). For the reasons given by the Inspector at IR1171-1174, the Secretary of State agrees with him that the proposals would involve the prudent use of natural resources (IR1174). Like the Inspector, he considers that the proposals would act successfully as a catalyst for the economic regeneration of the area, but that this is dependent on the Masterplan vision being fully carried out (IR1175-1176).

#### *Community involvement*

18. The Secretary of State agrees with the Inspector that, for the reasons he gives at IR1177-1181, the Masterplan meets the key PPS1 principle of community involvement (IR1183).

#### PPS3

19. For the reasons given by the Inspector (IR1184-1188), the Secretary of State is satisfied that the proposed housing element of the Masterplan would be consistent with policies in PPS3 (IR1188) and that it would not be appropriate to provide affordable housing in this case.

#### PPS5

20. For the reasons give by the Inspector at IR1211-1233, the Secretary of State agrees with him that the Masterplan proposals would respect the great historic interest of the park and enhance its present character and appearance (IR1234).

#### PPS9

21. In considering the potential impacts of the proposal on nature conservation interests, the Secretary of State has had particular regard to the impacts on bats, as a protected species under Annex IVa of the Council Directive 92/43/EEC of 21 May 1992 on: *The conservation of natural habitats and of wild fauna and flora*. Although he agrees with the Inspector that there is not a persuasive case on

biodiversity grounds to preserve the land at Ledrington Road, the Secretary of State also agrees that consideration should be given to retaining the tree identified as T700, which has bat roosting potential, or to mitigating its loss. He agrees with the Inspector (IR1209) that this can best be done as part of the Ecological Management Plan and the measures dealing with the treatment of trees, which are covered by conditions 11-12 and 13-14 respectively in the proposed conditions as set out at Annex A to this letter. Overall, like the Inspector, and for the reasons given by him (IR1192-1209), the Secretary of State is satisfied that the proposals would enhance biodiversity associated with the park over the long term and that, over the construction period, subject to the mitigation measures outlined, the effect would be acceptable. Overall, the Secretary of State also agrees with the Inspector's conclusion that the proposals would accord with policies in PPS9 (IR1210).

### PPG17

22. The Secretary of State agrees with the Inspector that the proposals would enhance open space within the park and that connectivity and legibility would be enhanced (IR1237). He also agrees, for the reasons given by the Inspector (IR1252-1254), that the presence of the park outweighs the benefits of retaining the land next to Ledrington Road as open space (IR1254).
23. For the reasons given at IR1240-1249, the Secretary of State also agrees with the Inspector that although, on balance, the proposals would in many ways benefit sports provision in the area, the loss of the full size synthetic turf pitches would be harmful (IR1250). Like the Inspector at IR1250, he considers that the re-provision of one of the pitches through a Grampian condition would be appropriate, and a condition to this effect is included in the attached schedule of proposed conditions (Annex A, Condition 79).

### Metropolitan open land (MOL)

24. Policy 3D.10 of the London Plan includes a presumption against inappropriate development on MOL and gives this the same protection as green belt land. Very special circumstances (VSCs) are necessary to clearly outweigh the very strong presumption against inappropriate development on MOL, which the Rockhills residential development would comprise, and any other harm arising from the proposals. Like the Inspector, the Secretary of State has considered whether the benefits of the proposal outweigh the harm to the MOL and any other harms arising from the proposal. He agrees with the Inspector at IR1261 that the probable overall gain in usable MOL is a major consideration contributing towards VSCs. He also agrees that the initial funding for the Masterplan proposals to be derived from the Rockhills and Sydenham Gate housing is critical to the success of the proposals (IR1262); and that it makes the completion of the proposals as a co-ordinated whole much more likely (IR1261).
25. The Secretary of State agrees with the Inspector that other considerations in favour of the proposals include the wider benefits to community, economic regeneration, sport, recreation, and heritage assets that the Masterplan would bring (IR1261). He also agrees with the Inspector that the benefits of the reorganisation of the Rockhills layout, providing a more pronounced entry at the

northwest corner of the Park and connection with the Palace Terrace and the English Landscape, represent another consideration in favour of the proposals (IR1261). Like the Inspector, the Secretary of State concludes that, overall, subject to resolution of the matter of possible harm to bats (as discussed in paragraph 21 above), VSCs exist sufficient to clearly outweigh the strong presumption against inappropriate development of housing on MOL at Rockhills (IR1262).

### Development plan

26. For the reasons given by the Inspector at IR1272-1290, the Secretary of State considers that, overall, the Masterplan proposals would accord with the relevant provisions of the development plan, including UDP Recreation, Leisure and Tourism Objective 4. That objective is to maintain and enhance the role of Crystal Palace Park as a principal strategic park for southeast London and to recognise its value as open parkland and as an important cultural, recreational and sporting asset. (IR1291). However, this is subject to the revised schedule of conditions set out at Annex A; the reformulated section 106 agreement (see paragraph 30 below); and the resolution of the bat roosting issues associated with tree T700 (see paragraph 21 above).

### Other matters

#### *Funding*

27. The Secretary of State agrees with the Inspector (IR1298) that, in the worst case scenario, the capital generated by the housing developments might be consumed without any further funding being secured. This would leave the park with only a small fraction of the Masterplan proposals complete and the housing development on the periphery of the park in place, albeit with land released from the caravan and camping site for public use. However, given the fit between Masterplan proposals and the funding profile, the Secretary of State agrees in principle with the Inspector (IR1298) that this is extremely unlikely, even in a period of economic restraint. The Secretary of State does have serious concerns, however, about the proposed use of conditions to try to ensure that the capital contributions arising from the housing development are used for park improvement works. For the reasons set out in paragraph 30 below, he is of the view that Conditions 58 and 60 do not provide a legitimate way of ensuring that the capital contributions arising from the housing development are used for park improvement works.

#### *Fairness of proceedings*

28. For the reasons given by the Inspector (IR1303-1306), the Secretary of State is satisfied that no prejudice has been caused to any party by the manner in which inquiry documents were made available, or by faults in illustrative visual representations of the proposals.

#### *Validity of the outline application*

29. For the reasons set out by the Inspector at IR1307-1312, the Secretary of State is also satisfied that the outline element of the application is valid.

## Conditions and Section 106 agreement

30. The Secretary of State has considered the proposed conditions in the light of the Inspector's comments at IR1316-1318 and national policy as set out in Circular 11/95. He considers that the majority of the proposed conditions as amended by the Inspector comply with the policy tests in that Circular. However, he is of the view that Conditions 58-60 and the related Annex A1, which require the payment of money, would amount to a tax and that the principle that there can be no taxation without clear support in law would thus be breached. He therefore proposes deleting Conditions 58-60 and the related Annex A1, as shown in the attached Annexes A and A1. The Secretary of State considers that any arrangements for the payment of any monies for the improvement works, as originally set out in Conditions 58-60 and Annex A1, should be the subject of a planning obligation, and he accordingly invites your client to submit a reformulated section 106 agreement incorporating those provisions contained in Conditions 58-60 and Annex A1 of the IR.
31. The Secretary of State also notes that the works to restore the recently listed railings adjacent to Crystal Palace Parade, as proposed in Condition 52, may require a separate application for Listed Building Consent.
32. The Secretary of State has considered the existing section 106 agreement in the light of the Inspector's comments at IR1324-1329 and national policy as set out in Circular 05/2005. He agrees with the Inspector's conclusions on the various provisions of the obligation (IR1324-1328). Following the close of the inquiry, CIL came into force on 6 April 2010, and these regulations represent a material consideration (see paragraph 31 above). However, whilst therefore disagreeing with the Inspector's conclusion at IR1329 that those regulations are not relevant to this case, the Secretary of State is satisfied that the provisions in the obligation which the Inspector has identified as meeting the tests in the Circular 05/2005 also meet the statutory tests set out in CIL.

## **Application A**

### Conclusions

33. The Secretary of State concludes that, subject to the revised schedule of conditions and the reformulated section 106 agreement as proposed in paragraph 30 above, and the resolution of the bat roosting issues associated with tree T700, the planning application is in accordance with the development plan. He also concludes that the application is in accordance with national policy in PPS1, PPS3, PPS5, PPS9 and PPG17. The Secretary of State further concludes that there are no material considerations of sufficient weight to determine the application other than in accordance with the development plan.
34. Accordingly, for the reasons given above, he is minded to agree with the Inspector's recommendation to grant planning permission for the proposed development subject to the revised conditions, as set out in Annex A to this letter, and the submission of a revised section 106 agreement which addresses the concerns set out in paragraph 30 above.

35. The Secretary of State proposes to defer his final decision on the application to enable the submission of a reformulated section 106 agreement covering the matters specified in paragraph 30 above. He proposes to allow 8 weeks from the date of this letter, i.e. to **15 September 2010**, for the submission of the reformulated agreement and any accompanying representations which, if necessary, he will then circulate for comments, before proceeding to a final decision. Please note that the Secretary of State does not regard this invitation as an opportunity to address any other issues raised during the inquiry. Accordingly, interested parties are asked to restrict any representations to the matters set out above.

### **Applications B and C**

36. The Secretary of State has had regard to the Inspector's comments at IR1319-1323 on the conditions proposed in respect of any conservation area and listed building consents which may be granted and is minded to agree with his recommendations that these applications for conservation area and listed building consent should be granted subject to the conditions set out at Annexes B and C respectively. However, in view of the close relationship of these applications with the planning application for the Masterplan proposals, he does not consider that it would be appropriate to grant these consents in advance of the planning application and proposes to defer his decision on these applications also.

### **Variation of timetable**

37. The Secretary of State considers that he will not be in a position to reach a decision on the applications by **22 July 2010**, as previously notified, because of the need to allow parties time to deal with the matters set out above. Therefore, in the exercise of the power conferred on him by paragraph 6(2) of Schedule 2 to the Planning and Compulsory Purchase Act 2004, he hereby gives notice that he has varied the timetable previously set and will now issue his decision on or before **6 October 2010**.

38. A copy of this letter has been sent to the London Borough of Bromley and to all parties who appeared at the inquiry.

Yours faithfully

**Jean Nowak**

Authorised by the Secretary of State to sign in that behalf



## PROPOSED OUTLINE PLANNING PERMISSION CONDITIONS

### *Reserved matters*

- 1 (i) No works shall commence in any part or zone of the development (with the exception of the works to and around the National Sports Centre which have been granted full planning permission by this decision notice) until detailed plans, sections and elevations of the following reserved matters for that part or zone of the development have been submitted to and approved in writing by the Local Planning Authority:
- a) appearance;
  - b) landscaping;
  - c) layout; and
  - d) scale.
- The details of sections shall include relevant existing and proposed levels and sections. Details of the boundaries of the parts and zones of the development shall be submitted to and approved in writing by the Local Planning Authority.
- (ii) The first application for approval of reserved matters shall be made not later than the expiration of 10 years beginning with the date of this decision notice.
- (iii) The final application for approval of reserved matters shall be submitted no later than 15 years from the date of this decision notice.
- (iv) The development to which this permission relates must be begun not later than: the expiration of 15 years beginning with the date of this decision notice; or the expiration of 2 years from the final approval of reserved matters, whichever is later.

### *Landscaping details*

- 2 The landscaping details, which shall include the materials of paved areas and other hard surfaces, submitted in accordance with condition 1 (details required) and subsequently approved in writing by the Local Planning Authority shall be implemented in the first planting season following the substantial completion of the works in the relevant part or zone of the development. Any trees or shrubs which before the expiration of a period of 5 years from the completion of the relevant part or zone die, are removed or become seriously damaged or diseased shall be replaced in approximately the same location in the next planting season with others of the same species and approximately the same size as those originally planted, unless otherwise agreed in writing by the Local Planning Authority.

## ***Plans***

- 3 The development to which this permission relates shall be carried out in accordance with the plans listed in Appendix 4 of the Statement of Common Ground (CD 15/1), updated by revisions included in the Statement of Clarification and Review of Scheme Changes December 2008 (CD 2/12); and in accordance with the Masterplan Design Guidelines set out in Appendix 1 of the Design and Access Statement (CD 2/6) submitted with the application.

## ***Construction Environmental Management Plan***

- 4 No works shall commence until a Construction Environmental Management Plan for the development including the measures described in paragraph 6.64 of the Environmental Statement has been submitted to and approved in writing by the Local Planning Authority, and all construction works shall be carried out in accordance with the approved Construction Environmental Management Plan.

## ***Demolition and Construction Management Plans and Construction Method Statements***

- 5 Unless otherwise agreed in writing by the Local Planning Authority, no works shall commence in any part or zone of the development until a Demolition and Construction Management Plan for that part or zone which is consistent with the approved Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. Each Demolition and Construction Management Plan shall include provision for accommodation of operatives' vehicles and construction vehicles and for the turning of construction vehicles within the vicinity of the site, measures for restricting the use of light at night and details of the other measures described in paragraph 6.64 of the Environmental Statement.
- 6 Unless otherwise agreed in writing by the Local Planning Authority, no works shall commence in any part or zone of the development until a Construction Method Statement for that part or zone has been submitted to and approved in writing by the Local Planning Authority. Each Construction Method Statement shall define protection measures for listed and other retained buildings during construction and a specification for recording (which includes photographs, drawings and a brief statement of significance, as appropriate) those elements of the historic fabric that are not being retained.
- 7 All demolition and construction works shall be carried out in accordance with the relevant approved Demolition and Construction Management Plan and Construction Method Statement.

### ***Site-wide Waste Strategy***

- 8 Unless otherwise agreed in writing by the Local Planning Authority, no works shall commence until a Site-wide Waste Strategy prepared in accordance with the principles set out in Appendix 18.1 of the Statement of Clarification and Review of Scheme Changes December 2008 (CD 2/12) has been submitted to and approved in writing by the Local Planning Authority and all demolition and construction works shall be managed in accordance with the approved Site-wide Waste Strategy.

### ***Management and Maintenance Plan***

- 9 Each part or zone of the Park shall be maintained and managed in accordance with a Management and Maintenance Plan in respect of that part or zone of the development. Each Management and Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority before commencement of development in respect of that part or zone of the development.

### ***Conservation Management Plan***

- 10 Development of each part or zone shall be carried out in accordance with the principles relevant to that part or zone set out in a Conservation Management Plan, which shall have regard to the conservation principles relevant to the site and development as a whole. Each Conservation Management Plan shall assess the Park's historical significance and current condition using the Conservation Appraisal included as Appendix 10.1 of the Environmental Statement and shall set out guidelines for the management of historic features and landscape value. The Conservation Management Plan shall be submitted to and approved in writing by the Local Planning Authority before any development of that part or zone is commenced.

### ***Ecological Management Plan***

- 11 No works shall commence until an outline Ecological Management Plan for the development has been submitted to and approved in writing by the Local Planning Authority. The outline Ecological Management Plan shall detail the mitigation, management and monitoring measures described in paragraphs 15.290-15.299 of the Environmental Statement.
- 12 No works shall commence in any part or zone of the development until a detailed Ecological Management Plan for that part or zone which is consistent with the approved outline Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved detailed Ecological Management Plan for the relevant part or zone.

## **Trees**

- 13 Save as authorised pursuant to this planning permission, no trees on the site shall be felled, lopped, topped or pruned before or during building operations except with the prior agreement in writing of the Local Planning Authority. Any trees felled or which die through lopping, topping or pruning shall be replaced in the next planting season with trees of such size and species as may be agreed in writing with the Local Planning Authority.
- 14 Unless otherwise agreed in writing by the Local Planning Authority, no works shall commence in any part or zone of the development until a Tree Management Strategy for that part or zone has been submitted to and approved in writing by the Local Planning Authority. Each Tree Management Strategy shall set out the measures to be taken to protect trees during the construction of the development, and shall include details of:
- a) the type and siting of protective fencing, and maintenance of protective fencing for the duration of construction works;
  - b) the type and siting of scaffolding (if required);
  - c) the method and timing of demolition, site clearance and building works;
  - d) the depth, extent and means of excavation of foundations and details of method of construction of new foundations;
  - e) the location of site facilities (if required), and location of storage areas for materials, structures, machinery, equipment or spoil, and mixing of mortar or concrete;
  - f) the location of underground services avoiding locating them within the protected zone;
  - g) the method to be used for the removal of existing hard surfacing within the protected zone;
  - h) the nature and installation of any new surfacing and planting of soft landscaping within the protected zone; and
  - i) the methods proposed for the watering of trees during the course of construction works.

Each Tree Management Strategy shall be implemented in accordance with the approved details until the completion of works within the relevant part or zone, and all plant, machinery or materials for the purpose of development have been removed from the part or zone.

## **Archaeology**

- 15 Unless otherwise agreed in writing by the Local Planning Authority, no works shall commence in any part or zone of the development until an Archaeological Method Statement and Mitigation Strategy for that part or zone has been submitted to and approved in writing by the Local Planning Authority, and the development in each part or zone shall be carried out in accordance with the relevant approved Archaeological Method Statement and Mitigation Strategy. Each Archaeological Method Statement and Mitigation Strategy shall detail the measures outlined in paragraphs 12.115-

12.124 of the Environmental Statement, including a written scheme for archaeological investigation.

- 16 No works shall commence until a Piling Strategy, including measures to protect the major aquifer underlying the site, has been submitted to and approved in writing by the Local Planning Authority, and all construction works shall be carried out in accordance with the approved Piling Strategy.
- 17 Details shall be submitted to and approved in writing by the Local Planning Authority of the detailed design of service trenches and other ground works and the foundations of each building (including method statements for the carrying out of the relevant works), with particular reference to the effects of the works concerned on groundwater and archaeological remains.

### ***Remediation***

- 18 A detailed remediation scheme to bring each part or zone of the development to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. Each scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures, and shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 19 Unless otherwise agreed in writing by the Local Planning Authority, each approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of works in the relevant part or zone of the development (other than those works required to carry out remediation). The Local Planning Authority shall be given two weeks written notification of commencement of each remediation scheme works. Following completion of measures identified in each approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out shall be submitted to and approval in writing by the Local Planning Authority.
- 20 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.
- 21 A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years following the completion of each remediation scheme, and the provision of reports on

the same shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in each scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out shall be submitted to and approved by the Local Planning Authority. This shall be conducted in accordance with the DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

### ***Water strategy***

22 No works shall commence until a Water Strategy for the development has been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved Water Strategy. The Water Strategy shall detail the measures outlined in paragraphs 14.111-14.145 and Figure 14.4 of the Environmental Statement including the provisions for the supply, use, storage, treatment and discharge of water in the development and shall include details of:

- a) water supplies (including anticipated flow rates) to the part, zone or building concerned;
- b) drawings and calculations of the operation of the water circulation system, water features and the surface water drainage system (including the ponds, wetlands, open channels, green roofs and rainwater harvesting), to include petrol/oil interceptors as appropriate and storage facilities to limit surface water runoff by means of a sustainable drainage system incorporating flow limiting devices to 8 litres/second/hectare;
- c) long term maintenance and adoption agreement for the sustainable drainage system;
- d) treatment of redundant drainage within the site;
- e) a strategy for emptying of the swimming pools; and
- f) foul drainage for each of the buildings hereby permitted.

The Water Strategy shall be implemented in accordance with the approved details and the buildings hereby permitted shall not be occupied until the relevant water supply and drainage works have been completed, and the water features, water supply and drainage works shall be retained thereafter in accordance with the approved details.

### ***Travel plan***

23 No works shall commence until an outline Travel Plan prepared in accordance with paragraphs 16.184-16.187 of the Environmental Statement has been submitted to the Local Planning Authority. The outline Travel Plan shall include measures to promote and encourage alternatives to car use by those working, residing at or visiting the development, details of a scheme for submission of proposals to amplify the measures in it as the development is implemented and for annual monitoring and updating of the Travel Plan. The outline Travel Plan shall be approved in writing by the

Local Planning Authority within 18 months of the commencement of any of the works and implemented thereafter in accordance with the terms of the Plan.

### ***Events, interpretation and educational plans and strategies***

- 24 Prior to the substantial completion of the works in each part or zone of the development, the following strategies shall be submitted to the Local Planning Authority for approval in relation to that part or zone:
- a) an Events Management Plan prepared in accordance with paragraphs 16.188-16.191 of the Environmental Statement; and
  - b) an Interpretation and Educational Strategy prepared in accordance with the assessment of the Interpretation Strategy dated September 2007.

Each Events Management Plan and Interpretation and Educational Strategy shall include measures for annual monitoring and updating the measures contained in it, and after the Local Planning Authority has approved each Events Management Plan and Interpretation and Educational Strategy concerned, it shall be implemented thereafter.

### ***Noise mitigation measures***

- 25 Schemes for protecting the proposed dwellings from road traffic noise, which shall include double glazing of windows within the residential development authorised by this planning permission at Sydenham Gate and Rockhills, shall be submitted to and approved in writing by the Local Planning Authority before development commences at Sydenham Gate and Rockhills respectively and the schemes shall be fully implemented before any of the dwellings at Sydenham Gate and Rockhills respectively are occupied and retained as such thereafter.
- 26 A scheme for protecting the College building from vibration and rail traffic noise, which shall include double glazing of windows and details of foundation design, shall be submitted to and approved in writing by the Local Planning Authority before development of the College building commences and the scheme shall be fully implemented before any of the College is substantially completed and retained as such thereafter.

### ***Waste and recycling***

- 27 No work shall commence until a Waste Collection Strategy for the development has been submitted to and approved in writing by the Local Planning Authority. Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) for each building hereby permitted and for each part or zone of the development shall be submitted to and approved in writing by the Local Planning Authority and the approved arrangements for each building shall be completed before it is first occupied and the arrangements

for each part or zone shall be available for use on or before the substantial completion of that part or zone. The approved arrangements shall be retained as such thereafter.

- 28 Prior to substantial completion of each part or zone of the development, a scheme for the provision of recycling facilities in relation to that part or zone of the development shall be submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented and thereafter retained.

### ***Energy***

- 29 No works shall commence until a site-wide Energy Management Plan for the development has been submitted to and approved in writing by the Local Planning Authority. The Energy Management Plan shall include:

- a) measures to procure at least a 40% reduction in carbon dioxide emissions on the minimum requirements under the Building Regulations Part L 2006 and applying to the regulated energy use;
- b) the reduction in (a) to be achieved by a combination of passive design, energy efficiency, an efficient heat and power supply (including the provision of 3 energy networks with heat and power supplied by CHP as described in Table 6 of the Sustainability Statement, 'Proposed energy strategy') and renewable energy production;
- c) a minimum of 20% of the predicted carbon dioxide reduction shall be from on-site renewable energy production;
- d) an obligation to construct the residential flats to Level 4 of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme) and no dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 4 has been achieved; and
- e) buildings permitted within the Park to achieve a minimum BREEAM standard of "Very Good".

No works shall commence on any part or zone of the development until a detailed Energy Management Plan for that part or zone which is consistent with the approved site-wide Energy Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development in each part or zone shall be carried out in accordance with the relevant detailed Energy Management Plan.

### ***Transport***

- 30 No works shall commence in any part or zone of the development until a Car Park Management Plan for the provision and ongoing management of car parking on a site-wide basis has been submitted to and approved in writing by the Local Planning Authority. The Car Park Management Plan submitted for approval shall include temporary arrangements for car parking

during construction works and proposals for permanent car parking throughout the site together with details of vehicle circulation arrangements and a timetable for provision of temporary and permanent parking spaces. The approved car parking spaces together with the means of access to them shall be kept available for such use, and the Car Park Management Plan shall include provision for its annual monitoring. Parking bays shall measure 2.4m x 5m and there shall be a clear space of 6m in front of each space to allow for manoeuvring and these spaces shall be retained as such thereafter.

- 31 Before any part or zone of the development is first occupied, details of secure bicycle parking (including covered storage facilities where appropriate) in relation to that part or zone shall be submitted to and approved in writing by the Local Planning Authority. Such bicycle parking shall be provided in accordance with the approved details before the substantial completion of the relevant part or zone of the development to which it relates, and shall be retained thereafter.
- 32 No works shall commence until a Coach Parking Strategy has been submitted to and approved in writing by the Local Planning Authority. The Coach Parking Strategy shall include measures for annual monitoring and updating and it shall be implemented in accordance with the approved details and operated thereafter. Unless otherwise agreed in writing by the Local Planning Authority, work shall not commence on any part or zone of the development until details of coach parking for that part or zone have been submitted to and approved in writing by the Local Planning Authority. The coach parking shall be provided in accordance with the approved details and retained thereafter.
- 33 No works shall commence until a Delivery and Servicing Plan has been submitted to the Local Planning Authority setting out proposed efficiencies and sustainability measures in relation to the movement of delivery and servicing vehicles once the development is operational. After it has been approved in writing by the Local Planning Authority, the Delivery and Servicing Plan shall be implemented in accordance with the approved details and operated thereafter. The Delivery and Servicing Plan shall include measures for annual monitoring and updating.
- 34 The details submitted pursuant to condition 1 shall include details of the proposed cycle and pedestrian routes in each part or zone of the site, and the routes approved in writing by the Local Planning Authority shall be available for use on or before substantial completion of the works in each part or zone.
- 35 Details of the layout of the vehicular accesses to the highways, the access roads and turning areas and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these access arrangements shall be substantially completed before the relevant part or zone of the development hereby permitted is substantially completed. There shall be no obstruction to visibility in excess of 1m in height within the approved splays except for trees selected by or on behalf

of the Local Planning Authority, and the approved splays shall be retained as such thereafter.

### ***Lighting***

- 36 No works shall commence until a Lighting Strategy prepared in accordance with the Lighting and Bats Protocol (provided at paragraph 4.64 of the Statement of Clarification and Review of Scheme Changes December 2008) has been submitted to and approved in writing by the Local Planning Authority. No works shall commence in any part or zone of the development until details of schemes of lighting for the part or zone of the development (including appearance, technical details and means of orientation and screening of the lights and the means of construction and laying out of the cabling) have been submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented before substantial completion of the relevant part or zone of the development and shall be retained as such thereafter. All construction works shall be carried out in accordance with the lighting measures detailed in the Construction Environmental Management Plan. No lighting shall be installed on the treetop walkway at any time.

### ***CCTV***

- 37 The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the Park and the development, and the measures shall include closed circuit television and monitoring system(s). Unless otherwise agreed in writing by the Local Planning Authority, no works shall commence in any part or zone of the development until details of security measures including a closed circuit television and monitoring system have been submitted to and approved in writing by the Local Planning Authority, and the approved details shall be completed and commissioned on or before any part or zone of the development is substantially completed and shall be retained as such thereafter. The security measures to be implemented in compliance with this condition shall achieve the "Secured by Design" accreditation as far as possible.

### ***Museum building***

- 38 The details submitted pursuant to condition 1 shall include a viewing area on the roof of the museum building hereby permitted, which shall be completed before that building is first occupied, and the viewing area shall be permanently available for free public use at all times that the museum building is open to the public.
- 39 The use of the existing museum shall not change to the permitted Park office use until the museum building hereby permitted is available for its permitted use.

- 40 The museum building shall not be occupied until works to alter and restore the adjacent subway that have been granted consent by the Local Planning Authority have been substantially completed.
- 41 The museum shall not be opened to the public until screening has been installed at the west end of the subway in accordance with details submitted to and approved in writing by the Local Planning Authority, and the screening shall be retained as such thereafter.

### ***College building***

- 42 The details submitted pursuant to condition 1 shall include detailed drawings of the alterations to the wall that is to be retained within the college building. The wall shall be retained and altered in accordance with the details approved in writing by the Local Planning Authority and retained as such thereafter.
- 43 The college building hereby permitted shall not exceed two storeys in height at its north-west elevation and three storeys in height at its south-east elevation and the details of layout and scale in respect of it shall not exceed the minimum dimensions specified on Parameter Plan A5 (Plan no. P\_A\_1260 version 01).
- 44 No part of the roof of the college building is to be used as a garden, balcony or sitting out area.
- 45 Before the college building is first occupied, any windows in its south-west elevation directly overlooking properties looking on to Ledrington Road shall be obscure glazed with restricted opening to prevent outward vision in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall be retained as such thereafter.

### ***Rockhills and Sydenham residential***

- 46 The residential buildings hereby permitted shall not exceed five storeys in height (including roof accommodation but excluding the basement car parking) in respect of the Rockhills site and four storeys in height (including roof accommodation) in respect of the Sydenham Gate site, and the details of the blocks shall not exceed the minimum dimensions specified on Parameter Plans H5, H6 and G6 (Plan nos. P\_H\_1960 version 00, P\_H\_1970 version 00, and P\_G\_1870 version 01).
- 47 The vehicular access to Westwood Hill for the Rockhills residential development shall not be used until "Keep Clear" markings on the highway have been installed and the bus stop on the north side of Westwood Hill has been relocated, both in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
- 48 Details shall be submitted to and approved in writing by the Local Planning Authority of the layout of the vehicular access to the Rockhills residential development to prohibit vehicles turning left out of the access (including

appropriate signage) and the access shall be laid out in accordance with the approved details before any of the flats are first occupied and the layout and signage shall be retained as such thereafter.

### ***Slab level details***

- 49 Details of the proposed slab levels of the buildings and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

### ***External facing materials***

- 50 Details of the external facing materials to be used for each of the buildings shall be submitted to and approved in writing by the Local Planning Authority before any work to the building to which the details relate is commenced. The works shall be carried out in accordance with the approved details.

### ***Window details***

- 51 Details of the windows (including rooflights and dormers where appropriate) including materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimensions of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work to the building to which the details relate is commenced. The windows shall be installed in accordance with the approved details.

### ***Crystal Palace Parade railings***

- 52 The landscaping details submitted pursuant to condition 1 shall include detailed drawings of the restoration of the railings adjacent to Crystal Palace Parade. The railings shall be retained and restored in accordance with the details approved in writing by the Local Planning Authority.

### ***Access for disabled persons***

- 53 Details of proposals to provide dwellings capable of occupation by wheelchair users (including related car parking spaces) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of each of the Sydenham Gate and Rockhills residential developments. Details shall also be submitted to and approved in writing by the Local Planning Authority of proposals for the construction of all the dwellings hereby permitted as "Lifetime Homes" in accordance with the criteria set out in Supplementary Planning Guidance to the London Plan "Accessible London: achieving an inclusive environment" (April 2004) prior to commencement of each of the Sydenham Gate and Rockhills residential developments. The dwellings shall be constructed in accordance with the approved details.

- 54 No works shall commence until an Access Strategy for the development has been submitted to and approved in writing by the Local Planning Authority. Details of schemes for each part or zone of the development to provide access for persons with disabilities (including car parking spaces where appropriate) shall be submitted to and approved in writing by the Local Planning Authority before work is commenced in the relevant part or zone and the approved schemes shall be implemented before substantial completion of the part or zone and shall be retained thereafter.

### ***Signage***

- 55 No works shall commence until a strategy for signage, information and interpretation for the development has been submitted to and approved in writing by the Local Planning Authority. No works shall commence in any part or zone of the development until details of schemes to provide signage, information and interpretation in the relevant part or zone have been submitted to and approved in writing by the Local Planning Authority and the approved schemes shall be implemented before substantial completion of the relevant part or zone and shall be retained as such thereafter.

### ***Phasing***

- 56 No development shall take place until a phasing plan for the delivery of the development has been submitted to and approved in writing by the Local Planning Authority.
- 57 The development shall be carried out in accordance with the phasing plan approved by the Local Planning Authority or such amended phasing plan as shall be approved in writing by the Local Planning Authority from time to time.

### ***Securing park improvements***

- ~~58 No works to construct any residential units in a phase of development shall take place until:~~
- ~~a) details have been submitted to and approved in writing by the Local Planning Authority identifying those park improvements forming part of the development which must be completed prior to first occupation of those residential units together with a cost plan for those improvements (such details and cost plan to be in accordance with the outline specification annexed to these conditions unless otherwise agreed by the Local Planning Authority); and~~
  - ~~b) an amount equal to the cost of the park improvements as shown in the approved cost plan has been deposited in a designated bank account or other fund approved by the Local Planning Authority for the purpose of funding the park improvements.~~

~~59 In the event that the net profits from the sale of any residential units or the net proceeds from the sale of land upon which any residential units are to be constructed (as applicable) exceed the amount deposited in the designated bank account or other fund referred to in condition 58 prior to the start of works to construct those residential units, then none of the residential units shall be occupied unless the excess profits or proceeds (as applicable) have been deposited in the same designated bank account or other fund referred to in condition 58.~~

~~60 No residential units in a phase of development shall be occupied until the park improvements approved in writing by the Local Planning Authority pursuant to condition 58 have been completed and a statement of account submitted to the Local Planning Authority identifying the cost of those park improvement works and the extent to which they were funded from the designated bank account or other fund referred to in condition 58.~~

### ***Affordable housing***

61 All applications for the approval of reserved matters for the construction of residential units shall state whether or not public funding has been secured for the purpose of providing any of those residential units as affordable housing.

62 Where any application for the approval of reserved matters for the construction of residential units states that public funding has been secured for the purpose of providing any of those residential units as affordable housing, no works to construct those residential units shall take place until an affordable housing scheme (which shall identify the number of residential units that the funding enables to be provided as affordable housing without reducing the net profits or net proceeds available for park improvement works, the proposed tenure mix and the registered social landlord who will manage the affordable housing) has been submitted to and approved in writing by the Local Planning Authority.

63 Any residential units to be provided as affordable housing shall be provided in accordance with the relevant affordable housing scheme as approved by the Local Planning Authority.

64 No residential unit in a phase of development that includes affordable housing shall be occupied until the affordable housing has been completed and offered to the registered social landlord identified in the relevant affordable housing scheme.

### ***Highway improvements***

65 Neither the further education facility identified in the Design and Access Statement (CD 2/5 page 95) as Building 1 nor the greenhouse identified as Building 2 within Zone A of the development shall be occupied until the highway improvements to the junction between Anerley Hill and Crystal Palace Parade identified on the drawing dated 4 September 2007 entitled

"Crystal Palace Park Masterplan Indicative Junction Improvement – Option 2" have been carried out and completed.

- 66 Neither the residential buildings identified as Building 8a nor the greenhouse identified as Building 9 within Zone H of the development shall be occupied until the highway improvements to Crystal Palace Parade identified on drawing number 7054\_176 entitled "Figure 17.6 Rockhills Junction and Indicative Pelican Crossing Location" have been carried out and completed.

### ***Traffic monitoring***

- 67 Not later than 6 months (or such longer period as may be approved in writing by the Local Planning Authority) following the first occupation of the residential buildings identified as Building 8a within Zone H of the development, an independent traffic monitoring survey shall be carried out in conjunction with Transport for London and submitted to the Local Planning Authority for approval identifying the impact of the development on traffic conditions at the junction between Westwood Hill, Sydenham Hill, Fountain Drive and Crystal Palace Parade, together with a proposed scheme of mitigation measures (including modifications to traffic signals or localised loading and/or waiting restrictions) considered appropriate where the survey identifies any adverse impact on such junction as a result of the development.
- 68 Any proposed scheme of mitigation measures submitted pursuant to condition 67 shall be carried out as approved by the Local Planning Authority.

### ***Bus stop improvements***

- 69 The residential buildings identified as Building 11 within Zone G of the development shall not be occupied until improvements to bus stops within the vicinity of the development have been carried out in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

### ***Cafe and community facilities***

- 70 The residential buildings identified as Building 8a within Zone H of the development shall not be occupied until the cafe and community facilities identified as building 8b in Zone H have been constructed and completed and shall be retained as such thereafter.
- 71 Unless otherwise agreed by the Local Planning Authority, no development shall be carried out on the site of the facility known as the "One O'Clock Club" at 27 Crystal Palace Park Road until the cafe and community facilities identified as building 8b in Zone H (including pre-school provision on equivalent terms to replace the "One O'Clock Club") have been constructed and completed or suitable alternative temporary facilities in the vicinity of the site have been made available.

- 72 The outdoor children's play space to be provided for use by the proposed nursery within the cafe and community facilities identified as building 8b in Zone H shall be kept open for public use at all times outside the hours of operation of the nursery and subject to temporary closure when necessary for reasons of maintenance, repair, security or safety.

### ***Training and employment***

- 73 No works to construct any phase of development shall be begun until the Local Planning Authority has approved in writing a training and employment management scheme to encourage the training and employment of local people in relation to the works to construct that phase of development and including an assessment of local training needs; an estimation of the number and type of employment opportunities likely to be created; a description of the types of work packages to be procured; details of how employment vacancies will be advertised locally; measures to encourage relationships with local colleges and schools; and arrangements for providing the Local Planning Authority with information about those employed in that phase of development (including employees' residential postcodes) on three occasions in the first 18 months following first occupation of the phase of development.
- 74 Each phase of development shall only be carried out and occupied in accordance with the relevant training and employment management scheme approved by the Local Planning Authority or such amended training and employment management scheme as shall be approved in writing by the Local Planning Authority from time to time having regard to the information provided about those employed in the relevant phase of development.

### ***Caravan Club***

- 75 No development shall be carried out on the site of the Crystal Palace Caravan Club before 1 January 2019 unless a suitable alternative location for the Caravan Club (not forming part of the site) has been found.

### ***Sports***

- 76 No conversion of the National Sports Centre to a dry sports facility shall be undertaken until the new facilities within the Regional Sports Centre, comprising the following, or alternative facilities of no less an overall standard at the LPA's discretion, are available and opened for public use: a 50 metre swimming pool, a diving pool, changing facilities for wet and dry sports, a sports hall capable of providing 8 badminton courts with retractable seating, an indoor running track, a gym, dance studios, a health and fitness zone, a children's room, a clubroom, and catering facilities.
- 77 No works to the athletics stadium which would result in the loss of the ability to host IAAF Grand Prix athletics meetings, with adequate warm up facilities and other necessary preparation and support facilities, shall be undertaken

until suitable alternative facilities capable of hosting IAAF Grand Prix athletics meetings have been identified and made available for use elsewhere in London.

- 78 No loss of the grass pitch known as P3 to the west of the NSC shall take place until a grassed area to the north of the National Sports Centre or in such other location approved in writing by the Local Planning Authority of at least equivalent size and standard to the P3 pitch has been marked out as a football pitch and made available for use. It shall be retained as such thereafter.
- 79 No loss of the two existing synthetic turf pitches shall take place until a scheme for replacement with one full size synthetic turf pitch, including associated fencing, floodlighting, and necessary changing facilities, which secures its availability, maintenance and retention, has been submitted to and approved in writing by the Local Planning Authority, and the replacement facilities have been constructed at the approved location and opened for public use.
- 80 No work is to be carried out in the area of the Park used for road cycle racing until a plan has been submitted to and approved in writing by the Local Planning Authority that includes:
- a) Proposals to limit disturbance to road cycle racing within the Park during the carrying out of the development.
  - b) Reinstatement of the finishing loop in the detailed design.
  - c) The widening and upgrading from a secondary to primary route of the return section.
  - d) Appropriate surface treatment for cycle racing of the whole circuit.

### ***Bonfires***

- 80 There shall be no bonfires at the site without the prior written approval of the Local Planning Authority.

## **OUTLINE SPECIFICATION FOR PARK WORKS**

(Forming part of condition 58 of the outline planning permission conditions, Annex A)

### **PART A WORKS**

~~The works to be undertaken prior to the occupation of the residential units at Sydenham Gate and prior to the start of works to construct any of the residential units at Rockhills shall comprise works identified from the Schedule of Part A Works set out below with a minimum value of:~~

- ~~(a) — £5,000,000; or~~
- ~~(b) — the anticipated net profits from the sale of the relevant residential units or the anticipated net proceeds from the sale of the land on which those residential units will be constructed (as applicable), whichever is the greater.~~

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~~Condition 58 requires works to be identified from the schedule set out below and approved in writing by the Local Planning Authority before the start of construction of the residential units at Sydenham Gate.~~

#### *Schedule of Part A Works*

- ~~• Tree planting in Zone B~~
- ~~• Archaeological and environmental investigations and research analysis and remedial works design in respect of the Palace Terrace and Italian Terrace~~
- ~~• Restoration works in respect of the Palace Terrace and creation of the Palace Fountain, ECO Water Ponds, Paxton Fountain and Palace Terrace "eco-wall" and promenade pavement~~
- ~~• Relocation of the Paxton Bust to Zone B, subject to listed building consent having been obtained~~
- ~~• Provision of the Crystal Palace Park Museum, if funding separate from the proceeds of the sale of the relevant residential units or from the sale of the land on which those residential units will be constructed becomes available~~

### **2. PART B WORKS**

~~The works to be undertaken prior to the occupation of the residential units in Block 2 at Rockhills shall comprise works identified from the Schedule of Part B Works set out below with a minimum value of:~~

- ~~(a) — £6,000,000; or~~
- ~~(b) — the anticipated net profits from the sale of the relevant residential units or the anticipated net proceeds from the sale of the land on which those~~

~~residential units will be constructed (as applicable), whichever is the greater.~~

~~Condition 58 requires works to be identified from the schedule set out below and approved in writing by the Local Planning Authority before the start of construction of the residential units in Block 2 at Rockhills.~~

#### ~~Schedule of Part B Works~~

- ~~• Any of the Part A Works not already completed~~
- ~~• Anerley Hill Edge ground modelling and landscape works in Zone A~~
- ~~• Restoration of the Cricket Pitch~~
- ~~• Provision of the Central Pavilion~~
- ~~• Provision of the Café and Dinosaur Interpretation Centre~~
- ~~• Provision of one of the playground facilities~~
- ~~• Restoration of the Paxton Fountain Basin~~
- ~~• Restoration works to the Italian Terrace, including creation of the Alcove Fountain, Sunken Garden North and Sunken Garden South~~
- ~~• Removal of access roads and parking areas in Zone D made redundant in the Masterplan~~

### ~~3. PART C WORKS~~

~~The works to be undertaken prior to the occupation of the residential units in Block 3 at Rockhills shall comprise works identified from the Schedule of Part C works set out below with a minimum value of:~~

~~(a) £1,000,000; or~~

~~(b) the anticipated net profits from the sale of the relevant residential units or the anticipated net proceeds from the sale of the land on which those residential units will be constructed (as applicable), whichever is the greater.~~

~~Condition 58 requires works to be identified from the schedule set out below and approved in writing by the Local Planning Authority before the start of construction of the residential units in Block 3 at Rockhills.~~

#### ~~Schedule of Part C Works~~

- ~~• Any of the Part B Works not already completed~~
- ~~• Demolition of the Paxton Suite (but not Lodge Tower)~~
- ~~• Landscape works in Zone D, including creation of the Rosary, Water Tables, Terrace Storage Ponds, Adventure Playground and Water Rill~~
- ~~• Conversion of the existing Caravan Park at Rockhills into landscaped parkland (with the exception of that part in respect of Blocks 2 and 3 at Rockhills and the Café and Community Facilities)~~

**PROPOSED CONSERVATION AREA CONSENT CONDITIONS**

1. The works hereby granted consent shall be commenced within 15 years of the date of this decision notice.
2. Demolition of the individual structures shall not be undertaken before a contract for carrying out the relevant works which require removal of the structures concerned has been made and planning permission has been granted for the redevelopment for which the contract provides. In the case of demolition of enclosures or other structures which are not related to works requiring planning permission, written notification of the start of demolition shall be sent to the Local Planning Authority at least 14 days before the demolition commences. The wall fronting Westwood Hill shall not be demolished until a contract for the erection of the flats at Rockhills has been made.
3. For a period of 14 days before work commences on the demolition of each structure, a person or body approved in writing by the Local Planning Authority shall be given access to the structure concerned to enable a record (including photographs and measured drawings) to be made of it.
4. Details shall be submitted of the methods by which the Victorian walls fronting Anerley Hill and Westwood Hill will be demolished, and of:
  - i. the making good of the adjacent structure to be retained at the west end of the Anerley Hill wall; and
  - ii. the reuse of the materials arising from the Westwood Hill wall, as a replacement front boundary enclosure to the site (including their storage before such a replacement enclosure is built).

The details shall be approved in writing by the Local Planning Authority before any work starts on the demolition of the respective wall, and the work shall be carried out in accordance with the approved details.

5. Before demolition of Building XVI (Rangers' Maintenance Building), identified on Parameter Plan 3 (Plan no. P\_1020 version 02) a method statement shall be submitted to and approved in writing by the Local Planning Authority comprising details of the means of dismantling and re-erection of the building. The works shall be carried out in accordance with the approved method statement.
6. The drinking fountain adjacent to the Paxton Suite shall be retained and, if it is intended to alter or relocate it, details shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.

**PROPOSED LISTED BUILDING CONSENT CONDITIONS**

1. The works hereby granted consent shall be commenced within 15 years of the date of this decision notice.
2. Written notification of the intended start of works on site shall be sent to English Heritage with a copy sent to the Local Planning Authority, at least 7 days before the works hereby granted consent are commenced.
3. Before any work is undertaken in pursuance of the consent, details shall be submitted to and approved in writing by the Local Planning Authority of such steps to be taken and such works to be carried out as shall, during the progress of works permitted by this consent, secure the safety and stability of that part of the building which is to be retained. The approved steps to secure the safety and stability of the retained building shall be in place for the full duration of the building works hereby granted consent.
4. Detailed drawings or samples of materials and components in respect of the following shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before the relevant part of the work is begun: new glazing and any replacement frames, new internal and external doors and door frames and other internal joinery, replacement teak panelling to main ceiling, concrete repair mortars and finishes, floor finishes, balustrades (including to entrance canopy), gates to diving board, spectator seating. The works shall be carried out in accordance with the approved details and thereafter permanently retained as such.
5. All internal and external works of making good to the retained fabric of the building shall be finished to match the adjacent work with regard to methods used and to material, colour, texture and profile. Details of the internal finishes of the accommodation within the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details and thereafter permanently retained as such.
6. The position, type and manner of installation of all new and relocated services and related fittings shall be adequately specified in advance of any work being carried out and the prior approval in writing by the Local Planning Authority shall be obtained wherever these installations are to be visible or where ducts or other methods of concealment are proposed. Installation shall be in accordance with the approved details.
7. A method statement detailing the specification and methods to be used to clean and carry out repairs to internal and external concrete shall be submitted to and approved in writing by the Local Planning Authority. Cleaning and repairing concrete shall be carried out in accordance with the approved method statement.

8. No plumbing, pipes, lighting, signage, CCTV or other services other than those shown on the approved drawings shall be located on the exterior of the buildings without the prior approval in writing of the Local Planning Authority.
9. No work shall take place until a programme to record those parts of the National Sports Centre which are to be demolished, altered or concealed by the proposed works (including photographs and measured drawings) has been undertaken in accordance with a scheme of investigation, the details of which have been approved in writing by the Local Planning Authority.