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**1. SUMMARY OF APPLICATION DETAILS**

Ref: 18/00547/FUL

Location: Selhurst Park Stadium (Whitehorse Lane) and Sainsbury's Car Park (120-122 Whitehorse Lane), No's 22, 24, 26, 28, 30 & 32 Wooderson Close, South Norwood, London, SE25 6PU.

Ward: Selhurst

Description: Extension of "Main Stand" to provide seating for an additional 8,225 spectators and an additional 24,522sqm of floor space internally (beneath the expanded "Main Stand") to be used for the operation of the football club and ancillary functions (Use Class D2) and a 550sqm GIA restaurant/retail unit (Use Class A1/A3). Demolition of 22-32 Wooderson Close and associated refurbishment works to end elevation of 20 Wooderson Close. Reorganisation of the associated parking facilities and gardens. Reorganisation of the club and supermarket car parks and site accesses from Holmesdale Road and within the car parking area from Whitehorse Lane, with associated hard and soft landscaping. Use of the club car park as a fan plaza on match-days. Pitch lengthening (from 101m to 105m) and the creation of accessible seating within the Whitehorse Lane Stand (spectator capacity reduced by 690). Creation of replacement spectator capacity (683 additional) and relocation of the fan zone, to the corner of the "Holmesdale Road" and "Arthur Wait" Stands. Reorganisation of floodlighting, including the removal of two of the flood light masts. Removal of the TV Gantry at the "Arthur Wait" Stand.

Drawing Nos: KSS MS Z0 DR A 90 001 Rev P01, KSS MS Z0 DR A 90 002 Rev P01, KSS MS Z0 DR A 90 003 Rev P01, KSS MS Z0 DR A 90 004 Rev P01, KSS MS Z0 DR A 90 005 Rev P01, KSS EX 00 DR A 91 001 Rev P01, KSS EX 01 DR A 91 001 Rev P01, KSS EX 02 DR A 91 001 Rev P01, KSS EX 03 DR A 91 001 Rev P01, KSS MS 00 DR A 91 001 Rev P01, KSS MS 0M DR A 91 001 Rev P01, KSS MS 01 DR A 91 001 Rev P01, KSS MS 02 DR A 91 001 Rev P01, KSS MS 03 DR A 91 001 Rev P01, KSS MS 04 DR A 91 001 Rev P01, KSS MS 05 DR A 91 001 Rev P01, KSS MS 06 DR A 91 001 Rev P01, KSS WS 00 DR A 91 001 Rev P01, KSS HS 00 DR A 91 001 Rev P01, KSS HS ZZ DR A 91 001 Rev P01, KSS HS 00 DR A 91 002 Rev P01, KSS MS Z0 DR A 91 001 Rev P01, KSS MS Z0 DR A 91 002 Rev P01, KSS MS ZZ DR A 92 001 Rev P01, KSS MS ZZ DR A 92 002 Rev P01, KSS MS ZZ DR A 92 003 Rev P01, KSS MS ZZ DR A 92 004 Rev P01, KSS MS ZZ DR A 92 005 Rev P01, KSS MS ZZ DR A 92 006 Rev P01, KSS MS ZZ DR A 93 001 Rev P01, KSS MS ZZ DR A 93 002 Rev P01, KSS MS ZZ DR A 93 003 Rev P01, KSS MS ZZ DR A 93 004 Rev P01, KSS MS ZZ DR A 93 005 Rev P01, KSS MS ZZ DR A 93 006 Rev P01, KSS MS ZZ DR A 93 007 Rev P01, KSS MS ZZ DR A 93 008 Rev P01, KSS MS ZZ DR A 93 009 Rev P01, KSS MS ZZ DR A 93 010 Rev P02, KSS MS Z0 DR A 94 001 Rev P01, KSS MS ZZ DR A 94 001 Rev P01.

Applicant: Crystal Palace Football Club Ltd

Agent: MRPP

Case Officer: Matt Duigan

Type of floorspace	Amount proposed
Operation of the football club and ancillary functions (Use class D2)	24,522sqm
Restaurants/Retail (Class A3/A1)	550sqm

Number of car parking spaces	Number of cycle parking spaces
479	200

1. This application is being reported to Planning Committee because the proposal is for a large scale major development and in view of the level of objection that has been received – which exceeds the threshold outlined in the Council’s Constitution.

## 2. BACKGROUND

- 2.1. An earlier iteration of this proposal was presented to the Planning Committee at pre-application stage on 25 January 2018.

- 2.2. Members made the following comments in relation to the above proposal:

- Concern over the loss of housing and noted that replacement housing proposals should form part of any application:
- Tenants may need to be rehoused locally and that it would be important to look at and meet tenant needs.
- Lack of understanding in terms of impacts for remaining occupiers of Wooderson Close.
- Queried whether the “Main Stand” expansion could be done in a way that avoids the loss of housing.
- Expressed support for the Club and its aspirations but wanted to ensure the capacity increase would be safely managed.
- Noted that footpaths get packed with people on match-day, with pedestrians spilling onto the road; concern raised that with another circa 8,000 spectators, the situation would get worse.
- Requested that management and measures to improve pedestrian safety when leaving games are submitted with the application.
- Raised concern that the scheme was not ready and that the pre-application seemed rushed. There was also concern that there was no apparent plan for replacing housing, with Members requesting more detail on proposals.
- Raised concern that with an imminent planning application submission date, there would be little time to take issues raised as part of any consultation process into account.
- Raised concern about the potential for the new stadium to divert trade from existing businesses.
- Welcomed the commitment to sign up to the good employer charter and commit to the London Living Wage for staff.
- Considered that public realm enhancements beyond the ground should be undertaken as part of the scheme.
- Expectations that the application will be accompanied by a Travel Plan
- Generally welcomed the investment and felt it was very important the new stand enhances wider area, setting a bench mark for future expansion.

- Member noted that the best view of the main façade would be from the car park and as such, a piazza area for fans to congregate in front of the façade should be fully embraced.
- Considered that a master plan would help on into the future.

2.3. Since the Committee presentation, the proposal has been further developed, in consultation with officers and the above comments have been taken into account in amendments made to the scheme.

2.4. The scheme has also been considered by the Place Review Panel (PRP) on 18 January 2018 and a copy of the Panel’s report is appended to this report (Appendix 1). Officers can confirm that the design has evolved to address views expressed by the Panel’s – as outlined later in this report.

2.5. The current match-day capacity of Selhurst Park is approximately 26,000 seats and for competitive matches, all tickets are sold. The ticket allocation/profile of the spectators regularly and currently attending a football match mainly consist of general admission (season ticket holders/club members) followed by hospitality and visiting supporters.

2.6. The existing stadium has four stands that surround the pitch, namely the “Main Stand” which adjoins the club car park and fan zone, the “Holmesdale Road Stand” (adjoining Holmesdale Road and featuring a distinctive curved roof) the “Arthur Waite Stand” (adjoining Park Road and accommodating away fans) and the “Whitehorse Lane Stand” which partially over-sails part of the adjoining Sainsbury’s supermarket.



2.7. All the stands were built at different times. The oldest stand is the “Main Stand”, which originally opened in 1924. New seats were installed in the “Main Stand” during the summer of 2013 and player changing facilities, restaurant, lounge and bar facilities are also located within this stand.

- 2.8. In view of the variations in levels across the site, the best way to understand the heights of the existing and proposed stands is to refer to heights in term of height relative to the average sea level (in other words Above Ordinance Datum (AOD)). The reason height is expressed in AOD is to ensure there is clarity in terms of the height of each stand relative to each-other..
- 2.9. The existing “Main Stand” rises in height to around 16.2m (67.8m AOD). At its highest point the proposed “Main Stand” would rise to a height of around 40.2m (91.75m AOD). The tallest existing stand is the “Holmesdale Road Stand” which, at 83m AOD, would be approximately 8m lower than the new proposed “Main Stand”. Existing seating is set out below:

Main Stand	5,627
Holmesdale Road Stand	8,176
Arthur Wait Stand	9,769
Whitehorse Lane Stand	2,725 + 24 executive boxes
<b>Total</b>	<b>26,297</b>

- 2.10. During the 2015-2016 season, there were 22 home games played by the first team at Selhurst Park. In the 2016-2017 season, 21 games were played at the stadium. Of those games, 15 were played at weekends with the remainder played mid-week (evenings). Whilst additional fixtures are played at the stadium (reserves and other related games) these are not as well attended compared to fixtures involving the first team.
- 2.11. On match-days, a temporary road closure is put in place in Park Road and Holmesdale Road. The road closures are operative during the fixture and for a period of time before and after each home game. These closures are implemented and managed through use of a Traffic Management Order (TMO).
- 2.12. It is also worth noting that the club operates a foundation “Palace for Life” which delivers health, education and sporting programmes for more than 13,500 local children and young adults.
- 2.13. The “Main Stand” contains the vast majority of the Club’s administrative and operational functions, hospitality lounges and players, officials, team staff and media areas. However, it is the oldest stand in the Premier League and is simply not fit for purpose and is unable to properly accommodate the Club’s necessary day-to-day and match functions. It is clear that the proposed enhancements are necessary to enable the Club to properly engage alongside other top-flight football clubs.
- 2.14. The Club have highlighted other deficiencies, which they wish to address through the proposed development, including:
- the TV filming gantry suspended from the “Arthur Wait Stand” roof obstructs spectators’ views and causes a poor TV image (owing to its south-west aspect - facing the afternoon sun);

- the pitch has a 101.5m length, 3.5m short of the standard required for international fixtures – which the Club are keen to resolve as part of the current proposals;
- the number of wheelchair positions is below Premier League standards for new stadiums;
- the stadium has a lack of catering and other attractions (e.g. adequately sized club shop and museum) compared to other Premier League clubs.

2.15. The lack of facilities on site means there is little to attract fans to attend the site, other than to watch matches or to tempt supporters to remain on site after the game and make the most of post-match hospitality. Consequently, fans currently arrive shortly before ‘kick off’ and tend to leave immediately after the ‘final whistle’ which leads to a ‘last minute’ swell of spectators arriving before a match. This tends to put additional strain on the public transport networks and can be problematic, given the requirement for security checks (for spectators entering the stadium). Following a match, there is another a significant pulse of pedestrians leaving the ground, again placing strain on public transport networks which again can be problematic, given the volume of pedestrians moving through surrounding streets.

### **3. RECOMMENDATION**

3.1. That the Planning Committee resolve to GRANT planning permission subject to:

A Any further comments received as a consequence of recent re-consultation, that have not already been raised and taken into consideration as part of this report. If further comments are received – the Planning Committee agrees to give delegated powers to the Director of Planning and Strategic Transport to determine the significance of any further comment and whether it affects the resolution taken by Planning Committee.

B Any direction by the London Mayor pursuant to the Mayor of London Order

C. The prior completion of a S106 legal agreement to secure the following planning obligations:

1. Purchase of the Wooderson Close land and houses within the red line site, with the proceeds to cover the cost of rehousing displaced tenants (moving costs and compensation etc) as well as the cost of purchasing of 5 x 4 bedroom houses (comparable in terms of size, tenure and quality as the houses being lost) in the local area (including associated conveyancing and administrative costs) for use as dedicated affordable housing.
2. Construction of a minimum of 6 additional residential dwellings (595sqm floor area in total) in the Borough (with the delivery of replacement housing on site being sequentially preferable) to ensure there is no net loss of residential floor space/land as a consequence of the development and securing the delivery of any additional affordable housing identified as being able to be viably provided in the new housing scheme (depending on the number of units that might be proposed). The timing for delivery of the replacement housing being linked to key commencement and construction mile-stones associated with the construction of the new “Main Stand”.
3. Offsite highway works – covering the cost of all off-site highway works to facilitate the development and entering into a S.278 agreement to cover all associated

works. The works would include the amendment to the highway layout of car parking arrangements found in Wooderson Close to facilitate the amended access onto Holmesdale Road as well as changes to site access arrangements affecting the public highway. In addition, as Wooderson Close would be shortened, this part of the highway would also need to be stopped up under S.247 of Town and Country Planning Act.

4. Other highway related planning obligations:
  - 4.1. A wayfinding strategy and signage on the routes to the three rail stations; provision of tactile paving, dropped kerbs and colour contrast at locations on these routes as identified in the pedestrian audit; work with TfL to provide shelters at the bus stops on Whitehorse Lane. Total £46,270
  - 4.2. Undertake a Pedestrian Comfort Level (PCL) assessment at potential pinch points around the site on main pedestrian routes and outside key transport nodes as well as a review of options to mitigate the lack of width of the footways on Whitehorse Lane, Selhurst Road, Station Road, Thornton Heath High Street. Total £30,000.
  - 4.3. Investigate options for improved crossing facilities on Whitehorse Lane on match-days. Total £5,000.
  - 4.4. Improved cycle routes to the stadium: Southern Avenue to Holmesdale Road via South Norwood Hill and Lancaster Road to Sunny Bank junction plus cycle route signage estimated at £100,000
  - 4.5. Development of Station Management plans with local transport operators for Norwood Junction, Thornton Heath and Selhurst stations, including funding the consultation and implementation, subject to consultation, of a TMO to manage highway space at Thornton Heath station and to investigate options and funding the implementation of measures at Norwood Junction station. Total £15,000
  - 4.6. Funding the surveys, studies and public consultation associated with a proposed match-day controlled parking zone (CPZ), maximum of 1.5km radius of the ground; and
  - 4.7. Funding the implementation of the actual match-day CPZ (depending on the outcome of consultation and taking account of ongoing costs, management and revenues associated with the CPZ).
  - 4.8. Monitoring of the junctions at South Norwood Hill/Whitehorse Lane and South Norwood Hill/High St with the applicant funding the introduction of traffic management stewards if the monitoring identifies this is required.
  - 4.9. A study looking at options for off-site car parks in the surrounding area that could be available for coach parking.
  - 4.10. Car Parking Design and Management Plan
5. Funding towards developing the brief for and establish the scope of a Master Plan for the regeneration of the wider area £10,000
6. Travel Planning
  - 6.1 Monitoring fee £2,712
  - 6.2 Performance bond £100,000 to be spent of pedestrian and cycle environment and other measures to encourage use of sustainable forms of transport and reduce reliance of cars to travel to/from the stadium.
  - 6.3 Provide more cycle parking should the proposed provision be inadequate.
  - 6.4 Cost of public transport in the cost of season ticket

6.5 Travel Plan Targets for home supporters and staff should be:

Mode	Corporate/hospitality			General admission			Staff		
	Year 1	Year 3	Year 5	Year 1	Year 3	Year 5	Year 1	Year 3	Year 5
Car driver or passenger	51%	42%	36%	46%	37%	31%	39%	30%	24%

- 7 Local employment and training strategy and Skills Training and Employment (construction and operations) as well as a monetary contribution of £187,000 construction training, 34% local labour during construction and in operational phase, £47,000 contribution toward operational phase
  - 7.1 Local supply chain – submit tender event schedule. Participate in business support activities/meet the buyer etc. 20% minimum value of contracts.
  - 7.2 Sign up to Good Employer Charter. Developer and supply chain. Compulsory criteria (support from ED):
  - 7.3 Pay London Living Wage – accredited
  - 7.4 Employ local – register with Croydon Works job brokerage, commitment to using Croydon Works for new employment opportunities
  - 7.5 Buy local – promote procurement and supply chain opportunities
  - 7.6 Include all – equality policy or commitment to implement one.
  - 7.7 Commit to Good Employer Charter Principles
- 8 Accommodation for “Palace for Life Foundation” at Selhurst Park
- 9 Community use of expanded “Main Stand”
- 10 Carbon off-set contribution of £35,190
- 11 Financial contribution towards the funding the surveys and studies necessary to identify the type, location and cost of installing additional CCTV needed between the stadium and Selhurst and Norwood Junction Stations, as well as works and costs associated with connecting existing CCTV; and funding the installation of the actual additional CCTV connect with existing CCTV networks.
- 12 TV signal mitigation;
- 13 Retention of scheme architects (or suitably qualified alternative architect);
- 14 Provision of a detailed scheme of hard landscaping details on and off site (in accordance with WSP CPFC HVM 002) and funding the implementation of the landscape measures.
- 15 Funding for match-day urinals and litter picking on routes between the club and rail stations

16 Monitoring fees (in accordance with the LB Croydon S.106 Planning Obligations/CIL Review 2017) £1,500 per obligation.

- 3.2. That the Director of Planning and Strategic Transport has delegated authority to negotiate the detailed term of the legal agreement, securing additional/amended obligations if necessary.
- 3.3. That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions [and informatives] to secure the following matters:

**Conditions**

1. Development to be in accordance with approved plans and studies submitted
2. Full details of materials, including samples and design detail (including of the façade)
3. Fenestration and glazing details, including detailed information on the fenestration of the ground floor, signage zones and any advertisements
4. Details of any roller shutters
5. Details of treatment (including additional windows) for end elevation of 20 Wooderson Close
6. Details of hard and soft landscaping, including boundary treatment – including the arrangements for the retained Wooderson Close properties;
7. Tree Protection Plan
8. Landscaping and public realm management and maintenance strategy
9. Restriction on hours of use (retail and hospitality)
10. Restriction on first team match-days
11. Community use strategy (times and charging strategies)
12. Programme of archaeological building recording at Level II/Level III in advance of demolition of the main stand
13. Details of floodlighting
14. Telecommunication equipment – siting and details
15. Level thresholds, accessible seating
16. Proposal for the treatment of any gates
17. BREEAM “Excellent” shall be achieved
18. Cycle parking strategy including long and short stay cycle parking on site
19. Provision of 25 parking spaces fitted with active EVCP and 25 passive
20. Provision of 6% of total parking spaces for Blue Badge holders
21. Details of refuse and recycling storage and collection arrangements (including overall ground wide waste management plan)
22. Extract systems
23. Detailed Construction Logistics Plan (covering all demolition phases including Wooderson Close properties)
24. Construction Environment Management Plan (covering all demolition phases including Wooderson Close properties)
25. Waste Management Plan (Construction Waste)
26. Non-road mobile machinery controls
27. Temporary fencing and hoarding
28. Ecology surveys and submission of biodiversity enhancements
29. Delivery and Servicing Plan
30. Control of internal noise environment
31. Noise from air and plant units should not increase background noise
32. Details of air handling units/plant/machinery and screening

33. Submission of land contamination assessment, remediation strategy and plan for verification
34. Provision of verification that remediation has taken place
35. The development shall stop if unexpected contamination found, and appropriate remediation agreed, carried out and verified
36. No surface water to infiltrate the ground unless prior approval has been given and it has been demonstrated that there will be no adverse impact on controlled waters.
37. Impact studies of the existing water supply infrastructure and impact of the increased capacity of the stadium and its effect on the receiving foul network. Implementation of any remedial measures identified.
38. Piling method statement (ensuring no use of percussive piling methods)
39. Compliance with Air Quality Assessment and submission of air quality Low emission strategy
40. Secured by Design accreditation and detail of gates
41. Details of CCTV scheme to be submitted
42. Plans of access routes, details of signage indicating access for cyclists and cars
43. Submission of sustainable urban drainage strategy (detailing any on and/or off-site drainage works) to ensure that surface water run-off is equivalent to green field run off rates
44. Water consumption
45. Time limit of 3 years
46. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

#### **Informatives**

1. Development is CIL liable
2. Construction site code of conduct
3. Subject to a legal agreement
4. Thames Water informative regarding surface water drainage and advising of the presence of a main crossing the site which may need to be diverted at the developer's cost.
5. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

- 3.4 That, if by 19<sup>th</sup> July 2018 the legal agreement has not been completed, the Director of Planning and Strategic Transport has delegated authority to refuse planning permission.

## **4. PROPOSAL, LOCATION DETAILS AND PLANNING HISTORY**

### **Proposal**

- 4.1 The application seeks permission for the following:
- Extension to the existing “Main Stand” to provide additional spectator capacity (8,225 seats). The extended stand would also contain D2 floorspace (24,522m<sup>2</sup>) consistent with the operation of the football club, as well as an A1/A3 unit (550m<sup>2</sup>). The footprint of the proposed “Main Stand” would be extended to cover an additional 0.83 ha of land (currently occupied – in part – by the club car park and the existing fan-zone).
  - Demolition of six houses in Wooderson Close and alterations/reorganisation of the associated parking facilities and residential gardens.

- Reorganisation of the club and superstore car parks and alteration and expansion of site accesses from Holmesdale Road and within the car parking area from Whitehorse Lane.
- Pitch lengthening (from 101.5m to 105m) and the creation of accessible seating within the “Whitehorse Lane Stand” (spectator capacity reduced by 690 as a result on lengthening the pitch).
- Creation of replacement spectator capacity (683 additional) to the corner of the “Holmesdale Road” and “Arthur Wait Stands”.
- Reorganisation of floodlighting, and removal of three of the flood light masts.
- Removal of the TV Gantry at the “Arthur Wait Stand”.

4.2 While there is to be a reduction in seating in the “Whitehorse Lane Stand” a new area of seating is to be created between the “Arthur Wait” and “Holmesdale Road Stands”.

4.3 In terms of seating capacity, the table below provides details of the various changes/proposals:

<b>Stand</b>	<b>Existing</b>	<b>Proposed</b>
“Main Stand”	5,627	13,500
“Holmesdale Road Stand”	8,176	8,859 (includes 683 additional seats accommodated in the corner of the “Holmesdale Road” and “Arthur Wait” stands)
“Arthur Wait Stand”	9,769	9,769
“Whitehorse Lane Stand”	2,725 + 24 executive boxes	1,555 + 24 executive boxes
<b>Total</b>	<b>26,297</b>	<b>34,259 approx.</b>

4.4 The existing “Main Stand” rises from the ground by 16m (68m AOD). At its highest point the new “Main Stand” would rise from the ground by approximately 40m (or 92m AOD). This would be a height increase of around 24m. The tallest existing stand is the “Holmesdale Road Stand” which would be approximately 8m lower than the proposed “Main Stand”.

4.5 The application would involve changes to the way Sainsbury’s car park is managed and controlled on match days, to ensure that entry and exit points are organised effectively to ensure pedestrians and vehicles are appropriately separated.

### **Site and Surroundings**

4.6 The application site is Selhurst Park and surrounding land; the home ground of Crystal Palace Football Club (CPFC) since 1924. The site is bounded to the north-west by Whitehorse Lane, to the north-east by Park Road and Holmesdale Road to the south-east.

4.7 The site is within Selhurst Ward and is approximately 600m from Selhurst Railway Station, 615m from Norwood Junction Station and 900m from Thornton Heath Railway

Station. Public Transport Access Level (PTAL) varies across the site and ranges between 2 and 5 (on a scale of 1 to 6, where 6 is the most accessible). Overall, given the proximity to rail stations, the site is considered to be reasonably well served by public transport.

- 4.8 The area is predominantly residential in character, although within the site itself and in addition to the stadium, is a Sainsbury's supermarket with associated surface level car park, a number of small unit shops and a night club (located above the supermarket). Adjoining the Sainsbury's supermarket to the north-west are residential flats fronting onto Whitehorse Lane.
- 4.9 The topography within and around the site varies considerably, with land sloping down from the north-east corner of the site (the junction of Park Road and Holmesdale Road). Land levels drop along Holmesdale Road and Park Road and levels also drop within the site, with the lowest level being around the Fan-Zone to the south of the current "Main Stand".
- 4.10 The site includes six (occupied) houses located within Wooderson Close. These are all 3 storey brick built terraced properties houses (five of which are rented and owned/managed by the Council as affordable housing). Wooderson Close is a cul-de-sac and backs onto the ground with access off Clifton Road.

### **Planning History**

- 4.11 The following planning decisions are relevant to the application:

**77/20/997** (planning permission dated 19/12/1977) approved the Whitehorse Lane redevelopment to create 26 flats and a retail supermarket, with ancillary facilities, alterations to vehicular access and car park and replacement of some of the football stadium facilities.

A number of conditions are imposed on the consent to ensure the supermarket is not open to the public 3 hours before or after first team home fixtures and allows for the supermarket car parking areas to be appropriately controlled on match and non-match-days.

This planning history is relevant in that the "Main Stand" is proposed to be expanded over a part of the Sainsbury's car park and the club's car park which would facilitate required changes to the car parking layout and arrangements. Sainsbury has been served notice by the applicant (in view of ownership arrangements) and it is understood that the applicant is in detailed dialogue with the supermarket chain to ensure that the proposed alterations to the car parking and access arrangements are acceptable to both parties.

**86/01940/P** (planning permission dated 17/3/1987) approved the erection of 16 x 3 bed houses and 16 x 4 bed houses along Holmesdale Road and Clifton Road.

It is of note that the approved plans show that 4 of the houses described as being located along Holmesdale Road, are actually approved to be built to the west of Holmesdale Road (fronting onto Wooderson Close and backing onto the access-way into the club car park – accessed off Holmesdale Road).

**87/3645/P** (planning permission dated 29/3/1988) approved the erection of 12 x 3 bedroom and 16 x 4 bedroom houses along Holmesdale Road and Clifton Road.

These planning permissions (86/01940/P and 87/3645/P) are relevant in that the expanded “Main Stand” would encroach onto housing land and result in the need to demolish some existing Wooderson Close properties.

**90/2313/P** (planning permission dated April 1991) approved the development of the “Holmesdale Road Stand” which was subsequently completed in 1995 and represents the last major development at the stadium, which brought its spectator capacity up to the its current 26,000.

## **5. ENVIRONMENTAL IMPACT ASSESSMENT**

- 5.1. The scheme fell within the scope of the Environment Impact Assessment Regulations (as an urban development project) and detailed consideration of the scheme against the criteria listed in Schedule 3 of the EIA Regulations was undertaken.
- 5.2. Given the nature of the proposal and the information provided, it has been determined that the development is not considered to be of a scale or complexity to have significant effects on the environment for the purposes of the EIA Regulations. It has therefore been determined that the proposals did not warrant an EIA process.

## **6. CONSULTATION RESPONSES**

### **RESPONSES FROM STATUTORY AND OTHER ORGANISATIONS**

- 6.1 The following organisations were consulted regarding the application:

#### **The Greater London Authority (Statutory Consultee)**

- 6.2 The GLA have made the following comments:

**Principle of Development:** The principle of quantitative and qualitative improvements to the “Main Stand” are supported, subject to securing an adequate strategy for the re-provision of homes and relocation of tenants, provision of community facilities within the enlarged “Main Stand” and wider regenerative benefits for the surrounding area.

*(PLANNING OFFICER COMMENT: Rehousing of displaced tenants is also a key officer concern and the applicant has agreed to cover the cost of replacement homes and rehousing tenants. Negotiation with the Council (separate from the planning application process) is on-going, with heads of terms to determine the form, extent and detail of agreed collaboration between the applicant and the Council being at a relatively advanced stage. Subject to the rehousing of existing tenants being secured as part of the S.106 Agreement, no objection is raised.)*

**Loss of Housing:** It is proposed to demolish 6 existing homes to accommodate the proposed “Main Stand”; 5 of these homes are confirmed to be existing affordable properties. The applicant must confirm the status of the privately-owned property to be demolished. GLA officers will continue to engage with the applicant as a priority, noting that draft London Plan Policy H10 and London Plan Policy 3.14 require no net loss of housing in both the affordable and market tenures. The housing strategy must be

agreed prior to the determination of the application and appropriately linked to the stadium's construction and occupation.

*(PLANNING OFFICER COMMENT: The issue is discussed in detail in paragraph 8.6-8.14 of this report. A planning obligation is required to ensure displaced tenants are rehoused and there is a clear requirement to provide replacement residential floorspace to replace that which is to be lost (thereby ensuring that there is no net loss of residential accommodation). The Club has been investigating the prospect of providing replacement residential accommodation on site (to the rear of the "Holmesdale Road Stand" and facing onto Holmesdale Road). This proposal has been submitted to the local planning authority (pre-application submission) and details are presented to Planning Committee (appearing elsewhere on this agenda) to give Members an opportunity to engage in the pre-application process as well as some comfort that the applicant understands the significance of this particular planning issue and is seeking to deal with the requirement to re-provide housing lost to the scheme.*

*Officers are of the view that absolute clarity around the re-provision of housing lost to the development must be in place before the development of the new "Main Stand" commences. Officers are strongly of the view that the development of the "Main Stand" and the replacement housing must take place concurrently, to ensure that the replacement housing is available for occupation prior to the commencement of the use of the "Main Stand").*

**Sports Stadia:** Whilst the principle of the extension of the "Main Stand" is supported, as it will enhance CPFC's facilities, enable more fans to visit and will ensure the club remain in this part of Croydon, this support is subject to confirming and securing a suitable housing strategy, securing appropriate community uses and ensuring wider regenerative community benefits.

*(PLANNING OFFICER COMMENT: Planning obligations are recommended to secure replacement housing and to allow community groups to utilise the spaces within the expanded "Main Stand". It is also recommended that the "Palace for Life Foundation" is accommodated within the proposed development – also to be captured as part of a S.106 Agreement).*

**Urban Design:** The applicant must: provide further details of the facade and materials; demonstrate that the amenity of residents of Wooderson Close will not be compromised, in accordance with draft London Plan Policy D12; and provide further details on public realm, connectivity and wider regeneration.

*(PLANNING OFFICER COMMENT: While the materials proposed are considered appropriate and would not result in neighbour impacts (e.g. there would be no undue glare) conditions would be imposed on any consent requiring the details of materials to be approved by the Council before installation. Planning obligations are recommended (alongside necessary funding) to identify an appropriate scope and brief to facilitate a wider master plan to make sure that benefits associated with additional ground capacity and be realised more widely).*

**Energy:** Further information is required on: 'be lean' energy efficiency savings, including demonstrating that the glazed facade will not cause overheating; the proposed heat network; and evidence that renewables have been maximised. The

scheme does not yet comply with London Plan Policy 5.9 and draft London Plan Policy S12; therefore, further measures must be included to reduce carbon emissions.

*(PLANNING OFFICER COMMENT: These issues are discussed in the main body of the report; in essence the façade is to be fitted with fritted glazing to reduce glare and hover heating. Connection of the site to a DEN is not considered feasible. The applicant has agreed to meet a planning obligation, in terms of a carbon off set contribution. The applicant will continue to test to see whether solar voltaic panels are able to be utilised, in order to reduce on site carbon emission. If this is shown to be feasible and comes forward (with a corresponding reduction in onsite carbon emissions) the level of carbon offset contribution would need to be re-negotiated).*

**Transport:** The applicant must seek to reduce the car parking, given local junction capacity and congestion as well as to encourage sustainable transport modes. The Travel Plan must be strengthened and secured through any S106 Agreement, including all associated funding. Further information is required on: other events that will take place; pedestrian routes; cycle parking; car parking management; coach parking; taxi drop off and pick up; and construction, delivery and servicing. Financial contributions towards step-free access at Norwood Junction and expanding the local CPZ are required.

*(PLANNING OFFICER COMMENT: Subject to conditions and planning obligations, officers are satisfied that these matters can be appropriately addressed).*

### **Transport for London (TfL) (Statutory Consultee)**

6.3 The application was referred to TfL who in summary raised the following issues

- Funding to cover the cost of completing works identified in the PERS audit should be secured through S278/S106
- Pedestrian and cycle environment assessments need to be undertaken and findings agreed the cost of completing works identified secured in the S106
- Wayfinding strategy agreed with the Council and all costs covered through the S106 Agreement
- Long stay cycle parking provided, further information on short stay provision to be provided
- Coach parking provision to be explored
- Taxi drop off/pick up facilities investigated
- £15,000 Contribution towards bus stand and count down provision
- Car parking reduced, all spaces allocated and charging managed
- Additional information on EVCP and Blue-badge parking to be provided
- CPZ to be extended, all costs covered and secured through the S106 Agreement.
- Travel Plan to be reviewed and secured through S106 Agreement along with performance bond
- A cap is secured against the number of first team fixtures that are able to be played at the stadium
- Car Park Design and Management Plan, Construction Logistics Plan and Delivery and Servicing Plan secured by condition
- Rail: Improvements to Norwood Junction are being considered as part of the Brighton Mainline Upgrade and will look to reconfigure platforms, deliver step free access and improve passenger flow throughout the station. TfL and Network Rail

therefore seek a minimum contribution of £100,000 towards improvements at this station.

*(PLANNING OFFICER COMMENT: The request for funding towards Norwood Junction station is problematic. Planning legislation (Regulation 122 of the Local Government Act) states that in order to secure planning obligations, the need for the mitigation measure must be directly related to the development.*

*Officers are concerned that the causal relationship between the expansion of the “Main Stand” and the need for enhancements at Norwood Junction cannot be suitably justified under Regulation 122. Network Rail have advised that the works are required as a consequence of the Brighton Mainline Upgrade Project and might not be directly related to the impact of the proposed development.*

*The applicant is concerned that the nature of work required at Norwood Junction could vary significantly, depending on the extent of the Croydon Area Remodelling Scheme (which is a main element of the Brighton Mainline Upgrade Programme); the concern being that an independent study has identified that undertaking works at Norwood Junction prior to the Upgrade Programme may ultimately end up being abortive.*

*The applicant has agreed to maintain a continuing dialogue with Network Rail (and train operating companies) in respect of the broader Upgrade Programme and the timing of initiatives that may form part of it.*

*A planning obligation is to be secured which will require the development of Station Management Plans with local transport operators including for Norwood Junction and this will include funding to investigate options and funding the implementation of measures at Norwood Junction Station as well as Selhurst and Thornton Heath Stations.*

*The applicant has therefore not agreed to the £100,000 contribution towards improvements to Norwood Junction and officers are satisfied that this approach can be justified.*

### **Environment Agency (Statutory Consultee)**

- 6.3 The Environment Agency have confirmed that they have no objection to the application subject to certain conditions (which are recommended) being imposed on any consent granted.

### **Historic England - Archaeology**

- 6.4 The archaeology team at Historic England have confirmed that no further assessment or conditions are necessary as regards to archaeology.

### **Thames Water**

- 6.5 Thames Water have raised no objection to the proposal subject to conditions requiring details of any piling, a drainage strategy (detailing any on and/or off site drainage works) and an impact study of the existing water supply infrastructure to be submitted and agreed in consultation with Thames Water together with informatives relating to surface water drainage and advising of the presence of a water main crossing the site which may need to be diverted at the developer's cost.

## **Sport England**

6.6 Raise no objection to the proposals.

### **Premiere League**

- 6.7 London has become the world's leading football city when measured by attendances and sheer volume of high-profile matches. Crystal Palace FC has a loyal and large following across South London and beyond and is an important part of London's football ecology. Although generations of Palace fans have enjoyed attending Selhurst Park and it is justly famous for its atmosphere, the stadium fabric is increasingly outdated. Sightlines are sometimes poor and facilities struggle to keep pace with rising expectations. The proposed new development will not only allow some overdue modernisation to take place but will contribute significantly to the Club, its fans, its employees and contractors, the local community and the local economy.
- 6.8 Current fans will benefit from the availability of more and better accommodation. A larger number will be able to attend, helping the Club address the growing numbers seeking tickets. Furthermore, new ground development also provides an opportunity to increase, not only the number of regular seats for season ticket holders and general sale but also, to increase the scale of hospitality that can be offered. Clubs without significant hospitality offers are at a competitive disadvantage compared to those with modern facilities. This boost to revenues will over the long term help the Club compete in the Premier League and reduce the risk of relegation, thus bringing sporting as well as economic benefits.
- 6.9 Improved revenues from increased capacity will boost local spending on goods and services, for example in the hospitality, stewarding and other operational and supply chain sectors. However, the benefits are not just economic in nature. New facilities also provide the opportunity for Clubs to be more inclusive. New fans can be encouraged to attend: facilities for the disabled can be provided at better quality and greater scale, family provision can be extended significantly and experience shows that increased capacities and modern facilities encourage communities and individuals with no background of attending football matches to get involved. As a result, new investment in modern facilities and increased capacities have been significant factors in the increased diversity of Premier League crowds, especially in terms of ethnicity, gender, sexual orientation, disability and age range.
- 6.10 In addition to the sporting and economic benefits that will flow from the proposed development, the local community will gain from social investment as well. The Premier League has long established and substantial football solidarity and community programmes which invest significant sums in lower league football and in community projects. These programmes are unmatched by other sport competitions around the world and depend on the economic health of the Premier League as a whole, especially revenues generated by broadcasting and on the ability of each Club to engage and inspire its local community. Stadium development helps on both counts: modern stadia filled with passionate fans and equipped to the highest possible standards for sports broadcasting are important elements of the global and local popularity of the Premier League and its member clubs. Crystal Palace FC runs extensive community programmes across Croydon in particular but also reaching out to a wide area of South London. It has recently expanded these programmes and upgraded its community charity ("Palace for Life Foundation"). Thousands of primary school children engage in their "Primary Stars Programme" and thousands more young people in sports

participation, community cohesion, inclusion and education/employability programmes, such as PL Kicks, PL/BT Disability Sport, PL Girls Football, PL Enterprise and PL works.

- 6.11 This planning application underpins the ability of Crystal Palace FC to improve both on and off the pitch, to be dynamic as it responds to the challenges and opportunities of being an established Premier League member, with the infrastructure both to build on success but also to be resilient should relegation occur. The benefits will be enjoyed by current fans, by the new fans enabled to attend, by the people who will gain employment from the resultant growth and by the wider community. The public sector will gain from the increased tax revenues generated by the growth this investment will bring. The Premier League will benefit from a healthier and stronger member club, able to make an even more significant contribution to our ambition to remain the world's most watched sporting league. On all these grounds we support Crystal Palace FC's application and urge you to come to a positive conclusion.

### **Metropolitan Police Service**

- 6.12 The Met Police advised that the development should achieve secure by design standards and also that there should be CCTV covering all entrances and exits, as well as the routes between the Club and Norwood Junction Station and Selhurst Station.
- 6.13 The Police set out specifications for lighting and other matters and additionally have recommended that initiatives set out in the application submission relating safety and security be secured by way of planning obligations and conditions.

### **Lead Local Flood Authority**

- 6.14 The LLFA have raised objections over the quality of information presented by the applicant in an attempt to confirm that the development is able to satisfactorily manage surface water drainage and mitigate increases in surface water drainage as a consequence of the development through use of sustainable drainage initiatives.
- 6.15 *(PLANNING OFFICER COMMENTS: Meetings with the LLFA are on-going to satisfy this statutory consultee that there is a robust solution available to manage surface water drainage in a sustainable manner – alongside robust analysis of baseline surface water flow rates, equivalent green field flow rates and a degree of understanding of what is possible and achievable (in terms of sustainable drainage solutions).*

### **LOCAL REPRESENTATION**

- 6.15 The application has been publicised by way of 25 site notices displayed in the vicinity of the application site. The application has also been publicised in the local press and letters were sent to 510 nearby occupiers.
- 6.16 The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

No of individual responses: Objecting: 84 Neutral: 31 Supporting: 4,444

No of petitions received: 0

- 6.17 In summary the objections raised the following issues:

- The development will worsen traffic congestion and on street parking pressure on match-days;
- Fans take all the parking spaces in surrounding roads and even park across drive ways;
- Residents are effectively imprisoned until an hour or more after the end of the match, due to crowds of fans and complete gridlock of the local roads. Another 8,000 fans would make this worse;
- The loss of car parking on the site will mean more fans park in surrounding streets, exacerbating existing issues;
- A match-day Controlled Parking Zone (CPZ) must be implemented to alleviate parking stress experienced by neighbours on match-day;
- Offsite highway works must be undertaken to improve traffic flows on match-days;
- The transport assessment submitted is flawed. Matches at the stadium currently results in highway congestion in the area surrounding the stadium for a significant amount of time before and after matches. This has not been adequately identified nor have suitable arrangements been suggested to help accommodate an increased number of trips to the area resulting from the expansion;
- The number of fans at the local rail stations mean that the stations become dangerously overcrowded. There needs to be an increased number of police officers at the main train stations;
- The footpaths become overcrowded with fans before and after a match making it hard for elderly residents to walk in the neighbourhood;
- If even half of the proposed supporters were to use their cars to travel to the ground, this would be an increase of around 4,000 vehicles into the area. This would increase the traffic congestion on match-days to an amount not able to be managed by the current road network;
- The scheme will result in additional on street parking, unless a CPZ is introduced. However, this will inconvenience residents and cause them significant expense;
- There have been no actual plans submitted to explain how supporters might be persuaded to travel by public transport (bus or rail). The whole submission lacks any substance. There appears to be no consideration of the impact on this greater area;
- Access for emergency vehicles would be hampered if they needed to gain access immediately before and after the fixture;
- The Club should cover the cost of police presence on match-days, as well as picking up litter left by fans;
- Fans buy food in local takeaway food shops and drop the associated litter in the local areas;
- People who live in the surrounding area are affected for at least a mile radius on match-days, residents are unable to go to work/shop or conduct their personal life without major inconvenience;
- The development will result in the loss of homes, displacing residents;
- The design of the new "Main Stand" is not in keeping with the neighbourhood;
- The way the new stand joins onto the remaining stands looks unsightly;
- The scale of the new stand is inappropriate and overly dominant;
- The main stand will be the equivalent of 10 storeys high not the 5 advertised in the press and by the Club. The massing is disproportionate to surrounding terraced housing. All visuals used are from oblique angles and some of the key visuals have been omitted. The design of facade appears to be compromised and confused;
- There should be a plan to implement stadium-led urban regeneration as part of this scheme. More street cleaning, assisting new businesses, new homes etc;

- There is no detail of the impact on remaining residents in Wooderson Close from the demolition of housing proposed and construction work to carry be carried out;
- Light spill from existing stadium lights affects the amenity of neighbours and this could be made worse;
- At the moment, coaches for away fans park all the way up Park Road, close to residential properties, allowing overlooking to occur from passengers in the coaches to windows in neighbouring properties. Given the extra capacity for away fans there should be a dedicated car park for coaches that is away from our residential area and completely unobtrusive;
- The negative impacts of the development will cause a decrease in house prices locally (OFFICER COMMENT – this is not a material planning consideration);
- The noise and disturbance associated with the development will adversely impact on nearby residents;
- Fans are often engaged in anti-social behaviour which will be exacerbated by the increased capacity;
- Fans make considerable noise and cause lots of disturbance which adversely impacts on the amenity of neighbours;
- There is a general lack of consideration by the Club of the adverse impacts to local residents as a result of match-days (parking problems, abusive fans, traffic jams, rubbish discarded on streets);
- Noise and disturbance during the construction phase will have significant adverse impacts for nearby residents;
- There will be overlooking of nearby residential properties from the new stand (resulting in a loss of privacy);
- The size of the stadium is such that it will overshadow neighbouring residential properties, adversely impacting on amenity;
- Community facilities should be provided and paid for by the Club;
- Sainsbury's may close and this loss of a supermarket would be inconvenient;
- The consultation has not been wide enough and what consultation has been undertaken to date is not satisfactory (OFFICER COMMENT - consultation undertaken by the local planning authority has been extensive and complies with secondary legislation and standard protocols and practice);
- The new stand may be unviable and in trying to recoup the cost of the development, the Club may be forced to engage in corporatism, gentrifying ordinary fans.

6.18 The submissions in support (from football supporters as well as local trades and business organisations) can be summarised as follows:

- There is a real need for the enhancements, existing facilities need to be upgraded to ensure compliance with relevant legislation and standards and to ensure the facilities are fit for purpose.
- The application represents an exciting prospect for not just the fans but for the community at large in the way of jobs and economic prosperity. The Club is an integral part of the fabric of this community having been located at Selhurst Park since 1924.
- This redevelopment providing a one-off opportunity to make significant improvements to the districts surrounding the ground. Every match-day this community facilitates the arrival of thousands of people which clearly impacts on the local infrastructure and residents' lives.
- The Community Infrastructure Levy and the significant S.106 planning obligations secured to mitigate the impact of the development will be spent on making

improvements to the infrastructure or within the communities surrounding the ground.

- Businesses will benefit from the increase footfall on match-days (including stallholders).
- There will be additional jobs created during construction and when the new stand is operational.
- The design is iconic and appropriate given the relationship to the rest of the stadium and wider area.

6.19 (OFFICER COMMENT: There is clearly considerable public interest in this scheme with supporters of the Club seeing the enhanced facilities being integral to the growth of the Club – continuing to compete in the Premier League. The comments made by those in support of the scheme have been given due consideration (the benefits of the scheme are acknowledged).

6.20 During the course of planning application process, revised plans and details have been received. Whilst these did not change the nature of the application, the revised details have been published and re-consultation has been undertaken – and is covered as part of the officer's recommendation.

6.21 The above concerns that are material to the determination of the application, are addressed in substance in the 'MATERIAL PLANNING CONSIDERATIONS' section of this report, or by way of planning condition or planning obligation.

## **7. RELEVANT PLANNING POLICIES AND GUIDANCE**

7.1. In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the Plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the London Plan and the Croydon Local Plan 2018.

7.2. Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay.

7.3. The main policy considerations raised by the application that the Committee are required to consider are outlined below:

### London Plan:

- 3.1 Ensuring equal life chances for all
- 3.2 improving health and addressing health inequalities
- 3.10 Definition of affordable housing
- 3.14 Existing housing
- 3.16 Protection and enhancement of social infrastructure
- 3.19 Sports facilities
- 4.1 Development London's Economy
- 4.5 London's visitor infrastructure
- 4.6 Support for and enhancement of arts, culture, sport and entertainment
- 4.7 Retail and town centre development
- 4.12 Improving opportunities for all

- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.5 Decentralised Energy Networks
- 5.6 Decentralised energy in development proposals
- 5.7 Renewable energy
- 5.8 Innovative Energy Technologies
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.17 Waste capacity
- 5.21 Contaminated land
- 6.3 Assessing the effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.7 Tall and large buildings
- 7.8 Heritage assets
- 7.13 Safety, security and resilience to emergency
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

7.4 According to paragraph 216 of the NPPF, relevant policies in emerging plans may be accorded weight following publication, but with the weight to be given to them is dependent on, among other matters, their stage of preparation. The GLA have prepared and have consulted on a draft new London Plan (the emerging London Plan 2018). The emerging London Plan 2018 will be tested in an Examination in Public in Autumn 2018 with a view to adopt in Autumn 2019.

7.5 The current 2016 consolidated London Plan is still part of the adopted development plan. The draft London Plan is a material consideration in planning decisions but its current weight is limited – but gains more weight as it moves through the examination and adoption process.

#### CLP 2018

- SP1.2 Place Making

- SP2.2 Homes – Quantities and Locations
- DM1 Housing Choice and Sustainable Communities
- SP3.1 Employment
- SP3.14 Opportunities for Employment and Skills Training
- DM8 Development in Edge of Centre and Out of Centre Locations
- SP4.1 High Quality Design
- SP4.2 Development informed by distinctive qualities, identity, topography and opportunities of the relevant Places of Croydon
- SP4.5 Proposals for Tall Buildings
- SP4.7 Public Realm
- SP6 Environment and Climate Change
- SP8 Transport and Communication
- DM23 Development and Construction
- DM10.1 Design and Character
- DM10.2 Public and Private Spaces
- DM10.6 Amenity Impacts
- DM10.7 Detailed Design
- DM10.8 Hard and Soft Landscaping
- DM10.9 Architectural Lighting
- DM12.2 Hoardings
- DM13.1 Refuse and Recycling Facilities
- DM 13.2 Waste Management Plans
- DM 14 Public Art
- DM15: Tall and Large Buildings
- DM16: Promoting Healthy Communities
- DM18.9 Archaeology
- SP5.2 Health and Well Being
- SP5.5 Community Facilities
- DM19.2 Detailed Requirements for Community Facilities
- DM20: Supporting Selhurst Park as the Home Stadium of Crystal Palace Football Club
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM29 Promoting Sustainable Travel and Reducing Congestion
- DM30 Car and Cycle Parking in New Development
- DM32 Facilitating Rail and Tram Improvements

Relevant Supplementary Planning Guidance includes:

- London Housing SPG March 2016
- Homes for Londoners: Affordable Housing and Viability SPG (August 2017)
- Croydon Public Realm Design Guide (2012)
- Section 106 Planning Obligations in Croydon and their Relationship to the Community Infrastructure Levy – Review 2017 (June 2017)
- London SPG - Accessible London: Achieving An Inclusive Environment (2014)
- London SPG - Sustainable Design and Construction SPG
- SPD 3 – Designing for Community Safety
- SPG Note 12 – Landscape Design
- SPG Note 15 – Renewable Energy
- SPG Note 17 – Sustainable Surface Water Drainage
- SPG Note 18 – Sustainable Water Usage

- SPG Note 19 – Public Art
- SPG Note 10 – Designing for Accessibility

## **8. MATERIAL PLANNING CONSIDERATIONS (APPLICATION ASSESSMENT)**

### **Legislative context**

- 8.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England.
- 8.2 Collectively, these three Acts create a plan-led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act). The main planning considerations are listed below:
- Principle of Development (including housing implications)
  - Socio-Economic Implications and Regenerative Benefits (Employment and Training)
  - Townscape and Visual Impact
  - Landscaping
  - Impact on Residential Amenities
  - Transportation, Access and Parking
  - Environmental Effects
  - Energy and Sustainability
  - Equity of Access and Mobility
  - Designing Out Crime and Emergency Resilience
  - Human Rights and General Equalities

### **Principle of Development**

#### *Expansion of the Stadium*

- 8.3 London Plan policy 2.1 advocates the Mayor's commitment to ensuring that London retains and extends its global role. The proposed development would accord with the principle of this policy. Policy 3.16 supports the protection and enhancement of social infrastructure. Policy 3.19 "Sport Facilities" supports the increase or enhancement of sports and recreational facilities.
- 8.4 London Plan policy 4.6 states the Mayor will and boroughs and other stakeholders should support the continued success of London's diverse range of professional sporting enterprises and the cultural, social and economic benefits that they offer to its residents, workers and visitors.
- 8.5 The presence of Crystal Palace Football Club within Croydon brings economic, social and cultural benefits to the Borough. CLP 2018, Policy DM20 sets out clear support for Selhurst Park to remain the home stadium of Crystal Palace Football Club. The policy goes on to state that the Council will ensure that any redevelopment would enhance the Club's position, with a football stadium that makes a significant contribution to the Borough. Subject to compliance with the other detailed policies in the Development Plan, there is no objection in principle to the proposed stadium expansion.

### *Loss of Housing – Policy Context*

- 8.6 The proposals involve demolition of 6 houses and as set out below, development plan policy is clear that development proposals should not ultimately result in the net loss of housing (land or property). London Plan policy 3.14 states that the loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace. A planning obligation is required to secure any affordable housing identified as being lost to the development can be re-provided, whilst also ensuring that there is no net loss of housing overall.
- 8.7 Croydon Local Plan 2018 (CLP): Policy SP2.2 echoes the London Plan stating that the Council will not permit developments which would result in a net loss of homes or residential land.

### *Rehousing Displaced Residents*

- 8.8 It is of significance that the Council owns all but one of the properties that are proposed to be demolished and as the landowner, the Council has confirmed that it would not allow the demolition of the housing unless all tenants affected are appropriately re-housed (in homes of a size, quality, tenure and in a location which meets tenant needs).
- 8.9 The Club has agreed to purchase the housing land affected at a sufficient level to cover the cost of re-housing residents both in terms of covering the cost of purchasing replacement houses (which would be owned by the Council and designated as affordable housing) and meeting the associated costs of moving and any compensation. This approach needs to be captured as part of the S106 Agreement to ensure compliance with development plan policy.
- 8.10 The Council as landlord continues to liaise with affected tenants (including the occupants of dwellings which are proposed to be retained) to ensure needs are met and effects mitigated. One of the properties is privately owned (with the owner having previously exercised their “Right to Buy”). This property is currently privately managed and tends to be booked by LB Lambeth; delivering short term lets for its residents – whilst more permanent accommodation is found. Notwithstanding the above, this does not infer the dwelling is an affordable housing unit (the tenure is simply private rented sector). The relocation of any tenants in that property would be dictated by the terms and conditions of these arrangements and any arrangements with LB Lambeth which would be a civil/landlord and tenant matter.

### *Ensuring No Net Loss of Residential Floor Space*

- 8.11 To ensure that there is no net loss of residential floor space or land previously in residential use, proposals to bring forward replacement floor space/land cannot rely on supply already forming part of the development pipeline (included within the Borough’s current 5-year housing supply).
- 8.12 There are clearly a number of possible scenarios that might be acceptable to ensure that there is no net loss of housing units/land. For example, the Club is currently in pre-application discussions with the Council in relation to a proposal to develop dwellings to the rear of the “Holmesdale Road Stand” and a report into this pre-application submission is included elsewhere on this agenda. Whilst this proposed housing scheme remains at an early stage, officers consider that this emerging proposal has

merit and the applicant has been encouraged to continue to work with officers to bring forward a scheme that can be supported. There may well be alternative proposals on offer but what is critical is that the applicant is required to progress matters robustly and with some urgency, assuming that the development the subject of this planning application is to progress within the timeframes envisaged.

- 8.13 In order to make the scheme acceptable in planning terms, a planning obligation is required to ensure that replacement residential floorspace is provided and in place in a timely manner to mitigate the loss of existing residential land and property – with an expectation that the housing opportunities are maximised – including the delivery of affordable housing as required by policy and subject to scheme viability. The London Mayor (at Stage 2) will probably be requiring the financial viability of the replacement housing scheme to be tested to establish whether it would be viable for there to be capacity to provide affordable housing as part of the replacement housing scheme.
- 8.14 To give certainty over the delivery of the replacement housing, officers are of the view that a scheme must be identified (with planning permission) before the development of the new “Main Stand” comes forward – with the two elements commencing concurrently to ensure that the replacement housing is completed and made available for occupation prior to the occupation of the “Main Stand” by the Club. Therefore, delivery of the replacement housing scheme must be linked to the key construction mile-stones associated with the construction of the “Main Stand”. Subject to such a planning obligation, the proposed development would not result in a net loss of housing (units and residential land) and would therefore be in accordance with Policy 3.14 of the London Plan and Policy SP2.2 of the CLP 2018.

#### *Out of Centre Uses*

- 8.15 Paragraph 24 of the NPPF confirms that *‘Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan.’* CLP 2018 Policy DM8 also relates to development in out of centre locations noting the circumstances where sequential and impact testing will be required for main town centre uses that are not in an existing centre.
- 8.16 The expanded stand (Use Class D2) is in accordance with CLP 2018 policy DM20. In addition, the NPPF is clear that it is important to recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. The vast majority of the space in the “Main Stand” will be directly related to the use of the site as a football stadium (it has a functional and physical relationship with the rest of the stadium and could not be located elsewhere).
- 8.17 Policy DM8 also requires main town centre uses (e.g. Use Class D2) of more than 2,500m<sup>2</sup> to undergo an impact test (to understand if trade draw would cause harm to the vitality and viability of existing centres). However, it is clear that the stadium makes and will continue to make a positive contribution to the economic wellbeing and vitality and viability of the surrounding district centres and Croydon Metropolitan Centre, by drawing in a significant number of consumers, who would otherwise not visit (and spend money in) these centres.
- 8.18 The existing stadium generates 348 full-time equivalent (FTE) jobs). This is expected to increase to 472 FTE jobs and generate £3.4 million of employment income, once

the new “Main Stand” is fully operational. The extended “Main Stand” is expected to result in visitor and off-site expenditure in the order of £9.4 to £12.6 million annually. On balance, officers are satisfied that in this case there would be no unacceptable impacts on the viability and vitality of the Borough’s centres.

- 8.19 The scheme also proposes retail and other space which are town centre uses in an out of centre location. These uses could have a competitive relationship with similar uses inside the designated town centres and as such, careful consideration has been given to whether there are sites inside town centres where the space could go (i.e. sequential testing). The applicant has undertaken an exhaustive search of sites within the relevant catchment of centres and the results of the analysis shows there are not sequentially preferable sites. There is also some justification that the retail elements (specifically the Club shop) should reasonably be related to the stadium complex – so that purchases can be made as part of a single trip and related to other functions and hospitality elements available at the ground.

#### *Loss of Car Parking*

- 8.20 The proposals would result in the loss of 74 on site car parking spaces. Policy DM30 of CLP 2018 requires the loss of any car parking to be justified; the aim being to require the developer to demonstrate that there is no need for these car parking spaces by reference to occupancy rates at peak times.
- 8.21 In total there are 553 off-street car parking spaces on site, including 375 spaces in the Sainsbury’s car park and 178 spaces in the Stadium’s private car park. The proposal would see this reduced to 479 off street parking spaces in all, with 353 in Sainsbury’s car park and 126 spaces in the Stadium’s private car park (a loss of 74 parking spaces in total, reducing the Sainsbury’s car parking by 22 spaces and the Club’s car parking by 52 spaces)
- 8.22 Surveys undertaken by the applicant (supported by CCTV evidence of the car park at non match-day peak times) have shown that car parking within the ‘redline site’ (both the Club car park and Sainsbury’s car park) does not presently operate at full capacity; at worst case there are over 22 vacant parking spaces in the Sainsbury’s car park and over 52 vacant parking bays in the Club’s car park.
- 8.23 Both car parks are very well used (at capacity) on match-days and it is anticipated that this demand will continue (albeit managed more effectively by the Club and its partners). Consideration has therefore been given to the impact of reducing car parking capacity during match-days. This has been an issue raised by local residents objecting to the proposals, who have highlighted the potential of increased car parking demand and parking stress in neighbouring streets.
- 8.24 The Transport Assessment expects that through operation and monitoring of a robust and effective travel plan process, approximately 1,219 fewer people would be driving to the Stadium for a weekend match-day and approximately 2,312 fewer people for a weekday match-day. On this basis and assuming that the travel plan is effective at changing supporter travel habits, there should be a significant reduction in parking demand associated with matches played at the Stadium. The reduction in the number of people expected to drive to the Stadium (i.e. 1,219) would be far greater than the number of on-site parking spaces to be lost (i.e. 74). On balance and subject to a travel plan being effective and the potential introduction of a relatively extensive match-day Controlled Parking Zone (CPZ) being secured, there is no objection in principle to the

loss of parking spaces. These mitigation measures (including the introduction of a more extensive match-day CPZ) would need to be captured through the S.106 Agreement.

#### *Community Use of Facilities*

- 8.25 The spaces within the existing “Main Stand” are currently available for hire and from time to time; let out to community groups. The Club has further advised that space (within the parts of the “Main Stand” which are to be demolished) is let to community users at a discounted rate.
- 8.26 The National Planning Policy Framework states that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. The Council recognises the benefits of a healthy community. As Croydon’s population grows it will put increasing pressure on community facilities. The London Plan Policy 3.16 cites the protection and enhancement of social infrastructure which includes community uses and encourages London Boroughs to develop policies to protect these uses. Policy DM19 of CLP 2018 sets out the Council’s position in relation to protecting community facilities.
- 8.27 There is a clear national, regional and local policy basis for seeking to ensure that the community are able to benefit from the continued use of the spaces within the expanded stand, in the same way they do at present. The applicant was requested to clarify what spaces would be available to community groups as part of the development. In response, the applicant has confirmed that the spaces within the new stand will be able to be hired on non-match-days by community groups (subject to space availability etc). Additionally, the Club has committed to ensuring that a space will be made available to the “Palace for Life Foundation” at an appropriate rent.
- 8.28 Subject to a planning obligation to secure the commitments set out by the applicant, there would be no loss of facilities which can be used by the community and in many ways, the enhancement of facilities (both in terms of space, function and utility) will provide added benefits. These will be captured through the use of planning conditions and S.106 Agreement.

#### **Socio-economic Implications and Regenerative Benefits (Employment and Training)**

- 8.29 A key consideration within the NPPF is the desire to secure economic growth to facilitate the creation of jobs and prosperity and to secure the wellbeing of communities. London Plan policy 4.1 refers to London’s economy and states the Mayor will work with partners to: promote and enable the continued development of a strong, sustainable and increasingly diverse economy across all parts of London, ensuring the availability of sufficient and suitable workspaces.
- 8.30 Policy SP3.14 of CLP 2018 also relates to employment and states that opportunities for employment and skills training will be considered by means of S.106 Agreements for major developments. The Council will seek to secure a minimum of 20% of the total jobs created by the construction of new development above the set threshold to be advertised exclusively to local residents through the Council’s Job Brokerage Service for a specified minimum period. It is expected that best endeavours be used and that the developer will work with the Council to ensure that the target of 20% employment of local residents is achieved in both construction and end user phase of new qualifying

development. This is further progressed through application of the Council's Planning Obligations SPD.

- 8.31 Due to the nature of activities at the stadium, the employees at the site (existing and proposed) are/will not be employed full time, with many employees working during match-days or one-off events. The Club, including the "Palace for Life Foundation", currently supports 983 jobs (348 FTE) and it is expected that this level will increase to 1,667 jobs (or 472 FTE) and should generate £3.4 million of employment income, once the new "Main Stand" is fully operational.
- 8.32 The construction of the new "Main Stand" should also lead to temporary construction employment impacts. Based on an investment of £75-£100 million, the redevelopment of the "Main Stand" is estimated to support the equivalent of 430 (FTE) temporary construction jobs per annum (over a three-year period).
- 8.33 The applicant has indicated that they are committed to using local labour and contractors where possible through a local procurement and employment policy and set a target of approximately 34% be filled by Borough residents (as advised by the Council's Planning Obligations SPD). This will be formalised within the S106 Agreement which will require the applicant to encourage and facilitate access to employment for local people. This will also incorporate commitments around the London Living Wage accreditation and signing up the Good Employer Charter.
- 8.34 A monetary contribution of £187,000 construction training and a £47,000 contribution toward operational phase training along with measures will be secured in conjunction with the Local Employment Training scheme, which would again be captured through the S.106 Agreement.

## **Townscape and Visual Impact**

### *Policy Context*

- 8.35 The NPPF attaches great importance to the design of the built environment. Paragraph 17 gives 17 core planning principles. One of these principles is '*always seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*'. Paragraph 56 states that '*The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people*'.
- 8.36 Policies 7.4 and 7.6 of the London Plan state that architecture should make a positive contribution and have a design which is appropriate to its context. Policy 7.7 relates to tall and large buildings, noting that these should not have an unacceptably harmful impact on their surroundings. The policy goes on to set out various criteria that should be met by proposals for large and tall buildings.
- 8.37 Policy SP4.1 is relevant in that it states that developments should be of a high quality which respects and enhances local character. The Local Plan notes that a tall building is one that is significantly taller than most of the surrounding buildings or in excess of six storeys or 25m. Policies SP4.5 and SP4.6 are considered applicable which set out where the Council wishes tall buildings to be located and the standards proposals for tall buildings should meet, including respecting and enhancing local character, responding sensitively to topography; and making a positive contribution to the skyline

and image of Croydon; and including a high quality public realm to provide a setting appropriate to the scale and significance of the building.

### *Height, Scale and Massing*

- 8.38 Concern has been raised in objections that the effects of the height of the proposal has been understated. For clarity, the expanded “Main Stand” (169m long x 62m wide and 40m high) will be the largest single built element at Selhurst Park and the largest building in the immediate vicinity (i.e. a large and tall building). Officers are satisfied that the plans and elevations have been drawn to an accurate scale and the description of the development fully describes what is proposed. While it is noted that the site is not in an area set out in Policy SP4.5 (as an area where tall buildings are encouraged) it is integral to the existing Selhurst Park stadium complex, which has been the home of Crystal Palace FC since 1924, with the existing built form already impacting on the character and appearance of the area. The scale of the existing stadium buildings is very different from the predominantly residential development which surrounds the site and has a distinctive character in itself. As highlighted above, there is a need for the Club to enhance facilities and capacity, to accommodate its many supporters and to realise a sustainable future for itself within the Premier League. To fully realise this aspiration, it is inevitable that elements of increased height and scale of development is necessary.
- 8.39 The shape of the expanded “Main Stand” and its arrangement on site is underwritten by an architectural concept (namely the curved bowl profile) which provides a massing response needed to mitigate the impact of the proposal on adjacent properties in the more sensitive north-west and south-west corners.
- 8.40 The height of the proposed “Main Stand” would rise towards the centre of the mass, at which point the stand would project into the current open-air car park. Thereafter, the building mass would reduce in height and would curve away from neighbouring residential properties. Officers are of the view that the curved design and positioning of height would help mitigate the visual effects of the development.
- 8.41 The form, proportion and scale would help to ensure the loss of housing and impact on remaining housing is minimised (although not eliminated). Given the scale and nature of existing development on site (i.e. the wider stadium) and the architectural and structural links to the existing stands, officers consider that tall building is acceptable in principal at this location. The scale of development (which results in the loss of housing outlined above) is also acceptable, in view of the applicant’s agreement to provide replacement affordable housing whilst ensuring no net loss of housing overall.
- 8.42 In response to observations made at the Place Review Panel (PRP) the design has been developed to improve the way in which the public realm is arranged so as to deliver a more appropriate setting to the south elevation – reflecting the scale and significance of the building (required of London Plan Policy 7.7). A plaza/piazza is proposed to the front of the “Main Stand” to allow the architectural composition to be fully appreciated by fans. Similarly, changes have been made to entrances and key views as one approaches the Ground, to improve the spectator and visitor experience (especially the pedestrian level experience adjacent to the ground floor facades).
- 8.43 The existing stadium is a prominent landmark and the new “Main Stand” will reinforce this status in views (and assist with way finding). The new “Main Stand” has been

assessed from a series of viewpoints examined within the Accurate Visual Representation (AVR) verified views submitted with the application. The location of the tallest element is sited at the lowest point of the site, utilising topography to lessen the visual impact of the building (in line with London Plan policy 7.7) and in particular, when viewed from the north.

8.44 The AVR studies include a view of the south west facing elevation (viewed from Whitehorse Lane and taken from a position adjacent to the Sainsbury's petrol filling station). There is some concern over the way the end elevation adjoins the "Whitehorse Lane Stand" and the bulk of the building at this junction has been difficult to resolve. Attempts made to address this through the use of additional fenestration have not been entirely successful. However, given the overall success of the design across the wider site and especially how the development ties in with the existing "Holmesdale Road Stand" officers are satisfied that the approach, on balance, has been executed satisfactorily.

#### *Elevational Treatment*

8.45 The Club has its origins at the original "Crystal Palace" – a huge glasshouse on a metal frame that was constructed for the Great Exhibition of 1851. The Club are keen for the design of the new "Main Stand" to draw inspiration from this historical connection. The proposed facade therefore reflects certain elements of both the original "Crystal Palace" building along with the Club's Eagle crest. The cladding wings are reminiscent of the CPFC 'Eagle' motif and provide a strong iconography and conceal internal staircases and service ducts.

8.46 Brickwork masonry elements are proposed at a low level, reflecting the building's suburban, residential context and providing a more human scale at street level. Initial concerns were raised as regards to the utilisation of both the Crystal Palace and Eagle wings motifs (which appeared to be competing with each other). This was also raised by the Place Review Panel. The design motifs have been developed further since the initial concept visuals and subsequent to this, the wings motifs that wrap to the sides have become more integrated into the architectural form

8.47 Furthermore, some of the referential elements towards the "Crystal Palace" have been moderated in terms of their direct prominence as part of the façade and the design narrative has been developed further to enhance and balance the aesthetic. The glazing and structural module has been developed, taking a cue to Paxton's defining grid that was found in the "Crystal Palace" at 8ft (approx.2.5m). This forms the vertical glazing lines in the upper façade. Further reference to Paxton's formative module size is seen in a fritted pattern applied to the main accommodation levels within the feature lines.

8.48 The overall façade design creates a distinctive high-quality development. Given the scale of the proposal in relation to surrounding residential development, it is essential that excellent design quality is delivered (as required by CLP 2018 policy DM10.7). Conditions are recommended to ensure that the actual materials to be used in the façade of the finished building deliver the excellence expected.

8.49 New security gates are proposed at either end of the concourse and a staffed security lodge at the site entrance off Holmesdale Road will control vehicular access to and from the site.

- 8.50 Internal changes to the “Whitehorse Lane Stand” are also proposed to facilitate the lengthening of the pitch and to improve disabled access. Additional seating to replace that to be lost would be installed between the “Arthur Wait Stand” and the “Holmesdale Road Stand”. These changes would not be visible from any public vantage point and are considered entirely in keeping with the character of the existing stadium and no objection is raised to visual impact of these modifications.
- 8.51 While it is noted that there are no proposals for mobile phone masts and the like, it is likely (given the additional capacity the expanded “Main Stand” would facilitate) that some additional telecommunication equipment might well be required. The visual impact of such equipment could well be harmful to the appearance of the development. As such a condition should be imposed on any consent granted requiring the details of any telecommunication equipment visible from the public realm to be approved by the Council, prior to installation.

### *Public Realm*

- 8.52 The public realm design focusses on the car park and the proposed Fan-Zone. The design proposed includes a fan pedestrian piazza outside and opposite the centre of the “Main Stand”. This would be a characterful space with the intention to provide a mix-mode usage for match-day events and parking on non-match-days as well as an opportunity to showcase longer range views from within the ground (an environment where they can congregate before or after a match against the backdrop of the “Main Stand” and the related iconography).
- 8.53 A simple and robust solution is proposed to identify differing landscape areas and functions within the external public realm. Different floor finishes identify the outer concourse, pedestrian walkways, car park access roads and parking bays. Feature markings radiating out from the curved stadium form help to visually unite the separate spaces.
- 8.54 The integration of street furniture, signage and lighting has been considered, taking reference from the materials used and responding to the need for robust and distinctive solutions. Benches are proposed in concrete and a number of these would also have timber seats, with arm and backrests. Subject to conditions to ensure the final detailed materials are appropriate, officers are supportive of the proposals.

### *Public Art*

- 8.55 Policy DM14 of CLP 2018 relates to public art and requires all major schemes to include public art as an integral part of the design, enhancing local distinctiveness and reinforcing a sense of place. It is clear that the “Main Stand” seeks an iconic design response and with the integrated historic and emblematic references, officers consider that the design clearly fulfils the criteria in policy DM14. There might well be opportunities to develop bespoke items of street furniture within the piazza – which could also have recognised public art attributes.

### **Landscaping**

- 8.56 The development will be partly constructed on the car park behind the existing “Main Stand” and will require the Stadium and Sainsbury’s car park layouts to be revised. External concourses, outside broadcast compound and junctions with existing highways would need to be remodelled.

- 8.57 Site security would be achieved via lockable perimeter security gates along both the northern boundary (with Sainsbury's car park) and the southern boundary (to Holmesdale Road). The Metropolitan Police have requested further information be provided in relation to gates and as such, a condition is recommended to ensure this detail is agreed by the local planning authority and the Metropolitan Police at the detailed design stage.
- 8.58 A key point made at the PRP was to review the frontage landscape design beyond the outer concourse. The PRP were very keen to ensure that the architectural form of the "Main Stand" could be fully appreciated from longer distance views (i.e. from the non-match-day car parking areas). Key drivers of the external landscape design approach have been:
- Space and Circulation - Improving the circulation around the Stadium, with the landscape design defining clear routes into the Stadium and car parks.
  - Public Plaza - provide an external pedestrianised 'plaza' in front of the Stadium for spectator match-day congregation.
  - Car Parking – Rationalise and optimise non-match-day parking layouts and replace the existing Outside Broadcast Compound (OBC), to allow broadcasters full access for television production.
  - Separation and Security – Create designated safe routes for pedestrians, cyclists and vehicles converging on and moving around the site.
  - Softening the Environment – Improve the visual environment through the introduction of soft landscaping and planting.
- 8.59 While a number of existing trees on site are proposed to be removed, the Council's tree officer has advised that with the exception of 2 mature trees at the Holmesdale Road entrance, the remaining trees to be removed are not worthy of retention. In any event, replacement tree planting is proposed and the applicant has agreed to no net loss of trees on site following full implementation of the replacement planting.
- 8.60 The landscape plans submitted with the application provide a useful indication of the direction of travel in terms of hard and soft landscaping, but lack essential detail (such as the exact specification for hard landscaping materials, the planting species and densities proposed). There is also limited detail to confirm how landscaping will be maintained and managed into the future. Therefore, it is imperative that conditions are imposed to secure full details of hard and soft landscaping.

## **Impact on Neighbouring Occupiers**

### *Policy Context*

- 8.61 One of the core planning principles (paragraph 17) in the NPPF is that decisions should "*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*". London Plan Policy 7.6 is clear that development (in particular tall buildings) should not cause unacceptable harm to the amenity of surrounding land and buildings (particularly residential buildings) in relation to privacy, overshadowing, wind and microclimate impacts. London Plan policy 7.7 is also clear that large and tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise or reflective glare.

8.62 Policy DM10.6 of CLP 2018 seek to ensure the amenity of the occupiers of adjoining buildings are protected; noting that the development should not result in any unacceptable loss of privacy, sunlight or daylight.

*Sunlight and Daylight - Building Research Establishment's (BRE) Guidance*

8.63 The current application was accompanied by an independent Daylight/Sunlight Report which provides an assessment of the potential impact of the development on sunlight, daylight and overshadowing to neighbouring residential properties based on the approach set out in the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight: A Good Practice Guide'.

8.64 The BRE Guidance advises that these numerical guidelines are to be interpreted flexibly since natural lighting is only one of many factors when determining appropriate site layout and design.

8.65 Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

*The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight); or*

*The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.*

8.66 Sunlight: the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

*In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period; and In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.*

*Sunlight and Daylight – Assessment*

8.67 The applicant's assessment considers the impact on the existing residential units in Wooderson Close, Holmesdale Road and Clifton Road. The assessment examined 179 windows and concluded that with the proposed development in place, the majority of the windows to the existing buildings surrounding the site would continue to receive adequate daylight as defined by the BRE guidance.

8.68 The one property which would be significantly impacted by the development would be 20 Wooderson Close. The analysis shows that this property would retain levels of VSC which are consistent with the suburban/urban context within which the site is set. While the proposed ADF levels are less than suggested by the BRE guidance, this is principally because the existing ADF levels are already below levels specified by the BRE Guidance (affected by the original design of the houses).

- 8.69 The greatest cause for concern relates to the reductions in daylight distribution at this property and specifically three rooms (a living room and bedrooms contained within this property). The living room would see a reduction in daylight distribution by 57%, and the bedrooms by 40% and 63% respectively. While the impact on daylight distribution is significant, it is noted that the rooms will retain acceptable levels of VSC. It should also be borne in mind that the plans show the main dining room, lounge and two of the four bedrooms face the opposite direction (south-east), away from the site, and will be unaffected by the proposed development. The property is dual aspect.
- 8.70 It is possible to introduce windows into what will become an end elevation (following the demolition of 22 and 24 Wooderson Close) which would allow light through what would be the northern elevation of the dwelling into the internal spaces. Clearly any new windows installed in this elevation would need to be appropriately designed and located to ensure no harm to the appearance of the building and to prevent any harm to occupiers due to overlooking or noise.
- 8.71 The applicant has confirmed that they are willing to install windows in the elevation to address the loss of light. Subject to conditions being imposed on any consent requiring full details of the design and location of new windows to be approved and installed, no objection is raised to the proposal in terms of loss of light.

#### *Overlooking and Privacy*

- 8.72 The south-western most part of the proposed stand would be set back from the nearest residential property (20 Wooderson Close) by approximately 21m. This separation distance is considered adequate to mitigate against unacceptable overlooking impacts. It is also noted that overlooking between the new "Main Stand" and existing residential dwellings would be at an oblique angle and this would tend to further mitigate against overlooking.
- 8.73 The size, bulk and scale of the new "Main Stand" is such that it will have an imposing appearance when viewed from the nearest residential dwellings in Wooderson Close. While the outlook from dwellings along Clifton Road would also be impacted, the separation distances between the nearest house along Clifton Road and the new stand would be approximately 47m, which is considered sufficient to prevent any unacceptable impact.
- 8.74 The height and scale of the proposal, coupled with its close proximity to the nearest residential dwellings in Wooderson Close, means that the outlook from these properties is affected to a greater degree compared to other properties. However, all these dwellings are truly dual aspect, with several habitable rooms facing the opposite direction (south-east) away from the site and towards Homesdale Road. The outlook from these south-east facing rooms would be unaffected by the proposed development. Taking account of the dual aspect nature of the dwellings, the separation distances between the houses and the proposed "Main Stand" and that the tallest element of the proposed development would be positioned approximately 80m from these houses, officers consider overall and on balance that the effect of the development on outlook experienced by immediate neighbours would be acceptable.
- 8.75 Concerns have been raised that visiting supporters waiting in coaches are able to look into nearby residential dwellings. The issue only arises on match-days and for a limited time, being either before spectators disembark (to watch a match) or following a game when they board a bus but before it leaves. On balance, given the infrequency of the

issue and taking account of the benefit in locating away-supporter coaches close to the away fan seating (which assists with crowd control) officers are satisfied with these occasional arrangements.

### Transportation, Access and Parking

8.76 Chapter 4 of the NPPF seeks to promote sustainable transport and is clear that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. London Plan Policies 6.3 and 6.13 seek to ensure development is not permitted if it would result in significant traffic generation which cannot be accommodated on surrounding roads. CLP Policy SP8.6 advises that the Council and its partners will improve conditions for walking and will enhance the pedestrian experience the enhancing footpaths, decluttering the streetscape and enabling widening of footways where feasible on over-crowded routes. Policy SP8.7 further advises that the Council and its partners will provide new and improved cycle infrastructure by enhancing and expanding the cycle network along with the creation of new routes to improve connectivity between sites. In terms of car parking, Policy SP8.15 seeks to limit parking spaces in the borough and aim to reduce the overall amount of surplus and outside high PTAL areas, the Council will apply standards set out in the London Plan. Policy SP8.9 enables the delivery of electric vehicle charging infrastructure and requires development to provide electric charging infrastructure car clubs and car sharing schemes. Finally, Policy SP8.4 requires major development proposals to be supported by transport assessments, travel plans. Construction Logistic Plans and Delivery/Serviceing Plans.

8.77 This planning application provides a once in a lifetime opportunity for the local planning authority to work with the Club to realise a step change in the way in which the stadium use interacts with the local area (in terms of on and off-street car parking and how supporters might travel and access the ground during match-days in the future). There is currently little substantive control over how access arrangements and car parking pressures are managed (with arrangements managed in a more ad hoc basis) and this proposal allows the local planning authority to plan and manage development effectively, to ensure that the effects of the development and the existing baseline situation can be improved more effectively, to ensure that development respects the amenities of immediate neighbours whilst promoting more sustainable transport modes to and from Selhurst Park.

### Surveys

8.78 The applicant undertook surveys of home supporters and staff to better understand how people travel to the site. By far the most popular mode of transport was travelling by car or train.

Mode	General admission		Corporate/hospitality	
	Weekend %	Weekday %	Weekend %	Weekday%
Car as driver	33	37	43	20
Car as passenger	11	12	10	0
Train	41	41	39	60
Bus	5	4	4	0
Taxi	1	1	3	20
Walk	6	5	2	0

Bicycle	0	0	1	0
Motorcycle	0	0	0	0
Coach	1	0	0	0

6.79 The survey identified that for the general admission supporters, 78% of those who drove to the site parked on street at the weekend and 85% on a weekday. At weekends Norwood Junction was the most frequently used station to alight from (55%), followed by Selhurst (25%) and Thornton Heath (10%). For week-day matches, Norwood Junction was the most frequently used (46%) with Selhurst and Thornton Heath, 36% and 8% respectively.

#### *Traffic Impacts at Junctions*

8.80 The Council's highway officer has reviewed the applicant's Transport Assessment (TA) which highlights that the junctions immediately around the stadium are at capacity before and after matches, which is far from surprising, given the proportion of people travelling to and from the site by car.

8.81 Given the additional spectators that would attend the site, there is the potential for existing junction capacity issues to be made materially worse on match-days. It is therefore critical to ensure a greater number and proportion of fans travel to the stadium by sustainable transport (there will need to be a modal shift away from car usage). It is essential that a very robust and enforceable Travel Plan is put in place to help facilitate the required change in travel behaviour.

8.82 The applicant has agreed to continue to monitor the situation – working alongside highway officers (junction of South Norwood Hill/Whitehorse Lane and South Norwood Hill/High Street) and to also provide traffic management stewards to ensure effective junction operation if it is determined that the situation has worsened as a result of the development. This is welcomed and a planning obligation is recommended to secure this commitment.

#### *Public Transport*

8.83 The TA provides an assessment of bus and rail occupancy and capacity on match-days. Few trains were identified as having 100% occupancy with access to trains managed by station staff after the match, to prevent crowding on platforms and to manage the flow of spectators seeking to board trains.

8.84 Queueing has been identified at Selhurst and Norwood Junction stations post-match. The TA states that the queueing is governed to a certain extent by station management practices, which ensure that platforms are not overcrowded, seeking to limit associated risks. Management of queueing can be assisted by increasing the area for waiting spectators at Thornton Heath and Norwood Junction stations. It is considered that there are no options for such an arrangement at Selhurst Station.

8.85 Traffic Management Order (TMO) would be required for Thornton Heath and Norwood Junction Stations to close a small section of highway to vehicle traffic. For Thornton Heath Station, this would be the layby on the High Street which could be closed. However, for Norwood Junction, access would need to be maintained for local residents and businesses which would require management of a closure and arrangements made for advance notice of future matches. The investigation of options

and delivery of a scheme should be explored and funded and captured through the S.106 Agreement.

- 8.86 Further assessment of the impact of additional fans using trains to get to and from the fixtures (particularly on Norwood Junction Station) is required, given the length of queues and the area affected. A station management plan is required for each of the three rail stations. These would need to be secured by a planning obligation.
- 8.88 Bus occupancy surveys were also carried out before and after the Saturday and week-day matches. No issues were observed and given the relatively low numbers of people using buses to get to the ground [about 5%] it is reasonable to assume bus capacity is not be an issue, even with the increase in ground capacity.
- 8.89 It is likely that due to the traffic congestion around the ground on match-days, there is likely to be suppressed demand for bus travel; this is another reason to try and reduce traffic congestion caused by fans using cars as it would make bus usage a more attractive and viable travel option.

#### *Pedestrian and Cycle Environment*

- 8.90 The applicant's submission identified the following specific issues – for pedestrians and cyclists:
- There is a lack of effective width on the south side of Whitehorse Lane close to the ground and on Selhurst Road and Station Road (caused by a stall holder using part of the footway) and Thornton Heath High St (caused by stalls trading on the footway) and on a section of Holmesdale Road
  - A lack of crossing facilities on Whitehorse Lane
  - Lack of signage to direct spectators to the ground from the three rail stations
  - A lack of bus shelters at stops on Whitehorse Lane close to the ground
  - Current drainage issue at a number of junctions in the study area
  - Lack of colour contrast, dropped kerbs and tactile paving at some key crossing points on the more residential local streets
- 8.91 The quality of the pedestrian environment is key to encouraging more people to access the site on foot – especially from the three neighbouring stations. Given the imperative to change the existing modal patterns (away from car use), contributions should be secured to fund the above works. Transport for London (TfL) have sought a Pedestrian Comfort Level (PCL) Assessment to understand what is achievable to make the pedestrian environment more attractive and safe, thereby enhancing the pedestrian experience. Wayfinding measures need to be significantly improved, to clearly guide supporters from the three rail stations to the site. The width of footways is also of serious concern, with fans spilling onto the highway where pathways are not wide enough. Planning obligations should be secured to ensure enhancements to the pedestrian environment are properly investigated and implemented.
- 8.92 It is important to recognise that cycling to and from the stadium should be promoted as a viable alternative to travelling by car and to date, no assessment as to the quality of existing cycle routes and the need for improvement has been undertaken as part of this application. The Council commissioned a study to consider enhancements to “Quietway” cycle routes in the borough some time ago and this identified specific issues at two locations close to the stadium which failed the “Cycling Level of Service Assessment” [CLoS]: Southern Avenue to Holmesdale Road via South Norwood Hill

and Lancaster Avenue to Sunny Bank junction. In addition, cycle route signage was found to be wanting.

- 8.93 Providing a better environment for cyclists should encourage greater use of this sustainable form of transport. It is noted that TfL and the GLA have requested improvements to cycle routes and again, given the imperative to change the existing modal patterns (away from car use) contributions should be secured to fund the above works.

#### *Off-site Parking*

- 8.94 A Saturday parking beat survey was undertaken in November, before and during the home fixture against Everton. Both Selhurst and Thornton Heath stations were closed that day so officers are satisfied that the beat survey was robust (with the likelihood of more supporters arriving by car). The beat survey was based on a selection of 58 roads spread across an area within a 1.5km of the ground (considered a wide enough area to capture most of the likely impact on on-street parking).
- 8.95 Some roads close to the ground indicated an occupancy level of 83/85% or more (i.e. parking stress) which was not surprising, given the level of supporters who travel to and from the ground by car (78% of those who drove to the site parked on street at the weekend and 85% on a weekday).
- 8.96 In the absence of an extensive match-day controlled parking zone [CPZ] the parking pressure on surrounding residential streets would be expected to increase in intensity and spread further with the proposed development. It is considered essential that a match-day CPZ is introduced, subject to public consultation, to manage this pressure and to support a shift from the car to more sustainable modes of transport through the measures identified in the travel plan. It is considered reasonable that the applicant be required to meet the costs of the CPZ implementation in full, whilst recognising that the intervention will generate some revenue to off-set start-up costs and on-going management and administrative costs (linked to car parking charges and any fixed penalty notices).

#### *Car and Cycle Parking On Site*

- 8.97 Currently there is no disabled parking for the stadium and there are 16 accessible bays in the current Sainsbury's car park. An additional 12 disabled (Blue Badge) parking bays are proposed for the Club's car park and this additional provision would mean that 6% of bays are provided as being able to be used by Blue Badge holders. This level is considered consistent with the requirements of current London Plan Policy 6.3.
- 8.98 As raised earlier, it is proposed to reduce on site car parking which can be justified in policy terms (subject to the implementation of a match-day CPZ and a positive approach to travel plan monitoring). There will be a considerable increase in provision of on site (passive and active) electric vehicle charging points (EVCP) which is welcomed and a condition is recommended to ensure the provision is delivered.
- 8.99 There is currently no formal management of the on-site car parking arrangements for match-days. The GLA and the Metropolitan Police consider that car parking should be more tightly controlled to ensure car park users are legitimate with the associated benefits of improved site security and better management generally. Measures have

been proposed by the applicant to alter access arrangements into the car park (at selected times on match-days) to better separate pedestrians and vehicles.

- 8.100 In essence, the proposals involve the clearance of the Sainsbury's car park approximately 3 hours before the home fixture – which would be no longer available to the public. It is proposed that the access points would be altered so that the existing access into the site becomes fully pedestrianised until approximately 1 hour after the match. Subject to a condition to require a Car Park Design and Management Plan (which is recommended) to clearly set out the detailed arrangements (for approval by the local planning authority) these arrangements are supported.
- 8.101 Currently, there is no cycle parking at the stadium or at the Sainsbury's store. The scheme proposes 100 Sheffield stands which will provide for 200 cycle parking spaces and is based on estimated cycle demand from the current mode split. This provision is on the basis of the whole stadium rather than the expanded "Main Stand". This is considered acceptable. The cycle stands would be located at the Holmesdale Road access, within CPFC car park and near the proposed "Main Stand" museum entrance.

#### *Coach Parking*

- 8.102 Existing away supporters generate 6-8 coaches on a match-day. With expansion of the ground, demand for another 2 coaches could be generated. Currently, coaches park on Park Road (once it is closed to general traffic) adjacent to the "Arthur Wait Stand" where the away supporters are accommodated. Therefore, there is some logic to allow coaches to continue to park within the street – notwithstanding the short-term impact experienced by local residents.
- 8.103 TfL has raised concern that this is not an ideal location in terms of visual intrusion and air quality for local residents on Park Road. However, there are concerns that away fans would have a greater likelihood of interacting with home supporters if they are moved away from the "Arthur Waite Stand" after a match (to a coach maybe waiting in the Sainsbury's car park). From a crowd control perspective, it is considered preferable for coaches to be parked close to gate from which away fans will exit.

#### *Travel Plan*

- 8.104 The application is accompanied by a Framework Travel Plan, which has been reviewed by the Council's highway officer and TfL. The review identified a number of shortcomings including a need to improve the Travel Plan targets generally and the Club's overall ambition to reduce reliance on the private car and to respond positively to associated congestion at junctions, on street car parking pressures and pedestrian safety concerns. The targets detailed by the Travel Plan should reflect the local nature of the support and reflect good practice. In addition, targets should be set for reducing car use by away supporters.
- 8.105 The issues identified with the travel plan as submitted, means that it cannot be approved in its current form. It is clear that a very robust travel plan is required and this would need to be secured through a S.106 legal agreement, including the payment of a bond (which would be refunded if the travel plan targets set are achieved). If targets are not met, the bond would need to be used to support the delivery of sustainable transport measures such as cycle facilities in the area around the stadium; apotenetail extension of a match-day Controlled Parking Zone and/or improvements to the walking

environment around the stadium (measures to affect a move away from the use of the private car to and from the site).

#### *Access, Servicing and Construction Logistics*

- 8.106 There is a current vehicle and pedestrian access to the “Main Stand” from Whitehorse Lane. This would remain unaffected by the proposals (apart from temporary changes during match-days). There is a further vehicle and pedestrian access via Holmesdale Road. This access will be amended to allow access to the revised CPFC car park and match-day plaza. The detailed design and construction of the amendment would need to be secured by use of a S.278 agreement.
- 8.107 The proposal includes an amendment to the layout of and parking spaces within Wooderson Close to facilitate the amended access onto Holmesdale Road. These changes to the highway would need to be secured through the S.278. In addition, as the road would be shortened this should be stopped up under S.247 of T CPA.
- 8.108 Deliveries are currently carried out on street from Holmesdale Road and on the access road into Club car-park off Holmesdale Road. The TA estimates an additional 14 deliveries per week would be needed for the expanded “Main Stand”, using up to 10m rigid vehicles. Little information has been provided to allow a detailed understanding of exactly how deliveries and servicing of the site might occur. The TA notes that due to the limited width of the access road, deliveries may temporarily block the main access road that runs adjacent to the “Main Stand” (it is not clear whether this would cause any unacceptable impact).
- 8.109 To ensure that delivery and servicing proposals are workable and would not result in any unacceptable harm, a condition is recommended requiring a detailed Servicing and Delivery Plan to be submitted and approved in writing by the local planning authority before occupation of the proposed “Main Stand”.
- 8.110 An outline Construction Logistics Plan (CLP) has been included in the TA, which provides a helpful initial indication of how construction logistics could be approached. A more comprehensive CLP would need to be submitted once more is known about the construction dynamics and this will be secured by way of a condition discharge application – which should also include details of the demolition of existing structures (including Wooderson Close properties).

#### *Refuse and Recycling*

- 8.111 The applicant initially advised that all waste would be compacted before being taken away to landfill. The proposals were considered by the Council’s Waste and Recycling officer who raised objection to the absence of any recycling proposals. The applicant was requested to reconsider the approach to recycling and in response, has advised that it intends to recycle and has accepted the inclusion of a pre-occupation condition requiring a stadium-wide refuse strategy (including the appointment of a club refuse champion and for recycling to be separated from any non-recyclable refuse on-site). CLP 2018 policy DM13.2 requires a waste management plan for major development. Subject to a condition being imposed on any consent requiring a detailed site waste management plan, to include details of how recycling is to be separated from landfill refuse on-site, no objection is raised.

8.112 The public consultation has highlighted the fact that there is a considerable amount of litter left in the wider area by spectators before and after a match. A planning obligation is required to secure off site litter collection on match-days to address the issue.

## **Environmental Effects**

### *Contamination*

8.113 Policy 5.21 of the London Plan supports the remediation of contaminated sites and requires that the development of brownfield sites should not result in significant harm to human health or the environment and seeks to bring contaminated land to beneficial use. Policy DM24 of CLP 2018 sets out detailed requirements for ensuring sites are properly investigated and any contamination identified appropriately remediated and allows for remediation to be secured via an appropriate planning condition or planning obligations if appropriate.

8.114 A geo-environmental desk study was submitted alongside the application which indicated that there may be potential soil contamination risks, mainly associated with made ground; the content of which is unknown and activities such as pilling could allow contaminants to spread into previously uncontaminated areas (for example potential hydrocarbons associated with underground fuel tanks – linked to the petrol filling station along with possible unexploded ordnance).

8.115 The report recommends that an intrusive site investigation is carried out and a strategy would then be put in place to appropriately remediate any contamination found, to ensure compliance with the NPPF and development plan policy. This would be secured by way of a condition imposed on any consent. The Environment Agency has also requested a series of conditions be imposed on any consent to prevent contamination of controlled waters.

### *Air Pollution, Noise and Vibration*

8.116 Chapter 13 of the NPPF states that when determining planning applications, local planning authorities should ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source.

8.117 Policy 7.14 of the London Plan states that the Mayor will work with strategic partners to ensure that the spatial, climate change, transport and design policies of his plan support the implementation of his air quality strategy, to achieve reductions in pollutant emissions and public exposure to pollution. It also states that development should be 'air quality neutral' and not lead to further deterioration of existing poor air quality, such as areas designated as Air Quality Management Areas (AQMA). The whole of Croydon has been designated as an AQMA.

8.118 Policy 7.15 of the London Plan states that development proposals should seek to minimise the existing and potential adverse impacts of noise on, from, within or in the vicinity of development proposals. Policy DM23 of CLP 2018 seeks to ensure that future development that may be liable to cause or be affected by pollution through air, noise, dust, or vibration, will not be detrimental to the health, safety and amenity of users of the site or surrounding land.

8.119 The application was accompanied by an Air Quality Assessment which provided an assessment of the key effects associated with the construction and operation of the proposed development. During the construction phase, the proposed development

could potentially introduce new emission sources in the form of construction traffic and construction plant and involve potentially dust generating activities. Concerns have been raised by neighbours in relation to the potential for construction impacts to adversely affect amenity. Conditions would need to be imposed on any consent granted to require the applicant to submit a Construction Logistics Plan and Construction Environmental Management Plan setting out how the site will be managed to prevent migration of dust and pollutants from the construction site.

- 8.120 Non-Road Mobile machinery (NRMM) (e.g. diggers, pumps and construction machinery etc) on construction sites is responsible for 7% of NOx emissions in London and the Council requires all NRMM to meet with legislation to limit emissions from these sources with the applicant needing to commit legislative compliance as part of the Construction Environmental Management Plan.
- 8.121 A modelling exercise has been undertaken to assess the likely contribution from additional traffic to air pollution. The model has demonstrated that changes in pollutant concentrations would be 'negligible', subject to adherence to the measures identified in the Air Quality Assessment. It is recommended that compliance with the report and details of any plant and machinery be secured by condition.
- 8.122 The application is accompanied by a noise assessment which was referred to the Council's noise advisor, who has confirmed that full details of construction methodologies and programme have yet to be made available. Quantitative predictions of construction noise levels have not therefore been carried out and confirmed by the applicant. Consequently, a condition is required to be imposed to secure noise control measures related to construction noise and vibration (in line with BS 5228 Code of Practice for Noise and Vibration Control on Construction and Open Sites).
- 8.123 The applicant accepts that control measures related to construction noise and vibration will need to be set out within the Construction Environmental Management Plan (CEMP). The applicant has stated that in view of the close proximity of the site to neighbouring residential properties, augered piling will be used in preference to percussive or vibratory methodologies. This will also be secured through the imposition of a planning condition.

#### *Light spill and Glare*

- 8.124 The application was also accompanied by a lighting impact assessment, which indicated that the redevelopment proposals would be compliant with the policy DM10.9 which requires lighting schemes not to cause glare and light pollution. The new "Main Stand" would enhance light containment within the ground and should result in a reduction in light spillage and sky glow. A planning condition is recommended to ensure the development is carried out in compliance with the specified criteria detailed in the Light Spill Study.
- 8.125 The glazed façade could have the potential to reflect light (from southern skies) thereby causing glare. To address this potential effect, the glazing is proposed to be fritted – to limit glare and sunlight reflection. Officers are satisfied that the approach to glazing will prevent any undue impacts although further consideration can be given as part of the conditions discharge process (as the submission of materials to be utilised would be required).

#### *Water Resources and Flood Risk*

- 8.126 Policy 5.12 of the London Plan states that development proposals must meet flood risk assessment and management requirements. CLP 2018 Policy SP6.4 states that the Council will seek to reduce flood risk and protect groundwater and aquifers. Policy DM25 provides the Council's detailed requirements in relation to drainage and reducing flood risk.
- 8.127 The London Plan SPG states new development should incorporate Sustainable Urban Drainage Systems with the aim of maximising all opportunities to achieve a green-field run-off rate. A Flood Risk Assessment was submitted as part of the application and whilst information was included that assessed flooding and drainage matters and confirmed that the development is not likely to result in an increased flood risk, the Lead Local Flood Authority (LLFA) were not satisfied that sufficient evidence had been presented to satisfy the policy requirement.
- 8.128 Discussions with the LLFA are on-going and it is hoped that further information will be forthcoming to satisfy the LLFA that there is capacity and a sound strategy in place to ensure that future site drainage can be managed sustainably – with associated planning conditions recommended in accordance with the provisions of local and national policy. Any update will be outlined in a subsequent addendum report.

#### *Wind Microclimate*

- 8.129 Policy 7.7 of the London Plan states that tall buildings should not have an unacceptable harmful impact on their surroundings and should not adversely affect microclimate or wind turbulence.
- 8.130 Given prevailing wind patterns, the Wind Assessment submitted with the application concludes that downdrafts may impact the upper-middle portion of the façade before being re-directed to ground level. The assessment concludes that wind speeds at lower levels in the vicinity of main pedestrian activity where pedestrian comfort will be an inevitable priority, are likely to be acceptable with downdrafts being unlikely to be a notable source of wind. Officers accept these overall conclusions.
- 8.131 The assessment further concludes that the areas of the stadium that would experience the greatest wind speeds (the prevailing wind from the south-west) would be the north-western and south-eastern extremities; away from the general admission entrances. However, the assessment does conclude that wind effects would be experienced towards the south-eastern extremities of the "Main Stand" potentially affecting the remaining residential properties in Wooderson Close.
- 8.132 It is recognised that boundary treatment and appropriate landscaping can represent suitable mitigation and planning conditions are recommended to ensure boundary treatment and tree planting (as part of a landscaping condition) is secured on the site, especially between the eastern site boundary and retained Wooderson Close properties.

### **Energy and Sustainability**

#### *Policy Context*

- 8.133 At the heart of the NPPF is a presumption in favour of sustainable development. It states: '*Planning plays a key role in shaping places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the*

*impact of climate change and supporting the delivery of renewable and low carbon energy and associated infrastructure’.*

- 8.134 The NPPF actively promotes developments which reduce greenhouse gas emissions (para 95). In determining planning applications, it states that local planning authorities should expect development to comply with local policies and expect that layout of development in a manner that would reduce energy consumption (para 96).
- 8.135 Policies 5.2 and 5.3 of the London Plan state that development proposals should minimise carbon dioxide emissions and exhibit the highest standards of sustainable design and construction. Policy 5.7 states that they should provide on-site renewable energy generation.
- 8.136 Policy SP6.2 of CLP 2018 sets out the Council’s expectations in relation to energy and CO2 reduction. This includes the future potential to connect to a district energy network (DEN).

#### *Assessment*

- 8.137 The Energy Assessment submitted with the proposed development is able to comply relevant strategic and local planning policies. The fundamental principle on which the sustainability policies are based is an expectation that development will follow the energy hierarchy: be lean (use less energy), be clean (supply energy efficiently) and be green (use renewable energy).
- 8.138 In addition to energy efficiency measures, the energy strategy proposes the provision of an Air Source Heat Pump (ASHP) system and the potential contribution of a Photo Voltaic (PV) array which provide further carbon emission reductions compared to energy efficiency and passive measures alone.
- 8.139 The development will include a Building Energy Management System (BEMS) to fully control, monitor and record the various mechanical, electrical and public health systems and to fully monitor the energy usage through the installation of local energy monitors.
- 8.140 The building would be used to full capacity during first team match-days and for the remainder of the time, the environmental conditions would be automatically set back by the BEMS system to save energy. Whilst the building would be used for events such as banqueting and other community related activities, the intensity of these uses (in terms of energy use) would be well below that experienced during match-days.
- 8.141 The energy assessment concluded that there is potential to incorporate Air Source Heat Pumps for provision of hot water. Calculations showed a reduction of 75,220 kg CO2 per year, translating to a total reduction of 15.31% over Part L baseline. The London Plan requires a reduction of 35% of carbon emissions. This means that based on current designs, the stadium is likely to fall short of this target by 19.69%. When taking into account the actual usage profile of the stadium, the actual carbon emissions shortfall equates to 19,550 kg CO2 per year. The analysis has been considered by the Council’s energy advisor who confirmed the accuracy of the submission.
- 8.142 Figures quoted above do not take into account reductions that may be achieved through use of PVs across the ground. Further reductions may be able to be achieved through installation of a PVs on existing stands. The Council’s policy requires the scheme to be constructed to BREEAM “Excellent” standards and a condition should

be imposed on any consent granted to secure this. The carbon dioxide savings proposed fall short of the policy requirement. A contribution of £35,190 is to be secured through a S106 Agreement to offset carbon emissions on site.

- 8.143 Typically, a sports stadium does not have a constant base heat load conducive to provision of an off-site combined heat and power plant. The stadium will have large peaks and troughs in energy consumption. Use of combined heat and power (CHP) can only be efficient for a sports stadium on the understanding that other facilities are included within the development which provide the base heat load requirements. There would need to be uses requiring heavy domestic hot water usage or for example, heating of swimming pools etc. These uses are not proposed on non-match-days and in this case, use of CHP would not be feasible.
- 8.144 Following a review of the practical implications of meeting the various policy requirements, the applicant raised further concerns over the feasibility of connecting to a future District Energy Network (DEN). A key technical requirement of a DEN is to maintain a low return water temperature to maximise efficiency of the generation plant. Whilst this is achievable on a match-day when high loads will be experienced, the applicant has argued that this is not possible when there is minimum load under non-event day operation.
- 8.145 Even if an energy centre is realised (specific to Croydon Metropolitan Centre) the application site would be approximately 4km away from the energy source and it is most unlikely that the network of pipes would be able to be extended 4km to the stadium. Given that the site is set in a mature residential suburban context, officers are satisfied that the stadium is not a logical location for a separate energy centre and are also content that there is little scope to connect to an existing or future DEN.
- 8.146 London Plan policy 5.8 relates to innovative energy technologies and is clear that the Mayor supports and encourages the more widespread use of innovative energy technologies to reduce use of fossil fuels and carbon dioxide emissions. In particular the Mayor will seek to work with boroughs to stimulate the uptake of electric vehicles. London Plan policy 6.13 requires that 20% of all spaces must be for electric vehicles with an additional 20 per cent passive provision for electric vehicles in the future.
- 8.147 The vast majority of the Sainsbury's car park and indeed Sainsbury's operations would remain unchanged, with the exception of a reduction in overall car parking spaces. It would not seem reasonable to require provision of electric vehicle charging spaces (including passive provision). However, there is a case for such provision within the Club's car parking area which would still provide for 126 on site spaces and 20% of spaces (reserved for electric vehicles) would equate to 25 spaces. Consequently, in compliance with London Plan Policy 6.13, the Club has agreed to deliver 25 active spaces and 25 passive spaces – which will be secured by planning condition.

### *Sustainability*

- 8.148 Policy 5.3 of the London Plan sets out that biodiversity and green infrastructure should be promoted and protected. Similarly, Policy 7.19 advises that development proposals should, wherever possible, make a positive contribution to the protection, promotion and management of biodiversity and prioritise assisting in achieving targets in the Mayor's Biodiversity Strategy.

- 8.149 A preliminary ecological appraisal of the existing site has been carried out by a qualified ecologist. The survey confirmed that the habitats on site are not expected to go beyond habitats of local significance. The ecologist did identify buildings with potential to support roosting bats and therefore recommended further surveying (which will be required as a condition of any consent granted).
- 8.150 The soft landscaping proposals, including tree planting and herbaceous planting schemes, will be of recognised value to wildlife. Other enhancement measures recommended include the provision of bird boxes suitable for declining species (House Sparrow).

### **Equity of Access and Mobility**

#### *Policy Context*

- 8.151 London Plan policy 3.1 seeks to ensure equal life chances for all, seeking enhanced facilities that meet the needs of particular groups. There is a focus on promoting equality for those groups who enjoy legal protection against discrimination, but also for other groups who may face discrimination and disadvantage (including those with disabilities).
- 8.152 Policy 4.6 of the London Plan relates to London's professional sporting and entertainment enterprises and states that development should be accessible to all sections of the community including disabled people. Policy 6.10 emphasises the quality of pedestrian and street environment, including access for all. Development proposals should ensure that highway conditions, especially accessibility for disabled people are enhanced.
- 8.153 London Plan policy 6.13 relates to parking and requires development to provide parking for disabled persons at a rate of 1 space for each disabled employee and 6% of total parking spaces being designed for use by disabled motorists. Policy 7.2 relates to inclusive environments and states that Design and Access Statements explain how the design has been made to provide for disabled people.

#### *Assessment*

- 8.154 The Club has worked in conjunction with the Disabled Supporters Association to ensure that the facilities at Selhurst Park Stadium are of a standard that provides a safe and enjoyable visit when watching Premier League football. The Club recognises that the built environment has a fundamental affect upon people's lives and that inclusion is an evolving and an integral part of the whole process of the design, construction, management and maintenance of buildings and public space environments.
- 8.155 At present there are 128 spaces available within the stadium for wheelchair users (and their personal assistants). Both home and away fans can use accessible toilets inside the stadium. The Club shop is accessible for all fans and has a low-level serving counter. Catering kiosks in the home and away sections have low-level serving counters and so are fully accessible. The Club provide match commentaries for the visually impaired from Radio Mayday, via headsets, at their seat.
- 8.156 The proposals provide accessible viewing areas for all disability groups, including ambulant disabled spectators and offers a range of good quality viewing options from different positions.

- 8.157 The provision of accessible positions has been developed in line with the specific design requirements of the proposed “Main Stand”, analysis of the existing aggregated provision of the three adjacent retained stands and the specific design guidance set out in the DCMS Guide to Safety at Sports Grounds 5th Edition (the “Green Guide”).
- 8.158 For a stadium with a proposed maximum seated capacity of circa 34,000 seats, Green Guide Table 4 notes a requirement for 150 wheelchair spaces, plus 3 per every 1,000 above 20,000 spectators. For the redeveloped Selhurst Park, the required wheelchair provision would therefore be 192 wheelchair spaces which would be exceeded following implementation of the proposed scheme proposals.
- 8.159 Two sensory rooms are also proposed to be accommodated within the “Main Stand (Level 1 - Lower Concourse Level). Sensory rooms are unique spaces (a calm environment away from the noise and crowds in stadiums) which allow adults and children with difficulties such as autism to watch live matches from a room with a window onto the pitch.
- 8.160 Accessible WC’s and concession facilities are provided throughout the building and at every hospitality level and to both the lower and upper tier concourses. The proposed scheme would also achieve the recommended provision of wheelchair positions in hospitality seating. Appropriately located and sized refuge areas would be provided adjacent to lifts used for evacuation
- 8.161 There is at present approximately 3% (16) of total parking spaces on site designed for wheel chair users. The proposal would see the ratio increase to 6% of total spaces in line with the development plan policy.
- 8.162 The enhancements proposed represent a significant improvement over the existing situation and it is noted that these go beyond minimum planning requirements. The approach taken weighs strongly in favor of the development.

### **Designing Out Crime and Resilience to Emergency**

- 8.163 Policy 7.3 of the London Plan relates to designing out crime, noting that development should reduce the opportunities for criminal behaviour and contribute to a sense of security. The policy sets out clear requirements for development proposals relating to routes, delineation of public and private space, maximising activity, creating a sense of ownership over public spaces, buildings being fitted with appropriate security measures. Discussions have taken place with the Designing Out Crime Officer, Rail and Transport Police and the Area Commander in charge of match-day policing at Selhurst Park.
- 8.164 The proposed development would incorporate principles of Secured by Design. Conditions requiring CCTV, delivery and servicing plan, public realm management plan and a car park management plan will ensure that the proposed development provides a safe and secure environment. The Met Police have requested that a planning condition be imposed on any consent to ensure compliance with secure by design standards.
- 8.165 The consultation with the Police and local residents has identified that spectators arrive and leave in considerable number, moving to and from the nearby railway stations and the site. In terms of maintaining effective and safe crowd control (and to detect crime and antisocial behaviour effectively) a planning obligation is required to fund the

provision of CCTV necessary to cover the routes between the stations (necessary to make the development acceptable in planning terms). A contribution to cover the cost of additional CCTV which is necessary is to be secured by way of a planning obligation on any consent.

### *Resilience to Emergency*

- 8.166 London Plan Policy 7.13 relates to safety, security and resilience to emergency. Development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire, flood and related hazards. Development should include measures to design out crime that, in proportion to the risk, deter terrorism, assist in the detection of terrorist activity and help defer its effects.
- 8.167 The Club holds regular emergency service training exercises (most recently in March 2018) involving organisations such as the National Police Air Service (NPAS) team, the Met Police, London Ambulance Service, Fire Brigade, and the Council. The Club complies with safety of sports ground and fire safety of places of sports legislation and has a permanently staffed security and operations team who co-ordinate match-day and non-match-day safety and security (including crowd control, searching of fans as well as management of the match-day TMO).
- 8.168 Through a suite of management and physical measures, the proposals would be able to accord with secure by design standards. Similarly, various hard landscaping and highway interventions are proposed to further ensure the safety and security of the development and those attending the stadium. The proposals have been considered by the Metropolitan Police who are satisfied that, subject to conditions and planning obligations to install appropriate barriers/gates and CCTV, the proposals would design out crime and deter terrorism, assist in the detection of terrorist activity and help defer its effects.

### **Human Rights and Equalities Implications**

- 8.169 In taking planning decisions, Members are required to take account of the provisions of the Human Rights Act 1998 as they relate to the planning application and the conflicting interests of the applicants and any third party opposing the application. As a public authority, the Council must not act in a way which is incompatible with a Convention right protected by the Act. Human rights of particular relevance to this decision are those under Article 8 of the European Convention on Human Rights (in relation to the right to respect for private and family life), Article 1 Protocol 1 to the ECHR (in relation to the protection of property) and Article 14 (which prohibits discrimination in the enjoyment of human rights). It is an inherent feature of the planning system that these rights are respected and that consideration is given to the impact of development proposals on the human rights of individuals, whilst acting in the wider public interest. The availability of judicial review is considered to be sufficient to provide the procedural safeguards required by Article 6(1) of the ECHR (in relation to a fair hearing in the determination of civil rights). The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report, including the consideration of consultation responses.
- 8.170 In addition, the Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It places a local authority under a legal duty ("the public sector

equality duty") to have due regard to the following matters in the exercise of all its functions including its planning powers, namely the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
- advance equality of opportunity between persons who share a "relevant protected characteristic" (i.e. the characteristics referred to above other than marriage and civil partnership) and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.171 The public sector equality duty has been taken into account in the assessment of the application and Members must be mindful of this duty when determining it. Members of protected groups in the wider community potentially affected by the proposed development would include:

- visitors to the area;
- residential occupiers in the vicinity of the site (including housing which is to be demolished) and along main routes from the stadium to rail stations,
- occupiers of other land within the vicinity of the stadium, including business and land owners,

8.172 Equality Impact Assessments (EqIA) were undertaken in connection with the Croydon Local Plan: Strategic Policies 2013, and more recently an EqIA was undertaken for the Croydon Local Plan 2018. As detailed in earlier sections of this report, the current development proposals are generally in accordance with the Croydon Local Plan 2018 which has been found to be sound on equality issues on the basis of an EqIA.

8.173 The EqIA undertaken for the Proposed Submission Croydon Local Plan 2018 did not identify any elements that are specific to the application site. However, the following is of relevance:

- Need for to rehouse displaced tenants and for replacement housing to be provided to ensure no net loss of residential floor space or land.
- Need for facilities for disabled persons.

8.174 Implementation of the present proposals is considered to include the following benefits for protected groups:

- Providing more job opportunities and making provision for skills training;
- Providing facilities to meet the needs of people with disabilities;
- Conserving and creating spaces and buildings that are safe, accessible and that foster cohesive communities.

8.175 It is considered that the development proposals could have a negative impact on some protected groups, but only over a temporary period. There would be temporary negative impact on groups due to disruption in the area surrounding the site during the construction phase. However, suitable mitigation measures will be put in place during the construction process to reduce the adverse effects on these groups.

8.176 A negative impact has been identified in terms of the loss of 6 houses (including 5 affordable housing units) in Wooderson Close. There has been extensive consultation

with affected residents by the Council and applicant. The consultation has enabled the Council to identify the housing needs of the affected residents. To mitigate the impact, it is proposed that these residents be rehoused in equivalent (size, quality, tenure etc) accommodation (the cost of which will need to be met by the applicant).

- 8.177 Additionally, a planning obligation is to be secured requiring the delivery of 6 dwellings elsewhere in the Borough to ensure there would be no net loss of housing as a result of the development.
- 8.178 In summary, the assessment of the application has taken into account equalities issues for individual protected groups. Steps are being taken to minimise the adverse effects on protected groups during construction (including the loss of housing). The proposals will bring a range of benefits to disabled and other protected groups including in relation to enhanced access to the stadium, replacement housing provision and employment/training opportunities.

## **9. Conclusions**

- 9.1 All other relevant policies and considerations, including equalities, have been taken into account. With the stated planning obligations and planning conditions listed above, officers are content that there are no material considerations indicating “otherwise” and in view of the level of compliance with development plan policies, planning permission should be GRANTED for the reasons set out above.