

Copthall Stadium, Mill Hill

in the London Borough of Barnet

planning application no. H/00928/11

Strategic planning application stage II referral (new powers)

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

The proposal

The refurbishment and redevelopment of Copthall Stadium for rugby, athletics and community recreation. Including the refurbishment of the existing stand and the erection of a new permanent spectators stand, (20 metres high); erection of four demountable stands during the winter months (10 metres high); erection of four floodlights (33 metres high) and the retention of 700 parking spaces.

The applicant

The applicant is **Saracens Ltd.** and the architect is **Roberts Limbrick Architects.**

Strategic issues

The Mayor previously raised a number of issues relating to the impact on the Green Belt, community facilities, design, inclusive access, transport and energy. The proposed application is acceptable in strategic planning terms and these issues have now been satisfactorily resolved at a local level.

The Council's decision

In this instance, Barnet Council has resolved to grant permission.

Recommendation

That Barnet Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

Context

1 On 25 March 2011 the Mayor of London received documents from Barnet Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 1C, 3C, 3D, and 3F of the Schedule to the Order 2008:

- 1C: *“Development which comprises or includes the erection of a building of one or more of the following descriptions...the building is more than 30 metres high and is outside the City of London”*
- 3C: *“Development which is likely to prejudice the use as a playing field of more than 2 hectares of land which (a) is used as a playing field at the time the relevant application for the planning permission is made: or (b) has at any time in the five years before the making of the application been used as a playing field”*
- 3D: *“Development (a) on land allocated as Green Belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and (b) which would involve the construction of a building with a floorspace of more than 1,000 square metres or a material change in the use of such a building”*
- 3F: *“Development for a use, other than residential use, which includes the provision of more than 200 car parking spaces in connection with that use.”*

2 On 4 May 2011 the Mayor considered planning report PDU/2730/01, and subsequently advised Barnet Council that the application did not comply with the London Plan, for the reasons set out in paragraph 133 of the above-mentioned report; but that the possible remedies set out in paragraph 134 of that report could address these deficiencies. A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report.

3 On 3 October 2011, the Mayor of London received revised documentation from Barnet Council regarding the same application and on 1 November 2011, Giles Dolphin, Assistant Director- Planning, sent a letter to Barnet Council in response to the revised documentation.

4 On 2 February 2012 Barnet Council decided that it was minded to grant planning permission and on 9 February 2012 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Barnet Council under Article 6 to refuse the application or issue a direction to Barnet Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 22 February 2012 to notify the Council of his decision and to issue any direction.

5 Since this application was first considered, the London Plan (2011) has been adopted.

6 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case.

7 The decision on this case, and the reasons will be made available on the GLA’s website www.london.gov.uk.

Update

8 At the consultation stage Barnet Council was advised that the application did not comply with the London Plan, for the following reasons:

- **Principle of the development:** The principle of refurbishing the existing sports facilities is supported. However, due to the scale of the proposal it constitutes inappropriate development in the Green Belt and the level and type of activity associated match days and with other large events, such as conferences would be harmful to the quiet character of the

- **Community facilities:** Whilst the intensification of use of Coptall Stadium is in line with London Plan Policy, access of existing users to the facilities is paramount and must be protected to ensure that there is no net loss of community facilities. At present, a significant amount of further information is required to determine whether the application complies with London Plan Policy 3A.18 and draft replacement London Plan 3.17.
- **Design:** On balance the design of the stadium is considered to be acceptable subject to the applicant investigating revisions to the design that would allow the track to remain open and providing further information on material finishes to the permanent stand. Further information is therefore required to determine whether the application complies with London Plan policy 4B.1, 4B.2, 4B.8, 4B.9 and 4B.11 and replacement London Plan policy 7.1, 7.4, 7.6 and 7.7.
- **Inclusive design:** Further information is required to determine whether the application complies with London Plan Policy 4B.5 and 3D.6 and draft replacement London Plan Policy 7.2
- **Transport:** The Further information is required and further discussion between GLA, TfL, the council and the applicant is required to determine whether the shortcomings of the submitted planning application on transport grounds can be overcome.
- **Climate change mitigation:** There is a significant lack of information which is required to determine whether the proposal complies with London Plan Policy 4A.3 – 4A.7. The applicant should submit the required energy statement and should permission be granted its implementation should be secured through the use of a section 106 agreement or condition.
- **Climate change adaptation:** The application complies with London Plan climate change adaptation policy.
- **Biodiversity:** Based on the information submitted, the proposal is unlikely to raise biodiversity issues of strategic importance. The proposal complies with London Plan Policy 3D.14.

9 But that the possible remedies set out below could address these deficiencies:

- **Principle of the development:** Further information is needed in order to assess whether the regeneration of the existing site, community benefit and lack of alternative sites constitute 'very special circumstances' that outweigh harm to the Green Belt.
- **Community facilities:** Further information should be provided on the impact of the proposal on the athletics club and on the community benefits proposed in the application.
- **Design:** Further information should be provided on material finishes and detailing to the permanent stand and the applicant should investigate modifying the design to enable the athletics track to remain open.
- **Inclusive design:** The applicant should further investigate the provision of 100 spaces for wheelchair users and provide further information on the quality of the spaces proposed and how the current design was arrived at.

- **Transport:** Further discussion is needed on mode share, the satellite car parks proposed, controlled parking measures and commitments are needed regarding encouragement of visitors to use more sustainable modes of transport.
- **Climate change mitigation:** The applicant should submit the required energy statement and should permission be granted its implementation should be secured through the use of a section 106 agreement or condition.

Revised application

10 As stated above, the applicant submitted a substantially revised application in October 2011. The main difference between the proposal assessed in the stage one report and the revised proposal are as follows:

- The number of seats proposed within the new east stand has been reduced from 2899 to 2856. The floorspace has also been reduced from 9,792 sq.m. to 7,248 sq.m.
- Previously, the refurbished west stand was to be used largely by the media but as part of the revised application, the applicant is now proposing that it will provide seating for up to 600 spectators with space for media personal.
- The proposed demountable stand, which would be erected between September and May, are would accommodate up to 5,988 spectators, in comparison with 6,294 proposed as part of the initial application.
- The capacity of the proposed temporary pitch-side standing area has been reduced from 940 to 600 spectators.
- The applicant is now proposing to remove 12,061 sq.m. of existing hardstanding, which is currently used as an overspill car park, and replace it with a new 'green' permeable surface area for parking up to 568 vehicles on match days and other major events. It would be used as an informal sporting and recreation area on non-match days/ major event days.
- The creation of a new 'green' surface on the existing disused all-weather pitch to be used for match day/ major event coach and media parking, subject to it being fully protected on such occasions. It would be used as an informal sporting and recreation area on non-major event days.
- Erection of a 20 metres high replacement mesh fence on the boundary with the existing 'Metrogolf' driving range.

Principle of development

Sports facilities

11 At the initial consultation stage, the principle of refurbishing the existing sports facilities and the provision of new facilities was supported. However, it was recognised that this needed to be balanced against the scale of the development, the location of the proposal in the Green Belt, the low public transport accessibility and the impact on the existing users of the site, which are considered below.

Green Belt

12 As set out in the stage one report, the proposed development constitutes inappropriate development. Planning Policy Guidance 2 (PPG2) states that inappropriate development is, by

Regeneration of the existing site

13 As part of the initial application, the applicant stated that the proposal would regenerate the existing Copthall stadium and optimise the use of the existing sports facility. The applicant stated the proposal would greatly improve the physical appearance and overall image of Copthall, increasing usage and ensuring the stadium is financially secure and that it can be sustained. However, in the stage I report, concerns were raised that two athletics clubs, the local community and local schools already currently use the facility. Furthermore, the applicant had not provided any financial information to suggest the facility was in financial difficulties. The applicant was required to provide further details to justify why the redevelopment of the stadium contributes towards 'very special circumstances.'

14 As part of the revised application, the applicant recognises that the existing stadium is a well-established sport facility, in a location that is already well used for organised sports, and recreation and that the proposal will optimise the use of the existing stadium. It states, *"There is general agreement that there is a need for the Stadium to be regenerated even without Saracen's proposed use. However, with limited funding available, the required investment will not be forthcoming in the foreseeable future without a project like that Saracens are now proposing."*

15 In its Committee Report, Barnet Council states that the facilities at Copthall have become somewhat out-dated and there is a need for improvements for which public funding is unlikely to be available. It goes on to state that it appears unlikely that adequate public funding will be available in the foreseeable future to maintain the stadium or enhance its significant potential and that of the wider Copthall Centre as a sub-regional sporting hub. A representation from Barnet Council's Property Services states that *"the involvement of a commercial organisation with adequate financial backing is essential to providing a modern facility"* and *"that the opportunity provided by Saracens will enable investment at a level above anything that would be considered commercially viable."*

16 Neither the Council nor the applicant have provided financial information that demonstrates that the existing stadium is in financial difficulty and cannot be maintained to its current standard. However, it is accepted that the scale of modernisation and improvements that is being proposed by the applicant is unlikely to be achieved through public funding in the foreseeable future.

Community and sporting benefit

17 At the pre-application stage the community and sporting benefit, including Saracens history of community engagement and works, was put forward as part of the 'very special circumstances' argument detailed information was not included as part of the initial application. The applicant was asked to provide further details of the community benefit to justify why it contributed towards 'very special circumstances.'

18 As part of the revised application the applicant has provided a significant amount of information regarding the community and sporting benefits of the proposal. It states that the proposal will create a sustainable, multi-functional community hub for sports and recreation, which would be available to the community for the vast majority of the year.

19 The applicant has produced a stadium management plan, which states that Saracens will re-locate the Saracens Foundation to the Copthall. The foundation currently runs a number of community outreach programmes from its Hertfordshire base. Saracens intends to run numerous programmes including: tag rugby; rugby development in secondary school; cheerleading and dance programmes. It also sets out that Saracens is involved in a number of education projects. The Plan also states that Saracens have entered into an agreement with Southgate/ Barnet College to run its centre of Rugby Education. In addition, the Foundation helps deliver the Hitz rugby project, which targets young people who are at risk of becoming involved in anti-social behaviour and it intends to establish a program in Barnet.

20 The Stadium Management Plan states that the stadium would be provided free-of-charge to schools within Barnet and the foundation will manage these arrangements, which the Council intends to secure this access through the Section 106 agreement. It states that it also intends to work with the Athletics clubs currently operating at the stadium to develop athletics provision for school and community groups and also intends to develop an inclusion programme which would provide sport and physical education within local special education schools.

21 The applicant has also commissioned a study to assess the sporting impact of the proposal on the Copthall and the wider area. It seeks to quantify the increase level of usage at the stadium and the increase participation in sport in the wider area as a direct result of the Saracens outreach programmes. It states that the number of people using the stadium is likely to increase from 35,000 to 83,000 attendances, more that double. It also anticipates that 79,000 people will attend outreach programmes run by the Saracens Foundation.

22 The impact of the proposal on sporting and community facilities are discussed in more depth in the Communities facilities section of the report below.

Lack of alternative sites

23 As part of the initial application, the applicant sought to demonstrate that there are no other suitable alternative sites for the development and to set out why the chosen site was the most suitable. It set out detailed criteria on which it based its site search process. Based on these criteria, the applicant identified 23 sites, including eight ground shares, which could physically accommodate the stadium. Officers accepted that due to the fixed shape and size of stadia, the site requirements are relatively specific in comparison with other forms of development and it is also accepted that sites that have existing permissions or have been allocated through the LDF process for more lucrative forms of the development are unlikely to be viable for the applicant.

24 However, concerns were raised regarding the relatively small number of sites identified, the lack of detailed analysis of all but eight of the identified sites and the fact that the proposal site itself did not satisfy all of the criteria. The applicant was required to provide more detailed analysis of all sites, and as distance from existing supporters was considered a critical factor by the applicant, the applicant was required to provide further information regarding the location of existing supporters, how far the existing supporters currently travel, how far they are willing to travel and the impact of relocating outside of northwest London/the northern home counties.

25 As part of the revised application, the applicant produced a map showing the location of its supporters in north-west London and the northern Home Counties. The applicant has considered additional sites within this area and scored a total of 30 sites on how each site meets a set of criteria, which is weighted by importance.

26 In the GLA letter dated 4 November 2011 regarding the revised application, concerns were raised that the catchment area map of supporters indicates that Saracens' fanbase is concentrated in the Watford area but that it appeared from the site selection survey that no alternative sites in that area have been considered.

27 The applicant have now put forward a different ‘very special circumstances’ argument, which has been endorsed by the Council with regards to the site selection. The committee report states that:

“while recognising the importance in ‘normal’ green belt cases of requiring applicants to demonstrate that they have exhaustively assessed alternative non-green belt sites and site in the green belt which would result in less impact on the green belt that meet the relevant criteria, it is considered that the current proposal offers alternative very special circumstances in that it revitalise, enhance and secure the future of the existing Cophall Stadium and provide a catalyst for the revival of the wider Cophall Centre... Officers are not aware of any other site, in the Watford area or elsewhere, which could deliver the potential benefits that the proposed scheme at Cophall could deliver in terms of sustainable access and in the of delivering healthy, sporting, education and social benefits to a large and diverse catchment.”

28 As there is no definition of ‘very special circumstance’, the applicant is not required by national or strategic planning policy to demonstrate that there are no available sites for the development and therefore, the Council’s view that a similar development elsewhere is unlikely to deliver the potential package of benefits that the scheme could deliver at the Cophall site is valid and could contribute towards the applicant’s ‘very special circumstance’ argument. Further to the decision in Barnet FC, in Basildon DC v. FSS [2005] the Court said that it is not necessary to show that each and every factor in itself amounts to a very special circumstance, but that the combination of circumstances, viewed objectively, is capable of being described as ‘very special’. A number of ordinary factors may when combined together result in something very special. That is a matter for the planning judgment of the decision-taker. The very special circumstances must clearly be so special that the strong presumption against inappropriate development in the Green Belt can exceptionally be set aside in those particular circumstances.

Sustainable transport

29 In addition to the comments set out above, the applicant also states there will also be benefits in terms of ensuring that the existing activities that take place at the stadium (and potentially the wider Cophall Centre) are more sustainable because it will extend the proposed sustainable transport measure to the existing users to minimise car use, including two Saracens Community Coaches to transport school children, and other users to the site.

The effect of the proposal on the openness of the Green Belt

30 The stage one report assessed the impact of the proposal on the openness of the Green Belt and concluded that the increased built footprint within the boundaries of the existing site and the impact of the proposed east stand and the demountable stands on views into the site from both a distance and the immediate area will have a negative impact on the openness of the Green Belt, however, it is likely that this impact can be mitigated through additional planting to an acceptable level. However, as the Inspector found in the Barnet Football Club Inquiry, the impact of match day activity on the quiet character of the area will have a harmful impact on the Green Belt and further information is required to determine if ‘very special circumstances’ exist that outweigh this harm.

31 In the letter sent to Barnet Council’s in response to the revised application on 1 November 2011, officers stated that while the applicant’s revised proposal to ‘green’ the southern car park is welcomed, its impact may be limited as the space is likely to be used as a car park more intensively than is currently the case, which will limit its recreational amenity value.

32 To address these concerns, the Council has placed a clause within the Section 106 agreement which provides that the Southern Recreation Area must be provided for *“community use for informal sports, recreation and leisure (including reasonable provision for picnics and barbeques) on all days except Saracens Home Match Days (and other Major Events and other*

33 Barnet Council also states in its report that the current proposal is significantly different from the Barnet Football Club and that this application considers and fully and acceptably addresses the Secretary of State's reasons for refusing permission in that case, including the impacts on the Green Belt and quiet character of the area. As such is considers that the 'very special circumstances' outweigh the harm to the Green Belt and other material considerations against the proposed development which have been addressed and mitigated to some extent through the proposed obligations and conditions

Summary

34 In summary, the applicant has submitted a significant amount of additional information to support the 'very special circumstances' argument made as part of the initial application. Barnet Council have taken the view that very special circumstances argument has been made which outweighs the harm to the greenbelt and this is accepted in strategic planning terms.

Community facilities

35 At the initial consultation stage, whilst it was recognised that intensification of use of Copthall Stadium is in line with London Plan Policy, a number of concerns were raised regarding the access of existing users to the facilities and the net loss/gain of such facilities. The applicant has now provided a significant amount of further information on this issue and also on how the facility will function in the context of the wider Copthall Estate.

36 At Stage I, the applicant, in conjunction with the Council, was required to draw up a detailed community use agreement, which would be secured by condition. The applicant has now prepared a draft stadium management plan and an estate management plan. These documents seek to assess the likely impact of the proposal on community sports, highlight the potential areas of contention between the existing arrangement for users of the stadium and the surrounding sports/recreational facilities and the proposed arrangements, and to provide a practical guide to how this will be managed and mitigated. Barnet Council have secured the commitments within the Stadium Management Plan and the Estate Management Plan through the Section 106 agreement.

37 As previously stated, no more than 16 rugby matches will be held at Copthall Stadium each year. This has now been secured within the S106 agreement by the Council. Previously the applicant indicated that one day either side of each match would be required to set up/clear up and therefore the facilities would be unavailable to the community for 48 days each winter. As part of the revised application this period has now been reduced to 24 days each year (16 match days and the Saturday afternoon/evening beforehand) and this is supported. A method statement for the stadium works required prior to and immediately after Saracens match days will form part of the Stadium Management Plan and this is welcomed.

38 The stage one report raised concerns that the demountable stands, which will limit the use of the athletics track to four of the eight lanes between September and April and will make the entire track unavailable for two weeks prior to the rugby season and one week at the end of the season, to allow the stands to be erected/dismantled, might undermine the athletics club's training and community use. The applicant was required to provide evidence that the athletics club supported the proposal and were content with the impact it would have on its training. The applicant was also required to invite representatives from the athletics clubs to join the management committee of the stadium.

39 Both Shaftesbury Barnet Harriers and Barnet and District Athletics Club have provided written representation supporting the proposal and stating that they are content with the impact on their training. A summary of both Clubs' representations can be found in the 'representation of

40 The Council was asked to consult both Sport England and UK Athletics regarding the proposals. Sports England has stated that it does not object to the proposal, subject to the successful completion of the Section 106 agreement with conditions to be secured as set out in the applicant's planning statement (see paragraph 111). UK Athletics have written in full support of the proposal, which it feels will bring significant benefits to local athletics and the wider athletics community (see paragraph 128). The Council/ Mayor have also received seven letters of support from local schools, many of whom feel the proposed facilities will be of benefit to their pupils.

41 One issue which has emerged since the initial consultation, is the detrimental impact the proposal will have on semi-professional and professional football at Copthall, in particular Kentish Town Football Club, a semi-professional team which currently plays at Copthall Stadium, will no longer be able to play there. The use of the stadium for semi-professional or professional football is expressly prohibited by the conditions of the draft permission notice to ensure that the proposal does not exceed the parameters and principles as to the impacts of major events at the stadium. The Club has objected to the proposal as a stakeholder in Copthall Stadium (see paragraph 143).

42 In response, the Council states that Kentish Town FC are not originally from the Borough and have no security of tenure beyond an annual booking. Furthermore, the Council have offered the Club a number of alternative sites (none of which the Club feel are appropriate) and it is continuing to work with the Club to find an acceptable solution. Sports England is satisfied that all reasonable endeavours have been made to relocate the Club and that the requirements of the Club go beyond that which can be reasonably secured through the planning system. However, in addition the Council have secured through the Section 106 agreement that a contribution of up to £10,000 be paid by Saracens to wards any refurbishment costs required at a replacement venue if required to enable Kentish Town FC to relocate.

43 Whilst it is a concern that Kentish Town FC will be displaced from the site, it is accepted that all reasonable endeavours have been undertaken by the Council to find a reasonable alternative.

44 Another concern that has been raised since the initial consultation is the impact on users of the wider Copthall estate, beyond the stadium. The fields around the stadium are currently used by a number of youth football team in particular. Concerns have been raised that the surrounding fields will be effectively unavailable on Saracens match days, and because the youth teams primarily play at the weekend, the impact will cause the closure of some clubs.

45 The Council accept that there will be a level of disruption caused by supporters arriving/leaving the stadium to the users of the surrounding pitches on match days. The Council states that whilst these concerns are noted, it is content that sufficient mitigation and management procedures have been secured via legal agreement to minimise conflict between different users. Hendon United Sports Club, a Jewish football club who currently use the surrounding pitches has objected on these grounds. Its concerns are specifically discussed in the 'Equalities' section of this report (page 16).

46 The wider Copthall Estate is home to a number of other stakeholders and businesses. With the exception of those mentioned above, none of the other organisations have raised objections to

47 In response to concerns raised regarding the informal recreational use of the Cophall Estate by individuals, again whilst it is expected that there will be a level of disruption to users on Saracens Matchdays, Barnet Council's view that these will only take place 16 days a year and that sufficient mitigation and management measure are secured through the Section 106 agreement is accepted.

48 Previously the applicant was asked to clarify how the proposed conferencing and private function uses would impact on the use of the external and internal facilities by the athletics clubs and the community. The example events programme indicates that all of the sporting facilities would be available whilst private conferences/ functions are taking place.

49 In summary, whilst the proposal will have a negative impact on Kentish Town FC and semi-professional football and may be disruptive for the surrounding users of the stadium on match days, and to a lesser extent, when other major events occur, it is accepted that the applicant and the Council have sought to mitigate and manage these issues through the Stadium Management Plan, which has been secured through the Section 106 agreement. Sport England do not object to the proposal and offer broad support. The proposal is also supported by UK Athletics, the two resident athletic clubs, and a number of local sports and educational bodies. Therefore, on balance, the impact of the proposal on community facilities is acceptable.

Urban design

50 At the initial consultation stage it was acknowledged that the design of the stadium was largely acceptable, although limited information regarding materials and detailing was provided. The applicant was required to investigate the possibility of modifying the design of the temporary stands to allow the track to remain open all year round.

51 The design of the stadium has been refined in the revised application and additional information has been provided. In summary the following changes have been made to the design of the East stand, the most visually dominate part of the proposal: the proposed structural masts have been omitted and replaced with visually light cantilevered lattice beams; the glazed ends of the Stand have vertical and horizontal frame members instead of the angular frame previously proposed; the external material is now proposed as timber cladding mixed with composite cladding to soften the building through the use of natural materials; a green sedum roof has been added to the projecting central section of the stand on the east side and a 150 sq.m. green wall has been added to the building elevations and creeping plants will be encouraged to grow up the end walls on an inconspicuous wire frame. The south stair tower will be wholly covered with creeping plants (similar to Wimbledon Centre Court) seeking to mitigate the visual impact of the East Stand from the south.

52 The additional design information and design revisions, particularly to the East stand are largely supported and goes some way to reducing the impact of the proposal on the openness of the Green Belt. Whilst it is disappointing that the temporary stands cannot be designed so that the athletics track can remain open all year round (discussed in more detail above), the design of the stadium is largely acceptable and complies with London Plan Design Policy.

Inclusive design

53 The stage one report required the applicant to provide additional spaces for wheelchair users/ ambulant disabled or justify why the proposed provision fell short of the 1% recommended in the Green Guide. The applicant was asked to demonstrate how accessible the proposed spaces would be and what the sight line would be like for wheelchair users. The applicant was also asked to provide details to illustrate how the spaces in the hospitality boxes will be 'adapted' to enable use by a wheelchair user. The applicant was required to provide further details on how the stadium will be made fully accessible to disabled people.

54 The revised Design and Access Statement states that all facilities, circulation, and changing areas will be accessible to all users via appropriately sized circulation and doors, free from obstruction, and aided by clear, contrasting, tactile signage. It states that the tactile surfaces and contrasting finishes will also be employed to assist the visually impaired and induction loops will be provided in designated positions within the stadium. In addition, accessible changing rooms and toilets will be provided.

55 The applicant is proposing that 56 designated covered wheelchair (plus helper) positions are provided at the front of the North and South Stands and 48 ambulant disabled (plus helper) positions are made available. It is proposing 16 designated wheelchair (plus helper) positions at the upper level and there will be 24 ambulant disabled (plus helper) positions available in the new East Stand. Therefore, it states that a total of 72 designated wheelchair positions and 72 ambulant disabled spectator positions will be provided.

56 In addition, the applicant states that 36 wheelchair spaces could be made available in the East stand should there be demand for them, which would bring the potential total of wheelchair spaces to 108.

57 The applicant is also proposing that 70 dedicated disabled parking spaces will be identified in the car park areas of the stadium on match days (10% of the total) and an additional 130 spaces will be provided for blue badge holders.

58 The proposed measures to ensure the stadium is accessible and inclusive to all users are welcomed. Furthermore, the range of locations that disabled users can choose to sit and the provision made for the ambulant disabled is also supported. However, the provision of 72 wheelchair spaces is below the guidance set out in the Green Guide and whilst the provision of 36 adaptable spaces may be acceptable, the spaces should be 'easily' adaptable and the applicant has not provide any information regarding how easy the process would be or what level of demand would trigger them to be adapted.

59 Furthermore, the applicant has not demonstrated how accessible the proposed spaces would be or how the spaces in the hospitality boxes will be 'adapted' to enable use by a wheelchair user.

60 As further detailed information is required Barnet Council have attached a condition to the proposal, which requires the applicant to produce an access management plan in consultation with GLA officers.

61 Whilst it is disappointing that the inclusive design issues raised previously have not been fully addressed, officers are confident that the proposed condition will address these.

62 At Stage 1 Transport for London (TfL) raised a number of issues in respect of transport infrastructure and accessibility. The application was subsequently revised to take account of these issues. In particular concerns were raised about the low Public Transport Accessibility Level (PTAL), the over-reliance on satellite car parks and the need for extensive parking controls and enforcement, the availability of public transport, and mode share targets. TfL also raised concerns about vehicular access from the A1, shuttle buses and a lack of coach parking and services.

63 TfL provided further advice to the Council on necessary and appropriate mitigation measures and Section 106 obligations, which could make the development acceptable; these have now largely been addressed by the applicant and the Council, or will be through planning obligations to be included in the Section 106 agreement.

64 Importantly, the application seeks planning permission for 16 matches a year to be played predominantly on a Sunday with a maximum stadium capacity of 10,000 spectators; this use is to be restricted by planning conditions and obligations. Any change to this would require a new application and a reassessment of the traffic and public transport conditions and impacts.

65 It should be noted that since Stage one, the applicant has developed a community regeneration project at Copthall, supplemented by a bespoke transport system, which seeks to overcome concerns raised by TfL about non compliance with national guidance and London Plan policies. In response, the Council has assessed all of the various policies which are relevant to this application. In the case of the transport policies, for example London Plan Policy 6.1 the council has concluded that because of the very extensive mitigation measures which the applicant is proposing, the application is compliant with the relevant policies.

66 Given the planning history of the site, TfL has insisted throughout the process that the Council seek a robust and committed transport strategy which addresses the unique location and characteristics of the site. This has resulted in the applicant being required to prepare a number of supplementary documents linked to the transport assessment which form an overarching transport strategy. The strategy is underpinned by a cascade of section 106 obligations which require satisfactory management of travel demand post permission. This strategy is to be administered in partnership between the applicant and the council in consultation with TfL.

Access and highways

67 The site has a public transport accessibility of zero which is the lowest level of accessibility by public transport. The site is close to the A1 Barnet By-pass and Five Ways Junction, part of the Transport for London Road Network. The site is not directly accessible by bus or rail and therefore it is thought that the car will form a predominant mode of transport. However, since stage one, the applicant has adjusted the car mode share downwards from 70% to 36% by reducing the number of satellite car parks. This is welcomed but will need to be carefully monitored and managed by the Council, in consultation with TfL.

68 TfL raised serious concerns about the potential effect of larger vehicles accessing the site via the A1 Greenlands Lane junction. As a result a planning obligation must be included in the proposed Section 106 agreement restricting non-car (HGV, shuttle buses and coaches) vehicles from using this access; TfL must have approval of this obligation through the drafting of the s106 agreement.

69 TfL is also responsible for management of the A1 Page Street/ Five Ways signal controlled junction. The transport assessment and TRANSYT models demonstrate that there is sufficient capacity to accommodate traffic demand generated by the development. TfL will, along with the London Traffic Control Centre (LTCC), review the future operation of the junction during match days and consider future improvements such as Split Cycle Offset Optimisation Technique (SCOOT). The proposed Section 106 agreement will include a capped contribution of £50k to be paid to TfL towards implementation of SCOOT.

Parking

70 The proposed car parking management strategy is the responsibility of the Council to administer however, the stadium should not come into active use for rugby matches until a match day controlled parking zone has been implemented. The council has sought to address this through use of a detailed set of planning conditions and Section 106 obligations including consultation, implementation, management and enforcement measures, all of which are to be funded by the developer. This is welcomed but will require regular monitoring by the Council in order to expand the scope and enhance the effectiveness of parking controls. The London Plan does not include parking standards for leisure use such as sports stadia; as a result these parking controls must be enforced by the council to ensure the development accords with London Plan Policies 6.1 and 6.13. Furthermore on site car parking provision will require a proportion of electric vehicle charging points; five percent passive provision should be secured in the s106 agreement.

Cycle Parking

71 The proposal currently only includes 200 cycle parking spaces. If the stadium is at capacity, to achieve the Mayors 5% target for London, 500 spaces would be required, and to meet the mode share target in the travel plan, 300 spaces would be required. On this basis TfL requires an obligation in the Section 106 agreement to provide a minimum of 300 spaces and up to a maximum of 500 spaces.

Shuttle buses

72 The shuttle bus proposals put forward by the applicant are not yet finalised, however the principle of supplementing the poor public transport accessibility of the site with a regulated service which must be licensed by TfL prior to its operation, is welcomed. However, TfL will require restrictions upon use of its infrastructure to ensure the service does not affect the safe and timely operation of conventional bus services; this will need to be controlled by a planning obligation. The shuttle bus proposals are in need of modification before they can be viewed as acceptable. By way of example, TfL require restrictions on use of its infrastructure and expect overlay to be provided to regulate the service; and the developer cannot occupy the stadium until a shuttle bus specification is approved by TfL. In addition, the shuttle bus service may need to be supplemented by enhancements to conventional bus services, [which may give rise to a capped contribution being paid to TfL].

Coaches

73 Since Stage 1, seven coach routes and thirty four coach parking bays have been added to the proposal as requested by TfL and the Council. Again this is a welcome proposal to compensate the poor public transport accessibility of the site. These services must be closely managed by the applicant and the council in consultation with TfL to ensure the routing and level of service meets demand and assists in achieving the 13% target mode share.

Stadium Travel Plan

74 A Stadium Travel Plan is to be submitted by the applicant to the council for approval and the development is to operate in accordance with the provisions of this plan. This Stadium Travel Plan is to be comprehensively monitored and, as necessary, reviewed over time in partnership with the council and TfL. The applicant will be required to comply with the reviewed plan from time to time. As part of the Stadium Travel Plan the applicant has agreed to implement a range of measures such as restrictive ticket allocation and a designated parking allocation system. The Stadium Travel Plan also includes a challenging mode shift target of 12% car driver; this target is governed by a s106 obligation and an associated remedial public transport funding mechanism.

Section 106 Obligations

75 The Section 106 agreement will define future management and control of the development and will be drafted in close consultation with TfL. Because of TfL's ongoing role in advising the council on strategic transport matters it may be necessary for TfL to be a party to the s106 agreement in respect of specific provisions e.g. the operation of its highway network, in order to receive funding in respect of public transport improvements and the payment of officer time. Discussions with the applicant and the council on these matters are ongoing. The current draft agreement includes the following key clauses upon which TfL may have an interest and will need to be involved in the settlement of any drafting:

- Bespoke Stadium Travel Plan Measures
- Car Driver Mode Split of 12% (plus passenger 14%)
- Comprehensive Monitoring and Review Programme
- Construction Management Plan
- Coaches and Coach Services and Match-day Coach Services
- Modal split targets and Initial Modal Split Targets
- Parking Restrictions etc
- Shuttle Bus Services
- Shuttle Bus Stops Plan
- Signage and Wayfinding Contribution (£20k)
- Stadium Travel Plan and Draft Stadium Travel Plan
- Stadium Travel Plan Steering Group
- Stadium Travel Plan Monitoring Fee
- Traffic Management Costs
- Travel Contingencies Plan

Summary

76 In summary, the conclusion of the Council is that because of the extensive mitigation measures being provided by the applicant, which are secured by way of conditions and through the proposed Section 106 agreement, the application has been rendered compliant and made to conform to London Plan transport policies. TfL accepts, and agrees with this analysis.

77 However, this conclusion is based on and assumes that the Council will monitor and robustly enforce the conditions of the planning permission and the provisions of the proposed Section 106 agreement and, where there are breaches take the necessary enforcement action against the applicant to ensure strict compliance with such conditions and obligations. TfL will require payment of reasonable officer costs, to a maximum of £50k, to cover any future involvement in any of the post permission enforcement steps, which may be contemplated or taken.

78 Taken as a whole, for the reasons set out above, on balance, the application is considered to be acceptable in transport terms.

Climate change mitigation

79 The applicant did not submit an energy statement as part of the initial application but it did provide an appropriate assessment as part of the revised assessment. Energy officer assessed the statement and provided the following comments.

80 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters

81 The development is estimated to achieve a reduction of 22 tonnes per annum (5%) in regulated carbon dioxide emissions compared to a 2010 Building Regulations compliant development.

82 The applicant has carried out an investigation and there are no existing or planned district heating networks within the vicinity of the proposed development. The applicant has, however, provided a commitment to ensuring that the development is designed to allow future connection to a district heating network should one become available.

83 The east and west stands will each have their own heating systems fed from basement plant rooms. Both plant rooms will make provision for later connection to an external district heating network.

84 The applicant has investigated the feasibility of the provision of a combined heat and power plant (CHP). However, due to the intermittent nature of the heat load, CHP is not proposed. This is accepted in this instance.

85 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install a 100kW ground source heat pump system to contribute to the space heating and cooling service load of the new East Stand and 130 sq.m. of photovoltaic panels are also proposed at the back of the east stand roof. A roof drawing showing the potential location is provided. A reduction in regulated carbon dioxide emissions of 31 tonnes per annum (8%) will be achieved through this third element of the energy hierarchy.

Overall carbon dioxide savings

86 The estimated regulated carbon emissions of the development are 374 tonnes of carbon dioxide per year after the cumulative effect of energy efficiency measures and renewable energy has been taken into account.

87 This equates to a reduction of 54 tonnes of carbon dioxide per year in regulated emissions compared to a 2010 Building Regulations compliant development. For the site as a whole, this is equivalent to an overall saving of 13%. The new build East stand achieves a reduction of 20%.

88 Whilst it is disappointing that the on-site carbon dioxide savings fall short of the targets within London Plan Policy 5.2, it is accepted that there is little further potential for carbon dioxide reductions onsite. Barnet Council has attached an appropriate condition to the permission to ensure that the proposal is developed in line with the submitted energy statement.

89 The application, therefore, complies with London Plan climate change mitigation policy.

Equalities

90 The 2010 Equality Act places a duty on public bodies, including the GLA including the GLA, in the exercise of their functions, to have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This requirement includes removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic and taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it. The Act defines protected characteristics and includes age and disability. The GLA in the discharge of its planning function must engage this duty, in so far as it is applicable to a particular case.

91 Hendon United Sports Club, a Jewish football Club, has written two letters of objection regarding the application, which are summarised below (see paragraph 139). Its main concern is that the Club will have to close because the only time available to Jewish schoolchildren to partake in weekend sport is Sunday afternoon, and this will clash with Saracens matchdays for much of the football/rugby season. It states that many members wear orthodox dress and many of the children would feel awkward and uncomfortable in the presence of rugby fans walking to and from the stadium. It feels as a representative of Jewish sport in the area, its needs as a minority community are not being taken into account and the Jewish community as an ethnic group will suffer disproportionately as a result of the proposal. It does not feel that the measures in the Site Management Plan for match days are sufficient to mitigate the impact of supporters arriving at its Club and that parents will not be able to park to drop off children. The Club also states that most of the Jewish community who live close to the stadium are unaware of the proposals and asks if the Council have advertised the proposals in the Jewish press.

92 In response to the Clubs concerns, the Council have acknowledged that there will be some degree of disruption on Saracens matchdays to the current arrangements for football but that this issues will be mitigated as far as possible through the management mechanism proposed as part of the section 106 agreement. Barnet Council state that officers believe it will be possible to accommodate Hendon United Sports Club on pitches in the more secluded parts of Copthall, away from the main pedestrian flows and that the Council could prioritise the Club's use of the pitches located at least 90 metres from the two main routes. It maintains that limited parking will be available.

93 The Council also states that it is not Council Policy to advertise applications in Jewish press or any other religious or ethnic minority press. The applicant has also provided a statement which sets out the work it has done with Jewish schools in the last two years and states that it is planning to install a kosher kitchen within the new stadium.

94 Therefore, whilst it is accepted that the proposal will cause some disruption to Hendon United Sports Club and the other users of football pitches surrounding the Stadium, the Council and the applicant are willing to work with the Club to find a solution which will enable it to remain open and to take all reasonable measures to ensure that its specific needs are met.

Community Infrastructure Levy

95 In accordance with London Plan policy 8.3, the Mayor of London proposes to introduce a London-wide Community Infrastructure Levy (CIL) that will be paid by most new development in Greater London. Following consultation on both a Preliminary Draft, and then a Draft Charging Schedule, the Mayor has formally submitted the charging schedule and supporting evidence to the examiner in advance of an examination in public. Subject to the legal process, the Mayor intends to start charging on 1 April 2012. Any development that receives planning permission after that date will have to pay, including:

96 Cases where a planning application was submitted before 1 April 2012, but not approved by then.

97 Cases where a borough makes a resolution to grant planning permission before 1 April 2012 but does not formally issue the decision notice until after that date (to allow a section 106 agreement to be signed or referral to the Secretary of State or the Mayor, for example),.

98 The Mayor is proposing to arrange boroughs into three charging bands with rates of £50 / £35 / £20 per square metre of net increase in floor space respectively (see table, below). The proposed development is within the London Borough of Barnet where the proposed Mayoral charge is £35 per square metre. More details are available via the GLA website <http://london.gov.uk/>

99 Within London both the Mayor and boroughs are able to introduce CIL charges and therefore two distinct CIL charges may be applied to development in future. At the present time, borough CIL charges for Redbridge and Wandsworth are the most advanced. The Mayor's CIL will contribute towards the funding of Crossrail.

Mayoral CIL charging zones Zone	London boroughs	Rates (£/sq. m.)
1	Camden, City of London, City of Westminster, Hammersmith and Fulham, Islington, Kensington and Chelsea, Richmond-upon-Thames, Wandsworth	£50
2	Barnet, Brent, Bromley, Ealing, Greenwich, Hackney, Haringey, Harrow, Hillingdon, Hounslow, Kingston upon Thames, Lambeth, Lewisham, Merton, Redbridge, Southwark, Tower Hamlets	£35
3	Barking and Dagenham, Bexley, Croydon, Enfield, Havering, Newham, Sutton, Waltham Forest	£20

Response to consultation

100 Barnet Council consulted over 5000 local residents and businesses by letter in March 2011. It then re-consulted these same people in September 2011, with regards to the revised application. The Council also displayed 19 site notices around the site and advertised the application in the local press.

Representations directly to the Mayor

Objections

101 The Mayor has received 558 standard letters of objection in three different formats. 98 were made in format one, 343 were made in format two and 104 were made in format three. Copies of these letters are provided in appendix A of this report. The Mayor received a further 154 non-standard letters of objection.

Support

102 The Mayor has received 65 non-standard letters of support.

Representations to the Council from members of the public and businesses

Objections

103 Barnet Council has received 1371 standard letters of objection in five different formats. The Council received 643 responses made on format one; 334 in format two; 18 responses in format four; 42 responses in format five; and 366 in format six. Copies of these letters are provided in appendix A of this report. The Council received a further 213 non-standard letters of objection.

104 The Council also received one petition from local residents objecting to the proposal, signed by 35 local residents.

Support

105 The Council received 5960 standard letters of objection in four different formats, of which 399 were in format seven; 15 were made in format eight; 33 responses in format nine; and 5515 were in format ten. Copies of these letters are provided in appendix A of this report. The Council received a further 210 non-standard letters of support.

106 The Council also received one petition from Whetstone Wanderers FC supporting the proposal, signed by 251 members.

Representations from statutory consultees

107 English Heritage- English Heritage is satisfied that the proposal does not pose a significant threat to historic assets of archaeological interest and does not require any archaeological condition be attached to the permission.

108 Environmental Agency (EA)- The EA objected to the initial application on the grounds that it did not take the opportunity to remove the existing culvert and restore lost habitat. However, the applicant has now revised the application to open up the culvert and provided additional environmental enhancements and the EA has withdrawn its objection. It has asked for conditions regarding the Flood Risk Assessment; the design of the culvert; and the proposed swale and reed bed. These conditions have been attached to the permission by the Council.

109 Highways Agency- The Highways Agency do not object to the proposal.

110 Natural England- Natural England does not object to the application but it raises the following issues: the increase in lighting could affect the foraging and commuting routes of bats; as the site is frequented by bats, they could get caught in net boundaries, and therefore the proposed Metrogolf fence should be of a sufficiently heavy gauge to provide an object which will be detectable by the bats echo-locating; the Borough's ecologist and/or local Wildlife Trust should be contacted; whilst the principle of a living roof is supported, sedum matting can have a limited value for wildlife and Natural England prefers a bespoke solution based on the needs of the local wildlife; the Council should secure all ecological enhancements through the use of planning conditions; the applicant should produce an ecological mitigation and management plan as a mechanism for formalising and delivering the proposed mitigation and enhancement measures and this should include details of how these will be monitored managed and funded in the future. The Council have attached an appropriate condition.

111 Sport England- Sport England's response to the initial application supported the potential benefits that the proposed ground share between athletics and rugby could bring. However, it raised a number of concerns which it felt needed to be resolved prior to permission being granted. It raised the following concerns: protecting and maintaining the quality of the athletics track in relation to the demountable stands; the impact of the north and south stands during athletics training; displacement of throwing and jumping events from the stadium; maintenance and management arrangements; the risk of the gradual increase in the number of rugby games played at the site after permission is granted which would incrementally erode athletics use; and displacement of football from the stadium.

112 In October 2011, Sports England issued an updated representation in response to the revised application. It stated that whilst it was not clear if a technical study of the impact of the construction and demounting of the temporary stands on the quality of the running track had been undertaken, both UK Athletics and Shaftsbury Barnet Harriers are satisfied that the proposed scheme is workable and acceptable. It also states that the applicant is content to enter into a legal agreement which requires it to prevent and remedy any track damage that may occur. Sport England is therefore now satisfied that this approach affords appropriate protection for the

113 Sport England states that UK Athletics regard the issue of the positioning of the north and south stands and the impact on training as a 'non issue' and Sport England accept its view. UK Athletics have also confirmed that the impact on throwing and jumping events is acceptable and will not compromise the ability of the site to host meets. The maintenance and management arrangements are now set out in the Draft Stadium Management Plan and Sports England have requested this be secured within the Section 106 agreement and requested to see a draft copy of the agreement.

114 Sport England state one of its greatest concerns is the displacement of football from the site, in particular, Kentish Town FC. It states that whilst significant work and discussion has taken place between all parties and a number of alternative sites have been put forward, none of these sites meet Kentish Town FC requirement in terms of providing sufficient income generation opportunities. Sports England are, however, satisfied that all reasonable endeavours have been made to relocate the Club and that the requirements of the Club go beyond that which can be reasonably secured through the planning system. Sport England encourage all parties to continue to work together to seek a successful relocation Kentish Town FC.

115 Sport England is satisfied that the proposals are wholly in accordance with the Third Rugby Football Union Strategic Plan 2008/09- 2015/16 and it supports the provision of a new indoor running facility. Therefore, Sports England broadly support the application and raise no objections subject to the successful completion of the Section 106 agreement with conditions to secure the items set out in Appendix 19 of the revised planning statement. The Section 106 agreement and conditions have been drafted and they address all of the commitments raised in Appendix 19.

116 Thames Water- Thames Water comment on the procedure regarding surface water drainage and request that a condition requiring impact studies on the existing water supply infrastructure be submitted to the Local Authority. An appropriate condition has been attached to the permission.

Representations from political representatives

117 Councillor Brian Coleman, London Assembly Member for Barnet- Cllr Coleman objects to the proposal on the grounds that it would cause net harm to the existing community and would leave the local area worse-off over all.

118 In relation to transport, Cllr Coleman states that the proposal will impact on the A1/M1 junction which is already congested; a high proportion of supporters and staff will travel by car to the ground; the London Plan states that stadia would be located in areas with a PTAL of 3 or above; that in light of the recently granted planning permission for the Inglis Barracks site near Mill Hill East station, the additional pressures on Mill Hill East by spectators will push it to breaking point; the capacity of Mill Hill East is difficult to increase; the applicant's projected figures for supporters arriving by car are very optimistic; parking and traffic impacts on residents will be detrimental to their quality of life; a CPZ would be an additional cost for residents and the signage etc. required to enforce it would spoil the look of the local streets.

119 In relation to the Green Belt, Cllr Coleman states that the development should be opposed on the grounds that it is contrary to London Plan Policy and national policy; there are no special circumstances for this application; and the Inspector's report for the Barnet FC enquiry indicated that large stadia in the Green Belt are inappropriate under the terms of PPG2 paragraphs 3.4 and 3.5.

120 With regards to community sports facilities, Cllr Coleman states the proposal results in a net loss of community sports facilities. He indicates that it will halve the number of running tracks available for most of the year which will damage community athletics; this is made worse given that

121 Jenny Jones, London Assembly Member- Jenny Jones objects to the application on the following grounds: the development is inappropriate and harmful to the Green Belt; the site is poorly served by public transport and so does not comply with the London Plan; the applicant proposes a transport modal split of 70% by car which does not comply with London Plan Policy 3C.1 and draft replacement London Plan Policy 6.1; the applicant's proposal represents a net loss of communal facilities and therefore does not comply with London Plan Policy 3A.18 and draft replacement London Plan Policy 3.17.

122 Matthew Offord, MP for Hendon- Matthew Offord objects to the application on the following grounds: the satellite parking arrangements proposed as part of the initial application are inadequate; the impact on residential parking and residential quality of life; the lack of legal enforcement powers the traffic/parking stewards would have; the lack of public transport accessibility and the fact that this will increase car use; Page Street is an unsuitable access route and it will have an unacceptable impact in terms of congestion, pollution, and inconvenience residents that live on the street and neighbouring streets; there will be a significant impact at the Fiveways corner junction; increase noise pollution on match days and increase in little and anti-social behaviour which stewards will have no legal power to deal with; and there are no special circumstances or need for additional essential facilities at Copthall which justify the proposed development.

Representations from national groups

123 Campaign to Protect Rural England- CPRE have submitted two representations in response to the original application and the revised application. It objects to the proposal on the grounds that it constitutes inappropriate development in the Green Belt which detracts significantly from its openness and from the purposes of including land within it. It has also raised issues regarding transport, community access and amenity. The detailed points are summarised in the 'reasons for objection' section of this report.

124 The CPRE submitted an additional representation after Barnet Council approved the application maintaining its objection and stating that the fact that Barnet Council cannot or chooses not to continue paying for the stadium does not constitute 'very special circumstances' and therefore the Councils decision was flawed.

125 It the applicants "Sporting Impact Study" and the subsequent analysis by Barnet's officers which appears to flow from that document to contribute to the justification of 'very special circumstances' is fundamentally flawed because it relies to a great extent on asking the opinions and speculations of those most interested in the success of the application. It states that whilst this approach has its place, it is not an alternative to consumer market research which would give more scientific insight into the likely impact of what both Saracens and the associated charity, Saracens Sports Foundation, claim they will achieve in the community. It states that those claims, together with speculation about the impact on public health should have been given little or no weight because they are just that – speculation without any sound base. It continues that the alleged community benefits should accrue wherever Saracens relocate and there is little to justify the location at Copthall from the point of view of benefit to those said to be deprived within the community as opposed to many other locations not only in North London but Hertfordshire because the charity already works across a wide area and will presumably continue its work in the local area and this is no justification for eroding the Green Belt.

126 Officer's comment: The application has been assessed in the context of a large amount of information and material considerations, of which the Sporting Impact Study forms a part of.

127 Royal Society for the Protection of Birds- The RSPB object to the proposal on the grounds that no breeding bird survey has been undertaken to assess the impacts of the proposal on breeding birds and inform appropriate mitigation measures.

128 UK Athletics- UK Athletics fully supports the proposal and states that the Shaftesbury Barnet Harriers is one of the most influential clubs and Copthall stadium is an important athletics facility both nationally and locally. It states that the proposal should bring significant benefits to local athletics and the wider athletics community and the modernisation of Copthall is consistent with UK Athletics' Facilities Strategy. Furthermore, the new indoor athletics facility will allow training and competitions to take place all year round and help develop sport at all levels. It states the development would also make Copthall a key facility for England in the delivery of coach development and coach education plans for London.

Representations from local groups

129 Amptill Town Cricket Club- support the application because it will: transform a dated stadium into a modern, multi-purpose sports venue and a genuine community asset; the proposal will refurbish the existing stadium within the same footprint, enhancing and protecting the Green Belt and the beauty of Copthall; it would bring Saracens Sports Foundation to Barnet; the proposal incorporates a match day travel plan, which eases the concerns of local residents; the future of Shaftesbury Barnet Harriers and other athletics clubs in the area will become one of the leading athletics venues in south-east England; the proposal would create an indoor athletics facility which allows, for the first time in Barnet, training and competition to take place all year round.

130 Barnet and District Athletics Club- generally supports the application. The Club has 350 members and is a regular user of Copthall Stadium which has the only athletics track in the Borough. The Club states that it understands the financial cost to the Council of operating and maintaining the track and the proposed major investment into upgrading the facilities is generally welcomed. However, the Club raises the following concerns: as the access to the track will be reduced during the rugby season and for two weeks at the beginning and end of the season, a condition should be attached to maintain the minimum requirement of lanes that should be left available after the erections of any stands; the indoor training centre is welcomed but the Council should require this space to be provided as an indoor athletics training space to accommodate those displaced by the reduction of track area in winter; the Club would like some guarantees in terms of maintaining access at designated training times and that rises in admissions prices are fairly increased in line with inflation; on club training night the facility should not be let to other users e.g. the astroturf should not be let; the times which temporary stands can be left up should be stipulated in the legal agreement; there should be a requirement for Saracens to ensure the integrity of the track surface with inspections by a UKA technical official each time the track is returned to full use and a requirement for Saracens to rectify any issues within a reasonable timescale; the Club would like assurances that the cost of hiring the facility for track and field meetings will not escalate unreasonably; and the Club would like representation within the management forum of the facility. These issues have now been resolved between the applicant, the council and the Club and secure by legal agreement.

131 Barnet Elizabethans Rugby Football Club Ltd- support the application because it will: transform a dated stadium into a modern, multi-purpose sports venue and a genuine community asset; the proposal will refurbish the existing stadium within the same footprint, enhancing and protecting the Green Belt and the beauty of Copthall; it would bring Saracens Sports Foundation to Barnet; the proposal incorporates a match day travel plan, which eases the concerns of local residents; the future of Shaftesbury Barnet Harriers and other athletics clubs in the area will become one of the leading athletics venues in south-east England; the proposal would create an

132 Choir with No Name- The Choir with No Name is run for homeless people and has recently formed a partnership with Saracens. Saracens now arrange for its players to attend choir rehearsals and volunteer. It states that Saracens have an ethos of genuinely caring for its own community and the community around them and the proposal will be hugely positive for the residents of Barnet. The Choir have had the opportunity to sing on the pitch.

133 Copthall Community Initiative- The Copthall Community Initiative has made a number of detailed representations objecting to the proposal, which raise a myriad of points broadly relating to transport and parking impact, the harm to the Green Belt, the lack of very special circumstances to outweigh the harm to the Green Belt and the flaws of the alternative site selection, the negative impact on community sports and harm to biodiversity. These points are summarised in the reasons for objection section below.

134 The Copthall Community Initiative also commissioned its own independent review of the applicant's Transport Assessment, which raises a number of concerns as to the robustness of the assessment and, more specifically, how the highway and transport implications associated with the redevelopment of the Stadium have been quantified. These concerns include the lack of evidence to justify the assumptions used in deriving a modal split; the lack of evidence to justify the requirements for on street parking and the associated impact on residents; there is no impact assessment for events that could occur on weekdays; uncertainty with the storage of the shuttle buses and coaches that is managed in a way so as to avoid conflict on the highway with other road users; and the potential increase in conflicts between existing traffic and road users and forecast stadium traffic/ road users. It concludes that the applicant has not completed sufficient assessment to conclude whether the proposed scheme will have a detrimental impact upon the local highway network. TfL has had regard to this review when formulating its own assessment of the proposals.

135 Copthall Consultation Group- In relation to the initial consultation the Copthall Consultation Group stated that it would welcome the relocation of Saracens to Copthall if the following concerns were addressed: a proper transport plan is put in place for match days; a better parking scheme is proposed; other Copthall users continue to have free access and can park in normal designated areas; and the green belt issues are properly addressed.

136 In response to the revised application, the majority of the members now support the proposal and feel that their major concerns have been addressed. It states it still has concerns that match days may clash with swimming meets and it is anxious that the users of the open space can still use it without hindrance. It states that whilst stray golf balls from the driving range have been an issue in the past, the proposed 20 metres high mesh fence would appear to be an intrusion on the Green Belt and it should therefore be handled sympathetically.

137 Haringey Sports development trust- It supports the application because it will transform a tired and dated stadium into a modern, multi-purpose sports venue and a genuine community asset; the proposal will refurbish a 50 year old stadium within the same footprint, enhancing and protecting the Green Belt and the beauty of Copthall; it would bring Saracens Sports Foundation to Barnet, building on the work done by the Council and voluntary groups; the proposal incorporates a match day travel plan, which eases the concerns of local residents; the future of Shaftesbury Barnet Harriers and other athletics clubs in the area will become one of the leading athletics venues in south-east England; the proposal would create an indoor athletics facility which allows, for the first time in Barnet, training and competition to take place all year round.

138 Hendon Rugby- supports the proposal which, it states, will bring much needed investment to Copthall. It stated Hendon RFC and community rugby in Barnet will benefit from the presence of a Premiership team in the Borough. The transport plan promotes public transport and addresses

139 Hendon United Sports Club- Hendon United Sports Club are a Jewish football Club which uses Copthall football pitches (those within the wider area not within the stadium itself) and states it has over 250 members, who are largely Jewish by demographic. The Club is concerned that Saracens will run the wider Copthall Estate and have first call on the facilities. It states that due to Swimming Galas and the proposed 16 Sunday rugby games, for more than half of the Sundays between September and May will be unavailable to the Club and that if the promises that Saracens are currently making do not materialise, then the club does not have the finances to challenge Saracens.

140 It states that as a Jewish Club, weekend sporting pursuits can only be played on Sundays. Furthermore, it is concerned that members wear orthodox Jewish dress and may feel uncomfortable in the presence of rugby fans. It raises safety concerns for children playing football near crowds of traffic and people. It states that its ten-year usage of the site will be ended by the proposal, and it will possibly bring about the end of the club and Jewish Sport in the area. The club feels that the Jewish community needs are not being taken into account.

141 It questions the assumption in the applicant's Sports Impact Study that the high use of football pitches on Sundays in the Copthall area can be managed so that Saracens match days have no adverse impact on sporting participation. The Club states that the impact will be the closure of the football facilities on the only day of the week that the Jewish Community have to use them and therefore it objects to the application.

142 In its second representation the Club raise the following issues: Jewish boys attend school on Sunday mornings and can only play football on Sunday afternoon; it will not be safe for little boys to play football in the afternoons when 10,000 supporters are arriving/leaving the stadium; parents will not be able to park; 16 matchdays within a 20 week football season will mean that the Club will not be able to play on its current pitches; the proposal will cause the Club to close, which is the most organised Jewish club in the area; the needs of the Jewish community have not been taken into account and that it considers that, in ending Jewish sport in the area, this seems unfortunate that one particular ethnic group should suffer disproportionately; most of the Jewish community that live near the stadium are unaware of the proposal and it enquires whether the proposal has been advertised in the Jewish press.

143 Kentish Town FC- Kentish Town FC object as stakeholders in Barnet Copthall Stadium. It states that the football club has played at the stadium for five seasons and will fold if the proposal goes ahead, which would result in a loss of semi-professional level football in the area. It states that the players will lose the opportunity to play the game and that the Council should have worked with Kentish Town Football Club to resolve financial difficulties and keep the stadium as a community facility.

144 In addition, the Club raised the following concerns: the youth teams which use pitches surrounding the stadium will lose out as they have not consulted by Saracens about moving into the stadium; the proposal will put an end to the use of the surrounding pitches by youth football clubs at the weekend; the proposal requires a high number of parking spaces; the applicant takes no responsibility for providing coach services, leaving it to amateur clubs and supporters to arrange contracts; the quoted walking distances from local stations are unrealistic; once supporters try and access Mill Hill by public transport they will resort to travelling by car; supporters are likely to park outside the CPZ which is within 30 minutes walking distance bringing chaos to the areas; the bulk and design of the stadium would have an unacceptable impact on the openness of the Green Belt; commercial conference centres and offices are not acceptable development in the Green Belt; the main purpose of the stadium is to host rugby matches; the office and commercial facilities will be used everyday, all year round; the applicant has not made a robust case for very special circumstances; the applicant has not demonstrated that it has exhausted all other possible

145 London Wildlife Trust- The London Wildlife Trust object to the proposal on the basis that the walking routes from Mill Hill East are unsuitable for the volume of people expected on match-day and will have a negative impact on an area renowned for its wildlife value. The Rugby season coincides with the breeding season and therefore high volumes of walkers on the routes are likely to disturb nesting birds.

146 The trust also objects to the uses of the second proposed walking route which is part of a SINC of Borough Importance Grade II, which it states is very narrow in place and unsuitable for a large volume of walkers. It states that it is home to many species including a colony of glow worms, which are a protected species and are rare in the UK and extremely rare in London. It states that the worms are present all year round and have a limited ability to protect themselves by moving away from a threat. It states that any more than single file walking would lead to trampling path side vegetations and possibly the crushing of the worms or their larvae. Therefore, it states that it could only support the application if additional shuttle buses were provided for supporters to minimise walkers.

147 The Trust believes the applicant's environmental assessment's position on bats is flawed and that whilst there are few trees within the application site, there are many just outside the boundary which may be occupied by bats. It states that bats use the trees and hedgerows on the boundary of the site for foraging and commuting.

148 Furthermore, the Trust states that the proposed planting to mitigate the impact of the floodlighting on bats will have little impact and therefore a full bat survey including an emergence and re-entry survey should be carried out and the impact on bats should be fully considered. The Trust also feels that the applicant has failed to demonstrate 'very special circumstances' or that the proposal will have a negligible impact on wildlife.

149 Metro Driving Ranges Ltd- supports the application. It states the stadium is currently in a poor state and underutilised and it feels that the proposal will be commercial beneficial for Metro Golf Centre and its tenants. It states the proposal will increase use by the local schools, clubs and community in addition to drawing rugby supporters to Cophall. It states that some of these new users will become aware of the golf facilities and use them and this will be a boost in the current economic climate.

150 Middlesex County Rugby Football Union- support the application because it would increase the profile of rugby in local schools; increase interest in rugby in the local area; it would provide a facility for community use by all sports clubs and schools in the area, all year round; and it would support the development of increased sporting participation by the children and residents of Barnet.

151 Mill Hill Preservation Society- The Mill Hill Preservation Society objected to the initial application but made the following comments in relation to the revised proposal: the application contravenes PPG2 and should be determined by carefully evaluating the Society's considerations and taking into account relevant planning decisions in comparable circumstances; the temporary stands are quite small and maintain the openness of the Green Belt; the layout of the uncovered

152 With regards to transport the Society believes the new transport assessment gives users a realistic choice of access in line with PPG13 and the matchday strategy seems sensible; thought has been given to service traffic; the strategy for athletic meets has been considered; there will be an increase in pedestrian movements during the rugby season which may inconvenience local people but evidence from similar rugby grounds is that this is unlikely to be significant; the extra signage and yellow lines required for the proposed CPZ will have an adverse impact on the character of the surrounding roads but are necessary.

153 The impact on the Green Belt is for the Society the area of most concern. It states all the benefits put forward by the applicant with regard to the application and states that they are worthy points of consideration and that it is for the Planning authorities to decide if these points are sufficient to compensate for any potential harm to the Green Belt caused by the proposal.

154 Other issues raised include; the lease should be limited to allow no concerts and no professional or semi-professional football; the commercial elements of the proposal should be rigorously controlled; advertising and signage should be robustly controlled in this Green Belt location; it withdrew its previous objection to the new floodlights which have been reconfigured; it is content with the floodlight curfew of 10.30pm; one fundamental issue is that the stadium already exists and to a certain point the Green Belt is already compromised; the revised proposal would appear to be a positive contribution to sport in the locality; the applicant should be bound through the planning conditions and Section 106 agreement to deliver the proposed community benefits and this should be rigorously enforced.

155 Oakland College- supports the application. It has been involved with a Saracens run project over the past two years and has found Saracens to have a strong commitment to community sport and development, which would be of great benefit to the local and surrounding communities.

156 Pro-active, North London-It supports the new transport plan, the further information and commitments about how the wider Copthall site will be used, managed and accessed, and the improved design and landscaping, which will result in a smaller built footprint and reduce the impact on the Green Belt and improve the local environment. It states it has worked with Saracens for a number of years to develop and increase sports participation in Barnet and indicates that it has always been a capable and reliable partner, who is committed to community development through sport. Pro-active feel the level of community activity will increase if the application is successful and this would bring benefits for Barnet residents.

157 Queen Elizabeth Girl's School- supports the application. It is a key partner of the newly formed Barnet Partnership for School Sport and states Saracens have been a tremendous resource in helping the School achieve its goal of increasing participation in school sport and PE in the Borough. It states Saracens high quality coaching, events and competitions have enabled a vast amount of young people to benefit from playing rugby. It states its work around inclusion this year has heavily involved Saracens from inclusive sporting events through to coaching and disability awareness training.

158 Rugby Football Union- The RFU support the proposal and believe it will be an outstanding venue for Premiership rugby and good for sport in North London. It also wrote to the Council to clarify information within the Third RFU Strategic Plan 2008/09 – 2015/16 that sets out the

159 In a later representation, the RFU state that the MSC is a regulatory document which outlines six categories of sanctions applicable to breaches of the criteria as applicable in this situation. None of the aforementioned sanctions however, state that rugby cannot be played at a venue should a breach of the criteria as alleged be found. It continues that the PGB/RFU can, acting in its absolute discretion, waive the need for a club to comply with the Criteria contained within the MSC if that failure is due to underlying mitigating circumstances.

160 Saracens Hertfordshire Cricket League- support the proposal. The league provide cricket for 268 teams across 98 clubs in Hertfordshire, Middlesex, North London and South Bedfordshire and it states that the support it has received from Saracens, both financial and operational as a sponsor, has been vital for the clubs. It has provided funding for free helmets, cricket coaching courses and umpires. It also supports the new transport plan, the further information and commitments about how the wider Copthall site will be used, managed and accessed, and the improved design and landscaping, which will result in a smaller built footprint and reduce the impact on the Green Belt and improve the local environment.

161 St James' Catholic High School- It supports the new transport plan, the further information and commitments about how the wider Copthall site will be used, managed and accessed, and the improved design and landscaping, which will result in a smaller built footprint and reduce the impact on the Green Belt and improve the local environment. It states that having such a rich resource in the Borough will be a real benefit for resident and students.

162 St Mary's High School- Supports the proposal and in particular, the new transport plan, the further information and commitments about how the wider Copthall site will be used, managed and accessed, and the improved design and landscaping, which will result in a smaller built footprint and reduce the impact on the Green Belt and improve the local environment.

163 Shaftesbury Barnet Harriers (SBH)- Have submitted a representation supporting the proposal which it feels will increase community usage of the stadium and will be an outstanding community asset for Barnet, particularly benefiting local schools.

164 It makes the point that the Copthall area has changed significantly since the Barnet FC Public Enquiry. It states that the upgrading the current car park with a 'green surface' will greatly improve the general ambience of the site and will provide a useful amenity space.

165 The population of Barnet has increased significantly since the Barnet FC Enquiry and there is an increased need for sporting facilities. It states that Copthall is currently only available for an average of 49 hours a week and the proposal will increase this to an average of 79 hours a week. It continues that there has been no investment in the site in the past 12 years and no commitment for future investment and that the site could fall into disrepair without the proposal.

166 The applicant has revised its initial proposal to accommodate SBH needs and formed the Association of Copthall Community Sports club to address future issues.

167 The rest of Copthall and the adjacent Sunny Hill Park provide plenty of recreational space for local residents who wish to enjoy the quiet character of the Green Belt.

168 The Totteridge Academy- supports the proposal and is impressed and excited by the possibilities for supporting young people and the community across Barnet. The Academy has worked with Saracens for some time and knows of Saracens' long standing commitment to providing community and educational support. It also supports the new transport plan, the further information and commitments about how the wider Copthall site will be used, managed and accessed, and the improved design and landscaping, which will result in a reduced impact on the Green Belt.

169 University of London Observatory (ULO)- ULO objected to the initial application. In response to the revised application, it states that the considerable modifications that the applicant has made in response to its original objection go a long way towards addressing its concerns and the concessions are appreciated. However, it still harbours concerns that the long-term consequence of this development will have an adverse impact on its observational capacity. ULO, therefore maintain its objection but state they would probably not sustain it if the application were to fail and then go to appeal, provided the modified lighting plan were still in place.

170 It states that whilst the design of the lighting masts facing the observatory has been altered and this has largely eliminated direct glare, the reflected light off the playing surface will still cause a considerable increase in sky background intensity in the vicinity of the stadium. It is also concerned that the stadium will increase in capacity at a later date.

171 Whetstone Wanderers Youth F.C.- support the application and states that young people need opportunities and facilities that the proposal will provide and that there is unmet demand for sporting opportunities for young people in its area and it struggles to find good facilities in the area for training. It has also submitted a petition with 251 signatures in support of the proposal signed by its membership.

172 Whitefield School- supports the application and feel it will bring enormous benefits for Barnet school children. It states the School has used Copthall stadium for Sports day for many years and the facilities are tired and in need of renovation. The School lacks sporting facilities and therefore the opportunity to access the proposed facilities would be incredible. It states that there is a huge demand amongst students for dance and cheerleading clubs and Saracens offer this. It states the community will clearly benefit from the proposal and that the school has already been in discussion with Saracens about its needs and how it can help them, including rugby lessons, strategies to improve attendance and behaviour, building confidence and a sense of achievement.

173 It states that there will be opportunities for more apprenticeships which Barnet needs. It states that a Borough the size of Barnet should have a professional sports team based in the Borough and that the proposal will put Barnet on the map for sport.

174 Woodcroft Primary School- supports the application. It states that the school has benefited from links with Saracens over the past couple of years, which has provided curriculum coaching programmes, visits from international rugby players and tickets to matches. The school has also participated in tag rugby tournaments and had an opportunity for pupils to act as the guard of honour at a semi-final. It states that these experiences have enriched the work of the school and it believes the proposal would provide further opportunities for pupils in Barnet schools to benefit.

175 Woodside Park Garden Suburb Residents' Association- Have no objection to the proposal, despite the likely extra pressure on surrounding roads and despite the fact that the site is in the Green Belt, because the stadium has been underused for too long and sports facilities in the Borough should be utilised.

Reasons for objection

Green Belt / Very Special circumstances

- The proposal constitutes inappropriate development in the Green Belt which detracts significantly from its openness and from the purposes of including land within it.
- The 'very special circumstances' put forward by the applicant do not outweigh the harm that would be caused to the Green Belt.
- Parking and increased traffic together with match day crowds during large and medium sized events will lead to a deterioration in the tranquillity of the Green Belt.
- The applicant has not demonstrated that there are no alternative sites for this development.
- The bulk of the east stand and the construction of the demountable north and south stands for 36 weeks of the year will cause significant harm to the openness of the Green Belt.
- The shop, office and hospitality facilities are inappropriate in the Green Belt and do not help to maintain openness.
- The inclusion of commercial concessions on match days is incompatible with the Green Belt location.
- The stadium will be used to host hospitality events outside of match days such as conference, private functions and school foundation events. These events are not community based and do not need to be held in the Green Belt.
- The Saracens' administrative team and the Saracens Foundation do not need to be based at the site, in the Green Belt.
- The applicant claims the stadium will be put on 'a financially sustainable footing' but no supporting evidence has been provided, therefore this should not form part of the very special circumstances.
- There is a conflict between the athletics use and the rugby use which mean that Cophall cannot be the best site for Saracens whilst athletics clubs use it.
- The proposed 'greening' of the car and bus parking areas go a little way to mitigate the appearance of the site but the bulk of the development is more than double.
- The proposal will change the character of the Green Belt, which is currently quiet and for community use.
- The Saracens' foundation will benefit the North London Community wherever it is based and it does not need to move to Cophall.
- Hospitality boxes and the supporting catering facilities are unacceptable in the Green Belt.
- The applicant has not properly considered alternative sites/ there is another more appropriate site available.
- The applicant did not properly consider alternative sites offered by Dacorum Council.
- The built footprint has not been reduced as stated in the committee report but increased substantially.
- The proposed development is not all essential for sporting use.
- The fact that the existing stadium requires superficial improvements does not justify the development nor can it be seen as 'very special circumstances.'
- The argument that the existing stadium already intrudes on the openness of the Green Belt and therefore the impact of the proposal will be minimal is not acceptable.
- The applicants comment that the "purposes of protecting countryside and the setting of historic towns are not relevant in this instance and therefore are not compromised" is disputed and contradicts the Planning Inspector's report regarding the Barnet FC enquiry.
- The proposal does not fit within the footprint of the existing stadium.
- The applicant's environmental statement confirms that there are alternative options to Cophall that the applicant has not already explored. The applicant cannot, therefore, claim

- The existing stadium has been well maintained and refurbished with funding from Sport England and other bodies. It is in good condition and is currently Grade A status. The applicant's description of the stadium as being 'derelict' etc. is therefore unfounded and therefore the redevelopment of the stadium cannot contribute toward 'very special circumstances.
- The RFU aspires to increase stadium sizes in the Premiership in its Strategic Plan to a minimum of 15,000 by 2011/12. Therefore, the applicant is likely to seek to increase the size of the development.
- The site selection matrix prepared by the applicant is misleading and gives Copthall an artificially high score.
- The fact Copthall already had sports facilities in place cannot be used as a reason to justify inappropriate development in the Green Belt or be seen as an advantage over other sites considered.
- Commercial considerations for Saracens cannot be reasons to degrade the Green Belt. A financially sustainable future for Saracens is no justification.
- There will be no net economic benefits to North London if Saracens move its office from St Albans to Copthall.
- Local restaurants are unlikely to benefit as fans are likely to eat on site and the proposal may take business away from the restaurants in Mill Hill Broadway.
- Saracens should consider the Butterfly World site near St. Albans.
- The proposal would set a dangerous precedent for Green Belt development in London.
- The Saracens Foundation support to local sport should not necessitate building on Green Belt land and can be of benefit at another site.
- Barnet Council will receive £3,130,519 in new home bonus next year from the Government. These new residents will require access to quiet green space and the existing facilities provided at Copthall, which will be severely impacted by the proposal. The planning committee placed great weight on Barnet Council's financial position when considering the application but it did not seem to have considered whether some of the New Homes bonus should be directed towards the refurbishment/ upkeep of the stadium.

176 Officer's comment: The comment regarding the new homes bonus was raised after Barnet Council's committee meeting and as such it has not responded to this point. Officers are unable to comment on the amount the Council is likely to receive from the 'new home bonus' next year or what the Council intend to spend the money on. However, officers note that the overall cost of the proposed redevelopment is significantly in excess of £3,130,519 and the applicant indicates it will be within the region of £18 million. Barnet's property department states *"that the opportunity provided by Saracens will enable investment at a level above anything that would be considered commercially viable"* and therefore it is accepted that the amount of funding required to achieve the level of sporting benefits proposed by the applicant, will considerably exceed the amount offered by the new homes bonus. All other points raised with regard to the Green Belt and 'very special circumstance' have been addressed within this report, within the initial consultation report (PDU/2730/01) or within Barnet Council's committee report.

Transport

- The site is inaccessible by public transport and therefore the proposal will result in an increase in car journeys to the site.
- Similarly to the previous Barnet FC Inspectors decision, the site is not appropriately located in terms of accessibility by a range of means of transport.

- The proposed satellite car parks cannot be secured and are heavily used or unavailable at weekends.
- The use of volunteer stewards to control traffic and parking is not credible. They would have no powers to prevent parking or direct traffic.
- Question the applicant's assumption of three supporters per car.
- Page Street and the nearby junctions will be congested on match days by the additional traffic.
- Concern regarding the heavy coach traffic on match days and for other large events.
- The revised modal split is overly optimistic and the impact on parking in the wider area and the site itself has been seriously underestimated.
- The existing parking problems will be exacerbated due to poor access and infrastructure.
- Copthall cannot sustain the volume of traffic that is likely to descend on it without causing severe inconvenience to residents and other traffic, including emergency services.
- The proposal will increase the number of traffic accidents.
- The proposal will increase traffic on residential roads.
- The transport proposals assume Saracen supporters will behave differently to other drivers.
- The quoted walking times from Hendon Central and Colindale stations are unrealistic. The quoted frequencies of existing bus, tube and train services do not reflect reality.
- Local football/ sports team currently park on Page Street and the surrounding streets. They will no longer be able to park and use the wider Copthall area on Sundays.
- The plan for coaches and shuttle buses to be directed down Champions Way will add further congestion, noise and pollution to the area.
- Small events at the local school currently cause congestion on Page Street and the impact of the proposal will be much worse.
- The applicant has provided no guarantee that the proposed coach services will be provided.
- Once supporters have experienced accessing the site from Mill Hill by public transport, they will resort to driving.
- Supporters are likely to park outside the CPZ and walk to the stadium.
- There is a lack of evidence to justify the assumptions used in deriving a modal split.
- There is a lack of evidence to justify the requirements for on street parking and associated impact on residents.
- There is no impact assessment for events that could occur on a weekday.
- Match day traffic will be more disruptive to local people than peak flow traffic on a weekday.
- Bunns Lane and Page street are already clogged with traffic for local schools and at weekends for local clubs and societies.
- The transport information submitted is incomplete and does not contain all the information required for the Council to make a valid decision.
- It will be impossible to stop supporters parking in communal residential car parks.
- Parking problems will affect disabled residents who cannot walk long distances to park.
- The original modal split put forward by the applicant was that 70% of supporters will arrive by car. This is unsustainable and against London Plan Policy.
- The proposal will impact on the strategically important junction of the A1 and M1. This junction is already dangerous.
- The nearest wheelchair-accessible stations are over 30 minutes by bus from the site.

- The applicant states that 30 minutes is an acceptable walking distance for fans but the CPZ only extends around 10 minutes walk from the stadium.

177 All points raised with regard to transport have been addressed within this report, within the initial consultation report (PDU/2730/01) or within Barnet Council's committee report.

Existing users/ community access

- Availability of the stadium for the local and wider community will diminish.
- The application will reduce the opportunity for outdoor sport and recreation.
- The level of community access to the stadium will reduce from 64 hours in the summer and 44 hours in winter to 30 hours a week.
- Kentish Town Football Club will no longer be able to play at Copthall Stadium.
- The applicant hasn't submitted any evidence of its work with local communities.
- The stadium is already a successful and busy venue. It is a genuine community resource and needs limited updating and tidying.
- There is no indication of the impact other large events and functions held at the centre will have on community use.
- The language used by the applicant to describe the proposal as a 'community' stadium is misleading. The principal use of the stadium is for a professional rugby club.
- No weight should be given to the 'Sporting Impact Study' which is not based on survey research conducted to Market Research Society standards and is not robust. Insufficient weight has been given to the value of the area for informal recreation and to the adverse impact matches and events will have on existing users of the wider site and swimming pool.
- The additional traffic and people will conflict with those using the other sporting facilities at Copthall.
- The purpose of the site is for Barnet residents to keep active. This will be squeezed out by Saracens' activities.
- The proposal may lead to a loss of small businesses which currently support users of the swimming and other facilities due to the reduction in community use.
- The loss of a rare 12 lane athletics track for the vast majority of the year is unacceptable.
- Saracens will have first call on the facilities as leaseholders and athletics training will be severely disrupted by the downgrading and reduced availability of the athletics facility.
- After 25 years the leaseholder can apply to the Council for the restrictions such as minimum community use to be lifted.
- The proposal gives priority to professional rugby and mass spectator sport, over amateur and community sports, which are primarily participative.
- The facilities will not be free to school children.
- Saracens are only offering a 30 year lease to Shaftsbury Barnet Harriers and community groups have no opportunity to regain control of the site if they feel, in due course, that they regret the compromise they have made.
- Rugby is not an inclusive and participative sport in comparison with the current activities on the site.
- The proposed indoor training area is sub-standard. It is only 60-70 metres long. There is a superior facility at Picketts Lock in Edmonton which has a 200 metre track and 60 and 130 metres sprint straights.

- Privately, athletics coaches are not impressed with the 60 metre indoor facility because the shortest race distance is 100 metres. Shaftesbury Barnet Harriers are only supporting the application because they fear the Councils lack of support moving forward.

178 Officers comments: All other points raised with regard to existing users and community access have been addressed within this report, within the initial consultation report (PDU/2730/01) or within Barnet Council's committee report.

Design

- The design is not good enough for a prominent and sensitive site. The design lacks coherence. Temporary toilet facilities and mobile concession stands are unacceptable.
- The stadium is unattractive and will detract from the both from the openness of the Green Belt and the visual amenity of the area.
- The bulky appearance of the proposal will have a harmful impact on the character and appearance of the site.
- The proposal is too large in scale, volume and bulk and it is detrimental to visual amenity by reason of siting, materials and design.

179 Officers comments: All other points raised with regard to design have been addressed within this report, within the initial consultation report (PDU/2730/01) or within Barnet Council's committee report.

Local amenity

- Parking and increased traffic together with match day crowds during large and medium sized events with lead to a deterioration in the amenity of local people.
- There is an existing problem with light pollution from the site, which impacts on the University of London Observatory and this may be made worse by the increased height of the flood lights. A suitable planning condition should be attached to control this if permission is granted.
- Residents will lose the quiet enjoyment of their homes due to traffic problems.
- Pollution levels will rise due to increased car use.
- The volume and duration of the noise arising from the proposal on match will have an unacceptable impact on the amenity of local residents.
- The likely increase of litter and the disruptive behaviour of individuals going to and from the site is unacceptable.
- The match-day plan to extend the length of supporters time at the stadium will extend the length of disturbance for residents.
- Sound from the stadium carries a long distance. The noise and vibration analysis is unreliable.

180 Officer's comments: Given the scale of the impact on local amenity, these issues are considered to be primarily local in nature and officers believe that they have been adequately addressed within Barnet Council's committee report.

Biodiversity

- The east stand will permanently overshadow the site of importance for nature conservation that runs from north to south along the east boundary of the site and therefore the proposal doesn't comply with London Plan Policy 3D.14.

- The proposed 'green' permeable areas are for parking and whilst this is an improvement in terms of drainage it will not provide grass from wildlife.
- The green roof and green wall of the proposed east stand cannot possibly replace lost habitat as they need to be maintained.
- Bird and bat boxes need to be maintained and cleaned to reduce risk of infection so they are not a substitute for a natural habitat. The maintenance cannot be guaranteed over the 99 year lease.

181 Officer's comments: Given the scale of the impact on biodiversity, these issues are considered to be primarily local in nature and officers believe that they have been adequately addressed within Barnet Council's committee report.

Other

- The application is similar to the Barnet Football Club application in 1999, which was rejected by both the Inspector and the Secretary of State.
- The applicant can/should stay at the Watford ground.
- Saracens rugby club have no link to the Borough of Barnet and few of its supporters are based in Barnet or the neighbouring boroughs.
- Saracens may seek to increase the number of matches in the future, the parking on the site or apply for larger stands. It may also hold more conferences at the site.
- The proposed spectator's stands will not meet safety standards. What will the Council do if this is the case?
- The applicant is not required by the Minimum Standard Criteria to be the main tenant of its home stadium and so the requirement for primacy of tenure cannot be seen as 'very special circumstances.'
- There are around 100 conditions within the Section 106 agreement. The Section 106 agreement is a weak method of ensuring the development is acceptable. Furthermore, there is provision from the applicant to release of any of these obligations after 5 years with the agreement of the Council or by appeal to the Secretary of State.
- There was a lack of any tender process when the site was leased out for 99 years at a peppercorn rent of £1.
- Concerns regarding the long-term intentions of the parties involved and who and how financing will be sourced for the proposed project given that Saracens reported a £6 million loss last year.
- The very 'planning reason' that leads Barnet to accept this proposal, i.e. a shortage of funds, can persuade them to release Saracens from S106 obligations.

182 Officer's comments: All points raised have been addressed within this report, within the initial consultation report (PDU/2730/01) or within Barnet Council's committee report or are beyond the Mayor's planning remit and are best considered by the appropriate statutory bodies.

Procedural issues

- The Copthall Community Initiative should have been informed of the committee date and this contravenes planning policy regarding public consultation.
- The applicant has not properly consulted the community.
- Concern about the vast amount of missing information and unresolved issues.
- Information regarding Barnet's committee meeting/ report was only made available seven days prior to the committee meeting.

- Why did the Council not wait for additional missing information to be submitted by the applicant before considering the application?

183 Officer's comments: All procedural points concern procedures at a borough level and are therefore beyond the Mayor's planning remit..

Article 7: Direction that the Mayor is to be the local planning authority

184 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at stage 1, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

185 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction. The Mayor must also have regard to the guidance set out in GOL circular 1/2008 when deciding whether or not to issue a direction under Articles 6 or 7.

Financial considerations

186 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (*Costs Awards in Appeals and Other Planning Proceedings*) emphasises that parties usually pay their own expenses arising from an appeal.

187 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

188 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

Conclusion

189 At the consultation stage, outstanding issues remained relating to the impact on the Green Belt, community facilities, design, inclusive access, transport and energy. It is Barnet Council's view that these issues have now been satisfactorily resolved at a local level and that very special

circumstances exist which outweigh the harm caused to the green belt and other material considerations. As described within this report, these issues have now largely been addressed and mitigated as appropriate so that the application is now also acceptable in strategic planning terms. As such the Mayor is content for Barnet Council to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

for further information, contact Planning Decisions Unit:

Colin Wilson, Senior Manager – Planning Decisions

020 7983 4783 email colin.wilson@london.gov.uk

Justin Carr, Strategic Planning Manager (Development Decisions)

020 7983 4895 email justin.carr@london.gov.uk

Gemma Kendall, Case Officer

020 7983 4310 email gemma.kendall@london.gov.uk

Appendix A

Standard letter of objection 1

Dear xx,

Re: Application by Saracens in relation to Copthall Stadium, Mill Hill, London, NW7. Planning application ref: H/00928/11.

I live in [POSTCODE] (my full address is at the end of this email) and I am writing to you to object to this planning application on the following grounds:

The impact of extra traffic concentrated around games at a 10,000 seat stadium, the requirement for parking both on-site and in the vicinity, and numbers of coaches, media vehicles and crowds of supporters will have an adverse effect on our amenity contrary to Policy L19 of the London Borough of Barnet Unitary Development Plan.

Public transport is poor in the surrounding area, and I understand the stadium itself is regarded by Transport for London as not being served by public transport at all. The use of school and public car parks in Mill Hill and Hendon by rugby supporters coming to a game will impact on the enjoyment of activities at school buildings and in other open spaces and parks by local people, and on the leisure use of existing rail, tube and bus services.

Developing the Copthall stadium will result in an increase in car journeys because of the very poor public transport access. Siting a 10,000 seat stadium here is contrary to the Mayor of London's London Plan.

The bulk and appearance of the proposed stadium will have a harmful impact on the character and appearance of the site contrary to Policy L19 of the London Borough of Barnet Unitary Development Plan.

The proposed complex of existing stadium, new building, demountable stands, and roofs is ugly in appearance and will detract both from the openness of Copthall and the visual amenity of the area.

The new proposed indoor sports building beneath a covered stand opposite the existing stand, together with the proposed "demountable" stands at each end of the stadium and in front of the two other stands intended to raise the seated capacity to 10,000 are inappropriate development within the terms of Planning Policy Guidance Note 2. No "very special circumstances" have been demonstrated for this proposal seriously to be considered.

I am concerned about the probable use of the new building for offices, a base for a charity, and retail and catering facilities associated with Saracens. In particular hospitality boxes and supporting catering facilities are unacceptable.

The presence of crowds of at least 7000 and up to 10,000 people arriving for a game at the stadium on 16 days a year at weekends will seriously disrupt Barnet citizens' use of the other facilities on site (these include the swimming pool, the golf range, amateur football pitches, and the open space for informal recreation). In effect, local people will be deprived of our community facilities for 16 days a year for the benefit of a commercial professional rugby club. Participative amateur sport will suffer.

Saracens has a regional rather than a local connection, and no obvious connection to Mill Hill, Hendon or the London Borough of Barnet.

A suitable stadium could be built on one of many other sites in the region. It does not have to be put on Green Belt land and could, with advantage in terms of parking, be sited on an industrial estate.

Yours sincerely,

xx

ADDRESS

Standard letter of objection 2

Dear xx

Re: Revised application by Saracens in relation to Copthall Stadium, Mill Hill, London, NW7. Planning application ref: H/00928/11

I live in POSTCODE (my full address is at the end of this email) and I am writing to you to object to the revised planning application on the following grounds:

Traffic and Parking

Whilst the applicant states in their revised application that the number of trips by car will be reduced through the use of coaches and shuttle buses, they still quote the need for a significant number of parking spaces. In addition, the applicant takes no responsibility for and gives no guarantee that these coaches will be provided, leaving it to amateur clubs and supporters to arrange contracts and providers to apply for a parking space on site. The quoted walking times from Hendon Central and Colindale stations are unrealistic. The quoted frequencies of existing bus, tube and train services do not reflect reality. Once spectators experience the reality of accessing Mill Hill by public transport at the weekend, they will resort to travelling by car. They are likely to park in areas outside of the identified zones that are still well within 30 minutes walking distance - a distance that the applicant already expects their fans to be prepared to walk from local stations. This will bring chaos to these areas.

Green Belt

Whilst the applicant has proposed changes to the materials to be used, colour of stands and reduction of advertising hoarding sizes etc the height, bulk and design of the stadium would still have an unacceptable impact on the openness of the green belt. In addition, they are proposing to make significant use of the facilities as a conference centre and will be moving their offices from St Albans. Commercial conference centres and offices are not acceptable developments on green belt land. By their own admission, the main purpose of such a large stadium is to host rugby matches, which will take place 16 times per year. The office and conference facilities, which they expect commercial organisations as well as community organisations to hire, will be used every day and all year round. The applicant has not made a robust case for very special circumstances. They have not demonstrated that they have exhausted all other possible brown field locations, the emphasis on their link to this part of North London is weak given their history and fan catchment area, and they have not demonstrated that the activities of their foundation will bring greater benefits and are more important to this area than to other areas in which they have a fan base.

Loss of amenity

The current use of Copthall and its facilities by the community at the weekend has been grossly underestimated by the applicant. Far from improving community access, their proposal that "genuine activity users" will have to prove their entitlement to park on the site during events held on match and non-match days, is impractical, unmanageable and a gross infringement of people's right to freely access the facilities and open space. People will not be allowed access by car to walk their dog, play football, jog, walk, fly kites and carry out the many other activities currently enjoyed on site. This disruption will occur every

other weekend for 9 months of the year, significantly decreasing the availability of the facilities at the weekends, when most people have the opportunity for leisure activities. In addition, the loss of the rare 12 lane track for the vast majority of the year is unacceptable.

Yours sincerely,

xx

Address:

Standard letter of objection 3

Dear Ms Kendall,

Re: Your ref PDU/2730/01: Proposed development of Copthall Stadium by Saracens Ltd.
London Borough of Barnet Planning Ref: H/00928/11

I live in [POSTCODE] (my full address is at the end of this email) and I am writing to you to because I am very upset that Barnet Council accepted Saracens' proposals, completely ignoring the concerns of thousands of local residents about the massive negative impact on their amenity, on the Green Belt and on current sporting and leisure users of the Copthall site.

The very special circumstances cited to justify damaging the Green Belt are invalid:

- *Barnet's shortage of funds for maintenance.* The very 'planning reason' that leads Barnet to accept this proposal, i.e. a shortage of funds, can persuade them to release Saracens from S106 obligations.
- *Revival of a community sports hub.* Copthall is already a busy sports hub, and if Saracens take over, there will be a net loss of community facilities e.g. football clubs will be displaced. Athletics will lose control of the stadium timetable and the community will lose control of the whole site.
- *The 60-70m indoor training area.* This is claimed to be important at a regional level but it is a shed compared to the purpose-built indoor facility at Picketts Lock in North London which has a 200m track.
- *The Saracens Foundation support to local sport.* This should not necessitate building on Green Belt land and can be of benefit at another site.
- *No other suitable sites exist.* Two or three potential sites, that do not displace existing sports communities, and where a new sports hub may be welcome, have been located in Hemel Hempstead, but have not been considered by Saracens.
- *The chance to regenerate a 'dilapidated stadium'.* A wonderful opportunity exists at Saracens' Vicarage Road home in Watford.

Barnet Council and Saracens have not checked the stadium design with safety officers. There are known safety issues so there will be a need for a radical re-design of the stadium.

Barnet Council aim to set up about a hundred S106 conditions for Saracens regarding minimum community use, traffic management etc. that they think will make the plans workable. The sheer number of S106 conditions in itself shows that the plans are wrong for the site. It is a very simple procedure (S73) for Saracens to request removal of a S106 condition.

I was very pleased to hear that the Mayor's election pledge to protect the Green Belt was repeated at the Talk London event in January at the Peel Centre, Colindale. I am sure you would agree, if approved, Saracens' plans would set a very dangerous precedent for Green Belt land everywhere.

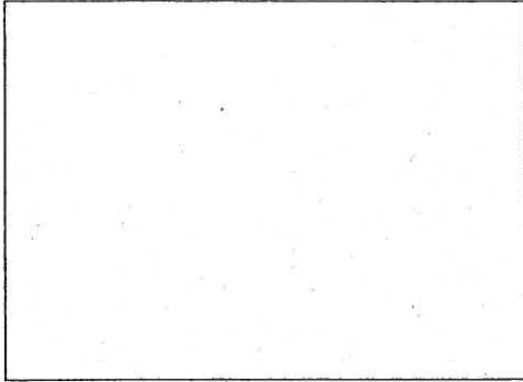
Yours sincerely,

xx

ADDRESS

Standard letter of objection 4

Kentish Town Football Club



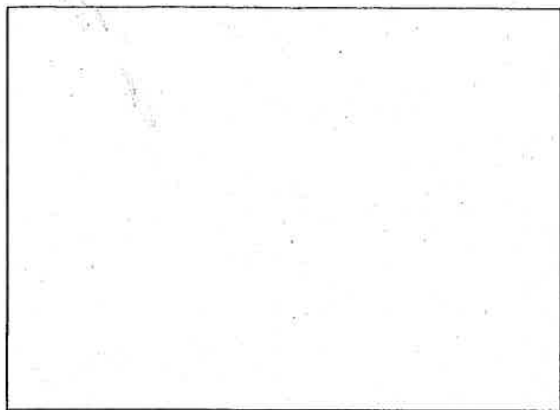
I am writing to object to the plans of Saracens taking over the Barnet Copthall Stadium. I am a volunteer who gives up many free hours to provide football for the community, we use Barnet Copthall Stadium three and sometimes four days a week, all the hard work that this club has put in over the years will be lost and will affect all those who play for the club,

I will be one of many that will suffer if Saracens take over and our club will cease to be.

Regards

Standard letter of objection 5

Kentish Town Football Club



I am writing to object to the plans of Saracens taking over the Barnet Copthall Stadium, I play for Kentish Town Football Club and use the stadium three times a week for training and playing, if Saracens take over the stadium it will mean the end of our club.

Our club has been in existence since 1994 and has given many players a chance to play football at a high level, the club is run by volunteers who work very hard behind the scenes so that I can play the game that I love.

I will be one of many that will suffer if Saracens take over and our club will cease to be.

Regards

Standard letter of objection 6

Major Developments Team,
London Borough of Barnet,
Building 2, North London Business Park,
Oakleigh Road South,
London, N11 1NP.

Ref. No. H/00928/11

I would like to **object** to the above proposal for Copthall Stadium. The reasons which particularly concern me are ticked below, and if I have not ticked any box, then all points concern me equally.

Traffic and Parking

The area is already congested when 2000 people use the stadium, or when girls arrive and leave the local Copthall and Hasmore schools (total roll 2100). With five times as many people, it will be a nightmare, even before the 2500-home Inglis Barracks development is built. The satellite car parks are only going to be available on the 16 days when Saracens play, not if the stadium is hired out to other large clubs, as may be needed for economic reasons; then we will be inundated with congestion and parking issues. The match day parking plans (for Fridays, Saturdays or Sundays) use up the car parks of most of the schools around, and many station car park places, crowding out locals for school activities and travel. Emergency services for locals will be hampered.

Noise

To cope with traffic congestion, Saracens "*propose to provide incentives to supporters to arrive early and leave late on match days by providing extended entertainment and other activities such as ... a music show in advance of a match*". A crowd of 10,112 and a PA system in an open stadium means a lot of noise.

Loss of amenity

Community use will be guaranteed for **30** hours a week; at the moment it is **44** in winter and **64** in summer. Athletics and football will be downgraded and priority given to a professional Premiership rugby team. To cope with congestion, "*arrivals and departures timed over a typical 2 hour period*", so on match days most of the day will be given over to the match and residents' other activities will be severely hampered by the traffic and congestion.

Green Belt

A stadium which has **5** times as many spectators, **8** times the stand footprint and **10** times the bulk is in no way a "*marginal*" increase as claimed. The overflow parking field will be permanently surfaced and frequently used. If the development is allowed, it will pave the way for more. I cannot see any very special circumstances to justify this degradation of the Green Belt.

Yours sincerely,

Standard letter of support 7

Planning Services
North London Business Park
Oakleigh Road South
London
N11 1NP

Saracens proposals for Barnet Copthall Stadium – planning application ref: H/00928/11

I am writing to reaffirm my support for Saracens proposals to revive and refurbish Barnet Copthall Stadium following the latest revisions that have been submitted to the Council. In particular, I support:

- The new transport plan which reduces the level of car usage, promotes additional public transport services on match days and a comprehensive approach to match day parking.
- Further information and commitments about how the wider Copthall site will be used, managed and accessed.
- The improved design and landscaping, which will improve views and result in a smaller built footprint – all of which will reduce any impact on the Green Belt and actually improve the local environment.

The overall proposal, coupled with the latest improvements, will transform a dated and run-down facility and create a real community asset, which is why I strongly support the planning application.

Yours sincerely

Planning Officer,
Barnet Council,
North London Business Park,
Oakleigh Road South,
London
N11 1NP

Saracens regeneration of Barnet Copthall Stadium – Revised Plans,
September 2011

I live in the Borough of Barnet and will be eligible to vote at the next local council elections. I am in my final year at school, in the sixth form.

I wish to express my support for the proposed regeneration of Barnet Copthall Athletics Stadium to create a new multi- purpose sports venue for the use of the local community in our borough.

I believe that the stadium has been thoughtfully designed to incorporate many environmentally friendly features and that Saracens and their associated charitable Sports Foundation will be a great asset to the borough of Barnet, helping many young people in our area.

Please register my support for these proposals.

Case Officer,
Major Developments Team,
Planning, Housing and Regeneration,
London Borough of Barnet,
Building 2, North London Business Park,
Oakleigh Road South,
London N11 1NP.

Planning Application No.H/00928/11 Saracens re Barnet Copthall Stadium

I understand that Saracens Rugby Club have re-submitted plans with regard to the proposed refurbishment of Barnet Copthall Stadium.

I would like to offer my unreserved support for this refurbishment not least because the proposal will transform a dilapidated stadium into a modern multi-purpose sports venue and a genuine community asset suitable for the 21st century. I understand the stadium will only be used 16 times a year by Saracens and for the rest of the year can be used for many different sports and by various clubs. WOW – how fantastic that!?

The Saracens Sports Foundation does much valuable work in schools and clubs and I hope will continue to do so using a superb new facility.

There will undoubtedly be many teething problems certainly on match days but I am sure Saracens have done their homework, and I am sure they will have done, these will soon be ironed out.

So let's get behind Sarries and get the refurbishment work going asap.

Yours sincerely,

Planning Services
North London Business Park
Oakleigh Road South
London
N11 1NP

Saracens Proposals to Revive Barnet Copthall Stadium

Planning application ref: H/00928/11

I would like to express my strong support for Saracens proposals to revive and refurbish the Barnet Copthall Stadium for the reasons outlined below.

- o The proposal will transform a dated, run-down stadium into a modern, multi-purpose sports venue and a genuine community asset;
- o The proposal will refurbish the existing stadium on the same footprint, thereby enhancing and protecting the Green Belt and the beauty of Copthall;
- o The proposal would bring the Saracens Sports Foundation to Barnet, turning gangs into teams and becoming a strong force for good in the community;
- o Saracens have developed a comprehensive match day travel plan, which eases local concern about traffic and parking on the 16 days of Premiership rugby;
- o The proposal safeguards the future of Shaftesbury Barnet Harriers and other athletics clubs in what will become one of the leading athletics venue in south-east England.

For these reasons, I strongly support the Saracens proposal to revive Barnet Copthall Stadium.

Yours sincerely

Copthall Stadium

in the London Borough of Barnet

planning application no. H/00928/11

Strategic planning application stage 1 referral (new powers)

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

The proposal

The refurbishment and redevelopment of Copthall Stadium for rugby, athletics and community recreation. Including the refurbishment of the existing stand and the erection of a new permanent spectators stand, (20 metres high); erection of four demountable stands during the winter months (10 metres high); erection of four floodlights (33 metres high) and the retention of 700 parking spaces.

The applicant

The applicant is **Saracens Ltd.** and the architect is **Roberts Limbrick Architects.**

Strategic issues

The main issues are whether ‘inappropriate development’ in the **Green Belt** for the erection of a permanent spectators stand and four demountable stands is acceptable in strategic planning policy terms; whether ‘very special circumstances’ have been identified as required by PPG2; whether the new development would harm the open character of the Green Belt; and the impact on **community facilities**. Of equal importance are satisfying the policy tests for the location of high trip generating uses including stadia, as set out in PPG13 and PPG17. A number of other significant **transport** related concerns have also been raised.

Additional information regarding **design, inclusive design,** and **climate change mitigation** is also required.

Recommendation

That Barnet Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 133 of this report; but that the possible remedies set out in paragraph 134 of this report could address these deficiencies.

Context

1 On 25 March 2011 the Mayor of London received documents from Barnet Council notifying him of a planning application of potential strategic importance to develop the above site for the

2 The application is referable under Category 1C, 3C, 3D, and 3F of the Schedule to the Order 2008:

- 1C: *“Development which comprises or includes the erection of a building of one or more of the following descriptions...the building is more than 30 metres high and is outside the City of London”*
- 3C: *“Development which is likely to prejudice the use as a playing field of more than 2 hectares of land which (a) is used as a playing field at the time the relevant application for the planning permission is made: or (b) has at any time in the five years before the making of the application been used as a playing field”*
- 3D: *“Development (a) on land allocated as Green Belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and (b) which would involve the construction of a building with a floorspace of more than 1,000 square metres or a material change in the use of such a building”*
- 3F: *“Development for a use, other than residential use, which includes the provision of more than 200 car parking spaces in connection with that use.”*

3 Once Barnet Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case.

5 The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

6 The 10.2 hectare site is located five kilometres north of Brent Cross, in Mill Hill. The site is designated Green Belt in Barnet Council’s 2006 UDP. A site of borough importance for nature conservation is located to the northeast of the site and runs along a portion of the southeast border of the site and an area of special archaeological importance is to the east of the site.

7 The existing stadium is predominately used for athletics and is used by Shaftesbury Barnet Harriers (athletics club) and Barnet & District Athletics Club. It is also used by non-league Kentish Town Football Club and by local schools and sports clubs for athletics events. The sporting facilities comprise a high jump area and an athletics track which encircles a sports pitch. There are two spectator stands on the site. The main stand to the west of the pitch is covered and is approximately 14 metres high. It contains changing and club facilities. A second smaller uncovered stand is located on the east side of the stadium for spectators of high jump with a capacity of 51. A temporary uncovered stand is sometimes erected in front of the high jump stand to accommodate up to 669 additional spectators. The stadium can currently accommodate around 2,000 spectators

8 The site is surrounded by other leisure activities and open playing fields. The stadium forms part of a wider sports complex, which includes Barnet Copthall Leisure Centre, the Metro Golf Driving range and the Power League five-a-side football club to the north of the site and Hendon Golf clubhouse and course to the east. Copthall Playing Fields, which are used for both football and cricket are to the east of the site and the Hendon Rugby Club is located to the south of the car park. There are also two residential dwellings to the northwest of the stadium at the junction of Greenlands Lane and Champion Way.

9 The site is accessed from the west along Champions Way with additional access from Greenlands Lane. It is in close proximity to a number of strategic roads including the M1 and A1 Great North Way. The site is approximately two and a half kilometres from Mill Hill Broadway National Rail station and Mill Hill East, Colindale and Hendon Central are the nearest underground stations. Mill Hill East underground station (on the Northern Line) is approximately a 20 minutes walk from the site. The nearest bus route is approximately 1 km from the site. A further eight bus routes are within one and a half kilometres, with the majority connected via Hendon. Due to the distance from public transport facilities the site has a very low public transport accessibility level of 0. The nearest TfL road network is the A1 Great North Way, approximately 500 metres from the site.

Details of the proposal

10 The proposal is for refurbishment and redevelopment of Copthall Stadium for rugby, athletics and community recreation. The applicant is seeking full planning permission to comprehensively refurbish the existing west spectator stand and demolish the existing east spectator stand and erect a new permanent stand for 2899 spectators which incorporates hospitality boxes, function rooms, a Saracens shop, a restaurant and bar and a winter training space for athletics. The east stand will be 20 metres in height. The existing 'jump' area will be relocated to the north of the stadium and a new artificial pitch for all-year use would be installed.

11 The applicant is also seeking to erect four demountable covered spectator stands between the months of September and May. The demountable stand to the north of the pitch will be capable of accommodating 780 spectators and will be approximately 8.5 metres in height. The demountable stand to the south of the pitch will be able to accommodate up to 1,068 spectators and would be approximately 10 metres in height. The two further demountable stands that would be erected in front of the existing west stand and the proposed east stand and would accommodate 2,978 spectators and 42 media personnel and 1,568 spectators respectively.

12 The proposal also includes:

- The erection of four 33 metre high floodlights at the corners of the pitch.
- Diversion of the existing culvert running north to south through the site.
- Retention and surface repairs to the existing 700 car parking spaces
- Use of a network of satellite car parks around the stadium, which would provide in excess of 1,700 car parking spaces.
- 100 cycle spaces for visitors and 20 cycle spaces for staff.

13 From May to September the facility will be used for athletics training/events, community recreation use and hospitality. During these months the existing west stand and the proposed permanent east stand could accommodate up to 5,000 spectators.

14 Between September and May, the stadium will be used to host no more than 16 Saracens Rugby matches and the demountable stands would be erected and the match day capacity would be for 10,000 spectators. On non-match days four of the eight athletics lanes would be available for use, as would the indoor training facility. The facility would also be available for community activities and hospitality events would also take place on non-match days.

15 On the 16 match days, temporary areas for standing spectators and pitch side hoarding would be erected. Temporary concession space, temporary WC facilities and a TV studio would be erected.

Case history

16 A pre-application meeting was held with the applicant and Barnet Council on 7 December 2010. Two pre-application meetings were held with TfL.

Barnet Football Club call-in decision

17 An application by Barnet Football club on the same site was subject to an inquiry in 1998 and the Secretary of State refused permission in June 1999. The Barnet football club proposal was for two stadia, a 10,000 seat football stadium and a second 1,000 seat stadium for athletics, with additional facilities including: indoor training facilities; children's playspace and creche; restaurants, bars and function facilities; administrative offices and corporate suites; and parking for 704 cars and 40 coaches. As the application was for two stadia the footprint was considerably larger (76,925 sq.m.) than the Saracens proposal (45,849 sq.m.) See table below for comparison of floorspace.

18 The Secretary of State and the Inspector considered the effect of the proposal on the Green Belt; whether the harm to the Green Belt that may be caused by the proposal was outweighed by 'very special circumstances'; the accessibility of the proposal by a range of means of transport; the impact of traffic generated; and the availability and suitability of alternative sites to relocate the football club when reaching the decision.

19 The Inspector found that the area of green space that Copthall forms part of fully fulfils the purpose of the Green Belt and the proposed stadia constituted inappropriate development which would detract seriously from the openness of the Green Belt. He argued that the footprint of the development, which would have covered 7% of the green space, was significant and would put the openness of the Green Belt at risk. The inspector found the visual impact of the stadia from a distance to be acceptable but that the stadium would dominate its surroundings, although further planting could reduce the impact. Furthermore, he found the *"large stadium building and car parks, and the activity represented by the influx of large numbers of people and cars on match days would, however, detract from the pleasantness of the area for informal recreation...I find that the project would have a seriously harmful effect on the Metropolitan Green Belt."*

20 The inspector found the 'very special circumstances' put forward by the applicant (lack of alternative sites and the urgency for a new stadium) were not sufficient to outweigh the harm caused by the development to the Green Belt. As the 'very special circumstance' put forward by the applicant differ this is not relevant when considering the current proposal. The Secretary of State disagreed with the Inspector's interpretation of the phrase "all other practicable options for location" in paragraph 50 of PPG17 when discussing the site selection process. The Inspector's view was that this refers to all other practicable options other than the Green Belt. The Secretary of State took a different view that all other Green Belt or MOL sites *"should not be automatically ruled out as it is necessary to consider each case on its merits"* and there may be other Green Belt sites where the 'very special circumstances' outweigh the harm of an otherwise inappropriate development.

21 The Inspector felt that the proposal was accessible by a range of means of public transport. He indicated the site was well located for access by private car and on foot or cycle and he did not agree that the PTAL of 0 attributed to the site by London Transport gave a realistic impression of the accessibility of the site by public transport taking account of the shuttle buses proposed. He felt that the 500 metres walking distance from the nearest bus stops and the 20 minute walking distance from Mill Hill East Underground station were not inconveniently long for spectators travelling to a football match. He also found that there was no reason to believe that the shuttle bus service from Mill Hill Broadway and Finchley Central stations, proposed as part of the mitigation measures, would not help minimise private car use and significantly improve the public transport accessibility of the site.

22 The inspector believed the impact of the traffic generated by the spectators on the immediate vicinity in light of the proposed mitigation measures to be acceptable. The proposed measures were shuttle buses from Mill Hill Broadway and Finchley Central stations; a controlled parking zone for match days; improvements to Fiveways junction; and permanent traffic improvements including part-time traffic signals, to Sunny Gardens if match attendance exceeded more than 7,000 on more than eight occasions during a season.

23 However, the Secretary of State's view differed from that of the Inspector regarding transport issues. The Secretary of State felt that the level of car parking (704 car spaces and 40 coach spaces) would not act as a disincentive to supporters travelling by car. The Secretary of State also stated that *"the planning policy on transport (PPG13) is not only concerned with providing a choice of means of transport but also about encouraging the use of modes of transport other than the car"* and he had seen no evidence that the proposal was less car dependent than the Club's existing ground and therefore it was not in accordance with transport policy.

24 Whilst the Secretary of State view of the transport issues differed from that of the Inspectors, the Secretary of State did agree with the Inspector's conclusion that the effect of the proposal on the Green Belt would be seriously harmful and that this harm was not outweighed by 'very special circumstances' and that this issue was of overriding importance and warranted the refusal of the planning permission.

Strategic planning issues and relevant policies and guidance

25 The relevant issues and corresponding policies are as follows:

- Green Belt/MOL *London Plan; PPG2*
- Playing fields *London Plan; PPG17, draft PPS Planning for a Natural and Healthy Environment*
- Tourism/leisure *London Plan; Good Practice Guide on Planning for Tourism (DCLG)*
- Urban design *London Plan; PPS1*
- Inclusive design *London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
- Climate Change *London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; the Mayor's Energy Strategy; Mayor's draft Climate Change Mitigation and Adaptation Strategies; Mayor's draft Water Strategy; Sustainable Design and Construction SPG*
- Biodiversity *London Plan; the Mayor's Biodiversity Strategy; PPS9; draft PPS Planning for a Natural and Healthy Environment*
- Transport *London Plan; the Mayor's Transport Strategy; PPG13;*

26 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2006 Barnet Unitary Development Plan and the London Plan (Consolidated with Alterations since 2004).

27 The draft replacement London Plan, published in October 2009 for consultation and the Barnet Core Strategy (Publication Stage) are also material considerations.

Principle of development

Sports facilities

28 Paragraph 18 of PPG17 '*Planning for open space, sport and recreation*' states "*where recreational land and facilities are of poor quality or under-used, this should not be taken as necessarily indicating an absence of need in the area. Local authorities should seek opportunities to improve the value of existing facilities. Usage might be improved by better management or by capital investment to secure improvements. Planning obligations may be used where improvements are required to meet identified needs.*"

29 Paragraph 22 of PPG17 specifically relates to stadia and major developments and states that "*planning permission for stadia and major sports developments which will accommodate large numbers of spectators, or which will also function as a facility for community based sports and recreation, should only be granted when they are to be located in areas with good access to public transport.*"

30 London Plan Policy 3D.6 '*The Olympics and Paralympics Games and sports facilities*' indicates that when considering proposals for sports facilities boroughs should ensure; a sequential approach is applied; sites have good access by public transport, cycling and walking or improved access is planned; facilities are accessible to all sections of the community, including disabled people; new provision is focused on areas which are deficient in facilities; and the multiple use of facilities is encouraged, including those of schools and commercial organisations.

31 Draft replacement London Plan Policy 3.20 '*Sports facilities*' states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported and the net loss of such facilities will be resisted. It also supports multi-use facilities where possible. Additionally, the policy supports the use of floodlights where there is an identified need and no demonstrable harm to the local community or biodiversity but indicates that where sports facilities are proposed on existing open space, they will need to be considered carefully in light of policies on Green Belt and protecting open space.

32 The principle of refurbishing the existing sports facilities and the provision of new facilities is supported. However this needs to be balanced against the scale of the development, the location of the proposal in the Green Belt, the low public transport accessibility and the impact on the existing users of the site which are considered in depth below.

Green belt

33 Barnet Council's 2006 UDP designates the entire site as Green Belt. Planning Policy Guidance 2 (PPG2), London Plan Policy 3D.9 '*Green belt*' and draft replacement London Plan Policy 7.16 seek to protect London's Green Belt. Policy 3D.9 states, "*the Mayor will and boroughs should maintain the protection of London's Green Belt and proposals for alteration to green belt boundaries should be considered through the DPD process in accordance with the government guidance in PPG2. There is a general presumption against inappropriate development in the green belt, and such development should not be approved except in exceptional circumstances*". Draft

34 Planning Policy Guidance 2, 'Green Belts' (PPG2) states that the purpose of a Green Belt designation is:

- 1) to check unrestricted sprawl of large built-up areas;
- 2) to prevent neighbouring towns from merging into one another;
- 3) safeguard the countryside from encroachment;
- 4) preserve the setting and special character of historic towns; and
- 5) assist in urban regeneration, by encouraging the recycling of derelict and urban land.

35 PPG2 states that inappropriate development in the Green Belt is, by definition, harmful and the construction of new buildings in the Green Belt is inappropriate unless it is for the following purposes:

- Agriculture and forestry;
- Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it;
- Limited extension, alteration or replacement of existing dwellings;
- Limited infilling in existing villages and limited affordable housing for local community needs under development plan policies according with PPG3; or
- Limited infilling or redevelopment of major existing developed sites identified in adopted local plans, which meets the criteria in paragraph C3 or C4 of Annex C.

36 Paragraph 30 of PPG17 specifically addresses sporting facilities within the Green Belt and states that *"planning permission should be granted in Green Belts for proposals to establish or to modernise essential facilities for outdoor sport and recreation where the openness of the Green Belt is maintained. Development should be the minimum necessary and nonessential facilities (e.g. additional function rooms or indoor leisure) should be treated as inappropriate development. Very special circumstances which outweigh the harm to the Green Belt will need to be demonstrated if such inappropriate development is to be permitted."*

37 Essential facilities for outdoor sport and recreation is an acceptable use in the Green Belt, however, as the applicant acknowledges, and in line with the guidance set out in paragraph 30 of PPG17, the scale of the proposed development constitutes inappropriate development. PPG2 states that inappropriate development is, by definition, harmful to the Green Belt. Therefore, the applicant is required to justify why inappropriate development should be allowed by demonstrating 'very special circumstances'. There is no definition of 'very special circumstances' and each planning application must be judged on its own merits. The 'very special circumstances' the applicant seeks to demonstrate are set out in the following paragraphs:

Regeneration of the existing site

38 The applicant states that the proposal entails the regeneration of the existing Copthall stadium and it will optimise the use of the existing sports facility. The applicant states the proposal will greatly improve the physical appearance and overall image of Copthall, increase usage and ensure the stadium is financially secure and that it can be sustained.

39 London Plan Policy 3D.6 and draft replacement London Plan Policy 3.20 both encourage multi-use facilities and therefore the applicant's commitment to optimise and intensify the use of the already well-used facilities is welcomed. In the current economic climate securing the long-term financial security of the stadium is also welcome.

40 However, the facility is already currently used by two athletics clubs, the local community and local schools. The athletics track was refurbished in 2005. The applicant has not presented any information to suggest the facility is in financial difficulties. The applicant should provide further details to justify why the redevelopment of the stadium contributes towards 'very special circumstances.'

Community benefit

41 At the pre-application stage the community benefit, including Saracens history of community engagement and works, were put forward as part of the 'very special circumstances' argument but it has not included this as part of the application. Further information should be supplied.

Lack of alternative sites

42 At the pre-application stage the applicant was asked to explain the rationale for choosing a Green Belt site as the preferred development location. The applicant was asked to indicate why this site specifically was selected and set out which other sites had been considered, with full details of the search methodology to demonstrate that there are no other no other suitable alternative sites and detailing why the chosen site was the most suitable.

43 The applicant has set out the following criteria on which it based its site search process:

- Due to the nature of stadia, potential development sites must be essentially flat and rectangular in shape with a minimum width of approximately 160 metres and a minimum length of around 200 metres.
- For a 10,000 person stadium the minimum site capable of accommodating all the essential facilities is 2.5 – 3 hectares.
- Accessibility by all modes of transport and adequate parking.
- A site within Northwest London or the Northern Home Counties to limit travel distance for existing supporters.
- Impact on the surrounding area, including nearby residential properties and the impact on the amenity of the area in terms of traffic, noise, lighting and air quality.
- Existing planning designations of prospective sites and extant planning permissions, which impact on the suitability, availability, and viability of the sites.
- The availability of the sites and the timescales over which a stadium could be delivered.
- Sequentially considering town centre locations first, then edge-of-town locations and only then considering out-of-centre locations.

- The applicant has discounted Green Belt/ MOL sites, which are not already used for recreational purposes.

44 Through this process the applicant has identified 23 sites, including eight ground shares, which could physically accommodate the stadium. However, all but the application sites have been discounted for various reasons. Many of the ground share opportunities have been discounted because they are considered to be too far from the existing support base in Northwest London. The applicant states that the site selection exercise also revealed there are no appropriate sites within existing town centres or in edge-of-town centre locations, which would be more accessible by public transport. Furthermore, many of the alternative out of town locations are considered to be less accessible than Cophall or would have a greater impact on the Green Belt. The applicant states that a number of the more accessible sites are already allocated and/or have planning permission for more lucrative development and it would therefore be unviable for the applicant to purchase such sites.

45 It is accepted that due to the fixed shape and size of stadia, the site requirements are relatively specific in comparison with other forms of development. It is also accepted that sites that have existing permissions or have been allocated through the LDF process for more lucrative forms of the development, such as residential development, are unlikely to be viable for the applicant. However, it seems unlikely that only 23 sites within Greater London and the northern Home Counties, could potentially satisfy the applicant requirements. In addition, the applicant has only provided analysis of eight of the 23 sites considered. The applicant should provide detailed analysis of all sites considered. Furthermore, the application site itself does not satisfy all the above criteria. If distance from existing supporters is a critical factor, as the applicant has cited when discounting a number of potential ground share options, the applicant should provide further information regarding the location of existing supporters, how far the existing supporters currently travel, how far they are willing to travel and the impact of relocating outside of northwest London/the northern home counties would have on the development.

The effect of the proposal on the Green Belt

46 Given the 1999 Barnet Football Club decision by the Secretary of State regarding an application for two stadia on this site (described above) it is useful to compare the current proposal with both the existing site and the Barnet Football Club called-in proposal. As stated above, the site is currently occupied by the existing Cophall Stadium, which has a total development footprint of 31,840 sq.m. The proposed footprint of the rugby stadium is 45,859 sq.m. which represents a 44% increase. The Barnet Football Club proposal however, had a built footprint of 76,925 sq.m. (142% increase on the existing.)

47 The applicant is proposing to retain and refurbish the existing stand to the west of the pitch which is 10.5 metres to the eaves in height and 14.54 metres including the masts, which are substantial in form. In addition, the applicant is proposing a new permanent stand to the east of the existing pitch which will be 20 metres in height and two demountable stands (erected between September and May and otherwise removed from the site) to the north and south of the pitch which would be approximately 8.5 metres and 10 metres in height, respectively. The Barnet football club application involved the demolition of the existing stand and the erection of an enclosed stadium with an overall structural height of 16 metres and mast heights of 23 metres. The height of the second athletics stadium is unknown but given that it was a 1000 seat stadium it is unlikely to be substantial.

Table 1 – Comparison of the existing stadium, the proposal and the Barnet Football club application

	Existing Stadium	Proposed Saracens Application	Barnet Football club application
Site area (hectares)		10.56	12.8
Built floorspace (sq.m.)	1,711	13,941	30,335
Total development footprint	31,840	45,849 (44%)	76,925 (142%)

48 The Inspector considered the Barnet Football Club proposal “to represent a large intrusion of built development that would seriously detract from the openness of the Green Belt at Cophall” and he felt it would contribute to the coalescence of Mill Hill and Hendon. In comparison, the current proposal sits within the existing boundary of the Cophall stadium and, as stated above, has a considerably smaller built footprint.

49 Furthermore, the height and massing is markedly different from the Barnet Football Club proposal. Whilst the east stand is four metres taller than the previous proposal, the smaller demountable north and south stands will allow views through the site and their impact on the immediate and wider area is unlikely to be significant. Furthermore, the west and east stands will be understood as separate elements, which is significantly different from the Barnet Football club proposal which, with its enclosed design and the uniform height of all four stands, would be appreciated as a single large element and block views from north to south.

50 In terms of the built form and visual impact on the openness of the Green Belt the current proposal and the Barnet Football club proposal are significantly different and would have a reduced impact. However, the impacts of the influx of large numbers of cars and people on match days, and when other large events are held, on the quiet character of the Green Belt will be very similar to that of the Barnet Football Club proposal and the Inspector’s view that this would have a harmful effect on the Green Belt would also be applicable to the current proposals.

51 The increase in footprint within the boundaries of the existing site and the impact of the proposed east stand and the demountable stands on views into the site from both a distance and the immediate area will have an impact on the openness Green Belt but it is likely that such impact can be mitigated through additional planting to an acceptable level. However, as the Inspector found in the Barnet Football Club Inquiry, the impact of match day activity on the quiet character of the area will have a harmful impact on the Green Belt and further information is required to determine if ‘very special circumstances’ exist that outweigh this harm.

Summary

52 The principle of refurbishing the existing sports facilities is supported. However, due to the scale of the proposal it constitutes inappropriate development in the Green Belt and the level and type of activity associated with match days and with other large events, such as conferences would be harmful to the quiet character of the Green Belt. Further information is required to determine whether ‘very special circumstances’ exist which outweigh the harmful impact on the Green Belt.

53 Further information is required to determine whether the application complies with London Plan Policies 3D.6 and 3D.9 and draft replacement London Plan Policies 3.20 and 7.16.

Community facilities

54 London Plan Policy 3A.18 “*Protection and enhancement of social infrastructure and community facilities*” encourages Boroughs to assess and meet the needs for social infrastructure and community facilities, including sports and leisure facilities in their area. It also resists the net loss of community facilities. Draft replacement London Plan Policy 3.17 ‘*Protection and enhancement of social infrastructure*’ also resists the net loss of social infrastructure in areas of defined need and seeks the multiple use of premises wherever possible.

55 Cophall Stadium is clearly a well-used community asset. It is the home to two athletics clubs and the local community and local schools also use it at present. Multi-use sporting/leisure facilities are encouraged in the London Plan (London Plan Policy 3D.6 and draft replacement London Plan Policy 3.20) and the refurbishment and intensification of the use of Cophall Stadium in itself is acceptable however, access of existing users to the facilities is paramount and must be protected to ensure that there is no net loss of community facilities.

56 The applicant has stated that no more than 16 rugby matches would be held at Cophall Stadium every year during the winter months and that the stadium will not be available to the athletics clubs and the community on match days and for one day either side, to allow the stadium to be prepared/cleaned-up. The athletics facilities would therefore be unavailable for 48 days every winter. The demountable stands will also be erected in the winter months and will limit the use of the athletics track to four of the eight lanes. The applicant states that in the summer months (May to September) the demountable stands will be removed from the site and all eight lanes will be available for athletics training/events. The applicant states that it will take no more than two weeks to erect and dismantle the demountable stands at the beginning and end of each rugby season but the applicant has not stated whether or not the athletics track and facilities would still be available during this time. The applicant should clarify whether the athletics facilities would be available when the demountable stands are being erected/dismantled.

57 As the majority of the athletics focused events and training will take place in the summer months, the closure of the facility for 48 days (and perhaps a further four weeks to erect/dismantle the demountable stands) in winter to the athletics clubs and local community may be acceptable but the applicant should provide supporting evidence from the athletics club to demonstrate that such an arrangement would not undermine their training at the facility. The applicant should also investigate the potential for accommodating the stadium changes whilst maintaining the running track and set out what the likely implications of such an approach would be. The limit of 16 rugby matches held per year should be secured as part of the section 106 agreement. The applicant is also proposing to allow a range of other uses including conferences for up to 500 people and private functions for up to 200 people. The applicant is required to provide information of how such activities will impact on the use of the external and internal facilities by the athletics clubs and the community.

58 At the pre-application stage the applicant was asked to provide details of a community use agreement. The applicant has stated that Saracens will operate the stadium in accordance with a management agreement signed by the applicant and the Council and they envisage the establishment of a Cophall Stadium Committee, with representatives from both Saracens and the Council. The applicant states that the committee will be responsible for identifying the focus of community activity, agreeing key projects in accordance with a community delivery plan, setting the pricing structure for all services, reviewing financial information and performance, and ensuring usage is maximised.

59 Whilst the applicant and the Council’s commitment to producing a community delivery plan is welcomed, a significant amount of further information is required before officers can be satisfied

60 The applicant states that when the demountable stands are assembled/disassembled and when they are in situ, three metre wide sections of aluminium box track panel with a 12 mm covering of regupol will be used to protect the athletics track. The applicant should also commit to repairing/replacing the track to an acceptable level, in the event it becomes damaged as result of the rugby activities on the site and this should be secured in the section106 agreement.

61 The applicant states it is actively involved with the local community and that it envisages increasing this involvement in Barnet should permission be granted. In 2000 it established the Saracens Sports Foundation, which aims to use sport to tackle a range of issues such as childhood obesity, social exclusion and educational attainment. An ongoing and expanded commitment to community development through rugby, and programmes such as Hitz and the School Partnership Programme, would be welcomed and the applicant should outline its intentions in the local area.

62 In summary, whilst the intensification of use of Copthall Stadium is in line with London Plan Policy, access of existing users to the facilities is paramount and must be protected to ensure that there is no net loss of community facilities. At present, a significant amount of further information is required to determine whether the application complies with London Plan Policy 3A.18 and draft replacement London Plan 3.17.

Urban design

63 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter 4B, which address both general design principles and specific design issues. London Plan Policy 4B.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to specific issues. London Plan policies 4B.9 and 4B.10, set out specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage, views, and the Blue Ribbon network.

64 The draft replacement London Plan reinforces these principles, with new development required to have regard to its context, and reinforce or enhance the character, legibility and permeability of the neighbourhood (Policy 7.1).

Scale, amount and layout

65 The perceived height of the east stand is lessened by the existing raised ground level that surrounds the track and the pitch. The apparent height above landscape at the rear would be approximately 16m. The scale of the new east stand relates to its function as a spectator venue with associated facilities appropriate for rugby and athletics meetings. Whilst the proposed permanent east stand will be the largest structure on the site, its open front for viewing also further diminishes its overall perceived scale. The information included in the submitted visual impact assessment suggests that its impact from the wider area is likely to be minimal.

Design and appearance

66 Officers do not object to the proposed alterations to the existing west stand, the alterations would be mostly limited to the internal areas, and the changes to the stand's external appearance are considered acceptable.

67 In this context the new stand constitutes a tall building as defined by the London Plan, as it is a building that is significantly taller than its surroundings. As such it needs to be acceptable in terms of its design and impact on those surroundings and should generally be of the highest quality of design. The built form of the proposed new permanent stand is of a good quality: it has been designed to give an identifiable expression to the facilities within, projecting an image of quality and efficiency for the stand. Its superstructure is structurally expressive with steel columns and masts supporting the clear span canopy. Currently there is limited information on materials and detailing and further discussions are needed in this regard with the applicant and the local authority.

68 The temporary stands are simple and utilitarian and are generally of a small scale and so will have a limited impact on the surrounding area. The applicant should investigate the possibility of modifying the design of the temporary stands to allow the track to remain open all year round.

Impact on the greenbelt

69 The applicant has submitted an 'Environmental Statement' as part of the planning application which contains key views to the proposed development from various locations surrounding the site. The information has demonstrated the impact of the proposed development on the setting of the greenbelt is likely to be limited. In longer views much of the development is hidden behind existing tree lines. Because the proposals comprise distinct and separate stands rather than a single enclosed stadium, sight lines through the stadium complex are maintained and the impact of the proposals on the Green Belt are to an extent mitigated in closer views. Nonetheless the roof of the new permanent stand will be visible above the tree line in some views and both this stand and the temporary stands will reduce the openness of the Green Belt when compared to the existing situation.

Inclusive design

70 Inclusive design principles if embedded into the development and design process from the outset help to ensure that all of us, including older people, disabled and deaf people, children and young people, can use the places and spaces proposed comfortably, safely and with dignity. The aim of London Plan Policy 4B.5 and Policy 7.2 in the draft replacement London Plan is to ensure that proposals achieve the highest standards of accessibility and inclusion, not just the minimum. The applicant should therefore seek to design a scheme that is exemplary in terms of inclusive access. The design and access statement submitted with the application should explain the design rationale behind the application and demonstrate how the principles of inclusive design, including the specific access needs of disabled people, have been integrated into the proposed development from the outset and how inclusion will be maintained and managed.

71 London Plan Policy 3D.6 '*The Olympics and Paralympics Games and sports facilities*' also states that sports facilities should be accessible to all sections of the community, including disabled people.

72 The applicant states that the minimum number of wheelchair spaces required by the Professional Games Board (PGB) is 40 whilst the Green Guide asks for 1% of seats to be wheelchair spaces i.e. 100. The applicant is proposing 67 wheelchair spaces. Officers cannot verify the reference to the PGB minimum and the applicant should provide further evidence. Furthermore, the London Plan seeks to ensure the highest standards of accessibility and inclusion, not just the

73 36 wheelchair spaces that are being provided are at pitch side where the sightlines are unlikely to be as good as slightly raised spaces. The 12 spaces in the balcony at levels 1 and 2 in the new stand are only allocated 1500mm of space, which does not allow enough manoeuvring space to get in and out of the wheelchair space. Each space should be at least 1400mm deep with another 1200mm minimum of clear space at the front or rear to provide access in and out of the space - see page 59 of Sport England Accessible Sports Facilities Guide updated in 2010. It is not clear what the sightlines of these wheelchair spaces are and whether wheelchair users will be able to see over the tops of the spectators in front when they stand up.

74 Sport England guidance illustrates how a raised dais and ramp sections can be integrated into the lower sections of a retractable bleacher seating unit to elevate the viewing position for wheelchair users so that suitable spaces can be provided even in temporary seating arrangements (see Fig 29 on page 59).

75 The applicant should also provide details to illustrate how the spaces in the hospitality boxes will be 'adapted' to enable use by a wheelchair user. The applicant should also provide further details on how the stadium will be made fully accessible to disabled people and whom it consulted to ensure best practice standards are achieved. Such an arrangement should be investigated.

76 Further information is required to determine whether the application complies with London Plan Policy 4B.5 and 3D.6 and draft replacement London Plan Policy 7.2.

Transport

Policy Background and planning history

77 The current proposals are for an equivalent trip generating development to the proposed Barnet football club application, attracting 10,000 spectators plus staff and servicing 16 times a year. Although had the proposed football club development gone ahead the number of home games would have been greater and the trip generation and distribution more localised. London Plan Policy 3C.1 *'Integrating transport and development'* states that *'in general such development will only be supported only at locations with both high levels of public transport accessibility and capacity, sufficient to meet the transport requirements of the development'*. That accords with wider sustainable development policy objectives in both the London Plan and in national planning policy as expressed in PPG13 *'Transport'*. This view is further supported in the draft replacement London Plan Policy 6.1 *'Integrating transport and development'* Strategic approach which states: *'The Mayor will work with all relevant partners to encourage the closer integration of transport and development by: (a) encouraging patterns of development that reduce the need to travel, especially by car', and '(c) supporting development that generates high levels of trips only at locations with high levels of public transport accessibility, currently or by committed, funded improvements'*. Given the policy presumption in favour of such development in highly accessible locations, these are the starting point for discussions about this proposal in transport terms.

78 In addition Annex 4 paragraph 22 of the London Plan states that stadia and other large scale schemes which attract a large number of people should be located where PTAL of 3 or above is achieved. The draft replacement London Plan does not make this distinction between uses instead applying the same tests for all uses. The Mayors Transport Strategy and Mayors Air Quality Strategy also support the case for supporting high trip generating uses only close to public

Car parking

79 The proposals include the resurfacing and marking out of an existing temporary car park at the rear of the stadium to provide 568 car parking spaces, in addition to 200 permanently available spaces, creating a total of 768 car parking spaces on site. A car occupancy rate of three people per vehicle has been assumed in the transport assessment and this would result in 2,304 spectators using on site car parking facilities. Although it is likely that car occupancy levels for executive parking at the ground would be much lower. Car occupancy rates have been predicted using three existing Saracens satellite car parks in Watford. A wider survey of sites should be submitted, with details of all existing satellite car parks in the Watford area.

80 Additional parking for 1,750 vehicles is proposed through the provision of satellite parking spaces at 12 separate locations. A further nine sites that could provide space for 590 cars have also been identified as back up. Overall, the transport assessment assumes that around 5,250 spectators could travel by car to the satellite car parks based on a car occupancy rate of three people per vehicle. The total number of satellite parking spaces used by Saracens at Vicarage Road should be provided as a basis for the assessment. The transport assessment states that satellite spaces are leased to supporters at a cost of £100 per season. The applicant advises that the satellite parking spaces will be pre-booked and could be charged at around £5 per space per game. The transport assessment considers that this level of charge will not deter their use and can therefore minimise overspill parking. It also states that the satellite locations are a sufficient distance from the proposed development to minimise cumulative impact on the highway network without deterring their use. However, any cost is likely to deter supporters from using these spaces because the surrounding road network is uncontrolled and visitors will park wherever they can at no cost.

81 Whilst reflecting the low PTAL, the overall provision of more than 2500 parking spaces conflicts with the objective of encouraging travel by sustainable modes. There is an over provision of onsite and satellite parking spaces as well as insufficient details about how car parking in the vicinity of the site will be managed and controlled, having regard to the likely effects of any enforced parking management measures. In the absence of such information, it is expected that on and off street parking within the vicinity of this site could lead to even higher car use in connection with this development. A number of private and public car parks exist in the immediate area around the application site including, the public swimming pool, golf club and residential areas and these are currently unmanaged and uncontrolled. Experience of current events at both the athletics track and swimming pool give rise to concerns about overspill parking and local amenity.

82 Whilst electric vehicle and disabled parking will be provided on site, the final numbers have yet to be confirmed. Notwithstanding reservations about overall provision, TfL has advised at the pre-application stage that 30 spaces should be equipped with electric vehicle charging points and 70 of the onsite spaces should be blue badge spaces. The development should be accompanied by a parking management plan setting out how all parking measures will be considered and this should be secured through the section 106 agreement in consultation with TfL.

83 Taken collectively, more than 7,500 visitors may arrive by car; this figure does not include other car drivers who may park in the currently unconstrained parking areas in the vicinity of the site. Even with controls there is likely to be some overspill beyond the boundary of any imposed CPZ.

84 The transport assessment considers that the impact of the proposed satellite car parking locations will not cause an unacceptable impact to the highway network. It is strongly recommended that if satellite parking facilities are to be used it is preferable for them to be located

85 The applicant advises that it has approached the owners of the proposed satellite locations and in some cases confirmation has been provided that they would be available for use. TfL can confirm that of those locations, Colindale Underground station car park will not be available for lease and is likely to be full on Saturdays, which would restrict its availability as a satellite car park. Because these sites are outside the applicants' control, they cannot be secured for permanent use through any planning permission, further information should be therefore provided on arrangements with the site owners to secure their use. However, the principle policy objective of encouraging use of public transport would be compromised by an over provision of satellite parking spaces.

86 Further work is required before the proposal can be considered to comply with London Plan Policy 3C.23 Parking Strategy and Draft Replacement London Plan Policy 6.13 Parking.

Site access and egress and junction capacity

87 The site has two existing access roads, Champions Way via Page Street to the west and Greenlands Lane to the South; both accesses link into the A1 Great North Way, Page Street via the A1/A41 Five Ways signalised junction and Greenlands Lane via a left in and left out junction with the A1. Cars can access the A1 further south via a permitted u-turn at the junction with Holders Hill Road. Champions Way and Greenlands Lane are both un-adopted highway and are not subject to parking restrictions or controls.

88 The proposed vehicular access via Greenlands Way is a safety concern due to its close proximity to the M1 off-slip, and tight turning radii. Widening the turning radii of the A1/ Greenlands Way junction would be impractical due to physical constraints of the site. Therefore TfL recommends that the use of Greenlands Way should only be permitted when temporary traffic management measures are implemented on match days in co-operation with police/ site officials.

89 On event days there would be a significant impact on junctions near the Copthall site. In order to improve signal co-ordination along the A1/ A41; TfL requests that a financial contribution be secured towards SCOOT which improves signal times and performance at linked junctions and it is hoped that this will be implemented in coordination with a lighting scheme proposal.

90 Notwithstanding TfL's reservations about the level of parking provision and the impact on the network, TfL invites further discussion as to the detail of any necessary junction improvements and management. In particular, the Five Ways signalised junction which should be altered to accommodate the effects of the proposed development.

91 Further work is required before the proposals as submitted can be considered to comply with London Plan Policy 3C17 Tackling congestion and reducing traffic and Draft Replacement London Plan Policy 6.11 Smoothing traffic flow and tackling congestion.

Trip generation and mode split

92 The general approach to trip generation and distribution applied in the transport assessment is broadly acceptable. Further clarification is required in respect of the trip distribution, which should include a comparison assessment of existing supporters and predicted changes in supporter origin and destination which assumes crudely that 75% of trips will be made from north of the M25 and 25% to the south.

93 In addition to assessing trips from 10,000 supporters, the assessment should consider the impact of staff travel as this is currently missing from the transport assessment, for example inclusion of at least 200 stewards being employed on site. It is likely that further staff will be required including those providing entertainment and catering services. The applicant has claimed that the likely origin and destination of trips may change gradually after the development becomes operational and supporters become more localised, this is not currently assessed in the trip distribution.

94 Trips are expected to be spread out up to two hours before and after the match due to pre-arranged events being organised by the applicant. This is in order to minimise the effect on the surrounding transport networks. The transport assessment (p21) assumes 66% of trips will be made in the busiest hour before the match and 75% after the match. Further justification is required, as this is out of the applicant’s control.

95 The transport assessment predicts that a mode split of 30% by non car mode can be achieved which could be increased to 40% with behavioural change. This was largely based upon a travel survey which returned a response of 1,400 existing users. The transport assessment recognises a number of shortcomings with the survey sample and responses which may have a bearing on the accuracy of the information provided. TfL shares these concerns and it is not clear from the transport assessment how this information has been supplemented for robustness.

96 The following mode split assumptions have been identified in the transport assessment and match day travel plan:

main mode	existing survey %	assumed %	with travel plan 5yr target	Diff (+/-)	TfL summary
Car	80	70	60	-20	a higher modal shift away from car use is needed for the development to be acceptable in London Plan terms
Walk/cycle	11	7	10	-1	walk and cycle trips should be separated and should be increased on both counts
Coach	0	3	6	+6	coach trips are underrepresented and should be increased along with coach parking
Bus	2	5	7	+5	buses are unlikely to be a realistic mode of travel due to proximity from the site
Train	7	5	5	-2	there will be a shift from Overground to Underground and some interchange trips should be included
Underground	n/a	10	12	n/a	as above, patterns may change to reflect access to Underground a greater mode shift towards Underground is necessary

97 By using a final mode assessment, a car mode share is applied to those using satellite car parking, walking or taking a bus/shuttle bus to the stadium. It is accepted that Vicarage Rd and

98 Further work is required before the proposal can be considered to comply with London Plan Policy 3C1 Integrating transport and development and 3C2 Matching development to transport capacity, and draft replacement London Plan Policy 6.1 'Strategic approach' and 6.2 'Providing public transport capacity and safeguarding land for transport'.

Shuttle bus

99 The transport assessment considers the provision of complimentary shuttle buses from West Hendon, Colindale and Mill Hill Broadway stations. A total of 44 buses will be operated from these locations. As the buses would operate continuously on an event day, their impact on surrounding junctions should be considered in combination with other vehicular trips. However, only a 17% combined rail/ Underground mode share is assumed, the shuttle bus proposals must be such that a higher proportion of visitors travel by rail/ Underground. Shuttle buses serving the satellite car parks are not considered to be public transport by TfL as the main mode of travel will still be by car.

100 Assuming that shuttle buses would expect to stop close to existing bus services, TfL confirms that it would only allow use of its infrastructure by a private operator, where there is no detrimental effect on scheduled bus services and where it can be accommodated safely. However, with the growth in the bus network, it is unlikely that there would be sufficient space at nearby transport interchanges, although the use of the new but yet to be completed turnaround to the rear of Colindale Underground station has been identified as an option which should be considered. TfL also raises concerns about the lack of accessible space in the vicinity of the A41, TLRN at Hendon Central station. The applicant will need to secure land either privately or jointly through discussions with TfL and the council.

101 The transport assessment refers to disabled access at Hendon Central station. While this is the case, given the limitations described above in accessing this station by car or shuttle bus, the developer should ensure that they can secure an accessible location to serve this purpose.

Buses

102 Given the distance of the nearest bus routes and stops, TfL is not convinced that buses are an attractive mode. The transport assessment nevertheless states that sufficient capacity exists on routes 113 and 221 to accommodate up to 500 passengers or a 5% mode share. This was not the view expressed by TfL at the pre-application meeting. Assuming that spectators will walk more than 1km to the nearest bus stop, TfL will need to understand the directional split of bus passengers so that they can be attributed to different services. TfL will then be in a position to determine whether a financial contribution towards bus capacity is required. It was agreed at the pre application stage, that TfL would not be prepared to divert existing services at weekends to support this development.

Coaches

103 Coach travel is currently underrepresented in the trip generation and mode split calculations. The transport assessment advises that based on survey data, no trips are made by coach. The proposals include 6 coach bays on Champions Way directly adjacent to the application

104 Further work is required before the proposals as submitted can be considered to comply with London Plan Policy 3C.20 Improving conditions for buses and draft replacement London Plan Policy 6.7 Buses, bus transits, trams.

Walking

105 The site can be accessed on foot from a number of different locations including Underground and mainline railway stations, satellite car parks or from the surrounding residential areas. However all of these nodes are between 15-40 minutes walk from the site. The transport assessment states that 11% of supporters currently walk to Vicarage Road, however it is not clear from the transport assessment whether this mode share can be replicated at the application site. The applicant has undertaken a PERS analysis, the scope of which was agreed with the council, and which highlights a number of improvements to the walking environment and this is welcomed.

106 Although all stations and bus routes are located beyond a reasonable walking distance for spectators, it is acknowledged that spectators are usually willing to walk further for sporting events than for work related trips. The transport assessment uses Twickenham as an example where pedestrians walk around 15 minutes to the stadium, again this needs to be understood in the context of the application site.

107 Further work is required before the proposals as submitted can be considered to comply with London Plan Policy 3C.21 *'Improving conditions for walking'* and draft replacement London Plan Policy 6.10 *'Walking'*.

Cycling

108 The transport assessment does not provide sufficient information on cycling or cycle parking. Furthermore the mode split assessment should separate cycling from walking. The transport assessment states that 20 cycle parking spaces will be provided for staff and a further 100 for visitors. This would represent 1% of the total mode share. This should be increased in line with London Plan policy and TfL guidelines, which requires up to 500 spaces to be provided, and to reflect the Mayor's aspirations for cycling. However, a temporary solution to cycle parking since demand will only be created on a limited number of days per year would be acceptable.

109 Further work is required before the proposals as submitted can be considered to comply with London Plan Policy 3C.22 Improving conditions for cycling and draft replacement London Plan Policy 6.9 Cycling.

Travel Plans and measures

110 The applicant proposes as part of the match day travel plan that pre and post match events will ensure peak spreading to reduce the impact on the surrounding transport networks. Whilst this is welcomed in principle, further clarification as to the nature of such events should be provided together with robust evidence that they have been successfully deployed in similar circumstances. The projected mode split predicts that a 20% shift from car to public transport could be achieved due to the change in location and emerging travel patterns, TfL questions the viability of this argument without a more restraint based approach to car parking.

111 Hopper buses and satellite car parks are also proposed as travel planning measures and discussed above, all to be provided at the developers own cost. TfL questions whether these can be considered to be travel planning measures as many of the trips will identify car as the main mode of travel. These measures will, as far as is reasonable to do so, be secured through the section 106 agreement.

112 The travel plan as submitted is in need of updating in a number of areas in order to bring the document in line with TfL guidance on Travel Plans as part of a 'New Way to Plan – Travel planning for new developments in London (March 2011).

S106 contributions, controls and mitigation

113 In this instance planning obligations can only play a limited role in improving the accessibility of the site by public transport. For example, it may be possible to secure ad hoc shuttle bus services from the nearby rail or Underground stations and/or include robust travel plan measures. Whilst these are welcomed in principle, the applicant has not identified sufficient measures in light of the poor accessibility of the site by means other than the car.

114 TfL is considering whether it would be appropriate for them to be a signatory to the section 106 agreement on the basis of transport impacts and delivery of transport improvements, should the application be considered to be acceptable.

115 An indicative heads of terms is included in the planning submission which includes a number of measures discussed above. However, it should be noted that these will not increase the accessibility of the site. Further discussions are required with TfL on whether these measures can make the development acceptable in planning terms.

Summary

116 The applicant is advised that the planning application does not comply with London Plan transport policies. There is a considerable amount of information outstanding relating to existing and predicted travel patterns, trip distribution and mode split.

117 Based on the information submitted the proposal appears to comprise an over reliance on car use due to the inaccessible location of the application site, lack of public transport alternatives, a high number of car parking spaces including satellite parking, and the lack of parking controls on the surrounding road network. Collectively this has led to a predicted car mode share of 70%, which is considered unacceptable for a development of this type. The transport assessment does not currently provide comfort that this will be reduced. TfL requires a greater commitment from the applicant on how visitors will be encouraged to use more sustainable modes of transport through fixed targets and penalties where targets are not met. Such targets will need to be secured in the s106 agreement or by use of appropriate planning conditions.

118 Further information is required and further discussion between GLA, TfL, the council and the applicant is required to determine whether the shortcomings of the submitted planning application on transport grounds can be overcome.

Climate change

Climate change mitigation

119 The London Plan climate change policies as set out in chapter 4A collectively require developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures, prioritising

120 The applicant has only supplied limited information regarding its sustainability aspirations and has not submitted the required energy statement. The applicant is required to submit an energy statement demonstrating the expected energy and carbon dioxide emission savings as set out in London Plan Policy 4A.4. The applicant should refer to: <http://www.london.gov.uk/priorities/planning/strategic-planning-applications/pre-planning-application-meeting-service> for further details.

121 There is a significant lack of information which is required to determine whether the proposal complies with London Plan Policy 4A.3 – 4A.7. The applicant should submit the required energy statement and should permission be granted its implementation should be secured through the use of a section 106 agreement or by condition.

Climate change adaptation

122 The London Plan promotes five principles in policy 4A.9 to promote and support the most effective adaptation to climate change. These are to minimise overheating and contribute to heat island effects; minimise solar gain in summer; contribute to flood risk reduction, including applying sustainable drainage; minimising water use; and protect and enhance green infrastructure. Specific policies cover overheating, living roofs and walls and water. The draft replacement London Plan also includes policies to ensure the development makes the fullest contribution to London's adaptation to climate change.

123 The applicant states that green roofs cannot be incorporated into the proposal because of the additional weight that would be added to the mast-supported canopy of the permanent east stand and it would necessitate additional support. This is accepted and the applicant is not required to incorporate a living roof.

124 The applicant states that south facing glazing will be protected from heat gain by a shading canopy and that most areas will be naturally ventilated and this is welcomed.

125 The applicant intends to attenuate rainwater by storing it in underground tanks and also rely on the existing sustainable urban drainage features of discharging the surface water to the Hendon Cemetery Drain. This approach is acceptable.

126 The application complies with London Plan climate change adaptation policy.

Biodiversity

127 London Plan Policy 3D.14 'Biodiversity and nature conservation' promotes a proactive approach to the protection, promotion and management of biodiversity in support of the Mayor's Biodiversity Strategy'. It states that *"where development is proposed which would affect a site of importance for nature conservation or important species, the approach should be to seek to avoid adverse impact on the species or nature conservation value of the site, and if that is not possible, to minimise such impact and seek mitigation of any residual impacts."*

129 A site of Borough importance for nature conservation is located to the northeast of the site and runs along a portion of the southeast border of the site. However, based on the information submitted, the proposal is unlikely to raise biodiversity issues of strategic importance. As such the proposal complies with London Plan Policy 3D.14.

Local planning authority's position

130 The Local Planning Authority is currently reviewing the planning application and will be setting out its views in due course. Officers will seek to address any outstanding issues with the applicant."

Legal considerations

131 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

132 There are no financial considerations at this stage.

Conclusion

133 London Plan policies on green belt, sports facilities, community facilities, urban design, inclusive design, climate change mitigation and adaptation, biodiversity and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Principle of the development:** The principle of refurbishing the existing sports facilities is supported. However, due to the scale of the proposal it constitutes inappropriate development in the Green Belt and the level and type of activity associated match days and with other large events, such as conferences would be harmful to the quiet character of the Green Belt. Further information is required to determine whether 'very special circumstances' exist which outweigh the harmful impact on the Green Belt. Further information is required to determine whether the application complies with London Plan Policies 3D.6 and 3D.9 and draft replacement London Plan Policies 3.20 and 7.16.
- **Community facilities:** Whilst the intensification of use of Copthall Stadium is in line with London Plan Policy, access of existing users to the facilities is paramount and must be protected to ensure that there is no net loss of community facilities. At present, a significant amount of further information is required to determine whether the application complies with London Plan Policy 3A.18 and draft replacement London Plan 3.17.
- **Design:** On balance the design of the stadium is considered to be acceptable subject to the applicant investigating revisions to the design that would allow the track to remain open and providing further information on material finishes to the permanent stand. Further information is therefore required to determine whether the application complies with London Plan policy 4B.1, 4B.2, 4B.8, 4B.9 and 4B.11 and replacement London Plan policy 7.1, 7.4, 7.6 and 7.7.

- **Inclusive design:** Further information is required to determine whether the application complies with London Plan Policy 4B.5 and 3D.6 and draft replacement London Plan Policy 7.2
- **Transport:** The Further information is required and further discussion between GLA, TfL, the council and the applicant is required to determine whether the shortcomings of the submitted planning application on transport grounds can be overcome.
- **Climate change mitigation:** There is a significant lack of information which is required to determine whether the proposal complies with London Plan Policy 4A.3 – 4A.7. The applicant should submit the required energy statement and should permission be granted its implementation should be secured through the use of a section 106 agreement or condition.
- **Climate change adaptation:** The application complies with London Plan climate change adaptation policy.
- **Biodiversity:** Based on the information submitted, the proposal is unlikely to raise biodiversity issues of strategic importance. The proposal complies with London Plan Policy 3D.14.

134 On balance, the application does not comply with the London Plan. The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Principle of the development:** Further information is needed in order to assess whether the regeneration of the existing site, community benefit and lack of alternative sites constitute 'very special circumstances' that outweigh harm to the Green Belt.
- **Community facilities:** Further information should be provided on the impact of the proposal on the athletics club and on the community benefits proposed in the application.
- **Design:** Further information should be provided on material finishes and detailing to the permanent stand and the applicant should investigate modifying the design to enable the athletics track to remain open.
- **Inclusive design:** The applicant should further investigate the provision of 100 spaces for wheelchair users and provide further information on the quality of the spaces proposed and how the current design was arrived at.
- **Transport:** Further discussion is needed on mode share, the satellite car parks proposed, controlled parking measures and commitments are needed regarding encouragement of visitors to use more sustainable modes of transport.
- **Climate change mitigation:** The applicant should submit the required energy statement and should permission be granted its implementation should be secured through the use of a section 106 agreement or condition.

for further information, contact Planning Decisions Unit:

Colin Wilson, Senior Manager - Planning Decisions

020 7983 4783 email colin.wilson@london.gov.uk

Justin Carr, Strategic Planning Manager (Development Decisions)

020 7983 4895 email justin.carr@london.gov.uk

Gemma Kendall, Case Officer

020 7983 6592 email gemma.kendall@london.gov.uk
