

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

above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 5 May 2011 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

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 (standing and seated). There are approximately 450 marked parking spaces to the south and south east of the stadium.

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 replacement London Plan 7.16 does not include a reference to altering the green belt boundary through the DPD process. The draft replacement London Plan explains that the Mayor strongly supports the current extent of London's Green Belt. It states, "the strongest protection should be given to London's Green Belt, in accordance with PPG2. Inappropriate development should be refused, except in very special circumstances. Forms of development that might be appropriate together with high quality management practices that improve access to and/or the environmental and landscape quality of London's Green Belt, while ensuring it continues to meet its statutory purposes, will be supported".

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 Copthall”* 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 Copthall 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 Copthall 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 Copthall 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 Copthall 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 Copthall 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 that the athletics function and community functions of the stadium will be fully protected. The applicant should submit a community use agreement and its implementation should be secured by condition. Furthermore, representatives of the athletics clubs should be invited to sit on the Copthall Stadium Committee to ensure the continued protection of the athletics function at Copthall. The Council should also consult both Sports England and UK Athletics regarding the application.

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 minimum. The applicant has not provided a robust argument for not meeting the Green Guide minimum and should provide 100 spaces for wheelchair users.

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 transport and minimising the need for car parking in order to reduce congestion and improve air quality.

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 on the east side of M1, as walking routes to sites on the west side of M1/ Colindale area are not attractive and it is not believed that adequate pedestrian facilities are available. More work is required on distribution of trips before TfL can accept the principal or highway impacts connected with the proposed satellite locations, which are not supported as currently proposed.

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 Copthall stadium have differing travel characteristics which effect the mode split due to the location and origin and destination of visitors. However, the mode split for each of the non-car modes could increase if a robust travel plan is developed in combination with improvements to other modes such as the provision of shuttle services from the Underground and not from satellite car parks.

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 site. Additional coach parking facilities should be provided, having regard to the 40 spaces proposed by Barnet Football Club. Coach parking bays should be marked out and measures enforced to ensure that they are not occupied by private cars. It is proposed that both coaches and shuttle buses will use the existing turning area within the adjacent leisure centre. Again this area will need to be rigidly enforced to prevent it being used by private cars.

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 decentralised energy supply, and incorporating renewable energy technologies with a target of 20% carbon reductions from on-site renewable energy. The policies set out ways in which developers must address mitigation of, and adaptation to, the effects of climate change.

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.

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