

DECISIONS OF THE PLANNING AND ENVIRONMENT COMMITTEE

2 FEBRUARY 2012

COMMITTEE:

- *Councillor Wendy Prentice (Chairman)
- * Councillor Maureen Braun (Vice Chairman)

Councillors:

| | | | |
|----------------|------------------|----------------------|----------------|
| Anita Campbell | Jack Cohen | *Claire Farrier | *John Marshall |
| *Mark Shooter | *Stephen Sowerby | *Andreas Tambourides | *Jim Tierney |

*denotes Member present

\$denotes Member absent on Council business

1. ABSENCE OF MEMBERS (Item 2):

Apology of absence was received from Councillor Anita Campbell and Councillor Jack Cohen.

2. DECLARATION OF MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS (Item 3):

| Councillor | Application/Ward | Interest |
|----------------|---|--|
| Claire Farrier | H/00928/11 Barnet Copthall Stadium, Greenlands Lane, London, NW4 1RL Mill Hill Ward | Councillor Farrier declared a personal and non prejudicial interest as she is a Governor at Woodcroft Primary School who are in support of this application. |

3. PUBLIC QUESTION TIME (Item 4):

Questions were received from Mr John Dix, Ms Elizabeth Silver, Ms Susan Wallis-Connolly, Mr Richard Enright, Ms Catherine Dye, Mr Spencer Krett and Mr P Schryber on application H/00928/11 – Barnet Cophall Stadium, Greenlands Lane, London, NW4 1RL. Details of the substantive questions and of the answers given are attached. Each speaker present had the opportunity to ask a supplementary question to which a verbal response was provided at the meeting.

4. MEMBERS' ITEMS (Item 5):

There were no Members' Items.

5. TOWN AND COUNTRY PLANNING ACT (1990) (Item 6)

| REF | ADDRESS | Addendum to the report | Speakers | DECISION |
|------------|--|--|--|--|
| H/00928/11 | Barnet Cophall Stadium, Greenlands Lane, London, NW4 1RL Mill Hill Ward | Yes. The addendum provided details in respect of the following matters; Page 178(Appx 3 page 15); correction, minor typographical error Page 313 – 318 (Appx 12); correction to photomontages Correction of a number of minor typographical errors in relation to section 10.4 and Appendix 10 of the Committee report Draft S106 Agreement Local Development Framework Additional responses received after the report was finalised. | The Committee heard from; Mr Turtle, objecting to the application Mr P Herman, objecting to the application, Cllr Brian Coleman, objecting to the application, Mr Matthew Offord, objecting to the application, Cllr John Hart, supporting the application, Mr Larry Achike, supporting the application, and ; Mr Edward Griffiths, CEO of Saracens | RESOLVED TO APPROVE the application as per report and subject to the completion of a Section 106 Agreement and referral to the Mayor of London and to the Secretary of State. |

6. APPLICATIONS FOR PLANNING PERMISSION AND CONSENT (Report of the Assistant Director of Planning and Development Management – Agenda Item 6)

RESOLVED – That the Council’s decisions on the applications listed below be as indicated and that the Assistant Director of Planning and Development Management be instructed to convey such decisions to the applicants.

HIGH BARNET WARD

| REF | ADDRESS | Addendum to the report | Speaker | DECISION |
|------------|---|---|---|---|
| B/04065/11 | Barnet Curriculum Centre, Byng Road, Barnet, Herts, EN5 4NS | Yes. The addendum provided details in respect of the following matters; Page 319 – amendment to Condition 1. Page 324 – amendment to Condition 25. Page 325 – amendment to Condition 26 Page 326 – amendment to Condition 30. | The Committee heard from; Ms Sue Bird supporting the application Mr Clive Cohen supporting the application, and; Ms Jill Dodge CEO, Noahs Ark Hospice | APPROVED subject to the conditions set out in the report (ii) and subject to the addendum. |

The meeting ended at 9.40pm.

**Planning and Environment Committee – 2 February 2012,
Planning Application H/04210/11 Barnet Copthall Stadium, Greenlands Lane, London,
NW4 1RL
Public Questions**

Questions from Mr John Dix

1. **If, after planning permission has been granted, the committee discover that:**
- **the stadium does not meet the Green Guide recommendations with respect to disabled facilities;**
 - **is found to break Rugby Professional Game Board Minimum Facilities Criteria which states that “All Stands installed after 31 March 2006, whether permanent or temporary, must be covered”;**
 - **one or more of the stands, fails to receive a safety certificate or is certified at a very much lower capacity than planned;**

will the Committee be comfortable either leaving a half-built stadium as a white elephant or being forced to grant retrospective planning permission for larger permanent stands ?

Response

As a starting point it needs to be recognised that the Green Guide’s recommendations are only guidance. The Green Guide’s requirements are not mandatory and the document has no legislative force in its own right.

The drawings submitted with the planning application do not include the more detailed drawings that will be required for the construction stage. However, the proposed stands are required to comply with the Building Regulations (and are subject to other relevant statutory codes relating to safety and accessibility at sports grounds). The applicant has confirmed that the proposal will adhere to the recommendations of the ‘Green Guide’ with regard to safety and crush barriers. Spectator barriers will be designed to suit the appropriate structural loadings and there is no danger of spectators falling on wheelchair users. Details of the measures that the proposal would include to ensure appropriate access and facilities for disabled persons, for example disabled standard parking spaces and providing wheelchair spectator positions, are set out at sections 6.14, 10.5.3 and 11 of the main report. However, in all regards the proposal is considered to be acceptable in planning terms subject to the framework of control recommended.

Any assessment of the proposals against the Professional Game Board criteria should be put into the context that they are, in part, proposals for the existing Copthall Stadium. It is considered that there should be no reason why the relevant standards cannot be met in the case of a completely new stadium. Indeed on the information available they are met in the proposed permanent East Stand. However the proposed stadium at Copthall is not an entirely new-build stadium. It is partially re-developing an existing facility in a way that will provide substantial benefits and enhancements for the existing athletics users and other future users. By utilising demountable stands the scheme retains the athletics track and also (in the permanent East Stand) provides an indoor training venue for which there is an identified local and sub-regional need.

It is acknowledged that the proposal would breach one of the PGB criteria by having uncovered stands. However, there are design reasons (notably to provide clear sight lines for television cameras) why part of the stands is proposed to be uncovered. It should also be noted that for similar reasons uncovered stands are successfully used at other grounds, for example, at the Recreation Ground in Bath, where an uncovered stand is erected each and every season.

In terms of the Rugby Professional Game Board Minimum Standards Criteria (MSC), the Rugby Football Union has, in the context of confirming their ongoing support for the proposals, stated that:

“The MSC is a regulatory document, and as such, outlines 6 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. The PGB (or the RFU in the case of Championship clubs awaiting promotion [not applicable in this case]) may, acting in its absolute discretion, waive the need for a Club to comply with the Criteria contained within the MSC if it is satisfied that the failure is due to underlying mitigating circumstances.”

The provision and management of the new facility will require the necessary consents in relation to safety certification and all other relevant legislative requirements and has been designed with this in mind. If there are material changes that are required in due course these may need to be considered by the planning authority. However, there is no justified reason to take the view that the only or best solution to any issues (should they arise) would be larger or further permanent stands. This is the case for all of the three scenarios outlined in this question.

It is understood that there will be provisions in the agreement for lease and development agreement, to be made between the Council as landowner and Saracens as lessee (if planning permission is granted for this project), which would govern the development and prevent the applicant from leaving the proposals half built, including bonding arrangements.

The determination of a formal request for a safety certificate cannot be prejudged and it needs to be recognised that the information supplied with the application is intended only for the purposes of a planning application. However, the design of the stadium has been discussed with the relevant officers within the Council and based on the level of detail provided they have not identified any significant issues in relation to the facility.

Furthermore the recommendation incorporates a raft of conditions and requirements to be fulfilled prior to implementation. In addition the section 106 agreement to be attached to any permission necessitates the preparation and sign off by the authority of the Stadium Management Plan and Estate Management Strategy (and an ongoing monitoring and review programme) amongst other measures which will consider in detail the operational aspects of the facility.

2. **Do the committee believe that a brand new stadium, with a 99 year lease, which is dependent on portaloos for 6,500 of the 10,000 spectators “demonstrates high quality design” as set out in the LDF Development Management Policies PolicyDM02 – Design Consideration for Development – Design Consideration?**

Response

The inclusion of temporary facilities at the stadium, including toilet facilities, is a key part of the design approach in terms of reducing impacts on the green belt and maximising the ability of the facilities to function flexibly for both rugby and athletics uses and to optimise the community benefits which flow from this. The design approach of providing elements of the facilities on a removable basis minimizes the impact of the development on the green belt, as elements of the stadium’s infrastructure (including the temporary toilet accommodation referred to in this question) means that they will simply not be in place for 95% of the year.

The use of temporary facilities at major sporting venues is quite normal and does not preclude the provision of facilities of a policy compliant design standard. Through the framework of control recommended it would be ensured that the design of all facilities proposed, including the temporary toilet facilities, was of an appropriate standard.

Existing toilet facilities in the Stadium are in need of updating and it is considered that the new permanent toilet facilities provided in the East and West stands will provide significantly better facilities for all other users of the stadium. For the vast majority of the year (with the exception of the 16 home Saracens match days) these new and improved permanent facilities will be adequate.

3. **Have the Planning Committee consulted with, or taken any advice from, the Stadium Licensing Officer at Barnet as to the appropriateness of the design or the likelihood of the scheme receiving a safety certificate for the capacity proposed?**

Response

The submission of a formal request for a safety certificate cannot be prejudged and it needs to be recognised that the information supplied with the application is intended (entirely reasonably) only for the purposes of a planning application. However, the design of the stadium has been discussed with the relevant persons within the Council and based on the level of detail provided they have not identified any significant issues in relation to the facility.

Question from Ms Elizabeth Silver

4. **As Saracens would have such a long lease of 99 years, they will be able to ask for restrictive covenants, such as minimum community use, maximum of 16 Saracens matches a year or amount of track available for athletics, to be lifted after 25 years (Land & Property Act 1925). This will represent a big loss of amenity. Where is the nearest grade A stadium that our community sports clubs will have to move to if they are no longer happy with their conditions?**

Response

In the context of this application, it is considered highly unlikely that the long leasehold which the Council intends to grant to Saracens (if planning permission is granted) will have a bearing on the planning merits of the current application because the detailed obligations contained in the Section 106 Agreement will be enforceable for so long as that leasehold continues. Whilst

there are provisions to enable these obligations to be released either by agreement with the Council or (after 5 years) by appeal to the Secretary of State, it is highly unlikely that these obligations will be released if and to the extent that they continue to serve a planning purpose. It is also highly unlikely that the planning need for these obligations (and the Stadium and its associated facilities and benefits) will diminish during the term of the proposed Saracens lease. On the contrary, it is highly likely that the security of provision of this valuable community facility will be underpinned by the lease and that these proposed planning obligations will revitalise the existing stadium and lead to its long-term successful management and operation, which would be a great public benefit as explained in the main committee report.

Questions from Ms Susan Wallis-Connolly on behalf of Copthall Community Initiative

5. **Will the Committee take into account that the Officer's report makes no mention of the specific alternative viable site put forward by Copthall Community Initiative at junction 8 of the M1, which is already earmarked by Dacorum Council for the provision of a stadium? This opportunity has been notified to both Saracens Chief Executive and to the Council's officers. The Council have told Saracens that they would welcome discussions with them about the possibility of Saracens building a stadium on the site, which would serve all their existing fan base and, with the fast links between Hemel Hempstead and London Euston, enable Saracens to develop their fan base from London and the South East. The Committee is asked to note that in the planning statement at 6.2.37 the applicant states: " If the development and benefits that Saracens are seeking to deliver on the Copthall site could realistically be delivered on a non-green belt site then the weight attached to these benefits might not be sufficient to provide 'very special circumstances' sufficient to outweigh the presumed harm that inappropriate development in the Green Belt is presumed to cause (and any other harm)." and the officers report recognises "*the importance 'in 'normal' green belt cases of requiring applicants to demonstrate that they have exhaustively assessed alternative non-green belt sites and sites in the green belt which would result in less impact on the green belt that meet the relevant criteria*"**

Response

Account has been taken of the site near Hemel Hempstead referred to and it is specifically identified in Appendix 3 to the committee report. Dacorum Borough Council has already prepared a Masterplan which covers this area (Marylands) to "inform the production of the Eastern Hemel Area Action Plan". This supports the concept of a new stadium to be used by Hemel Town Football Club and/or another user. However, the Masterplan also acknowledges that:

"having weighed up the alternatives, no suitable site within Maylands can be found, so it is proposed that a new stadium should be located within the existing Green Belt although this would be subject to the findings of a possible Strategic Green Belt Review. "

As such there is presently no specific site for a new stadium currently identified in the Marylands area and any new site is only likely to be brought forward following a strategic review of the Green Belt in this area which would, in turn, inform the detailed provisions of the Area Action Plan. As a result, if any stadium is to be developed for either Hemel Town Football Club and/or another user in the Marylands area it is only likely to take place some years in the future. In this regard it is not available in the way that Copthall is.

However, to ensure consistency the applicants have (at the Council's request) assessed a hypothetical site somewhere in the Marylands area within 10 minutes of the proposed Park & Ride facility (which itself has yet to be approved or developed) based on the same criteria used to evaluate other potential alternative sites (Appendixes 10 and 11 of the Revised Planning Statement). The site scores 65.0, higher than some sites identified, lower than a number of others and significantly lower than the 86.8 scored by the site at Copthall. Using the matrix approach a site in this area scores lower than Copthall on a number of matters including its status as land with a Green Belt designation and no existing clusters of buildings, its ability to enhance existing uses already on the site or in its vicinity and also (for the reasons outlined above) in terms of its timescales for delivery.

Officers agree with the conclusions of this analysis and find that a site in the area identified would not be able to offer the same level of benefits and very special circumstances (set out in section 10 of the committee report and in particular section 10.2.4) as the application site, particularly in terms of its ability to enhance an existing community sports facility and potentially other community, sporting and recreational facilities in the vicinity. As such the identification of the site near Hemel Hempstead by the Copthall Community Initiative does not diminish in any way the green belt very special circumstances case put forward for the application in the committee report.

More generally the site search carried out by Saracens is considered adequate to demonstrate that there are no other sites which would provide the same level of public sporting, leisure, social and health benefits offered by the proposal. Section 10 of the committee report (and in particular section 10.2.4 and 10.2.5) sets out the significant benefits which officers consider the scheme would deliver and concludes that these represent very special circumstances which are sufficient to overcome any green belt harm and any other harms caused by the proposals.

6. Will the Committee take into account the findings in the independent report commissioned by Copthall Community Initiative on matters relating to transport and highways and provided to Council Officers (yet not recorded in the Officer's report) which concluded that:

“The review of the TSTA reveals a series of concerns as to the robustness of the assessment and, more specifically, how the highway and transport implications associated with the redevelopment of the Copthall Stadium have been quantified. These concerns include:

- Lack of evidence to justify the assumptions used in deriving a modal split.***
- Lack of evidence to justify the requirements for on street parking and associated impact upon residents.***
- No impact assessment for events that could occur on a weekday.***
- Uncertainty with regards to the storage of shuttle buses and coaches to ensure that this is managed in a way so as to avoid conflict on the highway with other road users.***
- Potential increase in conflicts between existing traffic and road users and forecast stadium traffic / road users.***

On the basis of the transport and highway information presented, and when considering the requirements set down within DfTs Guidance on Transport Assessments, March 2007, the applicant has not completed sufficient assessment to conclude whether the proposed scheme will have a detrimental impact upon the local highway network.”

Response

The report referred to is identified, summarised and responded to in Appendix 3 of the committee report (and the other parts of the report this cross refers to) in the section on responses received from the Cophall Community Initiative (Starting on page 177 of the report or page 14 of the individual appendix). The officers have considered the issues raised in the CCI's consultants' report and they have also independently analysed in detail the various transportation documents submitted by the applicants in forming a view on these important issues, including carefully reviewing the mode split assumptions. The detailed discussions with the applicants have, in the officers' firm view, produced a robust framework to ensure that the modal split targets (and particularly the Driver Mode Split Target) predicted in the Transport Assessment will be achieved and that over time they will be improved upon as the Saracens fan base becomes more focused in and around Barnet. The proposed STP measures to achieve these modal split targets on Saracens Home Match Days will also be adapted and applied to encourage sustainable travel choices on other days in the year, including for those activities that are already taking place at the Stadium, the majority of which currently take place outside peak periods and are expected to continue to do so in the future. As explained in the Committee Report, particularly in section 10.4 and Appendix 10, a number of important measures are proposed in the Stadium Management Plan, the Stadium Travel Plan and the Local Area Management Plan which are designed to minimise road user conflicts, car travel and impacts on local residents, including the key requirement for on-street Matchday parking controls. These documents will also be subject to ongoing and rigorous review under the proposed Comprehensive Monitoring and Review Programme. The proposed Parking Restrictions will be the subject of appropriate consultation and will be designed to minimise impacts on local residents and their visitors. Finally, the proposed Section 106 agreement will include Saracens providing a bond or deposit to ensure that the Council can take urgent action if problems arise and if Saracens default in respect of their obligations in relation to the transport mitigation measures or under the Local Area Management Plan. Officers are therefore confident that this framework of control will avoid or minimise the impacts raised in this representation and that the issues raised in relation to the quality and robustness of the Transport Assessment have been fully considered and addressed.

7. Why hasn't the Committee waited until all the missing information has been submitted by the applicant and allowed further consultation with residents to take place once that information is supplied before considering this application? This includes outstanding information on:

- **8.4. detailed discussions with First Group about service capacity improvements from Mill Hill Broadway (8.6 - 534 spectators expected to come by train (Thameslink)**
- **9.12 We will investigate the capacities in more detail in the context of the travel demand forecasting and arrival and departure profiles as part of the next stage of the development of the Local Area Management plan This assessment will also consider passenger management at the 2 stations.**
- **10.22 Background parking surveys will be completed in Sept and Oct 2011 for both Saturday and Sunday for all possible match times**
- **10.32 Preoccupation will carry out parking surveys on Saturday and Sunday afternoons when matches may be played outside of school holidays to ascertain extent of on street parking**
- **12.21 As part of the planning obligations further transport surveys and more extensive parking surveys will be undertaken during the rugby**

season to precisely define the activity levels at a time when a SRC game could be staged.

- 12.24 “The Non Major Events Plan(NMEP) sets out site wide measures and establishes who will be responsible for funding and delivery of the measures.” This document is in fact very weak in these areas and, though it makes reference at NMEP 4.11 to measures that will need to be put in place in respect of parking, it is not clear who will fund such measures.
- 12.26 Transport research is proposed prior to occupation Autumn 2011 and Spring 2012

Non Major Event Travel Plan - 1.30 “more information and a better understanding is needed before valid targets can be set. At present it is not clear what these activities will comprise and who the users will be in sufficient detail to produce realistic and specific targets.”

- Autumn 2011 and Spring 2012 research - objectives and targets to be agreed before occupied
- The impact and interrelationship with other site users on wider Copthall site that will be worked up in more detail prior to occupation
- The Officer’s Report states that “Agreement has not yet been reached with TfL on certain shuttle bus details, which has prevented them giving an ‘in principle’ approval.” This leaves uncertainty for the transport of 850 spectators.

Response

It is considered that the information which has been provided within the submission documents (including the revised submission documents consulted on in September 2011 where relevant) is sufficient for the full and proper assessment of the planning application in all regards subject to the proposed framework of controls which would be put in place through the Conditions and Planning Obligations recommended. The Conditions and Obligations recommended do request further details in various regards in certain instances including requiring the applicant to fully fund the development and implementation of all on-street parking controls. However, it is considered that in all cases this is detail which it is entirely appropriate and reasonable to require the submission of post a grant of consent. The applicant is required to carry out further detailed surveys (which have already commenced, including carrying out extensive on-street parking surveys as discussed in section 10.4 and Appendix 10 of the report) which will be used in the detailed design and preparation of the STP Measures for all activities at the stadium before the Stadium Travel Plan is submitted for approval under proposed Condition 67. These matters will be considered in the light of the overriding imperative of fulfilling the STP Objectives which include a range of criteria including sustainable travel choices and minimising impacts on local residents and businesses. There are a wide range of activities already taking place at the stadium (with an estimated 35,000 trips per annum at the Stadium and 600,000 to the Copthall Centre generally) which are likely to be made more sustainable under the influence of the proposed Stadium Travel Pan and the Estate Management Strategy. These documents will also be subject to review under the Comprehensive Monitoring and Review Programme with a view to achieving further improvements and mitigation of any impacts. The first review is due four months after the first Saracens Home Match and will continue for at least 10 years into the future.

Further specific comments are as follows. Arrangements are proposed in the Local Area Management Plan in the form of a Major Event Day Operation Plan at all key station interchanges, which will address any capacity issues that may arise. It should be noted that there is a single holistic proposed Stadium Travel Plan which includes both major events and non-major events, and it is agreed that further information is required before targets can be

confirmed in relation to all activities, which is addressed through the arrangements explained above. The principle of a shuttle bus has been discussed with TFL but (should this application be approved by committee) the full detail of its operation will be subject to further detailed discussion and an appropriate agreement with them on relevant issues.

- 8. Will the Committee take into account the disruption to the extensive use made of the facilities surrounding the stadium on Sundays and Saturdays during the rugby season, in particular by football leagues that attract huge numbers of youngsters from across North London to take part in participative sport? If Committee members are not fully aware there is an opportunity to look at videos of the range of activities on the Copthall Community Initiative website. In the planning statement the applicant admits at 6.2.32 that Copthall “already is a well-established sports stadium with an illustrious history in a location that is already well used for organised sport and recreation” and the officer’s report states: “As noted earlier, the Copthall Centre (including existing stadium and facilities on application site) have great existing value and importance to the local community and the facilities it provides both enhance and are enhanced by its metropolitan green belt location. The Copthall Centre already attracts people from urban areas for sporting and other informal recreational activities and at the same time enables them to enjoy the valuable and semi-rural open spaces that surround the stadium.”**

Response

It is important to set this point in context and to note that the current proposal has overwhelming support from the national, regional and the vast majority of local sports bodies and the operators and users of the facilities at the Copthall Centre (including local educational institutions). Such a strong level of support would be unlikely to arise if the proposals were likely to harm the existing community benefits that the Copthall Centre provides.

The impacts of the proposal on the facilities surrounding the stadium and the measures that the proposal would put in place are addressed in section 10 of the committee report (in particular section 10.3.5). The report also outlines the measures that would be put in place (through the framework of control recommended) to ensure that the positive impacts of the proposals are maximised and the negative impacts minimised. These include a suite of management documents in accordance with which the occupation of the stadium by Saracens would need to be managed and operated. Subject to the framework of control recommended the application is considered to be acceptable in terms of its impact on the facilities surrounding the stadium on Sundays and Saturdays during the rugby season.

It is expected that the community use element of the Saracens proposals will increase participation in sport – this is a key benefit of the proposal and is examined in some detail at sections 6, 10 & 11 of the report.

- 9. Will the Committee take into account that there appears to be no commitment to enter into a contract to provide coach services in the same way that a contract will be entered into for the shuttle buses, yet the coach service is integral to the expected reduction in modal split from 70% car use to 36%? The TA at 7.12 states “The LAMP will set out the measures to facilitate an efficient coach service” The LAMP section 3 does not have Saracens securing a contract for coach services (as it has in section 4 for the shuttle bus service) instead at TA 3.6 their obligation is simply to notify clubs and coach contractors known to them of the availability of parking spaces.**

Response

There is a provision in the draft Section 106 Agreement (paragraph 5.6 of Schedule 3) requiring Saracens to contract to provide the Coaches and Coach Services in accordance with the Draft Stadium Travel Plan prior to the approval of the Stadium Travel Plan under Condition 67. The purpose of this is to ensure that the information as to these services is included in the Communications Strategy which will operate in the marketing and sales of tickets. This draft Agreement is on the planning file and is being placed on the Council's web site. Officers consider that the proposed framework of control in the Conditions and the Planning Obligations, combined with the Stadium Travel Plan and the Local Area Management Plan will ensure that the Modal Split Targets referred to in this question are achievable and that the Comprehensive Monitoring and Review Programme will be capable of rapid response to deliver reinforcement of the STP Measures to achieve this end if there are initial teething problems in the achievement of the STP Objectives. For example, the provisions of paragraph 8.3 of Schedule 3 and the bonding arrangements in Clause 10 will enable urgent measures to be taken in the event of initial problems.

Question from Mr Richard Enright

10. Do the Committee feel it is realistic for the applicant to expect that stewards will be able to control crowds of spectators to such an extent that they will be able to achieve the promises made in the application as follows:

- **At 4.6 of the Major Event Travel plan ‘Stewards will manage spectators boarding and alighting shuttle buses on Pursley Road in such a way that they do NOT obstruct the footpaths.’**
- **At 4.16 “SRC stewards will ensure spectators waiting to board shuttle buses do so in a queue along the back edge of the footway on Pursley Road so that they do not obstruct other pedestrians.”**
- **At 4.16 of the Transport Assessment “the track within the disused railway, the Copthall Railway Walk, will not be used by spectators on match days because it is unsuitable and could not be safely managed. Stewards would ensure that this would be the case.**

Response

The use of stewards to manage crowds at a sports stadium is a widely used practice and the application proposes the use of stewards to address the above issues as part of a range of measures that would be in place to manage and minimise the impact of spectators on rugby match days. It is considered that the measures proposed would, collectively, make the proposal acceptable in terms of spectator impacts.

It should also be emphasised that in many of the stadia in London the crowds arriving and leaving matches are in far greater numbers than the maximum number of spectators which will be permitted under the planning permission if granted (see Condition 3). Secondly, there are other measures to smooth the flow of crowds in accordance with the proposed Stadium Travel Plan and the Local Area Management Plan, including the pre-match events programme to encourage some spectators to arrive early for a match and post-match events to encourage some to leave later.

Officers are confident that the various measures planned will be effective and that the proposed Comprehensive Monitoring and Review Programme will be able to soon identify and deliver areas of improvement if needed. It is worth noting that in the Barnet FC decision the Inspector concluded that the BFC proposal would not have had unacceptable impacts on local amenity and that proposal involved approximately double the number of matches that will occur if planning permission is granted to Saracens.

Question from Catherine Dye, Chairman Kentish Town FC on behalf of Kentish Town FC

11. **Saracens admit in their application with regard to the loss of KTFC that “The local impact in recreation terms is major. The Officer’s report states “The London Borough of Barnet has offered the club a number of alternative venues and continues to work with the club to find a suitable site”.**

Does the Planning Committee consider that this comment is justified when the only offers made to KTFC by Barnet Council Officers are: a site available for only two years that would need major investment spent on it; an open field with no facilities at all and potential ground shares with football/rugby clubs who have not confirmed that they would ground share and whose grounds may not meet the standards required of KTFC’s level?

Why won’t Saracens allow KTFC to continue to play at the stadium when they are stating that football can be played on the pitch?

Response

The impact of the proposal on Kentish Town FC (KTFC), the mitigation put forward in this respect and the reasons for the conclusion that proposal is acceptable in this regard are set out in section 10 of the report (in particular section 10.3.3). Sport England has confirmed that they are satisfied that all reasonable endeavours have been made to relocate the club and that the requirements of the club go beyond what can reasonably be secured by the planning system as part of this application. However, the Council will continue to work with KTFC to assist it in finding a suitable alternative venue and the planning obligations recommended include a contribution of up to £10,000 to be paid by the applicant (and held by the Council) towards any necessary refurbishment works required at a replacement venue, if such money is needed to enable KTFC to relocate to alternative facilities.

The artificial pitch installed would be suitable for informal football use, such as that by schools. However, the pitch will not be laid out with markings for football and these could not easily be installed given the nature of the surface. In addition to this, unlike with athletics, a professional or semi-professional football club would have matches which would be much more likely to conflict with Saracens home rugby matches. They would also have a much greater frequency than Saracens home rugby matches and would impact to a greater extent on the availability of the Stadium for Community Use. Due to these factors, and to ensure that the use of the stadium is in accordance with the principles and parameters assessed under the application the use of the stadium for professional and semi-professional football has been precluded by the controls recommended.

Questions from Mr P Schryber

12. The applicant is quoted as saying

"We have been looking for some time at our options because there is a break in our lease at Vicarage Road at the end of this season," Saracens chief executive Edward Griffiths said. " We are still in discussion with Watford about development of Vicarage Road and that is still one of those options. But obviously our inquiries have moved on elsewhere and at the moment there are probably five viable options where the club could be successful from 2011-2012". Those options will be presented to the board in September and we will be looking to make a decision in October." <http://www.telegraph.co.uk/sport/rugbyunion/club/7944941/Saracens-poised-to-leave-Vicarage-Road-at-the-end-of-the-new-season.html>

so why have the officers not required the applicants to present these options in their application, instead stating, in section 10.2.4.1, that

"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 Copthall could deliver in terms of sustainable access and in terms of delivering healthy, sporting, educational and social benefits to a large and diverse catchment."

when one or more of these site may deliver the potential benefits listed?

Response

The article from which the quote is taken is dated 13th August 2010. The applicant has confirmed that since this date as investigations progressed with Watford and the other sites referred to (besides Copthall Stadium) issues were identified which meant that they were no longer possible locations for Saracens. As set out in the committee report, no site has been identified which could deliver the range of benefits that the proposal would deliver. These are set out in full in section 10 of the committee report (in particular sections 10.2. 4 and 10.2.5 in relation to the green belt).

13. How can the Planning Officers claim 'very special circumstances' for the applicants' 'inappropriate development' on the Green Belt when they state in Section 10.2.4.1 of their report that

"However, 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 sites 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 could revitalise, enhance and secure the future of the existing Copthall Stadium and provide a catalyst for revival of the wider Copthall Centre as set out above."

which is an admission that an exhaustive search has not been carried out, whereas the Secretary of State's report on the Barnet FC application of 1999 states in para 10 states that

"It may, therefore, be possible to identify a Green Belt or MOL site where very special circumstances outweigh the harm that an otherwise inappropriate development would cause. The Secretary of State likewise considers that other sites in existing recreational use and sites outside the Barnet boundary should not automatically be excluded from consideration. The Secretary of State therefore considers that alternative sites may be available. For the reasons given above, and for the other reasons given by the Inspector in his report, the Secretary of State concludes the very special circumstances do not exist which outweigh the harm which would be caused to the Green Belt by this proposal."

concluding that 'very special circumstances' can not exist if alternative sites may be available?

Response

The application put forward by Saracens is significantly different from that proposed in the Barnet Football Club application. A comparative evaluation of the Saracens application against the key issues drawn from the Barnet FC decision and Inspectors report is can be found at Table 5 (page 51) of the committee report. The very special circumstances which exist in relation to the current application by Saracens are set out in section 10 of the committee report (in particular sections 10.2.4 and 10.2.5). It is considered that these are sufficient to outweigh the green belt harm and any other harm caused by the proposals.

14. Please explain how it can be claimed in the Planning Officers report that the total development footprint has reduced, when PPG2 states that;

"d) not occupy a larger area of the site than the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity).

C5 The relevant area for the purposes of (d) is the aggregate ground floor area of the existing buildings (the 'footprint'), excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding."

and in table 4, page 43 of the report item 2c is described as

"External roadways, footpaths, parking[21] and other impermeable surfaces on the site."

where note 21 states that

"Includes the existing occasional car parking to the south of stadium. This becomes the Southern Recreation Area (see 5(b)) as part of the proposed development and therefore, for PPG2 purposes, will cease to be "hardstanding."

and so the parking area, which is hardstanding, and the other impermeable surfaces should not have been included in the existing footprint as stated in C5 above, which would reduce the existing footprint by 12,061 square metres making it smaller than the development footprint?

Response

The explanation for the conclusion that the proposal would result in a reduction in the total development footprint is provided in section 10.2 and Table 4 of the committee report. More specifically areas of hardstanding which are used for the purposes of vehicular parking, such as the existing, southern overflow car park, should be included in development footprint using the methodology set out in PPG 2. As such the existing overflow car park has been included. As proposed in the revised planning application this area would have its existing hard surface removed and replaced with reinforced grass, it would not be marked out for parking (on match days this will be achieved by marshalling plus removable cones and tapes) and it will be available for informal recreation and leisure use for the great majority of days in the year. As such it was not longer considered to be hard standing using the PPG 2 methodology.

Question from Mr Spencer Krett

15. **How can the Officer's report "entirely agree" with the analysis at 7.52 "In summary, the Copthall site is a significant sporting and leisure hub *with excellent transport links*, serving both the London Borough of Barnet and the wider North London region."**

Yet at page 70 confirm that " Public Transport Accessibility Levels (PTALs) are graded from 1 for very poor to 6 for excellent accessibility. The score for this site ranges from 0 to 1b which indicate very low public transport accessibility."

Response

The challenges of the current PTAL levels have been acknowledged in the committee report and the analysis in the Sporting Impact Study was clearly focused on the sporting impacts and benefits of the proposed development, and this context referred to the overall transport links, including the adjacent major roads. It should be noted that with the introduction of the proposed shuttle bus service as part of the Transport Strategy, the PTAL will increase to a 3 (see page 71 of the report).

The package of proposed STP measures to be introduced under the holistic Stadium Management Plan (and enforceable under the Conditions and the Section 106 Agreement) will be focused on fully achieving the STP Objectives, which include reducing car use and encouraging more sustainable modes of transport, across the full range of uses and activities that will be conducted at the Stadium if this permission is granted. The Estate Management Strategy will have as one of its objectives the leveraging out of the sustainable transport benefits across the wider Copthall Centre in accordance with what is termed "Saracens Vision", which is set out in the Stadium Management Plan and the Section 106 Agreement. In this way, the planning permission will not only affect travel choice associated with new trips to the Stadium but also the large number of trips relating to existing activities at the unimproved stadium and those relating to the wider Copthall Stadium.

As noted in the report and in the earlier responses, these STP Measures are reinforced by a Comprehensive Monitoring and Review Programme as well as bonding arrangements.