

## Appendix J(ii)

### Why approve Planning Application 16/8173/FUL at Barnet Copthall Stadium (Allianz Stadium)?

It appears that there were 541 objections and 345 supporting the build of the East Stand at Copthall (Allianz Stadium), yet it was only approved following legal agreement. For this proposed new West Stand, with extras requiring 'very special circumstances', the number of comments received is six. This despite 696 being consulted. I find this lack of comments strange given that it will have an impact on the Green Belt and the district. But perhaps it is the long description that gives the impression that all that is being done is replacing what is there with a similar new structure and cleverly hides expansions. Additionally, anyone who attempted to understand what was planned would find the 180 documents extremely difficult to negotiate, which are presented in no particular order.

This application 16/8173/FUL for the new West Stand requires 'very special circumstances' yet this is not specified in the planning application description even though the description is 254 words. If someone without considerable planning knowledge had the time to read the 180 documents I doubt they would be clear as to what was proposed. For me, it was not until I skimmed through the officer's report to the planning meeting that I realised what was proposed contained so much that required but seemed to have no justification for 'very special circumstances' and would be so damaging to the Green Belt that I became really concerned.

It is not the replacement of the West Stand that is of concern – rather the 'very special circumstances' that appear to be being slipped through with what is being seen as a replacement, a replacement being allowable in the green belt. The planning description to explain this development should have been something like this (There may be other criteria – I am not qualified to decipher all of the 180 documents!):

Demolition of and Replacement of the West Stand, Barnet Copthall Stadium. Floorspace will be increased by over 5 times the present and height will increase from x metres to x metres. A new campus for Middlesex University in the middle of the Green Belt to cater for 450+ students and staff (no upper limit). Classroom space of 3696 square metres and amenity space of x. An increase of spectators for 15 rugby matches a year from 10,000 to 10,500 (5% increase) plus a once a year rugby match of 15,000 spectators (50% increase). The removal of 9 category B trees and (whatever the number is but conservatively greater than 20) of category C trees. Replacement of informal sporting and leisure pitch (which previously replaced all-weather pitch) to a car-park for Middlesex University staff vehicle parking. Similar for the large car park. Reduction in Saracens costs in particular a maximum of £15,000 to administer the CPZ. (Previous planning application's for this sites S106 agreements). Further urbanisation of the greater Copthall site to accommodate increasing movements of students and staff of Middlesex University and the increased numbers of Saracens spectators.

I was the only person who spoke objecting to this development in the Green Belt. I was criticised by one of the councillors for objecting when I lived in Finchley. But this is my closest District Park. They focused on how much better the new stand would be than the present one with it being wheelchair accessible on all levels. These are valid reasons for replacing the old stand but there was no discussion about the 'very special circumstances'. It concerns me that the 'very special circumstances' are not considered when there may be recognised improvements in the part of the planning application that would be a permitted development.

- 1) There is a change of use in that the West Stand footprint will be much larger to establish a new campus for Middlesex University at Copthall
- 2) The allowance of one event per year to have an attendance of 15,000, a 50% increase, will set a precedence that will result in future planning permission having to be granted for multiple events each year of 15,000 spectators. The other 15 approved rugby games will have an option to increase spectator capacity by 5%.
- 3) Other public amenities and S106 agreements will be removed in favour of car parking and Saracens
- 4) Ecological assessments against a prior 'base' assessment are not possible as there is no 'base' assessment. The 'Copthall Plan' was written to ensure this planning application and others would comply

Barnet Copthall Stadium (or Allianz Park as Saracens refer to it) may be on a previously developed site but it is also in the middle of the London Green Belt. Any consideration of a planning application on this site must consider

- The new building use, footprint, height and bulk
- The Stadium site (10 hectares approx.) which is Green Belt
- The wider Copthall area in the Green Belt which must be crossed to reach this site
- The greater Mill Hill and nearby areas for the impact on residents and visitors, and the transport network

- 1) When Saracens moved to Copthall they were aware that the stadium was in the Green Belt and accepted a spectator limit of 10,000. Now only 5 years later they are proposing increasing this by 500 for every game (an increase of 5%) and for one game a year to 15,000 (an increase of 50%). What is the justification for such increases? If they had visions of greatly increased spectator numbers they should have looked elsewhere for a site outside the Green Belt where a larger capacity stadium would be permitted. It is well known that once a planning permission is given for something which sets a precedent, this can then be used as an acceptable reason to approve further similar applications. Conversely, it would appear that once the precedence is approved, there is no possibility that future extensions of a planning permission would be declined. Additionally, with other stadia in London having capacity for over 15,000 spectators there is no justification for permitting expansion in the Green Belt for one day per year. As well as the actual site expansion, there would also have to be wider pedestrian and vehicle access across the wider Green Belt, increased bus and train capacity and the associated vehicle travel disruption this would cause. It would appear that there has been no independent assessment of the effect this would have on the Copthall Area. To state that a 'trial' was successful in the proposer's opinion is not sufficient.

The proposed new stand has a larger footprint, is higher and has greater bulk than the present stand and for permitted development must be reduced to within the dimensions of the present stand. There are already hospitality areas, restaurants, bar and supporters' shop in the new East Stand – all unnecessary for the prime purpose of playing rugby – so expansion of these beyond what is already available in the present West Stand should not be approved.

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- 2) Why should Middlesex University establish a campus at Copthall and what impact will this have on the Green Belt? It would appear that Middlesex University has been holding classes in the East Stand at Copthall since 2013. But this was a 'delegated decision' to have a change of use of East Stand Offices (class B) to Education (class D1) to establish London Sports Institute, part of Middlesex University. Barnet Planning Application H/01946/13 in May13. Why was this decision a 'delegated decision'? Any change of use in the Green Belt requires permission from the Mayor and Secretary of State, yet, if I have the documents correct, this did not even go to Barnet Councillors for approval and was decided by one of their officers who was not permitted to do so!

While practical outside sessions for London Sports Institute can be 'very special circumstances' for them being held at Copthall, this should be restricted to only outside practical sessions. How is it 'very special circumstances' to hold classes in indoor classrooms at Copthall? Middlesex University and Saracens are using the building of the new West Stand as an opportunity to establish a Middlesex University Campus at Copthall. The School of Health and Education will have no requirement to be based in the Green Belt except that there is a lack of space on the Hendon Campus and at Copthall they will not have to purchase a site! If this application is approved, in the future there will continually be 'very special circumstances' for Middlesex University to expand further on the Copthall site. Yet in the planning application description the only mention of Middlesex University was for staff car parking!

If Saracens were only building a new West Stand to replace the present stand, presumably it could be achieved on the present footprint. But to incorporate the Middlesex University (classrooms and related infrastructure) will require an expansion of the floor space by over 5,000 square metres (and possibly more). Yet no 'very special circumstances' have been shown and sites would be available elsewhere to build the indoor Middlesex University requirement. Additionally, as there is no ecological assessment of the total Copthall site there has been no measure of the impact on the site of all these additional human movements for the use of an indoor facility.

It is a red herring to include that these West Stand facilities will be for the use of the public. Middlesex University may possibly use these facilities between 7am and 11pm on weekdays and Saracens and the athletic clubs will be using them at weekends, and probably weekday training. Likewise, the community aspect of Saracens does not require the expansion of the West Stand beyond its present size. All the community activities mentioned can be achieved without this expansion and if some of those mentioned are to be expanded, they would be better done in other available accommodation (community halls, school gymnasiums, community hubs, ...) that are more accessible due to having a higher PTAL level than Barnet Copthall Stadium. Additionally there are many school building in the borough that would be available on weeknights that would be safer and more accessible by public transport.

It was not until the officer's report for the Planning Committee meeting that the numbers of people who would be attending this indoor facility on a weekday throughout much of the year was accessible. While it may be somewhere in the 180 documents, the naming of these and a random order made information they contained largely inaccessible. What is the 'very special circumstances' to justify 450+ students and staff being at Copthall to use an indoor facility not required to be in the Green Belt? As there is no upper limit number of staff and students, without needing any more approvals, Middlesex University could more than double this number of students and staff if they wished by using all hours between 7am and 11pm. If Middlesex University wishes to expand surely they should find land outside the Green Belt with room to expand on which to build their second campus of indoor teaching and related space.

- 5) When the Barnet Copthall Planning Brief was approved in September 2016 (there was a draft to consult on), it was known that this planning application and others would soon be submitted. So it was written to accommodate these planning applications. There were known developments that were omitted from the draft and slipped into the final version to avoid consultees, including the public, the opportunity to raise concerns regarding them. If Barnet Council wanted to acknowledge the environmental value of Copthall, and its place in the Green Belt, an environment report for the whole Copthall area should have been undertaken and formed part of the Copthall Plan. It is likely that it will have highlighted various measures required to maintain the ecological value of the Green Belt at Copthall. Further, it would have given a base situation from which qualified, independent assessors could evaluate the impact of planned developments on the Green Belt at Copthall. But having not done this evaluation, the effect of removing trees, habitat and such and the impact intensified human development will have on the ecology of the Copthall area, its open character and surrounding network of green spaces, and the impact on present recreational users, has been avoided. It is known that there are protected species at Copthall but it would appear that it is falsely assumed that no matter what development occurs at Copthall they will not be affected. The Officer's Report had that this was in a SINC and I reiterated this in my verbal objection. At the Planning Committee it was clarified that this was not in a SINC but regardless of this, it is land in the Green Belt with SINC's close by in the greater Copthall site. I fail to see how all of this development is on a previously developed site when there will be 9 category B trees, 12 at category C and 4 groups of trees at category C and part of another group that will be felled in the Green Belt for this development. Before any further developments proceed at Copthall a thorough independent ecological evaluation is required, before the urbanisation of Copthall reduces the ecological value of this area of Green Belt.

It is inappropriate to develop indoor facilities in the middle of an area of Green Belt without considering the safety of users of these facilities and the impact the increased human movements will have on the value of this Green Belt, both for residents, visitors and fauna and flora. Considerations of this planning application have ignored the movement of people in the Green Belt to the proposed building. In assessing the Equality Act where is the assessment of the personal safety of women crossing the Green Belt to get from the educational block in the new West Stand on a dark evening in winter to the closest bus stop on Pursley Road? Being in the Green Belt my understanding is that there are now lightning requirements that have resulted in just bollard lighting for footpaths. Yet many classes may be held after dark and in walking to the nearest bus stop their personal safety may be compromised. The site has a PTAL of zero so without a higher level of public transport, and personal safety concerns, how is it justified to approve the building of a tertiary indoor facility on this site? The London Plan has 7.3 Designing out Crime, requiring safe movements, yet this dark area may become a crime hotspot.

- 6) This planning application casts doubt on whether the ancillary accommodation is Saracens rugby or Middlesex University, such will be the impact that this increased volume stand for a university campus and the introduction of 450+ Middlesex University staff and students will have! As previously mentioned, Middlesex University were admitted to Copthall Stadium by a change in use of East Stand from Offices (Class B1) to Education (Class D1) –

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Planning Application H/01946/2013 which was made by “delegated powers”. Unlike the 180 documents for the present planning application there was very little documentation for this application. In fact, as it was in the Green Belt ‘very special circumstances’ were required and it appears that this was not even considered. While the ‘Planning Considerations’ mention, “The wider Copthall site is located within Green Belt” no mention is made that this application refers to a building in the Green Belt so the planning application also required approval from the Mayor and the Secretary of State.

The ‘London Institute of Sport’, part of Middlesex University is likely to consist of predominately indoor activities – lectures, discussion groups, sports testing, sports video evaluations, gym assessments and workouts, ... with very little course content being delivered outside. As this was a Green Belt application ‘very special circumstances’ had to be considered to approve this application, which it would appear did not occur. Further, the ‘Planning Consideration’ was that, “The proposed use would be served by approximately 10 members of staff and up to 50 students at any one time”. The present application suggests that this number is exceeded every weekday, and weekly by more than three times this number. (Mon-197, Tues-91, Wed-106, Thurs-142, Fri-129). For a planning application decided by “delegated powers” this has become the beginning of the creation of a Middlesex University Campus in the middle of the Green Belt. And this new application has no restriction on the number of staff and students – rather a minimum of 450! It is not vague statements like that the LIS is ‘successful’ that should be considered but whether they satisfy planning rules to be established in the Green Belt. What percentage of the course or hours of teaching the course requires outside space would be a better indicator of whether ‘very special circumstances’ exist for that part of the course.

### 7) Planning Application 18/06/2013 included

*(vi) removal of 12,061 sq metres of existing hard-standing (used as an overspill parking area) to south east of existing stadium and laying out of new ‘green’ permeable surface area for parking up to 568 vehicles on match days and ..... and for use as informal sporting and recreation activities on non-major event days (vii) the creation of a ‘new’ green surface on the existing disused all-weather pitch to the rear of Copthall Cottages to create an area for informal sporting and leisure activities on all days except major event days. On major event days, the area will be used for coach and media vehicle parking subject to protected on such occasions by covering in accordance with detailed arrangements to be approved by the Local Planning Authority*

But the site of (vii) is to be used every weekday for Middlesex University Staff parking. Hence the loss of an all-weather informal pitch to car parking. And it would appear that (vi) is used solely as a carpark. This is the removal of all-weather surfaces for informal sporting and recreational activities in favour of car parking. This suggests that community recreation and sporting areas to be provided can be dispensed with as Saracens/Middlesex University plans require. If I have read it correctly, this was part of the S106 Agreement in this previous planning application so must they be retained?

- 8) The assumption that students will not travel to the Copthall Campus by private vehicle has not been adequately considered. It has a PTAL of zero making arriving by public transport difficult and time-consuming. It is entirely inappropriate to compare it with the Hendon Middlesex University Campus with 3 or more bus routes stopping right outside the entrance and the nearest tube station a short walk away along a well-lit route. While Saracens may be able to prevent them using the car-parks on site, this will just move them to other places – other Copthall car parks like at the leisure centre or street parking nearby. This will create problems for local residents and visitors to other areas of Copthall such that Saracens will offer to ‘solve’ the problem by permitting them to park within the Saracens site! Barnet Copthall Stadium’s position in the middle of the Green Belt with a PTAL of zero makes it totally inappropriate to establish a University Campus there.
- 9) The suggestion that S106 requirements need no longer apply or the cost to Saracens to implement be capped should not be approved. There is the example in (5) above but another one is that the ‘CPZ’ costs be limited to £15k per year. But Saracens agreed to pay the ‘CPZ’ costs when they were negotiating taking over Copthall Stadium. There has been much displeasure that the length of the ‘CPZ’ is 5 hours on match days because the starting time of matches may vary. However, there is the possibility that there may be digital signs that might be able to be installed so that the ‘CPZ’ time can be reduced considerably, to about an hour around the start time of each game, if all the signs can be controlled from a central point. I am sure there are similar reasons for retaining all the S106 agreements so that Council Tax payers do not end paying for Saracens presence.

The Officers Report to the Planning Committee has not adequately considered the ‘very special circumstances’ against required criteria. Sections 3.2 and 3.3 of the report is blatant bias toward this development without considering the negative impact it will have on the Green Belt and as such it should be refused. Having been approved I can only conclude that Planning Applications have had total disregard for the Green Belt and previous Planning Applications have not followed correct procedure and have not delivered benefits agreed.

It is also concerning that Saracens are in a privileged position with regard to planning applications being approved. An example being the count of the election last week for the three electoral seats in Barnet was at Allianz Stadium. Does the Council no longer have their own buildings capable of being used for this? The count continued throughout the night with vehicle movements in the Green Belt. Should this be acceptable in the Green Belt?

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