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Friday, 28 January 2022

Dear Chris,

Wimbledon Park and the AELTC submission

I feel obliged to respond to your email of January 14th (attached at the end of this letter), as we all find the sympathetic position taken by Historic England with regard to AELTC's planning application increasingly bizarre given the vast numbers of individuals and organisations (now at least 1200) who are on record in opposition. Historic England should now have had ample time to read some of these submissions and reconsider or more fully explain their position. Two submissions have been made by The Capability Brown Society, and there are important submissions from The Wimbledon Society, The Wimbledon Resident's Association and from Dr David Dawson on critical biodiversity issues. If you have not read these perhaps I might forward them to you?

It seems very obvious to us that the scale of AELTC's ambitions will fundamentally change the character of the landscape that Capability Brown designed and put at significantly greater risk the current Grade II* registration that is already stated to be at risk on Historic England's register. We place great value in protecting the current state of registration for this important urban valley landscape. NPPF 200 states that substantial harm to a Grade II registration should be "exceptional", but for a II* registration it should be "wholly exceptional". This is an important differential when assessing impacts on this sensitive landscape. In our reasoning, listed below, we maintain that the AELTC application contains elements that are substantially harmful and present an irretrievable loss of significance to the Brownian landscape that is not compliant with any aspect of NPPF 201. Historic England's assessment, in their public submission of September 24th 2021, that this "harm would be situated in the lower half of the range of less than substantial harm" is very strongly contested. It is our belief that any harm that we list below is not less than substantial and would not be counterbalanced by any acceptable public benefit as set out in NPPF202 and that it further risks the registration status of this parkland.

AELTC's proposals encompass the core remnant of Brown's designed landscape and we all believe this will fundamentally alter its pastoral and lake character. I feel obliged to try again to spell out the key issues of concern where we believe substantial harm would and could arise.

1. The introduction into this open parkland of a very insensitively sited enormous new roofed stadium looming 28m high and 104m long will be clearly viewed from the dam promenade in the public park above and through mature trees. It will further compromise the pastoral valley setting of the park with yet another even more prominent building. Its dominance will also obscure critical views designed by Brown from Church Road (the historic Estate driveway) to the lake and to Vineyard Hill. The application site is in a Conservation Area and this building is vast, yet is submitted only in outline which is contrary to policy. Were it to be approved AELTC will have secured, on the basis of the only formal plans submitted, permission just for

the siting and vast scale of the building with defined heights; they would be at liberty to consider a completely different design and use for the facility and cannot be relied on, or obliged, to follow the concept plans set out prettily in the Design and Access statement. See plan of Maximum Building heights-51365-AAM-XX-XX-DR-A-00013. This should be of considerable concern to everyone given AELTC's lack of openness to dialogue. In addition to its unacceptable vast mass it is our view that an outline planning submission without any enforceable detail presents an unacceptable risk as to the eventual outcome.

2. The proposal for a 600m long boardwalk within the lake (plus two minor additions on the south side), with accompanying new reed beds, will not only significantly damage the existing biodiversity of the lake but will compromise Brown's subtle designed view lines to open water. Historic England's statement suggests this new access is "around the edges of the lake"; it is not, it's within the lake and it destroys the profile of the lake while impacting on critical vistas to open water from various critical viewpoints close to and distant from the lake. Brown never designed boardwalks in his lakes, and typically valued the controlled design of serpentine margins to his lakes suggesting a riverine character to the lakes from key view points, with parts of his lakes invisible due to the careful framing of tree clumps and subtle shaping of the land. These views have not been properly assessed and incorporated into AELTC's plans and are compromised by the boardwalk and reed beds (see also tree planting issues below).
3. AELTC propose to regrade much of their land, removing existing topsoils and replacing these with inappropriate acid soils, forming new level platforms for inappropriate widely spread intensively managed grass tennis courts edged with hard surface margins, some of which are to be sited in highly visible locations too close to the lake shore. The gentle uninterrupted character of Brown's open parkland will then be destroyed, and historic soils (with their valuable biology) lost. You state that historic open grassland will be restored, but this is not the case at all; rather than manage the existing gently contoured ground and working with the established biology AELTC propose to entirely replace the majority of the land with new soils and inappropriate acid grassland which is unlikely to thrive. Resoiling intervention will cause permanent damage to the land and loss of historic resonance. AELTC even propose that some of this new grassland will be parked on during the critical summer months when meadows achieve maturity.
4. The summer setting will then be dominated for long periods of time by much paraphernalia associated with high solid fencing of courts and seating and other facilities for spectators. Together with this an excessive number of hub buildings are to be placed in the landscape to service the players and the maintenance of courts. This will result in a significant loss of openness. 9.4kms (yes 9.4kms!) of new serpentine pathways and roadways are also proposed wholly out of character with a pastoral Brownian landscape. The impact of all these interventions will further compromise the landscape character of such vistas that remain across the land.
5. There will of course, as you state, be careful protection of a number of veteran trees but there is very little historic woodland within the application site. It is equally important to value the setting of ancient trees when considering their conservation. In a typical Brownian setting these trees reside in open uncluttered parkland singly or in clusters where their worth can be appreciated in a pastoral setting. The sad truth is that AELTC have owned the golf course land for nearly 30 years and have failed to control inappropriate new tree planting on the land by their tenant resulting in a greater linearity of fairway edge planting and a loss of openness that Brown would have prescribed. Restoring the historic planted character of the parkland would, of course, be very welcome but in failing to do this for 30 years AELTC cannot claim that this is a planning benefit that offsets other harmful interventions. AELTC's tree planting plans too fail to address Brown's intentions. There is an excess amount of random new planting that fails to respect and reinforce historic views. New boundary tree screening, particularly, is proposed at boundaries which should generally remain open to allow (and draw in) views into the park particularly from Church, Wimbledon, and Home Park Roads so that the lake, its shore and the valley setting might be better appreciated. Nor are tree species specified as they should be for a detailed application in a Conservation Area where planting is critical to the conservation intent. Rather a very long list of potential tree species

are listed, many of which would never have been used by Brown and which would not be very sympathetic with his intents.

6. Finally AELTC have also failed to install silt traps on the only brooks that all cross their land to feed the lake. For nearly thirty years they have knowingly been party to unnecessary further siltation of the lake and may well have contributed to the problems that have arisen. Again their willingness to now undertake de-silting of the lake cannot entirely be considered as a planning benefit that offsets other harm due to their long term neglect of their responsibilities to a protected landscape. We also have great concern that while the application sets out an intent to de-silt the benefits (or dis-benefits) of doing so has not been properly assessed and the means of carrying out the work and its extent have not been properly described, as should be necessary for a major engineering operation in a Conservation Area. The proposal would be fully detailed as it presents a significant risk that it may well prove harmful.

In both items 5 and 6 above Historic England need to be reminded of NPPF 196 which states that

“Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision”.

There are further issues that Historic England should have considered, but which might not impact directly on the threat to Grade II* registration. You will no doubt be aware that AELTC were covenanted in 1993 to provide an unrestricted public walkway around the lake when golf ceases. Not in the lake and with restricted summer access as AELTC propose. An unrestricted walkway around the lake and setback from the shoreline offers the public a longer and more thorough appreciation of the core focus of the Brownian landscape and lake. AELTC have not attempted to consider this and they have a legal obligation to do so. Instead, in compensation, they offer a new area of “permissive access” public park and boardwalk restricted during key summer months and wholly at odds with the covenant. Where the covenanted walkway offers a full circumnavigation of the lake and its valley landscape the proposed new public park and boardwalk do not achieve this. Along with a covenanted commitment, accompanied by formal statements not to develop the land, it was the basis to Merton agreeing a very economical sale price to AELTC so as to protect the long term public interest in this registered landscape with a permanent public access over the land.

Finally we have noted a strange amendment in Historic England’s description of the at risk status of Wimbledon Park. We have a screenshot PDF of the register last year which was dated 25/10/2020, as below

Wimbledon Park SW19 - Merton

A remnant of the C18 landscape by Lancelot 'Capability' Brown for the 1st Earl Spencer's manor house at Wimbledon, itself developed from a C16 estate. The Local Authority manages Brown's lake and land to the east as a municipal park with an emphasis on sport, with land to the west in private ownership as golf and sports clubs. The divided ownership results in differential landscape management. A masterplan exists for the municipal park, but a shared vision for the whole historic landscape is needed. The Local Authority, with the other landowners, is developing a project for works to the lake.

Strangely that text has disappeared (probably last year after the All England application) and the current text now reads:

*“A remnant of the C18 landscape by Lancelot 'Capability' Brown for the 1st Earl Spencer's manor house at Wimbledon, itself developed from a C16 estate. The Local Authority manages Brown's lake and land to the east as a municipal park with an emphasis on sport, with land to the west in private ownership as golf and sports clubs. The divided ownership results in differential landscape management. A masterplan exists for the municipal park, and a project to address lake safety is underway. **Proposals for major new development on the golf course may deliver considerable investment across the site.**”*

The 2020 wording “**but a shared vision is needed**” has been lost! I highlight above some key new words in the 2021 version. The question is why has this happened? Why do Historic England no longer think that an holistic view needs to be taken of the entire registered parkland to safeguard its registration? This is of great concern and appears to undermine the commitment in seeing that the Grade II* status is retained for the entire parkland.

The Capability Brown Society have previously set out and submitted alternative approaches to achieving many of AELTC’s ambitions with far less damage to the heritage landscape and to the openness of the land, but also with an holistic approach to the entire registered parkland. AELTC have, in our view, failed to properly set out and consider reasonable alternatives as they are legally obliged to when committed to carrying out an Environmental Impact Assessment. So this is why I have felt obliged to write to you in fear of the approach Historic England are taking and the consequences of AELTC’s self interested ambitions. It should be Historic England’s duty, in our view, to ensure that these public interests are protected and that the valley landscape is properly conserved.

Yours sincerely,

CHRIS BAKER

Director

cc. Case Officers at Merton and Wandsworth

Director: Chris Baker

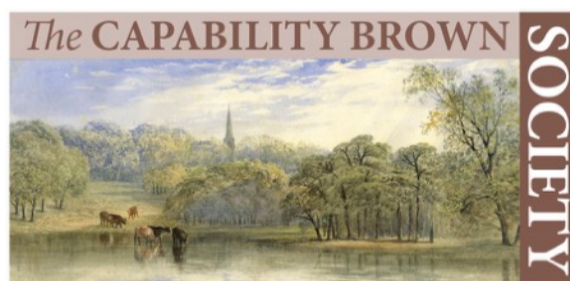
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'Capability Brown's Wimbledon Park'
19th Century Water Colour Circa 1870 by an Unknown Artist

From: Laine, Christopher <Christopher.Laine@HistoricEngland.org.uk>
Sent: 14 January 2022 16:54
To: The Capability Brown Society <ChrisB@thecapabilitybrownsociety.com>
Subject: RE: LBM Local Plan Publication Stage 3. CHAPTER 09. WIMBLEDON

Chris,

Thanks for this email, and a Happy New Year to you, too.

We don't have any serious concerns that the AELTC's proposed development will harm Wimbledon Park's significance to the extent that the site warrants removal from the Register of Parks and Gardens – if that were the case we would have objected strongly! Even after the proposed development is fully implemented, the key features of Wimbledon Park's design interest in a national context will remain, e.g. the lake, multiple veteran parkland trees, areas of historic woodland and open grassland sufficient to give the impression of parkland, and historic vistas to focal features within and outside the park. Indeed, some of these features may be better conserved and enhanced following the proposed development's implementation and operation.

Given the above, we're unlikely to initiate any immediate review of the registered park and garden designation ourselves, although a review may merit consideration following implementation to bring the list entry up to date. Of course, any member of the public can apply to have a site listed or an existing listing reviewed – see <https://historicengland.org.uk/listing/apply-for-listing/>.

At this time, we cannot say what a listing review would mean for Wimbledon Park's grading (at II*). Any future assessment would involve reviewing the site against the criteria set out in our [selection guides for parks and gardens](#), and likely involve comparison against other Brown sites included in the Register at grade II* (e.g. Burghley House, Ickworth House, Kimberley Hall, etc.). Our understanding of Brown sites has increased considerably since CB300, and many of the other grade II* sites are considerably more intact and with fewer interventions than Wimbledon Park in its current state (and even when it was first registered in 1987 and reviewed in 1998).

I hope that answers your question.

Regards,

-Chris

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