



Friends of Wimbledon Park

Submission on Planning Applications Merton 21/P2900, Wandsworth 2021/3609 at Wimbledon Park Golf Club, SW19 7HR.

Introduction

The Friends of Wimbledon Park (FOWP) is a voluntary umbrella organization that aims to give a voice to local people, community groups and other interested parties, to protect and enhance this well-loved heritage landscape, Heritage Wimbledon Park, for future generations.

Comment

This is our response to the Case Officer Report Agenda item 5 for the Development and Planning Applications Committee meeting 26th October 2023. This report is 456 pages and for a voluntary body to respond by 12 noon on Tuesday 24th October is a tall order. *Extracts from the Officers' report are in italics.*

On the question of Shropshire v Day, the materiality of covenants (apart from the positive covenant) and the golf club being private or public land we support our experts' opinions.

We note:

- 1) *The application site is subject to a number of planning designations. Notably, the application site is located in Metropolitan Open Land (MOL) and forms part of a Grade II* Registered Park and Garden.*
- 2) *Given the harm to MOL identified, in order for the proposed development to be found acceptable, there must be Very Special Circumstances (VSC) to demonstrate that harm to the MOL, and any other harm, is clearly outweighed by other material considerations.*
- 3) *Given the harm to designated heritage assets identified, which attracts substantial weight and importance, for the development to be approved, NPPF policy allows for Officers to consider whether the public benefits of the proposed development outweigh the harm identified, in accordance with the approach set out in the NPPF.*

6.4.18 *The HEA outlines that since 2016, Wimbledon Park RPG has been on the Historic England's 'Heritage at Risk' register due to:*

- *Uncertainty about its future.*
- *The impacts of divided ownership on landscape management.*
- *Views of the original designed landscape being obscured.*
- *The deteriorating condition of the lake.*

Wimbledon Park is registered with Historic England as a Grade II* park and garden. It needs to be considered in its entirety by all landowners when bringing forward development proposals. Development within one ownership will have an impact on the others, requiring the entire parkland to be considered as a single entity. This might determine the best location for any new intervention.

This is particularly important given the fact that the parkland is “registered at risk”. The Vision for the heritage parkland takes care to consider that proposals are beneficial for the wider parkland, for the community and for the needs and interests of each landowner, while ensuring that the most visually significant areas of the historic parkland are restored or conserved with the least possible built development and the least possible visual impact.



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In particular, and in hope, we look forward to the 3 owners to working constructively together on landscape management and to listen to representations from the Community who are offering volunteer assistance.

Our comments are on behalf of the Community in LBM and LBW,

Sport and recreational facilities.

Planning policy allows for loss of sports and recreational facilities, and development on Open Space, where the development is for alternative sports and recreational provision, the benefits of which and the needs which it will address clearly outweigh the loss of the current or former use.

The major change in this application is that from participation sport and recreation to spectator sport and entertainment. Alternative sport and recreation are not spectator sport and entertainment. It goes further in that the commercial aspects lead to consideration of more jobs and greater income for the applicant. This diminishes the opportunity for participation sport and recreation.

6.2.62 Further to the above, Officers have identified the proposed development would accord with NPPF para 99, London Plan policy S5, and Merton SPP policy DMO1 which together concern the acceptability of development on open space, sports, and recreational land. This is because the proposals are for alternative sports and recreational use, the benefits and needs of which outweigh the former use.

We say the application is for spectator sport and entertainment which is not for alternative sports and recreational use. So, we disagree.

We extract from WPRA paper 15 February 2023:

- 4.3 The issue of spectator sport was directly in point in the case of *Thames Water v Oxford City Council* (1999) 1 EGLR 167, which concerned a restrictive covenant which a Council wanted to circumvent. A football stadium and ancillary works were to be built on land burdened by a covenant “*not to use the land other than for recreational purposes*”. It was stated at p170:
- “*The second defendant is proposing to occupy and use the stadium in order to accommodate, inter alia, professional football matches at which spectators will arguably ‘recreate themselves’ by watching. It may be said that such use is therefore in part for the recreational purpose of the spectators. But the covenant is not to use the land otherwise than for a recreational or ancillary purpose. The commercial exploitation of the game of football by hiring players and charging spectators is not itself a recreational purpose. Nor is it merely ancillary to the recreational purpose of the spectators.*”
- 4.4 Substitute tennis for football: the applicant’s proposal breaches the covenants. The primary justification and use of the new private tennis complex is commercial for the championships and qualifying, not leisure or recreation, nor would it be open space. In this case for example, the High Court might be asked the question “*does the proposed development of a professional tennis facility on the golf course land as an adjunct to the existing AELTC facilities across Church Road, extending the international tennis centre, come within the scope of the user restriction?*”. The answer would be “no” for the reasons given by the judge in *Thames Water* as it would amount to



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commercialization of the game of tennis, charging spectators, part of the commercial operation of a massive tournament, so it is not a leisure or recreational use.

We are in contact with Sport England concerning improving sports facilities and opportunities in the 61ha park. We consider demand from LBW as well as that in LBM.

Biodiversity net Gain

We draw attention to the work carried out by Dr Dave Dawson and submitted by the Wimbledon Park residents Association.

The London Plan Guidance on Urban Greening seeks to *achieve an overall gain in biodiversity* through urban greening. The main emphasis of Urban Greening is to ameliorate the environmental harm from the hard surfaces which predominate in residential and commercial development. The proposed development of an industrial tennis complex introduces to an existing green site a significant amount of such hard surfaces.

The current Urban Greening Factor is 0.99. This will inevitably reduce, yet the applicant has claimed a “near perfect” score, which we have demonstrated is unsupportable and wrong.

The applicant has now revised its original claim of a Factor of 0.95 down to 0.90. In fact, on a correct calculation, this development will result in reduction of this down to at least 0.80, probably nearer 0.70.

As the applicant has failed to address the London Plan Guidance accurately, our earlier conclusions remain: there will be a substantial loss of urban greening and so the proposals fail the requirement of the London Plan Guidance.

Dave Dawson was asked by Merton to comment on biodiversity issues. His final report (October 10th) confirming biodiversity loss seems to have been ignored in the Officer’s Report! His important professional opinion surely had to be included. It undermines a core argument for Very Special Circumstances and demonstrably increases the substantial harm to this heritage asset.

Boardwalk

1.6.3 In addition, the transfer contains a positive covenant requiring the provision of a lakeside walkway open to the public once golfing use has ceased permanently, subject to relevant leases ceasing to subsist.

We say this is a material consideration.

- 1) AELTC now effectively owns the freehold and leasehold interests in the golf course site.
- 2) Golf ceased to be played in January 2023.
- 3) AELTC have chosen not to close the lease and it subsists until 2041.
- 4) This implies that AELTC do not want the Community to enjoy a public lakeside walkway around the lake.
- 5) Instead, they offer a permissive boardwalk, largely on LBM owned land. The intent may be that if the offer is approved LBM can be persuaded to extinguish this positive covenant.
- 6) This is a good example of a positive covenant being material in a planning application.



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6.2.13 (extract) *Officers do however consider the boardwalk to have some adverse impact on openness as this structure would clearly protrude above surface of Wimbledon Park Lake and interrupt existing vistas of lake embankment.*

The introduction of the boardwalk - *The boardwalk would negatively affect the ability to perceive the lake as a natural body of water as was intended by “Capability” Brown. Furthermore, where the boardwalk cuts across the lake tips, this will also interrupt the naturalistic design. The impact would be particularly apparent in the views of the northern and southern lake tips, from the south-western lake tip and eastern edge of the lake. The increased activity (i.e. pedestrians walking) would also have adverse impact on the naturalistic nature of the lake. These effects will harm the aesthetic and illustrative value of the lake.*

Case Officer consideration of harm to the RPG

6.4.43 (extract) **The introduction of the boardwalk.** *The proposed boardwalk represents a foreign feature in respect of the landscape as envisioned by “Capability” Brown contrary to the naturalistic experience of the lake. This would harm the aesthetic and illustrative value of the lake.*

If viewing from the dam promenade across the lake one sees a green roofed sports hall, a domed tennis structure and a greenspaces depot. Relocation of these should be a priority.

4.5.650 *The Wimbledon Club has offered up the opportunity of replacing its large green sports hall, ground staff’s building on the lake shore and cottage with a more aesthetically pleasing sports centre in a different position away from the lake edge. The AETLC could use this building, removing some of its proposed seven maintenance buildings.*

6.13.16 *Inclusion of Wimbledon Club – The ES notes options were explored that would have involved a ‘land swap’ with the Wimbledon Club to enable a more efficient use of land within the Site. However, these options were all discounted as unviable.*

The difference between the offer from the Wimbledon Club and the dismissive comment of non-viability from AELTC is stark. This is a site of national importance which will be subject to harm. Impacts of divided ownership is a significant reason for our heritage being placed on Historic England’s ‘At Risk Register’. Discussions need to take place and if there are problems then these should be made public.

We have formally requested LBM to seek to get AELTC to close the lease and dedicate the public walkway around the lake. (there is a path alongside the section by the Wimbledon Club). We will then engage with the 3 owners to relocate this public walkway within a nature reserve. This will have significant benefits for nature and for visitor wellbeing.

At Risk Register

6.2.45 (extract) *The need to address the ‘At Risk’ nature of the RPG – Officers consider the development provides the mechanism to address the At Risk nature of the RPG, through significant investment into the site, and through off-site contribution which would allow for a more cohesive vision of the RPG to materialise.*

6.4.22 *Wimbledon Park RPG (Grade II* Listed) (HE ref: 1000852) is of high heritage significance derived from a combination of heritage values. The emphasis of registered parks*



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and gardens is designed landscapes. Therefore, most derive the majority of their significance from their aesthetic (design) and historical illustrative value. However, Wimbledon Park RPG comprises only around a fifth of the original designed landscape, has lost its focal point (Marlborough House), and the design of the extant area has been considerably altered through its modern sports and recreational use and divided ownership. As such, its physical survival and aesthetic and historical illustrative value is poor in comparison to most other registered parks and gardens. Key features of the parkland aesthetic and historical illustrative value include:

- Wimbledon Park Lake,
- Ashen Grove and Horse Close Woods
- 41 veteran trees, as well as more recent ones planted at the location of former trees.

We have worked to improve conditions in the 18ha public park by drawing up a management plan for Horse Close Wood (Dr Dave Dawson) and planting over 2500 trees. We fenced around the veteran tree by the Old Bowling Green to enhance its survival. Ashen Grove (ancient woodland) requires a management plan.

6.4.124 Addressing the 'At Risk' nature is supported specifically by London Policy HC1 (e) which notes that where heritage assets have been identified as being At Risk, boroughs should identify specific opportunities for them to contribute to regeneration and place-making, and they should set out strategies for their repair and re-use.

FOWP have identified opportunities, and these have been circulated widely and in meetings with officers and politicians. This includes the leaders of both LBM and LBW and Historic England.

In Appendices 1 to 3:

- 1) Wimbledon Park Phasing approach
- 2) FOWP brief history of achievements (05).
- 3) Part 1: Removing Heritage Wimbledon Park from the 'At Risk Register'

These provide background information to our work.

Section 106 Agreements

To the reader this appears to be a major consideration in reaching the decision to approve the application.

Our understanding of a Section 106 agreement is:

- 1) Section 106 of the Town and Country Planning Act 1990 allows a local planning authority to enter into a legally binding agreement or planning obligation with a landowner as part of the granting of planning permission. The obligation is termed a section 106 agreement.
- 2) An application for modification or discharge of s106 agreement can be made to the local planning authority after the expiry of the 'relevant period', and the "relevant period" is defined as five years since the beginning with the date that the s106 agreement is entered.

6.4.125 Any planning approval would secure via Section 106 Agreement an overarching contribution of £8,620,440.88 to be used on a variety of projects within council owned Wimbledon Park (see Head of Term 5) for the purpose of enhancing Wimbledon Park in



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heritage, recreational and amenity terms. The exact scope and nature of projects would be confirmed via the production of the Strategic Landscape and Heritage Conservation, Enhancement and Management Plan (see Head of Term 5). However, a preliminary list of projects has been identified and those of notable heritage benefit include:

5. Wimbledon Park Strategic Landscape and Heritage Conservation, Enhancement and Management Plan

- *The LB Merton shall prepare a project brief for a Wimbledon Park Strategic Landscape and Heritage Conservation, Enhancement and Management Plan in consultation with Historic England, London Borough of Wandsworth, the Wimbledon Club and AELTC with the aim of removing the Registered Park and Garden from Historic England's Heritage at Risk Register. The project brief will be produced by Merton at the cost of the AELTC.*
- *This plan shall include, amongst other things, identification of key constraints and opportunities for developments in the RPG, and strategic principles for managing the RPG. The plan shall also include identification of heritage, recreational, leisure and landscaping enhancements and improvements in relation to the existing Wimbledon Park within Merton ownership which shall be projects to which the contribution secured under HOT 6 may be used.*
- *A Plan to be based on the Project Brief will be produced by Merton.*
- *The costs of preparing the Project Brief and Plan will be borne by AELTC.*

The above makes depressing reading! The disregard that LBM have for the work undertaken by the Friends of Wimbledon Park volunteers is extraordinary. (see appendix 3).

Our proposals have been widely circulated and includes meetings with officers, politicians, and park users. It is included in the Merton Heritage Strategy 2021-25: Development Plan.

In our work:

- 1) We have consistently maintained that the Way Forward should be on a holistic approach that takes note of the assets, facilities and activities that are present. Landscape, biodiversity, and habitat should take priority. It is notable that isn't happening. A piecemeal approach does harm.

And recognised:

- 1) That England¹ is one of the most nature-depleted countries in the world due to its long history of industrialization and land use changes over millennia. Large areas of habitats have been lost with 99.7% of fens, 97% of species-rich grasslands, 80% of lowland heathlands, up to 70% of ancient woodlands and up to 85% of saltmarshes destroyed or degraded.
- 2) The impacts on species have also been severe, with a quarter of mammals in England and almost a fifth of UK plants threatened with extinction.
- 3) Wimbledon Park has many special places for nature such as its ancient and historic woodlands, hedges, and lake (lake could be enclosed with a nature reserve). These can be enhanced for the benefit of species and visitor enjoyment.
- 4) This was published in July 2022 and is a wake-up call if one is still needed!

Public Benefit

6.4.133 Officers acknowledge, however, the wording of London Plan policy HC1 and Merton SPP DMD4 does not explicitly outline that harm to heritage assets may be balanced against public benefits. HC1 (c) outlines development proposals should avoid harm and identify



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enhancement opportunities by integrating heritage considerations early in the design process. DMD4 (b) outlines all development proposals associated with the borough's heritage assets or their setting will be expected to demonstrate, within a Heritage Statement, how the proposal conserves and where appropriate enhances the significance of the asset in terms of its individual architectural or historic interest and its setting. One can conclude therefore that these policies consider any harm to be a breach in policy. Notwithstanding, given the NPPF forms a highly material consideration, **Officers consider it appropriate to balance the harm to designated and non-designated heritage assets identified in this sub-section against the public benefits of the proposed development.** The weight to be attached to conflict with development plan heritage policies should therefore be considered having regard to the balance to be carried out in accordance with the NPPF.

6.17.7 In accordance with NPPF para 148, this sub-section seeks to identify whether there are very special circumstances which allow for planning permission to be granted.

6.17.8 Further to this, this section also considers whether the public benefits would outweigh harm identified in respect of heritage assets, open space, and sports and recreational provision (i.e. loss of the existing golf course).

6.17.9 To achieve this, Officers conduct a balancing exercise which is structured by the following:

- A summary of harm identified within the planning assessment.
- A summary of planning benefits that Officers consider carry weight in favour of the development.
- Consideration as to whether the benefits of the proposed development clearly outweighs the harm identified and amount to Very Special Circumstances (VSC).
- Consideration as to whether the benefits of the proposed development outweigh harm in terms of designated open space and sports and recreational provision.
- Consideration as to whether the public benefits of the proposed development outweigh harm to the significance of heritage assets.
- Concluding statement

This highlighted sentence is open to debate. **Officers consider it appropriate to balance the harm to designated and non-designated heritage assets identified in this sub-section against the public benefits of the proposed development.** A price of £8,620,440.88 is deemed to be acceptable. We comment but reserve the right to disagree with considering it appropriate as in the highlighted sentence.

Public benefits should be defined as those that all the Community can enjoy. This will include restoring nature, reinstating vistas, and enabling open space and sports and recreational provision (this means participation activities not spectator activities). It includes walking.

The applicant offers permissive access to 7.5ha of their land and permissive access to a boardwalk constructed in the main on land owned by LBM. Consideration needs to be given to how this permission can be undone. This is likely to come about after a period when personnel change or a new owner decides so to do for a pressing reason. The applicant's casual disregard of obligations it gave within living memory does not augur well for a "perpetual" obligation from the applicant about anything. This is rejected and the alternative of dedicating a public walkway around the lake within a nature reserve is requested. (The



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process would be the dedication and then negotiating with the 3 owners. This will enable the 5 blots on the lakeside landscape to be relocated to an appropriate place).

Desilting the lake should be a separate application so that a proper cost and benefit analysis can be made. The cost is £7.5 million and for the benefit for long term use of the lake for water-based activities. This does not meet the required benefit to all the Community. Nature needs to be included and an assessment of the harm releasing poisons from the lakebed.

Dr Dave Dawson advises that:

- 1) Restoring the original depth - correct, but not urgent as the lake has lost only 1/3rd of its depth over 250 years.
- 2) Preventing the loss of lake area. Trivial, as most of the lake edge is over 30cm deep and so will not soon silt up. There is one tiny area near the island, only, where there may be loss of lake area in decades rather than centuries. A little job there would fix that one.
- 3) Removing pollutants which might affect lake water quality. At best a half truth, because contaminants in all but the top 10cm of the silt are locked away at depth. So, one needs to remove **all** the silt, or a residual amount would still be in contact with the lake water. But, more important is that their proposed method of removal pumps the silt with much lake water, dries it in a centrifuge and returns the washings to the lake, so increasing the levels of pollutants in the lake water, which would kill the lake. Sadly, there is nowhere else to send the polluted water and alternative methods involve large ponds, greater cost and the possibility of more lorry journeys. When I mentioned this on one of their tours of the "public park" they said that there is no problem as any works will need to be signed off by the Environment Agency. Well yes!
- 4) Flood control. Merton used to claim a benefit for flooding both upstream and downstream, but this was a simple misunderstanding of the hydrology. As all the silt is below the level of the outflow weir, there is no effect of silt on flood control. This was finally confirmed by Merton's dam safety engineers, but the message seems not to have made its way through to others.

Benefits to visitors and nature have been covered and the phased approach shown in Appendix 1. It's unfortunate that Green Spaces haven't recognised this work although we had an inaugural meeting on the 21st September 2023. Since our formation in 2012 we have ensured all officers are provided with copies of documents relevant to them.

Wider community engagement with the site and sport. Each year in the area around Wimbledon Tennis Fortnight residents face a parking lockdown. This offer should be an acknowledgement of this restriction not as part of a controversial planning application.

Merton's own conservation officer considers that the proposal will cause substantial harm. NPPF para 201 provides in such a case that consent **must be refused** "unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss". The public benefits proposed could be achieved in many other ways, without causing any harm at all, because they are off-site works as we have demonstrated. They are not remotely linked to this application. Furthermore, the benefits proposed are said to be "public", but no member of the public, nor any local councillors or community groups (including FOWP, SGRA and WPRA) have been consulted when considering how to spend nearly £17million.



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All 3 owners have been shown the alternatives making efficient use of the land available. It puts landscape, biodiversity, and habitat first and then improves facilities for all park users and visitors.

Conclusion

In short:

- 1) Alternative sport and recreation are not spectator sport and entertainment.
- 2) There is a biodiversity loss. Dr Dave Dawson's paper seems to have been ignored.
- 3) Boardwalk is relevant to the covenant for the public lakeside walk. This makes it material in this application because of the boardwalk and the consequences of approving the boardwalk.
- 4) Concerning the At Risk Register the Friends of Wimbledon Park have undertaken the task of delivering Wimbledon Park from the 'At Risk Register'. The owners were informed of this as well as all key players and the Community.
- 5) Section 106 agreements should be properly considered, they can be undone, and work carried out by Friends of Wimbledon Park should not be ignored.
- 6) Public benefit test should apply to all the Community in LBM and LBW. Failure to consult on these public benefits is a gross omission.

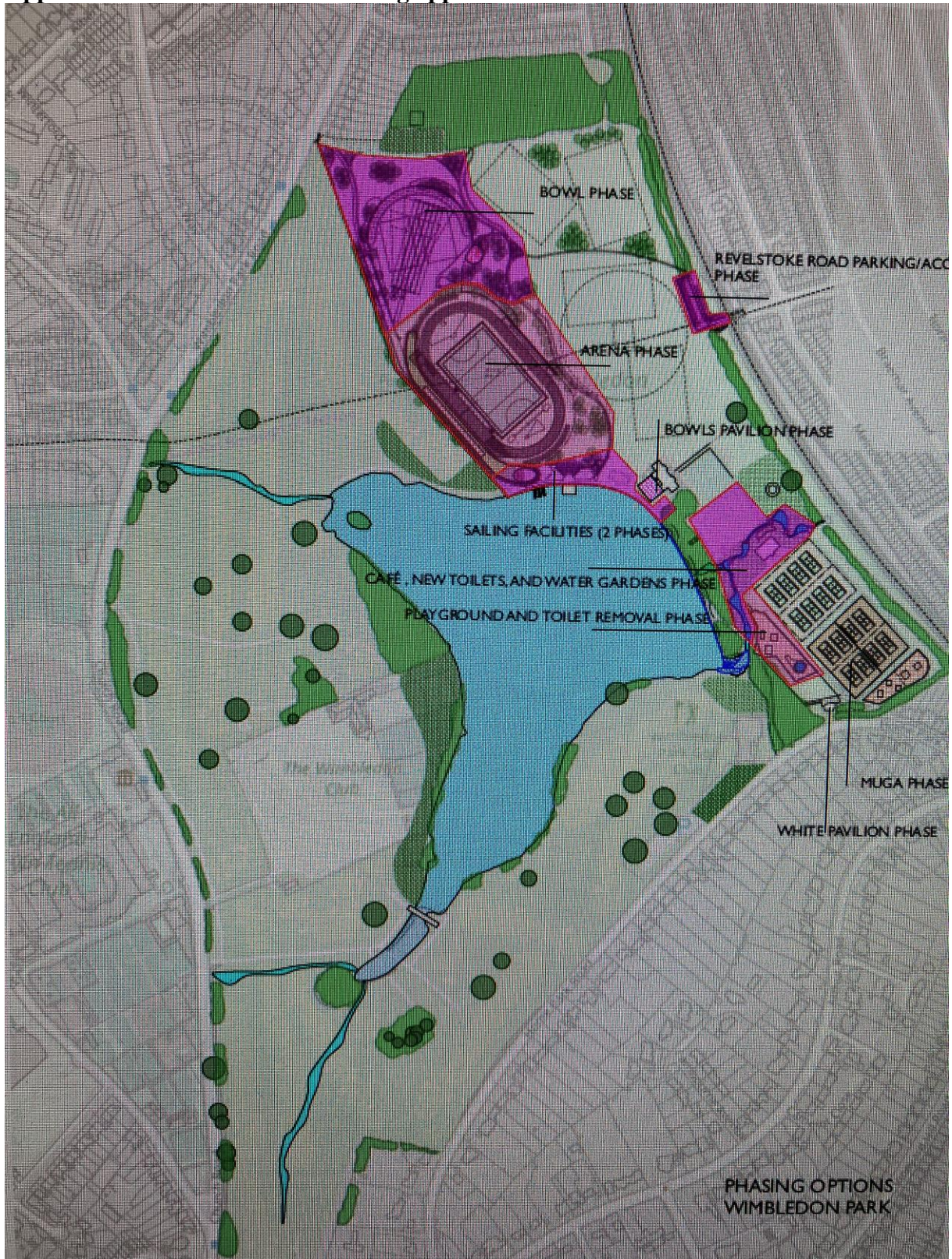
These lead to the conclusion that the application should be rejected.

Dr N R Steiner
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Appendix 1 Wimbledon Park Phasing approach





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Appendix 2 FOWP brief history of achievements (05).

Setup in 2012.

Asked Doug Napier² (LBM Greenspaces Manager) for Wimbledon Park business plan. He replied there isn't one. We then wrote the Conservation Management Plan (2016). This identified 4 topics:

- 1) Study
- 2) Sport
- 3) Wellbeing
- 4) Community

That need to be satisfied. It also identified The Green Flag Award scheme as an objective, outlined a committee structure for a Community Trust and considered the Management focus which includes raising capital needed for improvements and covering funding for running, repair and maintenance costs.

Identified that 56% of public park is pay to use. We also noted the lack of facilities for children 12 years and over and a piecemeal rather than a holistic approach to developments.

Landscape, biodiversity, and habitat were our key objectives. The Grade II* listed park is clearly of heritage significance.

We set up the Friends of Wimbledon Park Forum (FOWP Forum) within our constitution. This includes the 3 owners (also TfL), residents associations, politicians, park employees, clubs, individuals, and others who wish to be involved in improving the Grade II* Heritage Park.

Getting things done was and is difficult. Told that our work such as tree planting, bat surveys and other projects:

- Are low priority and no funding.
- Too busy was and is a constant refrain.

In May 2014 we made a Parks for People application to Heritage Lottery Fund for Wimbledon Park in the London Borough of Merton. Michael Murray (London Development Manager) visited in June 2014, extracts from his report:

- 1) Thank you for the tour of Wimbledon Park to discuss a potential Parks for People application. It is an interesting and historic park, which perhaps should be on the English Heritage At Risk register.
- 2) A project that resolved access to a walking route around the lake be transformational, and potentially enhance the park as a destination for local as well as out of borough visitors.
- 3) I am hopeful that a strong project can be developed for Wimbledon Park

LBW, AELTC and TWC were supportive, but LBM were too busy. LBW sent their Greenspace Manager to participate in the FOWP Forum.

In July 2014 Zosia Mellor (English Heritage Landscape Architect) wrote 'Thank you for your e-mail of 24 June and the attached letter from Michael Murray of the HLF. I note that he also suggests that Wimbledon Park should perhaps be on the English Heritage At Risk register'.



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In October 2014 she wrote ‘Thank you also for forwarding the agreed notes of your meeting with LB Merton on 6th August. I am delighted to learn that you will now seek formal support from the other two owners toward a bid to the Heritage Lottery Fund. It is particularly encouraging that you are looking at the whole of the Grade II* park and English Heritage always presses for resolutions that address the entirety of a historic designed landscape. I note LB Merton’s comments that their capacity will be clearer in January when the HLF will give a decision on the Canons bid’.

LBM decision was not to go ahead with the application.

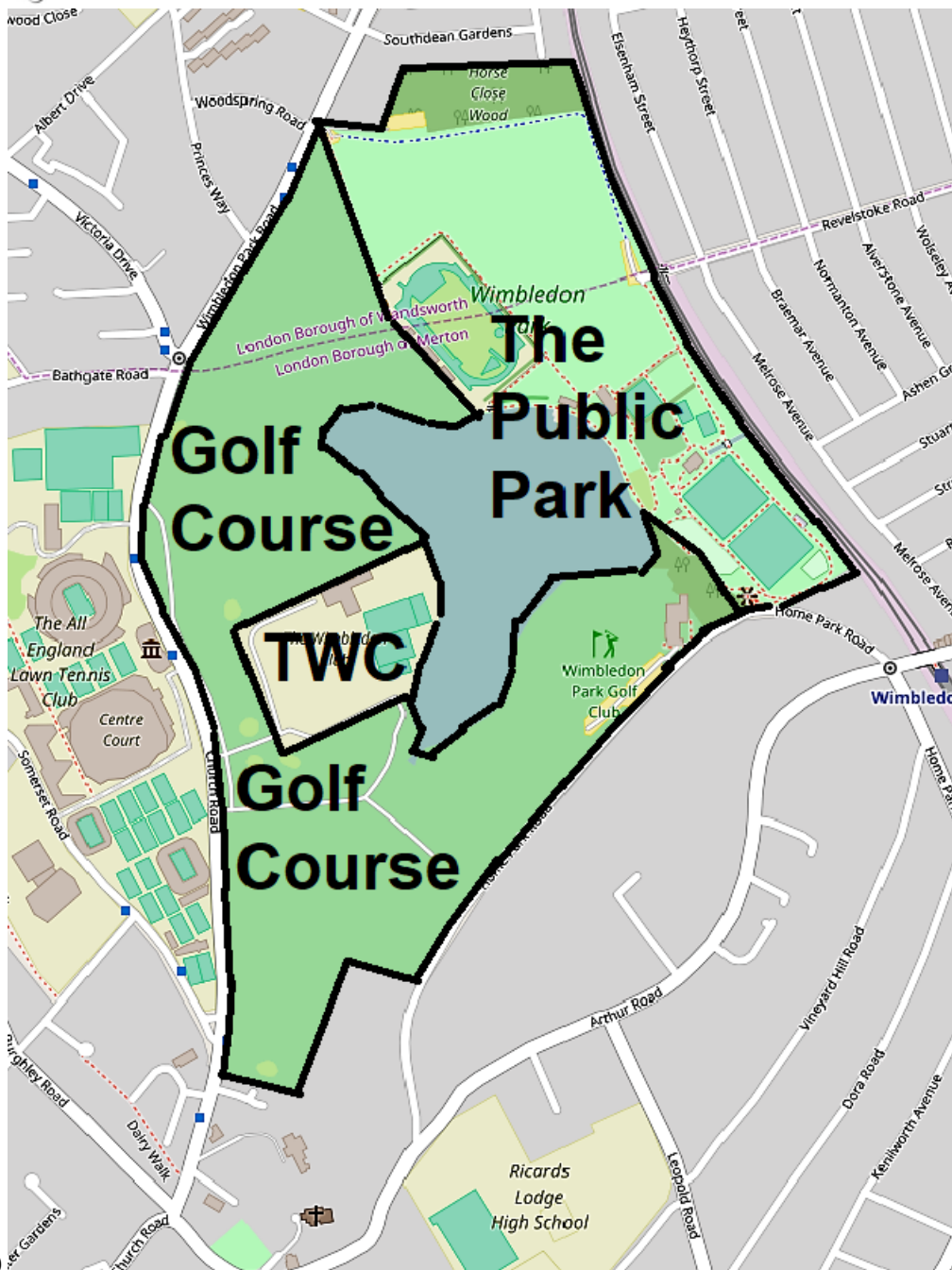
In 2016 in recognition of Capability Brown’s tercentenary we led a walk around Heritage Wimbledon Park fixing blue plaques at each of the five entrances. Also, in 2016 Heritage Wimbledon Park was placed on Historic England’s ‘At Risk Register’.

Our work includes writing up projects, finding funding, implementing, and maintaining completed tasks with volunteer help:

- 1) planting over 2500 trees. This includes establishing the Glade in Horse Close Wood, creating the Central Railway Hedge and planting hornbeams along the eastern perimeter path to replace the black poplars which are reaching end of life.
- 2) with Dave Dawson’s help drawing up the management plan for Horse Close Wood.
- 3) carried out and paid for a bat survey in the 61ha park in 2017.
- 4) liaising with Thames Water (TW), Environmental Agency (EA), and South East Rivers Trust (SEART) to reduce pollution and identified to the 3 owners that silt traps would be a useful investment to reduce silting in the lake.
- 5) drawing up plans for the Wimbledon Park Arena and other areas in the public park.
- 6) obtaining planning permission for improvements to the prison like entrance from Revelstoke Road and restoring the missing link in the perimeter path. This will make a small contribution to delivering the Heritage Park from Historic England’s ‘At Risk register’.
- 7) providing a free to use table tennis table (another in store under café awaiting siting agreement).
- 8) fencing in the veteran tree by the Old Bowling Green with the help of the Community Payback Team (CPT). This area then regenerated through the seed bank in the soil and natural rewilding.
- 9) working with The Capability Brown Society (TCBS) to provide a platform for schools to show and demonstrate their students’ abilities in arts and music.
- 10) proposed the daylighting of Wimbledon Park Brook and liaised with LBM for its implementation. The next step is the creation of a water garden for nature and visitors to enjoy.



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- 11)
- 12) Capability Brown's Wimbledon Park (Only 61ha of the original 374ha remain) now in four ownerships.
- 13) The Golf course is owned by the All England Lawn Tennis Club (30ha).
- 14) The Wimbledon Club own the area marked TWC (4ha).
- 15) The Public Park is owned by the LB Merton (27ha including 9ha lake).
- 16) The area under Revelstoke Road Bridge is owned by TfL.



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Appendix 3 Heritage Asset Wimbledon Park is in trouble.

Part 1: Removing Heritage Wimbledon Park from the ‘At Risk Register’

Introduction

The Friends of Wimbledon Park (FOWP) is a voluntary umbrella organization that aims to give a voice to local people, community groups and other interested parties, to protect and enhance this well-loved heritage landscape, Heritage Wimbledon Park, for future generations. This is obtained through the FOWP Forum.

1) The objects of the Friends are for the public benefit and are:

- a. to secure the preservation, protection and improvement of Wimbledon Park (“the Park”) as a place of historic and ecological interest and beauty;
- b. to promote the conservation of the natural plant and animal life of the Park and, in particular, its retention as a natural habitat for wildlife;
- c. to educate the public in the history, natural history and other aspects of the Park;
- d. to support the implementation of a Conservation Management Plan for the Park;
- e. to acknowledge that the Park provides valuable resources for active and passive public recreation and that such pursuits can and should exist side-by-side with the heritage values of the Park;
- f. to acknowledge that the Park, through its size, character, accessibility, and facilities, has special features which should be enjoyed by people from this part of south-west London.

2) Heritage at Risk Register

- a. Briefly Capability Brown designed this landscape between 1765 and 1783. Only 61ha of the original 374ha remain and is now in four ownerships. In 1899 The Wimbledon Club (TWC) bought the freehold (4 hectares) followed in 1915 by The Municipal Borough of Wimbledon who purchased the rest of today’s heritage land. This was transferred to London Borough Merton on in 1965 by the merger of the Municipal Borough of Mitcham, the Municipal Borough of Wimbledon. TfL own the land under the Revelstoke Road Bridge.
- b. On October 1st, 1987, Wimbledon Park was included in Heritage Category: Park and Garden Grade II* List Entry Number: 1000852.
- c. In June 2016 3 owners (LBM, TWC and AELTC) were advised that The Grade II* Registered Park and Garden (RPG) has been included in the Heritage at Risk (HAR) Register for London due to the following issues:
 - i. Uncertainty around the future of the entire historic landscape:
 - ii. The impacts of divided ownership on landscape management:
 - iii. Obscured designed views: and
 - iv. The deteriorating condition of the Lake.

3) Business plan

- a. In the absence of a business plan for the 61ha heritage park we researched its needs and bore in mind a generational duty to preserve this heritage for our descendants in 150 years hence.
- b. A major source of information was the Glasspoole Thomson³ report 1998. We completed our Conservation Management Plan in 2016.
- c. Since then, our achievements include installing blue plaques at each of the five main entrances, planting over 2500 trees, writing a booklet on sports, carrying out a bat



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survey, intervening into solutions for the pollution spillages in the lake and obtaining planning approval for the improvement of Revelstoke Road entrance.

- d. We continue to encourage the 3 owners to form an Owners Group which will lead to developing a Master Plan for Heritage Wimbledon Park (a holistic approach) that includes constructive dialogue with the Community.
- e. In March 2021 The Capability Brown Society⁴ (TCBS) published a Vision⁵ for the 61ha heritage park.

4) Funding.

- a. Various sources of funding were examined, and these included:
 - i. A precept, however, consultations revealed a dislike of precepts,
 - ii. Public-private agreements or partnerships, and enquiries revealed companies would be interested but care would need to be taken on the terms & conditions.
 - iii. Heritage Lottery Fund (HLF). Discussions with HLF in 2014 were good and received support from AELTC, TWC and LBW but LBM were too busy,
 - iv. Crowd funding. A good example for this approach is AFC Wimbledon.
 - v.

5) Deliverability⁶

- a. We (Friends of Wimbledon Park) will work with the local community, LB Wandsworth, and the owners of the Historic Park, which is a Grade II* listed site, to prepare a Masterplan to guide the future of the Historic Park. This will secure the future of the park, taking full account of alternative ways of achieving its heritage, amenity, biodiversity, play, sports, informal recreation and economic potential. We will ensure consistency with existing covenants and heritage, employ rewilding, retain ancient and heritage features, views and soils, enhance landscapes, remove the listed park from the “at risk” register, conserve and increase priority species, priority habitats and tree cover and enhance free public access.
- b. Wimbledon Park lake is the clearest surviving feature from the Capability Brown landscape and its poor condition is one of the reasons that Wimbledon Park is on the “heritage at risk” register.
- c. Development proposals will need to:
 - i. provide free public access around, not within, the whole lake, alongside heritage, ecological, sporting and reservoir management considerations.
 - ii. address the poor condition of the lake by controls on fish stocks, and nutrient and sediment input.
 - iii. restore the historic shape and depth of the lake.
- d. Development proposals must respect the site’s historic setting including the views to St Mary’s Church, the Old Rectory and the surrounding area and the views to and from the Grade II* listed Wimbledon Park and those identified in the 1989 Wimbledon Park Restoration Proposals.
- e. Development proposals must:
 - i. identify and protect the openness of the parkland landscape, including the sweeps of grassland, historic trees and other trees of significant amenity value and consider a programme for their renewal and replanting as appropriate.
 - ii. consider the removal of insensitive trees and other planting.
 - iii. increase the ecological interest of the site, its National Priority Habitats, their parkland trees, tree clumps and woodlands, wetlands, open water, and reed beds.



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- iv. avoid releasing sequestered carbon by removing trees or soil, so avoiding contribution to global heating.

Part 2 Development Control.

- 1) AELTC have submitted a planning application (Merton 21/P2900, Wandsworth 2021/3609 at Wimbledon Park Golf Club, SW19 7HR) for development of the former golf course within the Grade II* Registered Wimbledon Park. In their 2022-10 Community Newsletter AELTC say *'The new public park will not only be a valuable asset to the community but will significantly increase the biodiversity of the site by restoring important habitats and represents the best chance of resolving its 'at risk' status, as identified by Historic England'*.
- 2) Wimbledon Park has statutory protection against inappropriate development. It is Metropolitan Open Green Belt Land, a Conservation Area, and Historic England, in recognition of Capability Brown's design, have registered all the land as a Grade II* Park and Garden which grants it national recognition as a protected historic entity. Due to neglect by the current landowners, it is currently on the 'At Risk Register'. AELTC's application site is entirely within the Park.
- 3) This will hinder not enhance removing the heritage park from the 'At Risk Register'.

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References

¹ <https://www.gov.uk/government/news/environment-agency-report-sets-out-urgent-need-to-work-with-nature>

² Since retired.

³ Wimbledon Park restoration proposals. Glasspoole Thomson, March 1998.

⁴ The Capability Brown Society (TCBS) is an independent not for profit organisation with no agenda other than to stimulate debate to get the very best possible imaginative outcome for the future direction and use of the wider Heritage Wimbledon Park landscape. It aims to be proactive and imaginative setting out proposals for the wider parkland, perhaps the most intensively used multi-purpose park in London, at the same time fully providing for the conservation and improvement of the park's natural environment and ecology. It is a corporate member of the FOWP Forum

⁵ Details of Proposals and Ideas for the Future of The Heritage Wimbledon Park Landscape by The Capability Brown Society March 2021

⁶ Observations on the LB Merton's topic paper on the historic environment of Wi3. Dr D.G. Dawson, for The Wimbledon Park Residents' Association, October 2022