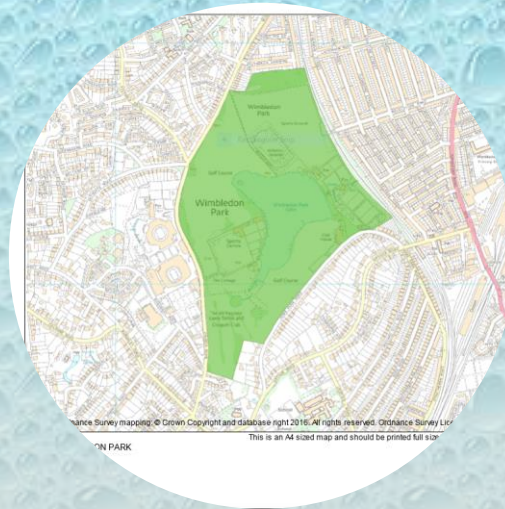


Friends of Wimbledon Park

Friendsowimbledonpark.org



AELTC and the Public Park

From: Chair - The AELTC Community Newsletter December 2024

- When we are able to start work, we will prioritise opening up the new 23-acre southern parkland and the desilting of Wimbledon Park Lake, which will enable the circular boardwalk to be constructed.
- From your feedback at our consultation events, it is clear that the opening up of newly accessible green space on the former golf course land, alongside the opportunity to walk all the way around the lake for the first time, will be very welcome benefits.
- There are a number of other improvements to the existing public park that will happen and these will be carried out in coordination with the local councils.

From Chair Friends Of Wimbledon Park 27th September 2024 At GLA Hearing

- 1) No public access around the lake is provided as required under the 1993 Covenant.
- 2) The boardwalk will cause significant harm to the design of Capability Brown's Lake, cause ecological damage and interrupt the visual interaction of historic views of the lake margins.
- 3) Historic views across the lake from the public domain are obscured by ugly buildings.
- 4) So called public benefits in the public park offer poorly considered illusory proposals and piggyback on the work carried out by Volunteers. Unpaid volunteer work includes:
 - a) Writing Horse Close Wood Management Plan in 2016
 - b) Obtaining planning permission for Revelstoke Road Entrance improvements in 2021.
 - c) Progressing the Ashen Grove, Café & Water Garden area project.
 - d) Investigating the Wimbledon Park Arena project.
 - e) Planting 3000 trees and plans for more.
 - f) Negotiating the daylighting of Wimbledon Park Brook with more to do.
- 5) This work by the Friends provides a significant biodiversity gain towards maximizing biodiversity gain.
- 6) Desilting is a major undertaking. Clearly a detailed investigation needs to be made into the species in the lake and their vulnerability to harm from desilting activities. This work needs to proceed without distractions as errors could be disastrous for nature. Therefore, this should not be part of this application.

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A clear difference between the two chairs.

Let us examine the evidence of harm caused by the proposal to build a boardwalk in the lake.

From Representation Hearing Report GLA/2024/0045/S3 & GLA2024/0047/S3 27 September 2024

- 133. With regard to the positive covenant within the 1993 transfer to provide a lakeside public walkway which is open to the public, the enforcement of this covenant is a matter for the parties to the 1993 transfer. No walkway has been provided at this point in time and there is no certainty as to whether it ever would be provided, and if so when or in what form. The route of this walkway is not currently open to the public and it is not part of the public highway. A new publicly accessible lakeside boardwalk is part of this proposal and its delivery can be secured if planning permission is granted, as can its future maintenance. The proposals for a lakeside boardwalk are covered in more detail later in this report. GLA Officers are satisfied that the existence of this positive covenant is not a material planning consideration and that even if it was material, it is considered that it would attract only minimal weight for the same reasons.
- 461 extract: The introduction of the boardwalk around the lake would negatively affect the ability to perceive the lake as a natural body of water as intended by Capability Brown. Furthermore, where the boardwalk cuts across the lake tips, this would also interrupt the naturalistic design.

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.*
- ❖ **Wimbledon Park is still a Grade II* registered park so wholly exceptional applies and this includes the public park.**

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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.

Looking west from dam



Looking east to dam



Our local Community

The Park's community includes a broad range of interests, groups and individuals from across the region and beyond. This ranges from statutory governmental bodies, people who use the Park or venues within it, those with particular interest like sports or wildlife, and those who represent certain groups of users or people. It also includes the employees who work in the park and support workers. Examples include Individuals, Clubs, Coaches, Schools & students, Residents Associations, Park staff, Owners, Commercial organisations, Charities, Politicians, Groups both informal and formal and organisations providing social prescription services.

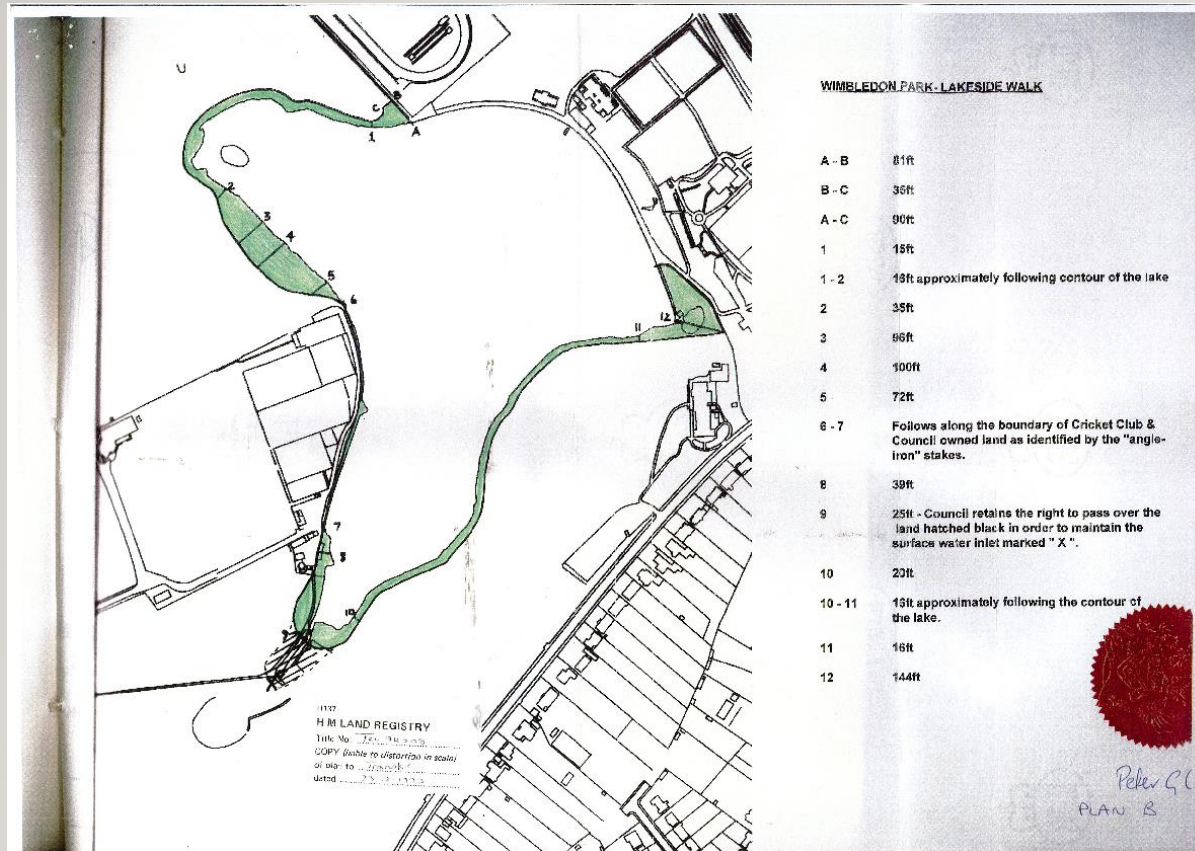
Community provides a sense of ownership and a strong base for volunteering. We can say:

- The Park is first and foremost a place of enjoyment; a resource for people to use and take pleasure from. It is also an area that can deliver positive benefits to a diverse range of individuals and communities.
- Such enhanced wellbeing can have encouraging results on individual, social and community behaviour:
 - ❖ reducing physical and mental problems
 - ❖ building stronger community relationships
 - ❖ reducing crime and anti-social behaviour
 - ❖ developing skills, knowledge and local pride

Structured activities usually have an area set aside for their purpose whilst informal activities have to share their space with other activities. Every valid activity in the park can detract from the enjoyment of others (boating scares off birds, dogs off the lead can frighten children, cyclists can threaten pedestrians, children enjoying the waterfall may cause damage that requires remedy). Multiple uses involve compromise, wear and tear is natural, and others will not necessarily share personal prejudices.

Consultation and discussion on ideas and projects within the Friends of Wimbledon Park Forum facilitate the sorting and solving of problems.





Plan of the Wimbledon Park public lakeside walk from the 1993 covenant between AELTC & LBM.

Note: The Wimbledon Club (TWC) are not party to this covenant.

Under the 1993 covenant when golf ceases to be played the transferee will dedicate a public walkway around the lake.

The Third Schedule

3.1 This covenant will not take effect in relation to any part of the area shown coloured green on plan B annexed hereto ("the dedication land") until the lease or any continuation or renewal thereof ceases to subsist.

3.2 subject to paragraph 3.1 above as soon as practicable after golf ceases permanently to be a use on any part of the dedication land (a "relevant part") **the transferee or its successors in title will dedicate that relevant part as a public walkway** provided always that the transferor shall have the right to defer the said dedication of the relevant part on giving the transferee 28 days notice in a writing to a date which may be nominated by the transferor ("the deferred date") subject to giving the transferee 28 days prior written notice of the deferred date.

The fourth schedule

3 If at any time the whole or any part of the area shown coloured green on plan b is dedicated as a public walkway at the transferor's cost to fence the boundary of the said walkway to the minimum specification shown on the plan annexed hereto marked plan c within one year after the date of the said dedication



Golf ceased to be played on 1st January 2023

Question to AELTC

- With golf ceasing to be played in Wimbledon Park from January 2023 the Community are looking forward to the implementation of the promise given between LBM and AELTC in 1993 for a dedicated public walkway around the lake.

Reply from AELTC

- ❖ *You will note from the extract that the covenant to designate the part of “the Dedication Land” is subject to paragraph 3.1 and therefore does not apply until the 1986 Wimbledon Park Golf Course lease ceases to subsist. I can confirm the lease continues to subsist.*



II Explanation on why AELTC are retaining the lease which ends in 2041 rather than ending it now.

When the freehold and leasehold interests in a property/land are owned by the same person they can apply to the land registry to have the titles merged i.e. Close the leasehold title so they are just left with the freehold.

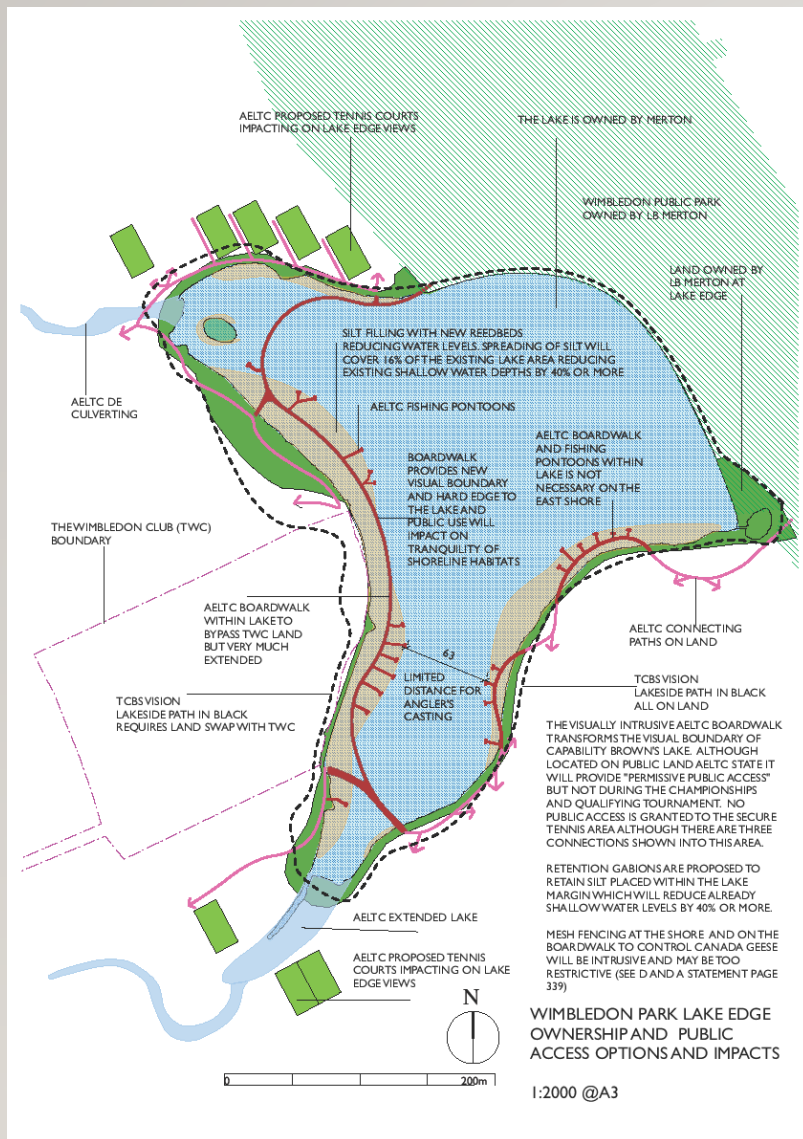
- 1) However there is no obligation on the owner to do this and they can just carry on as owners of the leasehold and freehold titles.
- 2) There can be reasons why it would be in the owner's interest not to merge the two titles. For example, the leasehold title may include rights over other land which would be lost if the leasehold title was closed.
- 3) Unfortunately, the reason given by AELTC is another example of why it would not be in AELTC's interest to merge the two titles.
- 4) The obligation to **dedicate** the public walkway around the lake only comes into effect when the leasehold interest ceases to exist. By not applying to the land registry to have the two titles merged the AELTC are delaying their obligation to **dedicate** the walkway until the term of the lease expires. It is not a question of still paying the rent as the AELTC can waive its collection.
- 5) AELTG now owns both the freehold and leasehold, so if they continue to keep the lease separate they will avoid their obligation to dedicate the walkway.



The Public Lakeside Walk

- 1) The edge of the lake provides the most diverse wildlife habitat in the heritage park. It is a place for protecting important wildlife habitats and priority species and improving access to nature.
- 2) Public access to the lake edge is currently restricted to the dam promenade in the public park and there is, as a result, a poor perception by the public of the rich habitats on two thirds of the lake perimeter, except perhaps by more privileged anglers and golf players. With the discontinuation of the golf course, public access on a new path around the lake would therefore be very welcome with a high Wellbeing factor but it presents a challenge if the lakeside habitats are to be protected and enhanced.
- 3) Currently, there is a strip of land on the lakeside of the golf course which will become a public walkway once golf ceases, but this is narrow in places. It would therefore be incumbent on the three landowners to prioritise the protection of important habitats and adopt a flexible approach to the siting of any new public access path. Ideally the path should be designed to have generous setbacks from the lake edge, approaching the water's edge only in limited locations for important views.
- 4) The five blots on the lakeside landscape need to be relocated. These are the LBM water sports building and boat storage, the TWC sports hall and the 6 monthly tennis dome, and the AELTC Greenspaces buildings.
- 5) The next slide illustrates what could be achieved in consultation with the 3 owners of Heritage Wimbledon Park. This is compared with AELTC's offer of a permitted boardwalk in the lake on land owned by LBM.

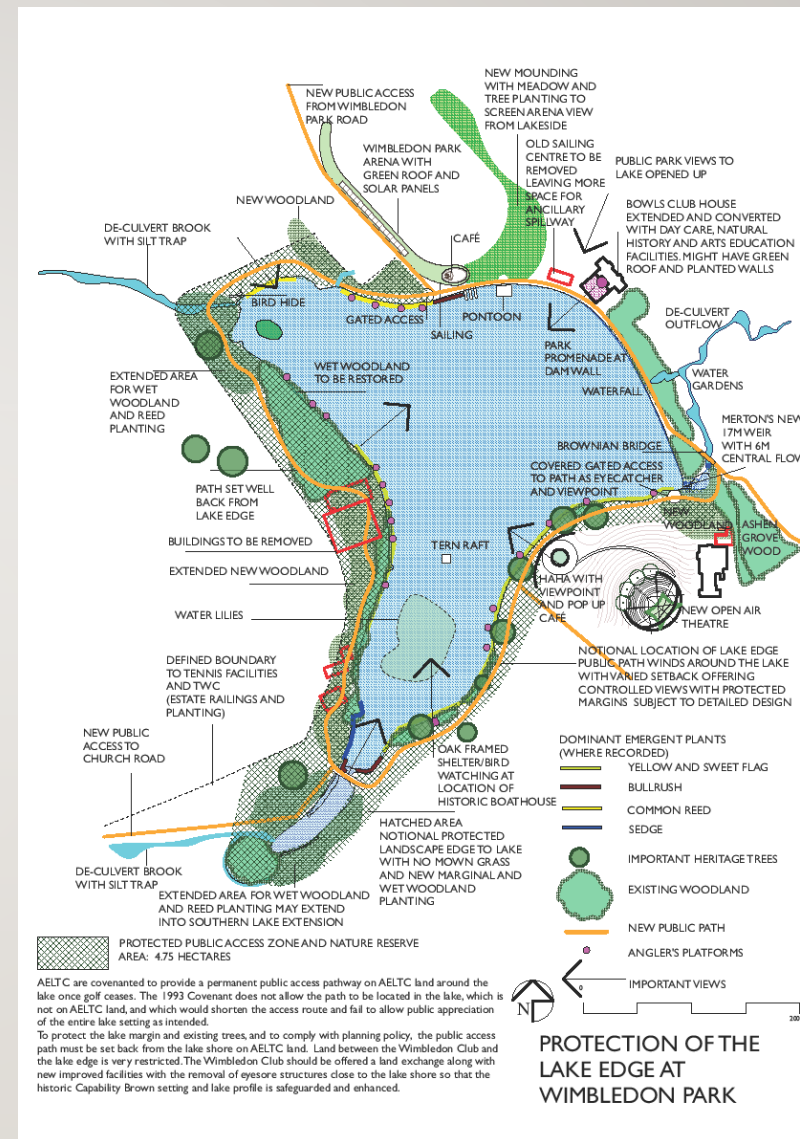




A permitted boardwalk on LBM land

Part of
AELTC WPP
application.

Blots on lakeside landscape remain.



Need to reach agreement with the 3 owners.
Blots on lakeside landscape are relocated.

A public lakeside walk within a 4.75 ha nature reserve.

State of Natural Capital Report for England 2024: Risks to nature and why it matters

<https://naturalengland.blog.gov.uk/tag/state-of-natural-capital-report>



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Nature has historically been regarded as largely expendable in the pursuit of economic advances, but there is a growing understanding that we can no longer afford to treat it in such a careless way. Our economy and our society depend on complex ecosystems from mountain-tops to seabeds for food, clean water and air, our ability to cope with climate change impacts, and places that foster health and wellbeing. Viewing nature as natural capital clearly encapsulates our fundamental reliance on this stock of national wealth. The idea of natural capital thereby also supports our ongoing efforts to preserve, monitor and manage our natural resources so that they continue to meet our needs long into the future.

Tackling the nature crisis will require action across all sectors to reduce risks to society. This report is your guide to action. I encourage you to read it, use it, and secure the benefits nature provides into the future, not just for yourself but for society as a whole and the natural world which sustains us.

Tony Juniper CBE, Chair of Natural England



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- Natural capital is the parts of nature that provide benefits to people. We depend on it for the air we breathe, the water we drink and the food we eat. It boosts our health and wellbeing. It captures and stores carbon and has a vital role to play in helping us adapt to the impacts of climate change. Natural capital is also an economic concept. It considers nature as a stock of assets, which we have to invest in. Ecosystem assets need to be in a healthy state to support the benefits society relies on.
- It is widely acknowledged that England's natural environment has been heavily modified by human activity and continues to be degraded. England is ranked as one of the most nature depleted countries in the world in terms of how well it has retained natural animals and plants
- Because we don't know when natural systems will be unable to provide the benefits society depends on, we need to act now and take account of the state of nature in decision making. Particularly where the outcomes are dependent on the benefits we get.



The way forward

Landscape, biodiversity and habitat should be priorities for Grade II* Wimbledon Park.

- 1) The lake and the lakeside
 - a) E.g. European Eel, Sand Martin bank, Common Tern raft and perhaps a Heronry. Return of the water lilies.
- 2) Horse Close Wood (historical/ancient woodland)
 - a) Update on the FOWP 2019 Management Plan (D Dawson).
- 3) Ashen Grove Wood (ancient woodland)
 - a) Management Plan to be written
- 4) Habitat for our 8 species of bat
 - a) Action based on survey carried out by FOWP in 2017 and identify what further work is required
- 5) Establish great walking routes (currently poor) for visitors.
- 6) Proposals that do harm are very unlikely to meet the test of Very Special Circumstances!