



Historic England

Examination of the Merton Local Plan
Matter 14: Allocation Wi3 (All England Tennis Club)
Historic England, Hearing Statement
19/05/2022

Historic England is the principal Government adviser on the historic environment, advising it on planning and listed building consent applications, appeals and other matters generally affecting the historic environment. Historic England is consulted on Local Development Plans under the provisions of the duty to co-operate and provides advice to ensure that legislation and national policy in the National Planning Policy Framework are thereby reflected in local planning policy and practice.

The tests of soundness require that Local Development Plans should be positively prepared, justified, effective and consistent with national policy. Historic England's representations on the Publication Draft Local Plan are made in the context of the requirements of the National Planning Policy Framework ("the Framework") in relation to the historic environment as a component of sustainable development.

Historic England Hearing Statement

Introduction

- 1.1 This statement addresses the Inspector's questions with regards Matter 14, for site allocation Wi3, All England Lawn Tennis Club (AELTC).
- 1.2 This hearing statement should be read alongside Historic England's comments submitted at previous consultation stages of the Local Plan.
- 1.3 Allocation Wi3 contains several designated heritage assets, notably Wimbledon Park, a Grade II* Registered Park and Garden (RPAG), which is also on the national Heritage at Risk Register (HAR¹). The allocation is separated into three parts, with one part falling within the Wimbledon North Conservation Area. To the north lies the Bathgate Conservation Area which is also on the HAR Register. The allocation makes reference to the Wimbledon North Conservation Area but does not state that the site falls within it, instead saying it lies to the west of the site. The site also falls within a Tier II Archaeological Priority Area² (APA).
- 1.4 Wimbledon Park is the surviving part of an extensive 18th century landscape park, extended and re-landscaped by Lancelot 'Capability' Brown from 1765 for the first Earl Spencer for his manor house at Wimbledon, itself developed from an earlier equally notable 16th century estate. While much of the historic extents of the park were lost to development after the Spencer's sold off land in the 19th century, numerous 18th century features, including Brown's 9-hectare Lake, veteran parkland trees, areas of woodland (pre-dating Brown) and historic vistas, survive within areas of former parkland converted for recreational uses.

Inspector's Questions Matter 14:

Is the Wi3 (All England Lawn Tennis Club) allocation justified, and is it in general conformity with the London Plan, consistent with national policy and effective?

Issue (i): Is the Wi3 (All England Lawn Tennis Club) allocation justified, and is it in general conformity with the London Plan, consistent with national policy and effective?

Q1: Is the site allocation justified by the evidence base?

¹ Heritage at Risk Register: <https://historicengland.org.uk/images-books/publications/har-2021-registers/lon-se-har-register2021/>

² London Borough of Merton London Borough of Merton Archaeological Priority Areas Appraisal (2016) <https://historicengland.org.uk/content/docs/planning/apa-merton-pdf/>

- 2.1 The main evidence relevant to the allocation is the Merton Character Study³ (2021). This is a borough wide study and is therefore limited in the amount of localised, site-specific detail it can cover although it does draw some conclusions, albeit very limited conclusions, on pp. 99. There is no other evidence to support the allocation. The Borough's Conservation Area Appraisals are part of the evidence base, but they are included in their "raw" form. They have not been used to provide any assessment or analysis that would allow a judgement to be taken as to the suitability or otherwise for any of the allocations, including Wi3.

Q2: What is the status of the planning application pertaining to the site (reference:21/P2900) and when is a decision likely to be taken on it?

- 2.2 The status is unknown, and the Council will be best placed to comment on this. However, Historic England did provide comments in response to 21/P2900 (as well as Wandsworth's application 2021/3609) in September 2021. We raised concerns about the application on heritage grounds due to the harm arising from the scale and extent of the proposed development.

Q7: Is the Wi3 allocation based on a positive strategy for the conservation and enjoyment of the historic environment, taking into account the desirability of sustaining and enhancing the significance of heritage assets, and putting them into viable uses consistent with their conservation? Is it based on proportionate evidence regarding the significance of those assets, including in relation to the reasons for the inclusion of Wimbledon Park on Historic England's Heritage at Risk register?

- 2.3 Historic England considers that the site is developable and that its development could bring benefits to the historic landscape of Wimbledon Park. The adopted plan does not have a policy for the site. Given the development pressures it is facing it may be helpful to have a site-specific decision-making framework, provided it is well-considered and sound. Having a policy for the site, which contains appropriate criteria to secure the enhancements needed; that can address the reasons behind its Heritage at Risk (HAR) status; and which can secure that development proposals address the appropriate issues, will help set a positive strategy for the enjoyment and conservation of the historic environment. However, the policy as written is not underpinned by adequate evidence and does not contain the correct criteria. For these reasons we consider the policy to be unsound, modifications would help address this and we are happy to work with the Council and make suggestions.

- 2.4 The whole RPAG was added to HAR Register due to the following issues:

³ Examination reference 12D1

- Uncertainty around the future [of the entire historic landscape];
- The impacts of divided ownership on landscape management;
- Obscured designed views; and
- The deterioration of the Lake.

- 2.5 Heritage at Risk (HAR) sites remain on the HAR Register until Historic England considers more positive management and use operations are in place, so the above issues would need to be addressed satisfactorily by the landowners and the Council before Historic England could consider removing the RPAG from the HAR Register.
- 2.6 The design guidance for the allocation (pp.283-284⁴) does identify some opportunities for enhancement which respond back to reasons why the site is on the HAR Register, these the plan states that these opportunities are:
- “Secure investment to reimagine the historic landscape”;
 - “Secure pedestrian access to formerly private areas”; and
 - “Collaboration between landowners”
- 2.7 These guidance criteria are helpful to an extent, but they are high level, and need to go further to provide more detail for applicants, decision-makers, and the public so that transparent decisions can be made. For instance, collaboration between landowners is crucial to the future conservation and enhancement of Wimbledon Park but the importance of this issue is not reflected in the policy.
- 2.8 Issues relating to divided ownership can result in uncoordinated responses and create uncertainty in terms of coherent future land management. A unified response will be needed to ensure that the landscape is dealt within in an integrated, coherent way if the reasons for it being at risk are to be meaningfully addressed. To do this and to provide a genuinely positive strategy for the site’s conservation and enhancement, we recommend that the policy goes further and commit to the production of a joint masterplan or conservation management plan for the whole site that provides all landowners and stakeholder with a common baseline understanding of significance, the risks, the opportunities, and where vulnerabilities lie. This could then be used to inform subsequent development proposals and management. Equally, the policy could go further and explain what elements of the landscape require particular attention and would benefit from investment, for example de-silting the lake or addressing boundary treatments across the site. There are also other aspects of relevance outlined in Conservation Area Appraisals which

⁴ Examination reference 0D1, Reg 19 version

<https://www.merton.gov.uk/system/files?file=merton20local20plan20whole20reg1920july21.pdf>

have not been reflected in the allocation policy (see more in response to Q8) which should be factored into the policy.

- 2.9 While the design guidance criteria in the policy is helpful, we are concerned about the use of the word “reimagine”. The Council’s use of “reimagine” is probably a more accurate reflection of the proposed development, where surviving elements are being retained, some (like the lake) partly restored, and new elements added ‘in the spirit of’ Brown. A more sound option would be use the language of the NPPF i.e. ‘conserve and enhance’.
- 2.10 The allocation policy would set a more robust positive strategy for the conservation and enhancement of the historic environment if the criteria were presented as requirements rather than guidance.
- 2.11 It could be the case that the allocation is being led by, and conflated with, the planning application that is twin-tracking the plan. It may be that some evidence papers and heritage assessments exist, but in relation to the planning application and not the plan, although they have potentially influenced the plan. In terms of the plan there is very little heritage focused evidence (other than the borough-wide Character Study referred to above). It may be that work is underway with a site-wide conservation management plan and associated masterplans but again this has not been published in support of the site allocation. The lack of a robust evidence base means that opportunities for enhancement may have been missed and that the full effects of the allocation policy may not be understood. The evidence base is not proportionate to the high grade of the of the RPAG in conjunction with its HAR status.
- 2.12 While the policy sets some helpful criteria (although as above these are not adequate in themselves), the lack of a proportionate evidence base means that other areas of constraint, opportunity and risk may not have been identified which further compromises the ability of the plan to provide a positive strategy for the historic environment. It would also be useful if collaboration with Wandsworth Council was also referenced given the cross-borough interest, this may have been dealt with already in a Statement of Common Ground however.
- 2.13 In terms of viable use, sporting and recreational uses in themselves are not ‘unviable’, although they do often create issues by introducing new features/structures, altering layout and character, and changing the focus for management. Wimbledon Park has been divided amongst various private and public sporting and recreational uses since the late C19, and it is largely the these that ensured this part of the C18 landscape survived at all as the rest was sold off and developed for housing. All of the current uses were in place when the site was registered in 1987 as a grade II* RPAG. It is less a question of these uses themselves and, instead, about the accretion of new (often insensitive) development and landscape management decisions within the site

that have steadily eroded the condition and character of the C18 lake, parkland, and woodland they had originally preserved and accommodated.

Q8: Are the objectives of the site allocation informed by and consistent with opportunities identified in relevant conservation area appraisals?

- 2.14 The evidence base lists the Borough's Conservation Area Appraisals (CAAs) but no assessment or analysis of these has been carried out.
- 2.15 The Wimbledon North Conservation Area Appraisal⁵ (CAA) raises several points that are not adequately addressed in the allocation policy. For instance it explains archaeological significance (as noted above the allocation policy does not provide guidance as to how archaeology should be treated, only that it needs to be investigated); the CAA discusses various views and vistas from within and across the Wimbledon Park portion of the allocation, and explains where some of these have been obscured, there is an opportunity here to enhance these views and a need to avoid compounding this harm, which is missing from the allocation; the CAA highlights the need for new tree planting to have reference to the historic landscape; and the CAA highlights the significance of Wimbledon Park's openness and spaciousness, this attribute is missing from consideration in the allocation. A robust evidence base for the allocation would likely have identified these elements as those being relevant to future planning decisions and so could have informed the policy. 'Openness' is part of the character of Brownian parkland, thus contributing to the significance of the RPAG; however, while there are interdependencies, the MOL designation is not a heritage designation specifically intended to protect the condition and/or character of the RPAG.
- 2.16 Again, it may be the case that these issues have been considered in the course of preparing a planning application for the site by applicants, but in terms of the plan there is no evidence that an understanding of these issues has shaped the policy, nor does it include a requirement to address these. Only in that the draft policy says development must 'respect the site's historic setting including views...' and 'investigate the potential impacts... on archaeological heritage', without references to any specific evidence. Modifications to wording to relate back to the CAA and to expand upon what archaeological investigations mean in reality for decision-making i.e. submission of a desk-based assessment upon application. This is an important consideration if any earthmoving or excavation is planned. Additional criteria are necessary given that policy D.15 (as modified) on Heritage does not contain criteria in respect of these issues (this will hopefully form part of the Stage 2 Examination).

⁵ Wimbledon North Conservation Area Appraisal
<https://www.wandsworth.gov.uk/media/1724/wimbledonplusnorthplusfinal.pdf>

Q9: Part of the wider Wimbledon Park site is within the London Borough of Wandsworth, consequently, would the allocation be effective in its aim to seek opportunities “to address the reasons why Wimbledon Park is on Historic England’s ‘heritage at risk’ register”? What, if any, specific policies or allocations relating to the Wandsworth element of the wider site are included in that Borough’s adopted or emerging development plans?

- 2.17 The published HAR entry lists ‘district/borough’ as ‘Merton/Wandsworth’ but lists only ‘Merton’ under local planning authority. The RPAG straddles the Merton/Wandsworth boundary. Wandsworth has no ownership or management responsibilities, but it is a planning authority, as evidenced by the AELTC application being submitted to both authorities (LBM 21/P2900, LBW 2021/3609). The vast majority of issues leading to the site’s HAR status lie on the Merton side of the border (e.g. the lake), but the asset really needs to be looked at holistically by both authorities. Regardless of this Wimbledon Park is referenced in Wandsworth’s plan so there is, for all practicable purposes, a framework for addressing HAR, and both Wandsworth adopted, and emerging plans have policies to address heritage, Good Quality Design, Townscape; and open space.

Conclusion

- 3.1 While the policy is positive in some ways (i.e. there is one whereas the current plan is silent on the site, and it does contain some helpful guidance criteria), the policy is not underpinned by evidence; is high level and lacks detail; contains guidance not requirements; and misses key issues such as archaeology and views which are identified in the Wimbledon North CAA. The allocation is not adequately justified or effective, it therefore poses a risk of heritage and does not set out a positive strategy for its conservation or enhancement.
- 3.2 Notwithstanding the issues regarding the lack of evidence, there is scope to draw more out from what already exists, and the policy’s soundness could be improved by amended wording and expanded development requirements. This could be done through modifications if considered appropriate.