

BELVEDERE ESTATES RESIDENTS' ASSOCIATION

21 September 2022

**RE: Merton's draft Local Plan 2022: MIQs August 2022 Stage 2 hearing 5 October 2022
Matter 5: Site Allocation Wi3 (All England Lawn Tennis Club)**

Issue (i): *Is Site allocation Wi3 justified, effective, consistent with national policy, and in general conformity with the London Plan?*

Question 5: *Would any suggested MMs ensure that the approach to Metropolitan Open Land (MOL) is justified, and do they provide an effective basis for development management across the Wi3 site in these regards?*

As discussed in our original submission from September 2021 (attached) we believe that the draft Local Plan irresponsibly combines two very different AELTC landholdings into one single site, Wi3. We also do not understand the justification for the recommended changes to the MOL boundaries on the developed site west of Church Road.



West of Church Road – existing AELTC developed site – proposed removal of MOL area at the northwest end:

The AELTC site is highly developed with extensive facilities, though it does contain an area of MOL curving behind Court One and bordering on Bathgate and Somerset Roads. BERA took part in the Inspectors' Site Visit on 20 September 2022. We were shown the areas that are and are not within this MOL designation. It was very difficult to differentiate between the two areas and there did not appear to be an obvious logic as to where the MOL is located and why it is proposed to remove MOL designation from the northwest area near to Aorangi / Bathgate but retain MOL status in other areas.

This northwest Aorangi / Bathgate area, proposed to be removed from MOL status, comprises practice courts, a players' picnic table area and a large temporary building. As can be seen in this aerial photo (taken following the Inspectors' Site Visit), the Wimbledon Club, also on MOL, has a clubhouse building, as well as both grass and clay tennis courts. The Wimbledon Club's facilities are not being questioned. The AELTC's infrastructure in this Aorangi / Bathgate area is consistent with the London Plan's MOL assessment criteria, accepted to be maintained within other areas of MOL on the existing AELTC developed site and also exists across Church Road at the Wimbledon Club. Why remove the MOL designation from this specific area?

East of Church Road – Wimbledon Park Golf Club Land – inclusion in Wi3 site allocation:

AELTC's Wimbledon Park Golf Club land is in the Wimbledon North Conservation area, as are the majority of BERA's membership roads. This land east of Church Road is currently designated as MOL, a Grade II* Listed Heritage Asset, a Site of Importance for Nature Conservation and on Historic England's "Heritage at Risk" register. National, Local and indeed Merton's own planning policy framework are intended to protect sites of this nature from development.

Additionally, in 1993 when Merton sold the Golf Club lands they committed to maintain it as open space. Both Merton and the AELTC assured the public that there would be no development, covenanting that the land would not be used except for leisure, recreation and open space, nor built upon except as ancillary to recreation or open space use. The covenants were given to Merton as the owner of the Lake and Park, which they hold under a trust for the public. Merton must enforce the covenants to protect the interests of the public and to honour their 1993 commitment.

As can also be seen in the photo, this Golf Club land is open and undeveloped. The incorporation of the land on the east side of Church Road is not justified against recognised policy and the covenants must be enforced. It is entirely inappropriate that it be included as part of Wi3.

Kind regards,



AELTC representative – Belvedere Estates Residents' Association

BELVEDERE ESTATES RESIDENTS' ASSOCIATION



5 September 2021

Future Merton
London Borough of Merton
Civic Centre
London Road
Morden SM4 5 DX

By email to: future.merton@merton.gov.uk

Re: New Local Plan Publication Stage 3 – Site Allocation Wi3

Dear Sirs,

The Belvedere Estates Residents' Association ("BERA") comprises 26 roads south of the AELTC site and Wimbledon Park Golf Club, including Church Road, St Mary's Road, the High Street and several others in close proximity. BERA's membership is predominately in the Wimbledon North and Wimbledon Village Conservation Areas.

BERA objects to the proposed inclusion of in Site Allocation Wi3 (Ch 9 p282 – 285) of the AELTC's land on the eastern side of Church Road, currently the Wimbledon Park Golf Club.

The AELTC Land - its Location and Heritage

Wimbledon Park and AELTC's Wimbledon Park Golf Club land are in the Wimbledon North Conservation area, as are the majority of BERA's membership roads. The AELTC's land east of Church Road is currently designated as Metropolitan Open Land ("MOL") (the urban equivalent of Green Belt), a Grade II* Listed Heritage Asset, a Site of Importance for Nature Conservation and on Historic England's "Heritage at Risk" register. National, Local and indeed Merton's own planning policy framework are intended to protect sites of this nature from development.

The Draft Local Plan acknowledges the importance of protection with the ambition in Ch 9.10 *"Conserving and enhancing the quality of neighbourhoods within the neighbourhoods through Conservation Area character protection...."*.

The Site Location summary "impact on a conservation area" (Ch 9 p284) is incorrect stating that *"Wimbledon North Conservation Area lies to the west of the site."* Other than the northern triangle of land that is in Wandsworth, the entire Wimbledon Park Golf Club lies within the Wimbledon North Conservation Area. This is therefore inclusion for proposed development not of land next to a Conservation Area but inside a Conservation Area.

The Draft Local Plan states Ch 1B p11 *"Our heritage assets and historic environment are irreplaceable and an essential part of what makes Merton a vibrant borough and their*

effective management is fundamental” and p12 “The Mayor will be developing a London wide Heritage Strategy, together with Historic England and other partners, to support the capital’s heritage... Merton Council supports this approach and will work with local communities, the Mayor and partners to protect and enhance our rich heritage”. A Grade II listed site designed by Capability Brown on Historic England’s “Heritage at Risk” register, clearly is one of Merton’s “heritage assets” and should be protected.*

Development of the AELTC Land East of Church Road

The Draft Plan combines the AELTC’s landholdings of both the east and west sides of Church Road into the single Site Allocation Wi3. (However, the Draft Plan shows two different maps for Wi3 – on page 276 only the AELTC’s existing developed site west of Church Road is included whereas on p282, the full site and accompanying text refer to the larger site on both sides of Church Road.)

The two parcels of AELTC land either side of Church Road are entirely different. The existing site west of Church Road including the Somerset Road site has been developed over the past 100 years, with additional buildings still under construction and outstanding planning permissions yet to be implemented. The new site east of Church Road, as described previously, is protected Heritage MOL / Green Belt land. The Draft Plan Ch 9.1q supports *“the continued upgrade and improvement of the AELTC’s facilities either side of Church Road...”*. In our view, this is an unacceptable and misleading statement as it does not recognise the distinct characteristics of the two parcels of land, with the land on the east side having no facilities to upgrade nor improve as the AELTC only recently acquired use of the land which is currently in use as a golf course. How can a parcel of land which is half fully developed and half fully protected be combined in a Local Plan and designated as further developable simply because it has the same ownership?

Ch 9 p283 states *“The AELTC have commenced the preparation of an updated masterplan to investigate and identify the future development opportunities of the AELTC estate and The Championships incorporating the golf course”*. To our knowledge, this document is not in the public domain. Is it the same as the recent extensive 100+ document planning application (21/P2900)? Regardless, the commercial and development opportunities for a private company should not be openly endorsed in a Local Plan. A decision on the inclusion of the AELTC’s Golf Club land east of Church Road in Site Allocation Wi3 should be made on the rationale (or lack thereof) for its inclusion. A decision whether or not to grant planning permission for the site should be judged relative to the planning framework for this specific parcel of Heritage and Metropolitan Open Land.

Covenant Against Development and Merton’s Conflict of Interest as Trustee of the Park

The AELTC bought the freehold of Wimbledon Park Golf Club from Merton in 1993. Given the community’s concerns about AELTC’s future development plans, both the Chairman of the AELTC and the Leader of Merton Council made statements and assurances that the land would not be built upon. To support this commitment and add to the Metropolitan Open Land site’s protections, the Wimbledon North Conservation Area was expanded to include the Golf Course.

Additionally, in the Transfer Deed relating to the purchase, the AELTC covenanted to restrict future development. This covenant is for the benefit of the remainder of Park land which is still owned by Merton. Specifically any *“building shall not impair the appreciation of the general public of the extent or openness of the property”*. This covenant is consistent with NPPF policy 137 *“the fundamental aim of Green Belt policy is ... keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”* and policy 149 *“a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt”*.

The inclusion of the AELTC land east of Church Road / Golf Club in Site Allocation Wi3 as an area for development clearly is inconsistent with this covenant and NPPF policies. The AELTC’s recent planning application with 38 courts, ancillary buildings and an 8000 seat stadium of approximately 30m high, demonstrates the scale of development anticipated and will significantly affect the “openness” of the property which is currently in use as a golf course. As Trustee of the Park (for the benefit of the public), which benefits from the covenant, as well as the planning authority ruling on the potential development, Merton may have a conflict of interest.

Conclusion

Site Allocations are used to identify sites which are ripe for development to ensure redevelopments *“integrate well into its surroundings and contributes towards meeting strategic needs for public open space”* (Ch 9 p276). Unlike any of the other sites proposed for inclusion, this land is:

- Metropolitan Open Land / Green Belt
- A grade II* listed area at the centre of Capability Brown’s work
- Within the Wimbledon North Conservation area, and
- On Historic England’s “Heritage at Risk” register

We believe it is wholly inappropriate for this land to be included in this Allocation as it conflicts with Merton, London and National planning policies. The Allocation needs to be justified against recognised policy. Policies applicable to sites which are MOL, Conservation Area and Heritage Assets protect these areas from development as these areas are special, important and deemed worthy of that protection. This land is irreplaceable. The inclusion of this land east of Church Road in Site Allocation Wi3 ignores these protections.

██████████
AELTC representative – Belvedere Estates Residents’ Association

On behalf of ██████████

Chair, Planning and Licensing representative – Belvedere Estates Residents’ Association