

Merton Council
Development and Planning
Applications Committee
26 October 2023
Supplementary agenda

12 Modification Document

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Planning Applications Committee

26th October 2023

Supplementary Agenda

Modifications Sheet (Version 2) - published 26.10.23

ITEM 5 (Wimbledon Park Golf Club, Home Park Road, London, SW19 8HR)

Note to Members

This comprises the second and final version of the supplementary agenda which includes modifications to the Officer report, and answers to Councillor questions and forms the material basis for decision making This second version supersedes the first version published on 24th October 2023.

This second version includes additional modifications to the officer report and answers to additional questions from Councillors. In addition, Officers have made several amendments to the text provided version 1 of the modifications sheet. These amendments are highlighted as a [tracked change](#).

Updates to Officer Report included in Version 1

Agenda page 131, officer report page 129

Insert the following below para 3.3.70 to account for Show Court Heights on both the western and eastern side of the building.

On the western side of the Show Court the approximate maximum heights would be:

- Primary frontage – 19.5m
- Secondary frontage (top of pitched roof element) – 22.5m
- Maximum roof height – 24m

Agenda page 88, officer report page 83

Additional representation received.

Save Wimbledon Park dated 10.10.2023

A response was received from 'Save Wimbledon Park' objecting to the proposed development. The response is available to view on the Merton Planning Explorer via [this link](#). Concerns set out include:

- Scale of Parkland Show Court

- Environmental Impact - concrete used, traffic disruption, construction noise and air pollution throughout the building phase
- Loss of trees
- Adverse impact of Church Road closure
- Concerns regarding breach of the 1993 covenant.
- The “public” park would be permissive only
- AELTC are offering to pay for the de-silting that the Council has failed to do itself.
- The offer of public access to tennis courts is for just 7 courts (max), post championships only (6-8 weeks), and by invitation not “book and play”. They are also relocating existing Junior Tennis initiatives which are successfully operating elsewhere, so there is no additional support for community tennis.
- Concerns that there would be a net loss in biodiversity
- Concerns tree planting does not compensate for the loss.
- Concerns desilting the lake would release pollutants to the detriment of wildlife.
- Concerns regarding the use of fertilisers and biocides which would leach into the lake.
- Concerns of release of sequestered carbon from the felling of mature trees.
- Concerns regarding the relevance of Shropshire V Day supreme court decision.

The representation refers to maps of the existing and proposed development.

Agenda page 77, (Officer report page 71)

Additional representations received.

Joint response from Fleur Anderson MP and Stephen Hammond MP dated 01.08.2022

Officers acknowledge the joint response written by Fleur Anderson and Stephen Hammond objecting to the proposed development. The response is available to view on the Merton Planning Explorer via [this link](#). The response outlines the following:

- We both agree on the importance of protecting our local green spaces, responding to the climate emergency, and carefully and rigorously scrutinising all proposed developments that will impact the communities we represent.
- We therefore jointly object to the AELTC planning application for building an 8,000 seater stadium and 38 temporary use grass courts on Metropolitan Open Land. Local residents appreciate the existing world class sports event in our area, however there is strong local opposition to these plans. The new area of Wimbledon Park is a small part of the development which will not have any protection against future development and will be mainly closed to the public for at least 5 weeks each summer. The size and mass of the new show court stadium is of an inappropriate scale to be built on Metropolitan Open Land.
- We therefore request that when Merton and Wandsworth Councils considers the application, they hold a special full planning committee to discuss only this issue, and we urge both Councils to reject the proposal.

Additional response from Councillor Jill Hall dated 13.10.2023

An additional representation was received from Cllr Jill Hall. The full response is available to view on the Merton Planning Explorer via [this link](#). The response outlines issues raised at a meeting on 27th June. Concerns include:

- Concern regarding AELTC requesting people sign letters of support for the proposals.
- Concerns that AELTC have been telling attendees to tours that residents of Home Park Road are in favour of the development.
- Concerns AELTC have been saying the Angling Club are in favour of the development.
- Concerns the boardwalk would not fulfil the 1993 covenant obligation.
- Concerns of environmental damage relating to de-silting
- The views of David Dawson should be listened to.
- Ecological concerns relating to the provision of acid grassland
- Concerns regarding loss of trees
- Concerns the Show Court would be multi-use facility.
- Concerns regarding the AELTC Parkland, including siting of Central Grounds Maintenance Hub, event car parking, lack of public right of way.
- Concerns of lack of flood relief measures
- Concerns regarding the use of concrete across the site.
- Concerns that trees are already being cut down outside the permission.
- Additional concerns on trees including:
 - Net loss of biodiversity
 - Felling of trees contrary to NPPF
 - Loss of carbon storage
 - Resource of future veterans diminished due to loss of trees
 - Tree proposals fail to conserve or enhance the Lancelot Brown landscape.

Updates to Officer Report added for Version 2

Agenda page 34 (report page 28)

Additional sub-section added.

1.11: Section 106 Agreement and associated monitoring.

1.11.1 Officers note any planning permission would be subject to a Section 106 Agreement. Section 106 agreements contain planning obligations entered into to make a development acceptable in planning terms. Planning obligations run with the land and are legally binding and enforceable.

Sub-section 7.2 at the end of the committee report outlines Heads of Term which have been agreed with the Applicant and would form the basis for the S106 Agreement.

In addition to the Heads of Term, Officers note that appropriate monitoring fees would be agreed with the applicant, post-resolution but prior to the grant of any planning permission, and secured through the section 106 agreement. Such fees are to be agreed and will depend on the final obligations drafted in the Section 106 agreement; monitoring fees must be proportionate and reasonable and reflect the actual cost of monitoring. Monitoring fees would ensure the Council is appropriately resourced ensure s106 obligations are being fulfilled.

Further to the above, to assist with monitoring the S106 agreement would obligate AELTC to submit their own monitoring reports on the S106 agreement confirming which S106 obligations they had discharged in the past 12 months (see Head of Term 30 detailed in this modifications sheet).

Agenda page 54 (report page 48)

Update to para 4.5.3-4.5.10 relating to the total number of representations received.

A total number of **939** objections were recorded in relation to the proposed development.

A total number of **36** supports were recorded in relation to the proposed development*

A total of **84** representations were received neither objecting nor supporting the proposed development. This total includes comments from internal and external consultees. 4.5.6 A total number of **1478** letters were received from consultation firm 'Your Shout' on behalf of AELTC in support of the proposed development. This figure comprises 1298 households as some households submitted more than 1 letter of support.

Two petitions were received in relation to the planning application. These include:

Save Wimbledon Park, a Change.org petition was submitted to the Council objecting to the proposed development carrying **13,214** number of signatures.

Another third party petition was received in relation to the planning application, objecting to the proposed development carrying 2046 signatures.

*It should be noted that Council records one objection or support per household. Where more than one representation is submitted from the same household but with different names, this is counted as 1.

Additional para beneath para 4.5.10

Officers acknowledge that a number of additional representations were submitted since the publication of the committee report which are taken into account in the updated figures as referred to above. Officers do not consider that these late reps raise any new matters which are considered to be significance and they do not change the conclusions in the committee report.

Agenda page 54 (report page 48)

Insert para beneath 4.5.11

Officers acknowledge that a number of additional letters of objection were submitted since the publication of the committee report which are taken into account in the updated figures as referred to above. Officers do not consider that these late reps raise any new matters which are considered to be significance and they do not change the conclusions of the committee report.

Agenda page 73 (report page 67)

Additional para beneath para 4.5.347

Officers acknowledge that some additional letters of support were submitted since the publication of the committee report which are taken into account in the updated figures as referred to above. Officers do not consider these letters of support raise additional points of significance and they do not change the conclusions of the committee report.

Agenda page 74 (report page 68)

Update to para 4.5.366 accounting for additional signatures.

Lead by Save Wimbledon Park, a Change.org petition was submitted to the Council carrying 13,214 signatures. NB the grounds of support are unchanged.

Agenda page 75 (report page 69)

Update to para 4.5.368

A total of 1478 letters of support submitted by consultation firm 'Your Shout' on behalf of AELTC. This figure comprises 1298 households as some households submitted more than 1 letter of support. The letters submitted followed a standard template indicating support for the development for the following reasons: NB the grounds of support are unchanged.

Agenda page 78 (report page 72)

Additional responses from Councillors.

An additional response was received from Councillor MacArthur dated 24.10.2023. This is available to view on the Merton Planning Explorer via [this link](#). The representation objects to the proposed development on grounds that the open space and recreational benefits outlined in the committee report are challengeable and may not be relied on in the planning balance.

An additional response was received from Councillor Tony Reiss dated 24.10.2023. This is available to view on the Merton Planning Explorer via [this link](#). The representation objects to the proposed development noting there would be a net loss in biodiversity and urban greening

An additional response was received from Councillor Jil Hall dated 23.10.2023. This is available to view on the Merton Planning Explorer via [this link](#) The response objects to

the proposed development setting out multiple concerns (full response should be referred to for detail) including but not limited to:

- Impact on MOL
- Heritage
- Lack of very circumstances
- The representation goes on to outline concerns of residents

Agenda page 79 (report age 73)

An additional response was received from the Belvedere Residents' Association (BERA) dated 24.10.2023. This is available to view on the Merton Planning Explorer via [this link](#). The representation objects to the proposal on the following grounds:

- Impact on MOL
- Lack of Very Special Circumstances
- Benefits of the public park overstated
- Concerns relating to de-silting the lake such as contamination.
- Concerns relating to the use of 7 courts
- Concerns relating to UGF and loss of trees – reference is made to Dr Dave Dawson
- Climate Emergency
- Concerns local business case is overstated
- Impact on heritage (RPG and conservation area)

Agenda page 80-81, (Officer report page 75-76)

Additional representations received.

An additional representation was received from the Capability Brown Society dated 24.10.2023. This is available view on the Merton Planning Explorer via [this link](#). The response objects to the proposed development and raises concerns in relation to the committee report which centre around the following topics:

- Harm and very special circumstances
- The argument that AELTC land is held in trust
- Significant errors in the officer report.

An addition additional representation was received from the Countryside Charity (CPRE) dated 19.10.2023 and is available to view on the Merton Planning explorer via [this link](#). The representation objects to the proposed development on grounds of ecological impact and makes specific objection in respect of the applicant's UGF calculation and makes reference to another representation submitted by the Wimbledon Park Residents' Association.

Agenda page 83, (Officer report page 77)

Additional representation received.

Two additional responses were received from the Friends of Wimbledon Park dated 16.10.2023 and 23.10.2023. The responses are available to view on the Merton Planning Explorer via [this link \(1\)](#) and [this link \(2\)](#).

The response dated 16.10.23 provides a summary of planning objections on the following grounds:

- The golf course land is held in trust with open access to the public
- The development contrary to permitted development restrictions in the green belt
- Only an outline design for the show court
- A lack of reasonable alternatives
- No very special circumstances
- A lack of community benefit
- Significant harmful historic impact
- Unacceptable ecological impact
- Neglect since 1993 when AELTC purchased the land
- Desilting the lake not properly examined

The response dated 23.10.2023 outlines a response to the published committee report highlighting points of concern including but not necessarily limited to:

- Alternative sport and recreation are not spectator sport and entertainment.
- There is a biodiversity loss. Dr Dave Dawson's paper seems to have been ignored.
- 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.
- 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.
- Section 106 agreements should be properly considered, they can be undone, and work carried out by Friends of Wimbledon Park should not be ignored.
- Public benefit test should apply to all the Community in LBM and LBW. Failure to consult on these public benefits is a gross omission.

Agenda page 85 (report page 79)

An additional representation was received from Merton Friends of the Earth dated 24.10.2023. This is available to view on the Merton Planning Explorer via [this link](#). The representation objects to the proposed development on grounds of harm to the local environment, air quality, public health, biodiversity, and the natural heritage; and it would impede local efforts to tackle climate change.

Agenda page 87 (report page 81)

An additional representation was received from Parkside Residents' Association dated 24.10.2023. The response is available to view on the Merton Planning Explorer via [this](#)

[link](#). The response objects to the planning proposals outlining multiple concerns with regard to the committee report. Overall the representation considers the assessment of the scope and value of these benefits is incomplete and as such the weight given to them collectively to supporting a VSC case is overstated; accordingly the recommendation that permission should be granted is unjustified.

Agenda page 93 (report page 87)

An additional representation was received from the Residents Association of West Wimbledon dated 24.10.2023. This is available to view on the Merton Planning Explorer via [this link](#). The representation objects to the proposed development and considers the very special circumstances quoted do not justify approval. Concerns are raised in respect of:

- Permissive nature of AELTC Parkland
- Use of 7 grass tennis courts
- The covenant and its relationship with the covenant.
- The 8.6 million contribution

Agenda page 94 (report page 88)

An additional representation was received from the Wimbledon Club. This is available to view on the Merton Planning Explorer via [this link](#). The representation re-iterates concerns relating to the impact of the proposals on the operation of the Wimbledon Club. The response notes that particular matters of concern should be covered off in a construction management plan. Concerns are raised in respect of access from Church Road, the proposed closure of car park 5. The representation requests that the Wimbledon Club are consulted in relation to several conditions.

Agenda page 96 (report page 90)

Three additional responses were received from the Wimbledon Park Residents' Association dated 19.10.2023, 20.10.2023 and 24.10.2023, and 24.10.2023. The responses are available to view on the Merton Planning Explorer via these links – [link \(1\)](#), [link \(2\)](#) and [link \(3\)](#)

The representation dated 20.10.2023 objects to the proposed development on the following grounds:

- Proposed tree felling contributes to global heating in the proposed intensive tennis development on Wimbledon Park Heritage Land.
- National, London and local planning policy for carbon storage seeks to retain existing trees wherever possible.
- Contrary to policy, AELTC propose to fell 300 trees.
- The effect of this on carbon dioxide sequestration was not included in AELTC's "whole life carbon budget".
- Felling those 300 trees would release 710,000kg of carbon dioxide back to the atmosphere, with an adverse effect on global heating.
- Should the 300 trees be spared, they would go on to sequester carbon dioxide, with the amount doubling to 1,500,000kg within 15 years.

- AELTC propose planting some 2500 trees to replace those felled.
- However, these would take 27 years to have sequestered 710,000kg, by which time sparing the 300 trees could have sequestered a further 1,840,000kg of carbon dioxide.
- The rate of sequestration by the replacements would not surpass that from sparing the 300 trees until around 40 years of growth, far too long to wait for redress of the effect of felling and achieve net-zero.

The representation dated 23.10.2023 objects to the proposed development and makes reference to observation by Dr D.G. Dawson. The representation is detailed and as such the link provided should be referred to. However, Officers note the representation raises objection on grounds of:

- Bird species missed by AELTC in planning submission documents
- Net biodiversity loss with particular reference to loss around hedgerow in the north of the site and loss of trees,
- Problems with the applicants response to GLA stage 1 report and the lack of reference given to Dave Dawsons submissions.

The representation dated 24.10.2023 objects to the proposed development and considers the various elements of the Officer report unsound. It considers the application should be refused. Concerns include but are not limited to:

- The purpose of development
- Concerns in relation to EIA and the approach to JAM's advice
- The 1993 covenant
- Day v Shropshire
- Urban Greening Factor
- Outline development in Conservation Area
- Taking representations into account
- Weight given to emerging local plan.

Agenda page 98 (report page 92)

An additional representation was received from the Wimbledon Society dated 13.10.2023 and is available to view on the Merton Planning Explorer via [this link](#). The response makes arguments in relation to the covenant concluding that there is no reasonable prospect that the tribunal would discharge or vary the covenants.

An additional response was received from Russell Cook LLP on behalf of the Wimbledon Society and Wimbledon Park Residents' Association dated 24.10.2023. This is available to view on the Merton Planning Explorer via [this link](#). The response provides a further opinion from George Lawrence KC which provides an opinion in relation to the earlier published joint opinion of David Matthias KC and Douglas Edwards KC dated 11 September 2023.

Agenda page 146 (report page 140)

Update to links provided in para 6.4.19

In accordance with NPPF para 194 the Applicant has produced an Historic Environment Assessment ('HEA') (See to p133 of [this link](#) for first part of HEA and 1- 49 of [this link](#) for second part of HEA). The HEA explains how the historic environment and its component heritage assets are impacted by the proposed development taking into consideration measures to reduce or mitigate harm.

Agenda page 250(report page 244)

Additional sub-heading and text added to sub-section 6.11 on economy and employment. Text to be added below beneath para 6.11.32:

Supporting business engagement

To help maximise the employment and economic benefits of the proposed development, any permission would obligate AELTC to implement a business engagement plan (see Head of Term 29 as referred to below in this supplementary agenda). The business engagement plan would involve AELTC holding 'meet the buyer' and 'meet the business' events. The meet the buyer events would help ensure local businesses are made aware of procurement opportunities relating to the proposed development. The meet the business events would help bring together stakeholder groups for local businesses to share how promoting The Championships and the Wimbledon Lawn Tennis Museum year-round might help local businesses and to help local businesses to understand how they might benefit from the increased footfall in connection with the completed WPP development. Officers consider this obligation accords with Merton SPP policy DME4 which supports major development proposals that provide opportunities for local businesses for the resultant end use.

Agenda page 251 (report page 245)

Additional para added to conclusion beneath para 6.11.37.

Officers consider the proposal would provide opportunities for local businesses to benefit from the proposed development in accordance with Merton SPP Policy DME4, This would be secured by a business engagement plan (see Head of Term 29 in the modifications sheet).

Agenda page 276 (report page 270)

Additional para added beneath para 6.16.8

As set out in Section 1.8 of this report, following consideration of the application by the Council, the this application is referable to the Mayor of London (regardless of the Council's decision) and the Mayor may make or direct a decision on the application or direct that they are content to for the Council to determine the application.

The Secretary of State for Levelling Up, Housing and Communities has the power to take over ('call in') planning applications rather than allowing the Council to determine the application. The Secretary of State has set out the criteria that he will usually apply when considering the exercise of this power and those criterial include where a proposal conflicts with national policy on important matters or could have significant effects beyond their immediate locality.

In the circumstances that the planning permission being sought in the London Borough of Wandsworth (2021/3609) is refused by the ultimate determining authority of that

application (i.e. the last of: LB Wandsworth or, if on appeal or call in, the Secretary of State for Levelling Up, Housing and Communities, or the Mayor of London) the such an outcome would be regarded as a material change in circumstance and this application (21/P2900) will be brought back to this committee for re-consideration. As such, planning permission (21/P2900) will only be issued by this Council in relation to this application (if resolved to be granted) after LB Wandsworth has determined by resolution application 2021/3609. For the avoidance of doubt, it is understood that LB Wandsworth will consider the application made to that Council this winter.

Agenda page 368 (report page 364)

Update to condition 64 removing reference to special delivery vehicles.

No.	Title	Condition Text	Reason
64	Time restriction for vehicles entering and exiting Central Grounds	Entry and exit of ground maintenance vehicles into the Central Maintenance Hub shall not take place between the hours of 21:00-07:00 Monday-Sunday, with exception of two-weeks prior and two weeks post The Qualifying and The Championships annual events wherein the hours shall be 22:00-06:00 Monday-Sunday. These restrictions shall not apply in the case of emergency access.	To protect the amenity of neighbouring properties in accordance with NPPF (2023) Paras 130 & 185, London Plan (2021) D14, Merton SPP (2014) policies DMEP2, DMEP4 and DMD2

Agenda page 370 (report page 364)

Additional condition added:

No.	Title	Condition Text	Reason
69	AELTC Parkland Defibrillator	Prior to opening the AELTC Parkland to the public, details of an appropriate location for a defibrillator in the AELTC Parkland shall be submitted to and approved by the Local Planning Authority. The defibrillator shall be installed and maintained thereafter in accordance with the approved details.	To promote feelings of safety and security in the public realm accordance with Merton SPP (2014) policy DMD2.

Agenda page 373 (report page 367)

Update to wording of INF 7

No.	Title	Text	Reason
INF7	Informative re condition 29	In respects of the development phase which includes the works to Wimbledon	N/A

	(Phase-specific Construction Environmental Management Plan & Ecological Mitigation Plan (CEMP-EMP))	Park Lake, the CEMP-EMP described under Condition 29 of this consent shall also address the matters secured within the S106 under the De-silting of Wimbledon Park Lake and Ecological Enhancement Works Heads of Term.	
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Agenda page 341-42 (report page 335-356)

Update to wording of condition 31 and 32

No.	Title	Text	Reason
31	Site-wide Landscape and Environmental Management Plan (LEMP)	<p>Prior to commencement of above ground works to construct the Parkland Show Court, a Site-wide Landscape and Environmental Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Site-Wide LEMP shall incorporate together the Phase Specific LEMPs as approved under Condition 30 into one cohesive plan. The Site-wide LEMP shall include:</p> <ul style="list-style-type: none"> -Objectives aimed to secure delivering and maximising ecological benefits, including Biodiversity Net Gain (BNG) during the operational phase of Proposed Development. These objectives shall be in accordance with Finalised EMS. -Details of the ecological mitigation and enhancement for all phases in respect of the final operation of the Proposed Development to deliver BNG on-site in accordance with the Biodiversity Defra Metric 3.1 Calculation Tool (51365-LUC-WXX-XX-RP-YE-00012 P01) -A finalised schedule of relevant supporting plans and drawings. These should include specific locations, areas, and composition (planting species and topographical features) of habitats to be retained, enhanced and / or created. -Details of ecological monitoring including intended schedule of ecological monitoring reports during the operational phase of the development. <p>The developer shall accord with approved details set out in site-wide LEMP unless an</p>	<p>To ensure landscaping across the site is fulfilled to a high standard and ensure ecological enhancements are implemented in accordance with the Proposed Development and in accordance with NPPF (2023) Chapter 15, London Plan policy G5 & G6, and Merton SPP (2014) policy DMO2 and DMD2</p>

		appropriate application for alternative details is submitted to and approved by the local planning authority pursuant to this condition.	
32	Submission of Ecological Monitoring Reports (Operational Phase)	<p>Ecological monitoring reports, including but not necessarily limited, to bats and badger, shall be submitted to the Local Planning Authority on an annual basis for a period of 5 years with the first report submitted by the first anniversary date of first occupation of the Parkland Show Court.</p> <p>Thereafter, ecological monitoring reports shall be submitted every 5 years prior to the 10th, 15th, 20th and 25th anniversary date of the occupation of the Parkland Show Court.</p> <p>Reporting shall include an assessment of progress and success against each of the Site-wide LEMP objectives (including Biodiversity Net Gain), including a review of any remedial measures required. The developer shall use all reasonable endeavours to implement any suggested changes to the Site-wide LEMP put forward by the Local Planning Authority in response submitted ecological monitoring reports.</p>	To ensure ecological enhancements including achieving biodiversity net gain is fulfilled in accordance with the Proposed Development and in accordance with NPPF (2023) Chapter 15, London Plan policy G5, G6, G7 and Merton SPP (2014) policy DMO2 and DMD2.

Agenda page 295 (report page 289)

Update to Head of Terms 1 and 2 to:

1.Community access to The Golf Club House and Parkland Show Court

- AELTC to deliver at least 400 sqm. of on-site community space comprising:
 - bookable community space (within the Golf Club House but alternative locations may be agreed);
 - AELTC curated community space within the Golf Club House; and
 - additional bookable community space within Parkland Show Court.
- Community Access Strategy to be submitted and approved setting out principles regarding the booking, pricing, availability of spaces, who they will be available to, and their management.
- The community space may be closed temporarily for the purposes of the Qualifying Event and Championships and the Parkland Show Court community space may be closed from approximately mid-May until mid/late-September.
- AELTC to deliver an accessible toilet(s) to be made available to users of the AELTC Parkland and to be provided in the Golf Club House. The Community Access Strategy will include details of the location and access/management

arrangements for the toilet facility which shall permit access to the toilet at times during which the AELTC Parkland is open as agreed pursuant to HOT 8.

2. Community Access to WPP Grass Courts annually Mid July-Mid September

- From mid-July and until mid-September at least 7 of the new grass courts will be made available for use by adults and children from the local community in accordance with an agreed management/eligibility scheme. The scheme shall also explore additional opportunities for use of the courts by school children from Merton and Wandsworth boroughs, with consideration given to the feasibility and appropriateness of such use, and the form that any such use would take.
- Closure of the courts to community allowed in the interests of health and safety and maintenance

Agenda page 303 (report page 297)

Additional Heads of Term added:

29. Business Engagement

- AELTC will submit a local business engagement events plan to Merton for its approval. The plan would give details of a local business engagement event which AELTC will hold annually during the first 5 years following the completion of the WPP development. The event shall combine the following business engagement activities:
 - a. **“Meet the Buyer”**. The aim of this aspect of the event would be to ensure that local businesses are made aware of procurement opportunities at the WPP development; and
 - b. **“Meet the Business”**. The aim of this aspect of the event would be to have the AELTC bring together stakeholder groups for local businesses to share how promoting The Championships and the Wimbledon Lawn Tennis Museum year-round might help local businesses and to help local businesses to understand how they might benefit from the increased footfall in connection with the completed WPP development.
- The plan would include confirmation of how regularly AELTC would host the Meet the Buyer/Meet the Business event, how this event would be advertised and how local businesses can participate.

30. AELTC S106 monitoring obligation

AELTC will submit an annual report/spreadsheet to the LPA confirming which S106 obligations they had discharged in the past 12 months in a form as annexed to the s.106 agreement. The requirement to submit annual reports would come to an end once all the s106 obligations which require formal discharge have been so discharged.

Member Questions included in version 1

Q: The report mentions new public toilets for guests. As those toilet facilities would be in the park would they also be accessible to the public?

A: As noted on para 6.12.11 of the committee report, the application secures funding towards enhanced toilet facilities within Council owned Wimbledon Park. These toilets would be publicly accessible (also see Head of Term 6). The proposal would also deliver additional toilet facilities for those visiting the tournament, but these would not be accessible to the wider public. Please also see amendment to HOT 1 regarding delivery of a toilet facility within the Golf Club House as set out above.

Q: Do alterations to the golf clubhouse form part of the planning application?

A: The proposed development does not comprise alterations to the golf clubhouse. However, the Section 106 agreement would secure community uses in the Golf Club House in the future (see Head of Term 1, report page 289, agenda page 295). It is expected physical alterations to the golf clubhouse would be subject to a separate planning permission, at which point the proposals would be further assessed in respect adopted design policies. However, Officers note that condition 17 (report page 318, agenda page 324) secures details of how all publicly accessible areas of the clubhouse shall be in accordance with the Equality Act 2010, including access to and from Home Park.

Q: What's the difference between a veteran tree and the grading system?

A: A veteran tree is a particular category of tree which is identified because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. Separate from veteran tree identification is tree retention categorisation as dictated by relevant arboricultural guidance BS 5837 (2012). Tree surveys assess the quality of trees using different categories – A, B, C and U. It is likely that most veteran trees identified on-site are also category A trees.

Q: Could you confirm that the figure of 286 mature trees being felled is correct?

A: As set out on para 6.7.6 of the officer report, the number of trees being felled comprise 28 Category B trees, 252 Category C trees, and 16 Category U trees. In addition to the trees being removed, the proposals involve transplanting 18 existing trees within the site (these comprise of 2no A category, 5no B category, 11no C category).

Q: Would a changing places toilet be provided in the development?

A: As noted on para 6.14.25 of the officer report, under Building Regulations the development is required to provide a Changing Places facility. Changing places toilets are larger than standard accessible toilets with extra features and more space to meet these needs. They are generally designed for dependent use, for example with a carer. The Applicant's D&A statement notes the intention to provide this facility, but no specific location has been determined. As such Officers expect this would be provided in one of the Outline Development buildings to be assessed under Reserved Matters. It is reasonable to expect this would be provided in the Parkland Show Court.

In addition, as noted in para 6.12.11 of the officer report, the proposals would secure funding towards enhanced facilities in Wimbledon Park. This could comprise a changing places toilet.

Q: How has the contribution for off-site enhancements, such as toilets been calculated?

A: The contribution is based on estimated costs informed by consultation with Merton's Green Spaces team and informed by costings from the 2013 Wimbledon Park and Lake masterplan with inflation applied as appropriate.

Q: Has a balanced alternative been reviewed where the same benefits could be achieved with a smaller scale application?

A: The planning assessment is assessed on its merits based on that proposed. Alternatives have only been considered as necessary in relation to design policies and Environmental Impact Assessment. In terms of design, Officers outline the design options dismissed in on report page 127 (agenda page 132), para 6.3.75-6.3.60. In relation to Environmental Impact Assessment, reasonable alternatives considered by the Applicant are outlined on report page 254-255 (agenda page 260-261), paras 6.13.5-6.13.18.

Q: Did you assess alternative sites which let you to believe that this was the best site for development?

A: As noted above, the planning assessment includes consideration of design alternatives that were considered. Notably on report page 127 (agenda page 132), para 6.3.75-6.3.60, Officers outline reasons why particular alternative locations for the Parkland Show Court were dismissed.

Q: The report mentions tours for residents every 3 months. Is there a reason why they couldn't be more frequent?

A: As detailed on report page 289 (agenda page 295), the S106 would secure curated tours of the development site (see Head of Term 3). A tour strategy would be submitted to and approved by the Council detailing the frequency of tours. However, it has been agreed tours would run across one weekend every 3 months. Officers consider that this would allow for a reasonable number of tours to cater for demand in Boroughs of Wandsworth and Merton.

Q: The proposed AELTC Parkland will be 9.4 hectares in size which would be publicly accessible. How would the public accessibility compare to the existing site?

A: The existing site (excluding Wimbledon Park Lake and Church Road) has been used as private members golf course and therefore is not accessible to the public. When the golf course was in use, non-members were able to pay to play. Page 74 of the applicant's Planning Statement notes the green fee for Wimbledon Park Golf Club was £30-£40.

Q: The Merton Conservation Officer view is that the harm would be substantial, but the Planning Officers view is that it would be less than substantial. Is this a matter for committee member to consider?

A: The committee may consider this based on the information detailed in sub-section 6.4 of the Officer report. Officers have carefully considered the impact on heritage assets, including the impact on the Registered Park and Garden. Officers' judgement of less than substantial harm (upper half) takes into consideration all the relevant historic information, including statutory consultee feedback from Historic England, feedback from the Council's Conservation Officer and evidence within the applicant's Historic Environment Assessment.

Q: The public perception appears to be that there has always been access for the public and so there is a feeling that residents are losing access to what is considered a park, why is this?

A: Officers acknowledge there is concern regarding the principle of developing on designated open space and Metropolitan Open Land. However, in terms of public access, it is important to note that the existing site (excluding Wimbledon Park Lake and Church Road) has been used as private members golf course and therefore is not accessible to the public. ~~It is important that a distinction is made between Wimbledon Park Registered Park and Garden and Council owned Wimbledon Park. The existing golf course does not form part of Wimbledon Park owned by the council but does form part of the Wimbledon Park Registered Park and Garden. The registered park and garden comprises area under both public and private ownership. It is important that a distinction is made between the different areas of the Wimbledon Park Registered Park and Garden. The Council owned part of the Wimbledon Park Registered Park and Garden (known as Wimbledon Park) is open to the public. The existing site (which is the former golf course and does not include Wimbledon Park) is part of the Wimbledon Park Registered Park and Garden but has not been accessible to the public. The registered park and garden comprises an area under both public and private ownership.~~

Q: In the Head of Terms and Conditions there are many examples of 'unless otherwise agreed with Merton'. What reassurances can we give residents that Merton and AELTC won't change their minds in the future?

A: Regarding Head of Terms, the caveat of unless otherwise agreed, is required in certain instances to allow flexibility to allow for actions to be, or not be, carried out in certain unforeseen circumstances. Importantly, however, agreement to the changes would need to be agreed by the Council acting in its capacity as local planning authority and the Council would have regard to maximising public access and benefits in any decision it takes.

Regarding conditions, it should be noted that the wording 'unless otherwise agreed' has been changed to "unless an appropriate application for alternative details is submitted to and approved by the local planning authority pursuant to this condition". Again this is to allow for flexibility should the applicant need to submit revised details in relation to a particular condition. This is common practice for a development of this complexity and any decision to approve would be at the discretion of the LPA who would have regard to the details of the planning application when deciding to grant or refuse any revised details submitted.

Q: The £8.6 million mentioned in the head of terms, does this have to be spent on Wimbledon Park?

A: The contribution would have to be sent on projects in Council owned Wimbledon Park. As noted on report page 290 (agenda page 296), Head of Term 6 secures a contribution of **£8,620,440.88** to be used towards the delivery of a variety of works for the purpose of enhancing Council owned Wimbledon Park in heritage, recreational and amenity terms. These projects would be determined by the production of a plan for which is required under Head of Term 5. The projects identified are considered to pass the relevant legal tests for a section 106.

Q: Does the S106 agreement have to be the same for Merton and Wandsworth?

A: It is expected that both London Borough of Wandsworth and London Borough of Merton will be a party to a joint Section 106 agreement. Within the Section 106 agreement, there can will be obligations which apply specifically to a particular Borough and obligations which can apply to both.

Q: Has the proportion of jobs created locally been reviewed?

A: As noted on report page 296 (agenda page 302), the development would secure the submission of a local employment and training strategy (Head of Term 23) for the construction and operational phases of the development.

The strategy would need to be approved by the Council and would include a strategy for delivering jobs/training opportunities/apprenticeships to local people.

Q: Can you outline broadly the proposed open and close times every month of the year for the new park?

A: The daily opening and closing times for the AELTC Parkland would align wherever possible with those in Council Owned Wimbledon Park. The agreed closure periods for AELTC Parkland are detailed on report page 298 (Agenda page 292) in Head of Term 8. This notes the AELTC Parkland shall be kept open for as much of the year as reasonably possible with access to parts of (or in some cases all of) the AELTC Parkland restricted during and for the purpose of The Championships and Qualifying Event in accordance with the following closure periods:

- Closure of parts of the AELTC Parkland from the date 4 weeks prior to the start of the Qualifying Event for a period of 3 weeks with an unobstructed public route for the general public across the AELTC Parkland from Church Road to Wimbledon Park.
- Full closure for a maximum of 1 week prior to the start of the Qualifying Event.
- Closure of parts of the AELTC Parkland during the Qualifying Event and The Championships, with an unobstructed access route for the general public across the AELTC Parkland from Church Road to Wimbledon Park.
- Full closure for a maximum period of 2 weeks following the conclusion of The Championship

Q: How will law and order be maintained in the new park?

A: The AELTC Parkland would be managed by AELTC, and it is reasonable to expect there would be informal day-to-day supervision by AELTC with criminal activity should it

arise dealt with by the police. It is also reasonable to expect there would be coordination between Merton's Green Spaces team (and their contractors) and AELTC to deal with any incidents.

Q: The 2 months in which the public will be permitted to use 7 of the grass courts, what restrictions will there be on the use of these courts? Has the Community Use plan (6.12.15p243)) yet been drafted or the contents agreed, and if so where do I find it? Will these courts be available to all the tennis playing public, or only those of a certain level of skill?

A: Please refer to para 6.12.14-15 on p.249 of the committee report and HOT 2 of the proposed S106 obligations at report page 289 (agenda page 295). Management and strategy for use of the courts to be set out in a plan for the Council to approve (prior to those courts coming into use). The courts will be available to community players of all standards as part of AELTC's community tennis programmes.

Q: The bookable space in the Golf Clubhouse, the AELTC curated space within the Golf Clubhouse and the additional bookable space in the Show Court (6.12.17, p243), is there agreement as to what the pricing/availability/booking arrangements will be, and if so where do I find this ? Is there anyway at this stage of ensuring wide public availability at a reasonable price, and that this would continue in perpetuity, or for at least 20 years from the site becoming operational?

A: Please refer to para 6.12.16 - 17 on p.243 (agenda page 249) of the committee report and HOT 1 of the proposed S106 obligations at p.289 (agenda page 295) of the committee report. HOT 1 explains that a strategy is to be submitted to and approved by the LPA which will set out the principles regarding booking, pricing, availability of spaces, who they will be available to and their management. Officers may refuse a submitted strategy should pricing and management of the space be unsuitable.

Q: The ticket revenue from the Qualifying matches being donated to the Wimbledon Foundation , this is described as "very likely to continue", (6.12.25, p244) is there anything that can be done to ensure that it does, or will this remain completely within the discretion of AELTC?

A: Please refer to para 6.12.22 to 6.12.23 on p.250 (agenda page 256) of the committee report HOT 28 on p.297 (agenda page 303) of the committee report. The commitment of donations from ticket proceeds from the Qualifying Competition does not form part of this planning application. It should be noted that any donation to the Wimbledon Foundation from Qualifying or Championships related activities are at the discretion of the AELTC and will change from year to year. Nevertheless, as part of the Qualifying Competition, the S106 obligations are proposed to include a commitment that the AELTC provides up to 1,000 tickets (free of charge) to local schools to come and enjoy the Qualifying Competition (see Head of Term 28).

Q: The "financial surplus" from the Championships (6.12.25, p244) donated to the LTA every year?

A: See the Economic, Social and Community Benefits Final Report (prepared by Quod) submitted in support of the application - [link](#). This notes that between 2015 and 2019 the LTA received £200 million as a result of The Championships.

Q: I do not understand the idea of AELTC being both the freeholder and the leaseholder of the land simultaneously, or have I misunderstood? Are there two different legal entities involved, or can a legal entity choose to own land in both capacities simultaneously?

A: The All England Lawn Tennis Ground Plc owns the freehold and leasehold of the site. In land law terms it is possible for the same entity to own the freehold and leasehold of the site. Please refer to paragraph para 1.4.2 of the Committee Report.

Q: Will the divided ownership (1.3.12, p20) referred to continue, or is that now at an end as the AELTC owns all the land both freehold and leasehold?

A: Case officers are not aware of The All England Lawn Tennis Ground Plc's intentions as to its ownership of the site following the grant of permission. This is not considered by case officers to be relevant to the grant of planning permission. The divided ownership of the Registered Park and Garden as identified in para 1.3.12 of the Committee Report will continue following the grant of the permission.

Q: Re the issue over the covenants and the suggestion that it is likely that in this case that the interpretation and operation of the covenants as they affect the proposed development, would be resolved before the development proceeds (1.6.5, p23), could we require this? If not, is there not a real risk that deliverability will be thwarted or stopped part way?

A: It is not considered by officers to be appropriate or necessary in planning terms to require the covenant issue to be resolved prior to commencement of the development. Please refer to para 1.6.5 and 1.6.6 of the Committee Report.

Q: If full planning permission is granted in respect of the 38 courts, boardwalk, permissive park etc, is it possible to ensure that the ongoing commitments required under s.106 agreements remain enforceable in perpetuity, and if not, what is the maximum period during which AELTC can be held to their s.106 obligations?

A: The s.106 agreement will contain the relevant planning obligations and ensure that the obligations are suitably secured for the appropriate period in planning terms. Section 106 agreements are associated with a particular development and run with the land and therefore will be enforceable against any landowners (including the applicant) that sign up to the agreement and their ~~both the applicant as the current landowner and its successors in title.~~ Please refer to the Heads of Terms: Summary of obligations for more detail as to obligations.

Q: Is there a way in which AELTC could be prevented from reducing public access to the permissive park in perpetuity, and if not what is the maximum period this can be protected and how? Would placing the land in trust to protect the public's interest (if AELTC would agree to this) achieve this? (6.4.186, p169)

A: The s.106 agreement will require ~~The All England Lawn Tennis Ground Plc~~ the applicant to deliver the AELTC Parkland (permissive park) prior to an agreed trigger and thereafter to maintain and manage the AELTC Parkland and provide public access in

perpetuity (subject to some agreed exceptional circumstances in which access may be prevented in the short term). The ~~All England Lawn Tennis Ground Ple~~applicant will provide and implement a plan regarding this access to be agreed by the Council as local planning authority. Section 106 agreements are associated with a particular development and run with the land and therefore will be enforceable against both the applicant as the current landowner and its successors in title. Officers have not explored placing the land in trust and this is not considered necessary or appropriate in planning terms.

Q: The Merton Conservation officer's view (6.4.40 p 145) is that the harm to the RPG would be "substantial". The officer's view (6.4.44p146 and throughout the reports) is that the harm would be "less than substantial, albeit in the upper half of the range". Is the level of harm a matter of judgment for the committee members?

A: The level of harm is a judgment for the decision maker acting in accordance with statutory and policy requirements. Officers have taken into account views of the Merton Conservation Officer and Historic England and the findings of the submitted Historic Environment Assessment in reaching the judgement of harm. Please refer to paragraphs sub-section 6.4 of the Committee Report for further detail on heritage.

Q: It is the officer's position (6.4.46 p146) that because the significance of the RPG has already been eroded significantly by landscaping associated with the golf course, that this makes further harm less significant rather than more. Is that the correct approach legally?

A: Paragraph 6.4.46 on of the Committee Report correctly applies the lawful approach with regards to the assessment of heritage harm.

Q: Is the officer correct that harm to heritage assets may be balanced against public benefits under the London Plan policy HC1 and Merton SPD DMD4 correct (6.4.133 p161)?

A: The Committee Report correctly applies the lawful approach with regards to the assessment of heritage harm and balancing public benefits against harm to designated and non-designated heritage assets. Please see paragraphs 6.4.133 and 6.17.50 on page 162-163 (agenda page 168-169). Please also refer to paras 6.17.44-6.17.51 on page 283 (agenda page 289).

Q: Is it possible to enforceably guarantee continuation of maintenance funding obligations under the s 106 agreement for as long as AELTC owns the site and if not how long would they be enforceable?

A: The s.106 agreement will contain maintenance and funding obligations where appropriate and ensure that they are suitably secured for the appropriate period in planning terms. Section 106 agreements are associated with a particular development and run with the land and therefore will be enforceable against any landowners (including the applicant) that sign up to the agreement and their successors in title. ~~both~~

~~the applicant as the current landowner and its successors in title.~~ Please refer to the Heads of Terms: Summary of obligations for more detail as to obligations.

Q: Looking at SPDM01 a)(p103) it is the view of the officer that exception b)(iii) applies, viz “the development is for alternative sports and recreational purposes, the need for which clearly outweigh the loss”. This is the replacement of active sporting opportunity (playing golf) available to the public, with spectator sport and supporting facilities. Is that a correct interpretation of SPDM01 a)?

A: Paragraphs 6.2.38 to 6.2.46 correctly apply the lawful approach with regards to the interpretation of SPDM01 and is supported by London Plan supporting paragraph 5.5.5 (see also the Merton Council Policy Officer’s consultation response at paragraph 6.2.65) on page 104-105 (agenda page 110-111).

Q: Looking at Merton’s SPP policy DM01 c)(iii) is the question as to whether the development meets the criteria that the character and function of leisure walks and green chains are preserved or enhanced, a matter of judgment for the committee?

A: The question as to whether the development meets the criteria that the character and function of leisure walks and green chains are preserved or enhanced is a judgment for the decision maker acting in accordance with statutory and policy requirements. Paragraphs 6.2.47 and 6.2.48 on page 105 (agenda page 111) set out the officer’s reasoning in this regard.

Q: Looking at Merton’s SPP DM01 c) (i) is it possible for the officer to say simultaneously that the proposals “do not harm the character, appearance or function of the open space” whilst at the same time conceding harm by loss of openness (as they do at 6.2.50, p104)?

A: Officers consider the proposal compliant with Merton SPP Policy DM01 (c) for the reasons set out in para 6.2.49 on page 105 (agenda page 111). Paragraphs 6.2.50 correctly applies the lawful approach with regards to the openness and harm of the MOL.

Q: The officer concedes that the Show Court will result in a loss of physical openness in contravention of London Plan G4 part B “Development should not result in the loss of protected open space”(6.2.50 p104). Is it permissible to give this little weight or ignore it on the basis that the proposed buildings are “ancillary to and intended to facilitate the proposed sporting and recreational use of the open space”? Is this a judgment for the committee to make ?

A: The question as to weight to be applied to the loss of protected open space is a judgment for the decision maker acting in accordance with statutory and policy requirements. Paragraphs 6.2.50 on page 105-106 (agenda page 111-112) sets out the officer’s reasoning in this regard. The impact on protected open space is not the same as loss as open space in planning terms.

Q: What is the approximate maturity, girth and size/height of the trees being felled?

A: Please refer to: 51365-TEP-XX-XX-RP-X-00001-S2-P01 Arboricultural Impact Assessment, where each tree is individually listed with the information requested. This is available to view on the Merton Planning Explorer via [this link](#).

Q: Of the replacement trees, how many of these will be “extra heavy, 14-16cm in girth”, and how many will be “heavy, 12-14cm” trees.

A: 500 trees will be planted as heavy standard or extra heavy standard throughout the parkland. The quantity of these trees that will be planted will be finalised at the detailed design in consultation with the Council (with details submitted to the Council under Conditions). This will be influenced by tree sourcing for the whole site - which can only commence post-planning.

Q: How mature are the proposed “heavy” and “extra heavy” trees, and how long will it take each to reach maturity and a comparable size and cover to those felled.

A: Different tree species grow at different speeds and all tree growth will be influenced by environmental conditions, for this reason it is not possible to provide a general average. However, the nursery industry average for a “heavy” or “extra heavy” standard ranges between 3.5m and 5m high. The age of these trees is likely to be 5 to 7 years. As an example, if a new “heavy standard” lime tree were planted it would probably take around 8-10 years to reach 9m.

Merton’s Tree Officer notes that:

“the design enables the vast majority of valuable trees to be retained unharmed”.
(Reference: Planning Committee report 6.7.14 p202 (agenda page208)).

“those trees offering the most habitat to a range of species (veterans, mature trees, native trees) are predominantly being retained, whilst those being removed are mostly trees offering the least habitat value (non natives and younger or semi-mature trees)”.
(Reference: Planning Committee report 6.7.15 p204 (agenda page 210)).

Q: What will be the approximate girth and height of the 1000 new two year old trees. How long will it take these trees to reach maturity and comparable size to those felled

A: They will be 0.8-1.5m high, depending on the species. At this size, the British Standard does not specify girth size. These will be planted at this size to create new woodland, according to best practice, as it is considered they will establish and mature more quickly. The time to reach maturity depends on the environmental conditions and species.

Q: Is the statement (6.3.55, p122) that the development has been designed to mainly remove elements that have poor value such as Leylandii hedging and U grade trees accurate, given the 286 Category B&C trees to be felled (and only 16 category U)?

A. Merton Tree Officer summary states:

“the design enables the vast majority of valuable trees to be retained unharmed”.
(Reference: Planning Committee report 6.7.13 p202 (agenda page 208)).

The scheme has sought to protect all veteran, ancient and A grade trees, most valuable on site, and minimise the removal of any B grade trees.

To clarify the definitions of the arboricultural gradings within the British Standard BS5837:2012 and NPPF, see below:

U grade: Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.

C grade: Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.

B grade: Trees of moderate quality with an estimated remaining life expectancy of at least 20 years.

A grade: Trees of high quality with an estimated remaining life expectancy of at least 40 years.

Veteran: A tree which, because of its great age, size or condition is of exceptional value for wildlife, in the landscape, or culturally.

Q: How long will it take to achieve the “increase in canopy cover, amenity, tree species diversity and landscape quality” referred to at 6.7.19 (p205)

A: As part of the EIA/LVIA, this was considered at a point 15 years after completing the development (taking account of the establishment and maturation of any planting proposals).

By year 15 the residual landscape and visual effects of the scheme were all assessed by the applicant to be either neutral or beneficial (meaning this objective would have been achieved). Nevertheless, a number of visual benefits would be achieved prior to 15yrs, down to the retained trees and the rate of growth of certain trees/landscape elements.

The assessment findings are summarised in Chapter 11 of the ES (Table 11.6 and Table 11.7) and set out in full within the Detail Landscape Assessment Tables (Appendix 11.2) and Detailed Visual Assessment Tables (Appendix 11.3).

Q: Is there a calculation anywhere (and if so where) of the amount of carbon that will be released in consequence of the felling of the 296 trees and the amount of carbon absorption that will be lost in the time it takes the replacement trees to grow?

A: There is no policy requirement to provide this information as part of the planning application. The amount of carbon absorption can only be determined when the detailed planting age and species are known immediately prior to the implementation of each phase.

Q: How many vehicles will be housed in the Hub?

A: Officers are unable to confirm the exact number of vehicles at this stage. However, it's noted a Condition is proposed controlling times that vehicles can enter/exit the Grounds Maintenance Hub. See the Design & Access Statement and Updated Design Code – which explain the building design, size, and operation. The number of vehicles stored will depend upon the time of year, season, weather, and horticultural activities taking place on-site. Typically, activities are light from September/October onwards and will increase in the build up to The Championships.

Q: How often will maintenance vehicles leave and return to the hub each day?

A: A Condition is proposed controlling times that vehicles can enter/exit the Grounds Maintenance Hub and the access points are well screened (due to land level changes)

from Home Park Road. The level of maintenance vehicle movements will depend upon the time of year, season, weather, and horticultural activities taking place on-site. Typically, activities are light from September/October onwards and will increase in the build up to The Championships.

Q: How much of an increase will this be on the level of activity from maintenance vehicles that has previously taken place for the Golf Club, and will there be a greater concentration of maintenance vehicles in the area of the CGMH than previously pertained, and if so by how much?

A: A Condition is proposed controlling times that vehicles can enter/exit the Grounds Maintenance Hub – please refer to proposed condition 64 on p 362 (agenda page 268) of the committee report. The golf course maintenance occurred throughout the year was more intensive. It is expected the most intensive horticultural activities in the future will take place during the grass court season (May until September), with some light maintenance to the parkland all year round. The existing golf course maintenance facility (located on the Lake edge) will be removed to enable the restoration and improvement of Wimbledon Park Lake.

Q. Re the future development of the main site (2.2.7, p29) how many courts will be removed and replaced by courts approved under this application, and where can I find this information?

A. Possible future works on the main site do not form part of the current planning application (see para 2.2.7, report page 29 (agenda page 35). However, the applicant have informed Officers that the previous AELTC Master Plan (2013) for the main site noted that the 18 Championships Courts on the main site was the minimum for accommodating The Championships. It also identified areas which experienced significant crowd congestion (particularly around the outside courts). The provision of additional Championships Courts would provide increased resilience and ease scheduling congestion (particularly during bad weather. It would also provide additional capacity to host (and expand) the junior and wheelchair tournaments. The proposed development would also allow the AELTC to consider options for improving spectator circulation on the main site (should this be required in the future).

Q: How much space will that free, and what will replace these courts?

A: This does not form part of this planning application. Please refer to see para 2.2.7, page 29 (agenda page 35) of the committee report, which explains that any alterations to facilities at the main grounds would be dealt with under separate planning permissions.

Q: What steps is AELTC intending to make to “improve circulation and spectator comfort” on the main site?

A: This does not form part of this planning application. Please refer to see para 2.2.7, page 29 (agenda page 35) of the committee report, which explains that any alterations to facilities at the main grounds would be dealt with under separate planning permissions.

Q: Do these involve increased hard standing or building, and if so has this been included in the analysis of the carbon and climate consequences of the scheme before the committee?

A: This does not form part of this planning application. Please refer to see para 2.2.7, page 29 (agenda page 35) of the committee report, which explains that any alterations to facilities at the main grounds would be dealt with under separate planning permissions.

Q: How long does the Roehampton Lease have to run, and how many courts does AELTC have use of there?

A: The Roehampton lease runs until 2036. There are currently 18 match courts and 8 practice courts at Roehampton. However, as noted on p 252 (agenda page 248), para 6.11.23-6.11.27 of the committee report, the Applicant's submissions outlines ways in which Roehampton does not provide adequate facilities for hosting the qualifying event.

Q: Has the AELTC discussed with the B of E extending the lease and entering into a co-maintenance agreement, or even taking control of the courts they currently use?

A: The applicant has informed Officers that the AELTC has no security of tenure beyond the current lease. However, in addition, as noted on p 252 (agenda page 248), para 6.11.23-6.11.27 of the committee report, the Applicant's submissions outlines ways in which Roehampton does not provide adequate facilities for hosting the qualifying event.

Q: How many years have the qualifying matches been held at Roehampton?

A: Since 1939 when the ladies' Qualifying matches were held there. After a pause during WWII, Qualifying resumed at Roehampton with both ladies' and gentlemen's matches played at the site.

Q: What protected species are there on site (pp5-9 Ch 12 ES).

A: The potential presence of protected species was considered as part of the baseline data collection and reporting, as part of the EIA. Protected species are discussed in detail in EIA Technical Appendix 12.1 Extended Phase 1 Habitat Survey.

Where the potential for protected species to be present was identified, appropriate surveys were undertaken. These surveys are reported within the relevant EIA Technical Appendices 12.2-12.8.

Protected species confirmed within the Site are:

-various bat species

-various bird species

-badger

-European eel

Stag Beetles are also known to occur locally.

Q: What breeding, nesting and migratory birds are there on site (p188) Is it correct that there are 8 varieties of bat that live and feed on insects around the lake, and that the lake and environs attract a large number of bats.

A: Bird records and survey findings are detailed in EIA Technical Appendix 12.6: Breeding Birds Survey Baseline and EIA Technical Appendix 12.7: Wintering Birds Survey Baseline.

Bat survey findings are presented in detail in EIA Technical Appendix 12.2: Bat Survey Baseline. A total of 8 species of bat have been recorded within or close to the Site:

Common pipistrelle

Soprano pipistrelle

Nathusius' pipistrelle

Daubenton's bat

Noctule bat

Leisler's bat

Brown long-eared bat

Serotine (identified only through biological records search).

The lake and environs do provide optimal feeding habitat for several bat species. Bat survey findings are presented in detail in EIA Technical Appendix 12.2: Bat Survey Baseline.

Q: Has there been a bat survey, and if so where do I find it?

A: Bat survey methods and findings are detailed in the EIA Technical Appendix 12.2: Bat Survey Baseline.

Q: What will the effect be on the bat population of creating a boardwalk and reed beds where there is at present open water?

A: The boardwalk is not predicted to have any adverse effect on bats. Officers note the Applicant's submitted lighting strategy notes the boardwalk will remain unlit. As noted on page 195 (agenda page 201), para 6.6.49, the proposals are predicted to enhance the quality of habitats present for feeding and commuting bats. This includes creation of reedbed which is expected to increase the habitat niche diversity and associated invertebrate diversity of the lake. This will result in significant enhancements to the quality of foraging habitat for bat species.

Q: What estimate has been made (and where can I find it) of the impact of the boardwalk and human proximity to the bat community?

A: The proposed boardwalk and associated human use is not predicted to have an adverse impact on bats. It would not result in reductions in the extent and quality of foraging habitats (e.g., through lighting or loss of habitat), or through impacts to roosting sites.

Q: Given the propensity of Canada Geese to create guano in large quantities, and their presence in large numbers at the site, what steps would AELTC take to protect the manicured practice courts once operational?

A: Their presence is expected to reduce on site over time, due to the scheme creating a more structurally diverse habitat for a range of species. There is likely to be a reduction in geese numbers as the amount of mown grass within the scheme will be less, compared to the golf course layout, so in time, the site will become less attractive to them. A benefit will be improved water quality to the Lake through the release of less ammonia into the water system.

Q: So far as you are aware is it the intention of AELTC that these birds will be driven away, either through the construction process or, if necessary by other means? Could we condition specific protection measures to ensure that this does not happen (or include specific protection within the overarching CEMP-EMP)?

A: The proposals are not designed for the complete removal of Canada geese, nor is this intended. The proposals aim to provide a better balance at the Site to ensure that this non-native and (sometimes) problematic species does not continue to degrade habitats, which has been the case historically.

Q: I note that mitigation during the construction phase must ensure that no stage beetle habitats (eg dead wood stumps or log piles) are damaged during construction (p199). Given the amount of woodland which would be removed to permit the tennis courts to be built there is a real risk that stage beetle habitats would be damaged or destroyed in the process. In what way can this be mitigated against? If the builders encounter stag beetle habitats in their path, what will they do?

A: The presence of habitats of high value for stag beetle within the former golf course has been limited because golf course management has not retained the decaying deadwood that this species depends upon. Conversely, woodlands of value for this species are retained and protected through the proposed scheme design.

Q: At page 198 (6.6.67) the development is considered compliant with London Plan policy G6 “on the condition that bespoke agreements are put in place detailing how the proposed habitats will be managed to reach the target condition (over 30 years plus)”?

A: Correct, the management of habitats will be secured through the appropriate planning mechanisms. Please refer to conditions 28-32 on p. 333 (agenda p 339) which provide the principal mechanism for delivery and monitoring of ecology proposals.

Q: How long is the construction phase anticipated to last, and how long thereafter will it take to restore the damage done and achieve net BNG?

A: The applicant has submitted a [phasing diagram](#) with their proposals. However, final phasing would be determined once planning permission is granted (condition 3). However, the development will be phased so the majority of the landscape/ecology improvements would occur earlier (with the Parkland Show Court likely to be the final phase). The time taken to provide BNG is an inbuilt component of the Defra BNG Metric calculations – i.e. the DEFRA metric recognises that some habitats (i.e., woodland) will take longer to establish than others (e.g., grasslands).

Q: Somewhere I have heard the figure 60 years for the development to look like the CGIs presented. Is that realistic, and if not, what would be?

A: The Applicant has confirmed the proposed planting is shown at 20-30 years in the CGIs. However, it should be noted that proposals involve the retention and protection of

existing habitats of high value including woodlands and veteran trees (note: ~~over 1,000 existing trees are~~ 752 trees would be retained within the site, 18 of which would be transplanted – see para 6.7.2-6.7.7 of the committee report).

Q: There is mention more than once of intense landscape management by the Golf Club (p189 6.6.10) and elsewhere to the smooth topography. Would the officer agree that having been unused for 9 months the land is now fairly wild and very far from manicured?

A: The applicant has confirmed the Site remains a regularly managed landscape and the frequency of mowing has been relaxed to reflect that it is no longer in use as a golf course. However, many golf features (tees, bunkers, greens, undulating hazards) all remain and have not re-grown (due to the previous intensive management).

Q: How much permanent hard standing (6.3.57p122) will be added to the Permissive Park?

A: Officers advise to refer to agenda page 438-441 to see the general distribution of hard surfaces across the site.

Q: What % of the 9.4 Ha of permissive park will be covered by hard standing, roads and paths, and maintenance buildings and Player Hubs?

A: Officers advise to refer to agenda page 438-441 to see the general distribution of hard surfaces across the site.

Q: Noting that the Northern Gateway will be closed to the public for 11 months of the year, what is the area of the Northern Gateway that will be closed?

A: To clarify, the northern gateway would not be accessible to the public.

Q: If it transpires that there are, or are likely to be archaeological remains under the site which would be substantially harmed or completely destroyed by the excavation work, what happens then?

A: As agreed with GLAAS/Historic England, the Applicant will maintain a watching brief during construction (which would include archaeological investigation works) and record any finds. This is secured via condition 18 (Written Scheme of Archaeological Investigation). Condition 18 also secures details of public engagement to ensure any knowledge is appropriately shared with regard to archaeological findings of significance.

Q: How will construction, excavation and silt be transported from the site?

A: Construction logistics is considered in detail on report page 177 (agenda page 183), sub-section 6.5, paras 6.5.30 – 6.5.36. Officers note that Construction Traffic Routing is provided in the outline CLP. The primary route for construction vehicles is expected to be from the A3 in Wandsworth, following the A218 Buckhold Road, Granville Road and Wimbledon Park Road / Church Road. There would also be a secondary route via the A219 and Wimbledon village which is expected to be used by a much smaller proportion of construction traffic.

The Council's Transport and Highways Officers consider the construction process can be managed effectively to avoid unacceptable or severe impacts on the highway network. This is subject to the development of a detailed Construction Logistics Plan for

each phase, as well as a construction workforce travel plan which would be secured by condition (see conditions 20 and 21).

Construction vehicle routing will be agreed with the Council's and TfL and will prioritise the following:

- Using the Strategic Road Network and the TLRN as much as possible;
- Avoid using residential roads, particularly those with sensitive receptors such as schools, hospitals and community centres as far as practical; and
- Avoid school start/end times.

Q: Screening (p133) by vegetation. How many mature oaks would surround the Show Court, and how long after completion would it take for other "screening vegetation" to be planted and grow in situ?

A: Sub-section 6.3 of the committee report should be referred to for Officers consideration of the impacts on townscape and views. However, Officers note, the Show Court would be positioned within a ring of mature oak trees (all to be retained) with large canopies. These oak trees are shown on p 141 of the submitted arboricultural Impact Assessment which show the oak trees surrounding the Show Court. There are also other retained trees (and banks of trees) to the east and west of the proposed Show Court which provide additional screening. Please refer to the relevant soft landscaping plan ([link](#)) which shows the general distribution of trees surrounding the Show Court.

Q: If 14 tennis courts on the main site would be displaced by building the show court on the main site, could they be sited on the application site instead?

A: As noted above, the planning assessment includes consideration of design alternatives that were considered. Notably on report page 127 (agenda page 132), para 6.3.75-6.3.60, Officers outline reasons why particular alternative locations for the Parkland Show Court were dismissed. Notwithstanding this, Officer note it would not be possible to accommodate all displaced courts on the former golf course without significant (and in all likelihood unacceptable) impacts on trees, ecology and landscape features.

Q: How many tennis courts is the footprint of the Show Court equivalent to?

A: All courts on the former golf course have been spaced apart to provide appropriate space for trees, landscaping and to maintain the parkland setting. It is unlikely that more than 3 to 4 courts could be provided within the footprint of the Show Court having regard to these constraints. Officers note the Show Court provides other facilities so support the site (spectator/player facilities, toilets, food and drink, an energy centre, community space etc.) which need to be accommodated.

Q: Where do I find the October 2022 updates on Energy and Sustainability and Waste and Materials (no link on page 27)?

A: The ES addendum referred to in para 1.10.5 is uploaded to the Merton Planning Explorer and is available via [this link](#).

Q: Where do I find the Urban Greening update 22/9/23?

A: The update to Urban Greening Factor is referred to in the last bullet under para 1.10.7. It is available to view on the Merton Planning Explorer via [this link](#).

Q: Is the proposal for a Conservation Management Plan) (6.4.124, p159), which would be funded by AELTC and would establish “guidelines for any future development work within the RPG” an indication that AELTC consider there to be a possibility they will wish to develop the RPG further in the future?

A: The RPG includes Merton-owned Wimbledon Park and the Wimbledon Club (as well as the land owned by AELTC) – and this divided ownership has been identified by Historic England as one of the reasons for the At Risk status, as set out at para 6.4.18 on p.142 (agenda page 148) of the committee report. This plan will establish a set of principles to help ensure that any future works (including minor works and landscaping treatments) within the whole RPG follow a common set of design principles informed by the character/history of the site. This does not relate solely to the land owned by AELTC. As per paras 6.4.33 to 35 on p.145 of the committee report, Historic England has recognised that this plan (referred to as a landscape strategy in the Historic England response) would deliver heritage benefits that would meaningfully help to address the issues which have led to the RPG’s inclusion on the “Heritage at Risk” register.

Q: Is it correct that there will be a fence parallel to and beside the Ha-Ha, and if so what height will this be?

A: There would be a 1.2m high estate rail similar to that used in National Trust properties and typical of a historic ha-ha detail, located on top of the wall of the ha-ha. (Reference: to Design and Access Statement p341-344 for text and illustrations).

Q: Merton’s policy officer recommends that all the details pertaining to the new public park are confirmed through a formal agreement. Has this been done, even in outline, and if not can it be conditioned and be done before works begin?

A: Please refer to proposed HOT 8 for the S106 agreement on p.292 (agenda page 298) of the committee report, which states that a Public Access Plan will be submitted to Merton for its approval and, once approved, shall be implemented in perpetuity by AELTC subject to any subsequential changes which are approved by Merton. HOT 8 outlines some matters which shall be detailed in the Public Access Plan. The reference to a “formal agreement” at para 6.2.64 on p.108 (agenda page 114) of the committee report is a reference to this “Public Access Plan”.

Q: Archaeological impact - What are the issues?

A: Please refer to sub-section 6.4 on heritage which covers Officer consideration of archaeological remains. The site overlaps with two designated Archaeological Priority Areas. These are defined areas by Historic England where evidence suggests there could be potential for new discoveries. The potential for archaeological remains does not in itself prohibit development. However, planning policy (notably NPPF para 205) requires applicants to record the significance of any heritage assets that the development harms and make any evidence publicly accessible. For this application Officers have consulted Historic England’s Greater London Archaeological Advisory Service (GLAAS). They have raised no objection to the proposed development subject to carrying out an appropriate Written Scheme of Archaeological Investigation (WSI) and

programme of public engagement. These requirements would be secured by condition - see condition 18.

Q: What buildings above 500m2 would be designed to BREEAM Excellent standard or higher?

A: Merton policy CS15 (f) requires all new non-domestic development over 500m2 to be built to BREEAM very good or higher. Exceeding, this policy requirement, the Parkland Show Court and Central Grounds Maintenance Hubs would be designed to BREEAM excellent or higher, each of which are over 500m2. This is secured by condition 43. It should be noted that does not mean the other buildings within the site would not be designed to high standards of sustainability. Indeed the S106 agreement (see Head of Term 21) requires the applicant to demonstrate by way of a final site wider energy strategy how the development as a whole has feasibly maximised carbon savings on-site.

Q: Who are the main users of the northern field in Wimbledon Park?

A: Officers have consulted Green Spaces to answer this question. The regular users of the northern playing field in Wimbledon Park include:

- Rugby Tots
- AFC Wimbledon
- PW Dons (football)
- Wimbledon Junior Park Run
- Little Kickers (football)
- LBM (Fireworks event; other events throughout the year)
- Hercules Wimbledon Athletics Club (road race events)
- The Oak Montessori (nursery)
- Ursuline Prep School
- St Cecilia's School

Officers note the proposals would secure money towards enhancing the Registered Park and Garden. An identified project includes improved drainage in the northern playing field estimated to cost £150,000.

Q: How will the ticketing work for the children community youth groups?

A: As set out on report page 297 (agenda page 303), Head of Term 28 sets out the principles for Qualifying tickets which would be secured through the Section 106.

- Not less than 1,000 tickets would be allocated to school children in Wandsworth and Merton.
- However, any residual tickets not taken up by schools would be made available to community youth groups with priority given to those in Merton in Wandsworth.
- A ticketing strategy would be secured by Section 106 Agreement which would set out further detail.

Q: Environmental statement sufficient - what does that mean? As in the word sufficient from the perspective of your report?

A: Report page 253 – page 263 (agenda page 259-263), sub-section 6.13 sets out Officers' consideration of the Environmental Impact Assessment.

The Environmental Statement is required under the Environmental the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Under the EIA regulations, the planning authority should ensure when whether to grant planning permission for a project, which is likely to have significant effects on the environment, it does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process.

Officers consider the Environmental Statement is suitably robust and acceptable to inform Officers decision making. Further the ES passes the legal tests for an ES.

Q: What inclusive design advice has the applicant received?

A: Inclusive design is considered on page 132 (agenda page 138), sub-section 6.3, para 6.3.100 in relation to design policies. Inclusive design is also considered on page 264-267 (agenda page 273), sub-section 6.14 in relation to the Equality Act 2010.

Officers have regard to feedback from the Council's Urban Design Officer who covers all design matters, and they raised no specific comment in respect of inclusive design. Notwithstanding, Officers have reviewed the proposals and consider them acceptable in respect of inclusive design in relation to design policies and in relation to the Equality Act 2010.

Please refer to the relevant sections of the report for detail. However, Officers note the vast majority of pathways would be wheelchair accessible. In a small number of locations, where changes in level are unable to meet the required accessible standards (due to site constraints), alternative access routes are offered in close proximity to these routes. The proposed satellite maintenance hubs all provide wheelchair accessible washrooms. Further, the player hubs, the Show Court and the Central Grounds Maintenance Hub (submitted in outline) would all be required to meet inclusive design policy under reserved matters applications.

Q: What is a green chain?

A: Merton Sites and Policies Plan defines Green Chains as areas of linked but separate open spaces and the footpaths between them. They are accessible to the public and provide way-marked paths and other pedestrian and cycle routes. Officers note that whilst the application site falls within an area designated as a green chain it does not align completely with this definition as the golf course is inaccessible to the public and does not provide way marked paths.

Q: Is the DRP advice worded correctly? Does the DRP designation come before or after the new grading? I think your quoting the new grading system. Did they really say go ahead - can you share their full advice please?

A: The DRP advice is worded correctly. It should be noted that DRP advice is carried out at pre-application stage. Therefore the DRP comments are made in respect of the information presented at DRP and not the full suite of information submitted under this planning application. Officers consulted the Urban Design Officer with regard to the definition of red, amber and green ratings. The Urban Design Officer informed that whilst

there is no written criteria, DRP members tend to remind themselves of what they understand the criteria to be which is along the lines of that stated in the Officer report. The full DRP advice is available by the links provided in the Officer report. The DRPs carried out issued amber grading (i.e. issues remain to be addressed) on the basis of the concerns outlined in the summaries provided.

Q: What action has the applicant taken to address the DRP advice: 1 - justification of the show court, public access and activities outside and access to the part.

A: A key concern raised in the DRP was lack of clarity with regards to public access and access outside of the tournament period. DRP advice also noted that there needed to be a more thorough and balanced justification for the Show Court.

Officers consider that the planning application has provided an opportunity to provide clarity in respect of public access and uses outside the Championships, and justification for the Parkland Show Court. Clarity in terms of public access and uses outside the Championships are solidified through the Heads of Terms which have been agreed with the Applicant. The Heads of Terms establish the principles that would apply in respect of various community benefits, including the AELTC Parkland (i.e. publicly accessible park) and community access to grass tennis courts. With regard to justifying the need of the Parkland Show Court, and the development generally, this covered in more detail in sub-section 6.11 on Economy and Employment.

Q: What is the surface area taken up by difference surface materials e.g concrete etc?

A: The area covered different materials across the application site are set out in the Applicant's Urban Greening Factor calculations, which is available on the Merton Planning Explorer via [this link](#). Across the site there would be 67,600 m² of permeable paving, and 19,700 m² in relation to a total site area of 396,000 m². Officers advise referring to the submitted Hard Landscape Plans submitted with the application for the general distribution of hard surfaces across the site. These are available to view via these links – [link 1](#), [link 2](#), [link 3](#), [link 4](#).

Q: What is the process for informing the member of public regarding closures of the AELTC Parkland?

A: Officers consider it is reasonable to expect AELTC and/or Merton Council would advertise with signage at entrances to the AELTC Parkland in advance of closures. It is also expected that AELTC would advertise closures on the website, as they do so currently in respect of other works they carry out in the local area. Officers also note that AELTC update residents who are signed up to local updates through 'MyWimbledon'. Officers consider arrangements such as these would be dealt with outside the planning application.

Q: Why has the applicant not applied for full planning permission for the whole of the scheme?

A: Page 34 (agenda page 40), sub-section 2.3 of the committee report sets out the development proposals sought in outline.

Officers understand a key consideration in the applicant's decision to apply for certain elements of the proposed development in outline (i.e. Parkland Show Court, Player Hubs, and Central Grounds Maintenance Hub) is to allow detailed design to be finalised

closer to the point of commencement. This allows the most up-to-date technologies to be integrated into the proposals.

As noted in para 2.3.3, although the application is in hybrid form, Officers are satisfied a robust assessment can be made as the Applicant has submitted a set of design guidelines and parameter plans which would need to be adhered to at Reserved Matters stage. This gives Officers a reasonable and acceptable level of certainty as to the final character of the outline proposals in terms of appearance, means of access, landscaping and scale.

Q: Where is in the plans any alterations to the club house and inclusive design/access?

A: The Section 106 agreement would secure community uses in the Golf Club House (see Head of Term 1, committee report page 289 (agenda page 295)), sub-section 7.2. It is expected that the physical alterations to the golf clubhouse would be subject to separate planning permission, at which point the proposals would be further assessed in respect of inclusive design. Nevertheless, for robustness, condition 17 (report page 318, agenda page 324) secures details of how all publicly accessible areas of the clubhouse shall be in accordance with the Equality Act 2010, including access to and from Home Park.

Q: Tunnelling used in the past (i.e. planning permission 11/p2864) what were the lessons and why discounted this time?

A: Officers note that a pedestrian tunnel was approved on AELTC's Main Grounds in 2012 between car park 3 and the millennium building beneath Somerset Road. Officers acknowledge there are some similarities in terms of rationale between this development and the tunnel proposed in respect of the Parkland Show Court. Notably, a tunnel would allow safe passage of staff, players and servicing without crossing the public highway (i.e. Church Road).

Details of the Parkland Show Court tunnel within the red line boundary would be provided under reserved matters applications for the Parkland Show Court. Details of the tunnel outside the red line i.e. within (AELTC's Main Grounds) would be subject to separate planning permissions.

As noted on page 133 (agenda page 133), sub-section 6.3, para 6.3.115, based on the findings of the submitted Basement Impact Assessment, Officers consider the principle of the proposed basements (including tunnel beneath Church Road) acceptable. Where potential impacts on surrounding structures and ground conditions are identified, there would be available means to mitigate impacts e.g. through appropriate excavation support and construction methodology. It's noted that further detailed basement impact assessment would be submitted at Reserved Matters stages at which point further assessment of impacts would be carried out by the Local Planning Authority.

Q: In respect of report Section 4 Consultation - What about individual consultations and right of responses? Has there not been more engagement that can be shared?

A: Officers consider Section 4 of the report provides a robust and proportionate overview of the consultation carried out by the Council, including outlining responses carried out in respect of the planning application, including responses. This section does not include consultation carried out by AELTC privately which falls outside the planning process,

though AELTC's own consultation is acknowledged by Officers in sub-section 6.12, para 6.12.29 in relation to the Applicant's submitted Statement of Community Involvement.

Q: In respect of representations in respect of Environmental Impact Assessment on report page 55, has there been a breach?

A: Report page 253- 263 (agenda page 259-263), sub-section 6.13 sets out Officers' consideration of the Environmental Impact Assessment. Officers consider the submitted Environmental Statement acceptable and passes the relevant legal tests.

Q: In respect of representations relating to loss of golf course and loss of junior golf programme on report page 56, is this not a commercial decision? What powers do the Council have to compel land use if land is sold on?

A: Report page 56 (agenda page 62), para 4.5.142, Officers have acknowledged that some representations refer to a request to leave a piece of land available for the golf programme to continue.

The proposed development assessed does not involve retention of any golfing facility on-site and therefore no proposed golfing use is being considered by officers. The loss of the existing golfing use on-site is however considered in sub-section 6.2 and sub-section 6.17 of the officer report.

Q: What was the cost of the pay and play basis of membership at the existing Wimbledon Park Golf Club?

A: Page 74 of the applicant's Planning Statement sets out the green fees for Wimbledon Park Golf Club and other golf courses. The green fee is noted to be £30-£40.

Q: Are there any other examples of Very Special Circumstances in the Borough of Merton?

A: A good example of a planning application in the Borough involving Very Special Circumstances is planning application 16/P0882. This application was for a new leisure centre in Morden Park which would be inappropriate development in MOL. However, there were Very Special Circumstances to justify the development, which included economic, health, and social and cultural benefits relating to the provision of new leisure centre. Officers however caution against making comparisons with other developments given the unique nature of the proposals.

Q: What does restoration of veteran trees mean?

A: Report page 207, (agenda page 213), sub-section 6.7 covers Officers consideration of trees. Officers note 41 existing ancient and veteran trees on site would be retained. Further individual management plans and remediation work is proposed for each veteran tree (including ancient trees) to improve their long-term health. This would be secured by condition by Officers (see condition 41 which secures a Veteran Tree Management Plan).

Q: What features have been made to make the Show Court discreet?

A: Sub-section 6.3 considers the impact of the Show Court in terms of Visual Impact and Townscape Character. In this assessment Officers note the Show Court has been designed to be as discreet as possible. In para 6.3.12, Officers note the Show Court

would be positioned on a low point topographically helping to reduce its impact. Para 6.3.23 and Para 6.24 of the committee report goes into more detail on the impact of the development on views outlining holistically the impacts on views.

Q: What's the current plan for vehicle operations in respect of construction?

A: Construction logistics is considered in detail on report page 177 (agenda page 183), sub-section 6.5, paras 6.5.30 – 6.5.36. Officers note that Construction Traffic Routing is provided in the outline CLP. The primary route for construction vehicles is expected to be from the A3 in Wandsworth, following the A218 Buckhold Road, Granville Road and Wimbledon Park Road / Church Road. There would also be a secondary route via the A219 and Wimbledon village which is expected to be used by a much smaller proportion of construction traffic.

The Council's Transport and Highways Officers consider the construction process can be managed effectively to avoid unacceptable or severe impacts on the highway network. This is subject to the development of a detailed Construction Logistics Plan for each phase, as well as a construction workforce travel plan which would be secured by condition (see conditions 20 and 21).

Construction vehicle routing will be agreed with the Council's and TfL and will prioritise the following:

- Using the Strategic Road Network and the TLRN as much as possible;
- Avoid using residential roads, particularly those with sensitive receptors such as schools, hospitals and community centres as far as practical; and
- Avoid school start/end times.

Q: Why do officers feel construction noise is not an issue - what is the technical assessment?

A: Construction noise is a material planning consideration in the planning assessment.

As noted on report page 121 (agenda page 127), para 6.4.43, noise from construction is not considered to unacceptably impact neighbour amenity.

Construction noise and vibration is considered in detail in sub-section 6.10, para 6.10.19 - 6.10.22.

Sub-section 6.10 concludes that Officers consider the proposed development to be in accordance with relevant policies relating to noise and vibration subject to conditions and obligations.

Q: Do the proposals incorporate a Changing Places toilet? If so, where?

A: As noted in para 6.13.25, Officers expect a changing places toilet to be provided as part of the tournament facilities as is required under Building Regulations. The exact location of this facility would be confirmed under Reserved Matters, but it is likely that the facility would be provided in the Parkland Show Court.

Q: Wheelchair accessible - how compare existing site in Roehampton?

A: Officers are not able to comment on the existing accessibility provision at the Roehampton site as this information has not been provided as part of the planning submission.

Q: What has been the applicant response to the Urban Design Officers points of concern ?

A: The application proposals have not changed because of comments made by the Urban Design Officer. However, Officers have responded to the concerns raised by the Officer in Paras 6.3.127-6.3.132.

Q: How much of the park is mowed to unmowed compared with the golf club?

A: Officers do not have this information. However, the plan on agenda page 456 shows the intended distribution of where there will be longer grass across the development site. The plans show that there would be swathes of long meadow grass in northern parts of the site and areas of acid grassland in much of the AELTC Parkland to the south.

Q: Did Capability Brown intend a golf course on site?

A: The "Capability" Brown designed landscape pre-dates the use of the site as a golf course.

Q: How many EV car parking spaces are provided and what standard of charger.

A: Car Parking is detailed in sub-section 6.5. EV charging provision is set out in Para 6.5.52.

66 spaces are proposed to be retained in the golf clubhouse car park. Furthermore, 2 spaces would be provide in the Tea Lawn area.

It has been agreed with the Applicant that all retained parking spaces in the Home Park Road golf clubhouse car park shall provide active EV trickle charge point provision. The proposed bays close to the Tea Lawn and Parkland Show Court are also proposed to have EV provision. EV charging would be secured by Condition 27. Transport and Highway Officers raised the potential need for temporary EV infrastructure during the tournament period. Accordingly, details of temporary EV infrastructure would be secured by condition as necessary on annual basis (see condition 6).

Q: Has the applicant established a Geo fence to avoid issues of bikes being dumped in the area.

A: From on-site discussions with the Applicant, Officers understand that AELTC work with relevant e-bike providers such as Lime Bike during the Championships to ensure bikes are not left in unwanted locations. Officers note that during the Championships specific areas are allocated for cycle parking.

Q: Is there any mitigation to those paying for CPZ for a period?

A: Officers have considered the impact on nearby CPZs as a result of the development. Para 6.5.51 outlines the Council Transport and Highways Officers raised concern that there could be increased pressure on on-street car parking in the vicinity of the site. Therefore, an obligation is included within the Section 106 which requires the developer to fund a review of nearby CPZs and implementation of any further mitigation measures

if required (see Head of Term 20). Mitigation could include increased restrictions to ensure pressure on parking is not increased.

Q: Examples of other cases or trees in the borough that have been removed.

A: Officers do not consider this question is relevant to the assessment of the planning application. However, it's noted that the policy tests set out in sub-section 6.7 may apply to other planning proposals in Merton which involve the loss of trees. However, Officers do not consider there to be another proposal in the Borough that is comparable to that proposed in respect of trees.

Q: What types of conditions are there to delivery ecological mitigation?

A: Please refer to sub-section 6.6, para 6.6.1 for conditions and obligations which would be imposed to deliver ecological mitigation and enhancement, including Biodiversity Net Gain

Q: How many trees are Brownian - how many of those being removed?

A: Officers do not have the exact number of trees of the site that are Brownian. Much of the designed landscape has been removed and replaced by planting associated with the golf course. However, Sub-section 6.4, para 6.4.27 outlines that there are 41 veteran and ancient trees, the majority are oak with several willow and one ash which are scattered to the south and west of the lake. Some of these trees match up with the alignment of the Great Avenue and appear to correspond to previous location of clumped trees planted by "Capability" Brown. All ancient and veteran trees would be retained as part of the proposals.

Q: What is BREEAM standard?

A: BREEAM stands for Building Research Establishment Environmental Assessment Method. A BREEAM assessment uses recognised measures of performance, which are set against established benchmarks, to evaluate a building's specification, design, construction and use.

- Each BREEAM rating level broadly represents performance equivalent to:
- Outstanding: Less than top 1% of UK new non-domestic buildings (innovator)
- Excellent: Top 10% of UK new non-domestic buildings (best practice)
- Very Good: Top 25% of UK new non-domestic buildings (advanced good practice)
- Good: Top 50% of UK new non-domestic buildings (intermediate good practice)
- Pass: Top 75% of UK new non-domestic buildings (standard good practice).

Q: Estimated carbon of construction - what is being done to reduce this?

A: The applicant has submitted a Whole Life Carbon Assessment (WLCA) with their application - [link](#). The whole life carbon emissions of the development proposals are estimated to be ~148,106 t.CO_{2e}. 55% of these forecast emissions are attributed to operational energy and water consumption, estimated over a 60-year period. The remaining 45% of emissions are attributable to embodied carbon. Of those embodied emissions, the Parkland Show Court is responsible for ~77% (50,540,422 kgCO_{2e}).

The WLCA outlines that a number of carbon reduction strategies have been integrated into the proposals such as:

- The design of the pathways were updated to save ~1,827 t.CO_{2e}.
- Rainwater will provide an average of 30%, 44% and 64% of the irrigation demands in the North, Central and Southern master plan zones respectively. An extensive sustainable urban drainage network will enable this. This will reduce demands on mains water networks and subsequently reduce carbon emissions by ~1,406kg.CO_{2e} over 60 years
- A feasibility study for a new heat network connecting the new Parkland Show Court to the existing AELTC site has been undertaken. The outcome of the study is a potential opportunity for a low-carbon heat network, using heat pumps, whilst phasing out the use of gas boilers, as detailed in the energy strategy. This will substantially reduce the demand for mains electricity or gas, resulting in reductions to overall site carbon emissions.

The WLCA notes that further opportunities to reduce carbon are being explored under detailed design stages in relation to key structures, such as reducing loads in the Parkland Show Court to require fewer materials and embodied carbon.

Separately, Officers note the concrete ring beams surrounding the courts have been reduced in size and would be pre-cast, which has reduced embodied carbon of the tennis courts.

Officers note condition 44 would require the applicant to submit updates to their whole life carbon assessment to demonstrate how they are adopting relevant carbon saving strategies within the outline structures, namely the Parkland Show Court, Player Hubs and Central Grounds Maintenance Hub.

Q: Why is no solar technology used in the development ?

A: Officers note solar technology was considered for the proposed satellite hubs (submitted in detail), however this technology was not deemed suitable due to the low energy demand of the hubs which is also seasonal and highly variable and they are physically remote from the main energy consuming centres of the AELTC. This assessment is set out in a design note submitted by the applicant – [see link](#). Outline structures (including the Parkland Show Court, player hubs and Central Grounds Maintenance Hubs) are still subject to detailed design under reserved matters and as such specific technologies would be confirmed for these buildings at a later stage.

Additional questions added for version 2 of modifications sheet

Q: What would be the consequences if we were to approve the application and Wandsworth refused the application?

A: Resolution to approve the planning application by Planning Committee does not equate to grant of permission; the grant of permission depends on a number of factors, including the completion of the section 106 agreement and there being no material change in circumstance since the resolution to grant. In the circumstances that the planning permission being sought in the London Borough of Wandsworth (2021/3609) is refused by the ultimate determining authority of that application (i.e. the last of: LB Wandsworth or, if on appeal or call in, the Secretary of State for Levelling Up, Housing and Communities, or the Mayor of London) then due to the material change in circumstance and as required by law this application (21/P2900) will be brought back to this committee for re-determination. As such planning permission (21/P2900) will only be issued in relation to this application after determination of application 2021/3609.

Q: Would there be toilets in the golf clubhouse and would these be accessible to those walking through the park?

A: Community access to the clubhouse would be secured through the Section 106 agreement (see Head of Term 1, report page 289). It is expected toilets would be available to use to those using community spaces in the building. Please also see amendment to HOT 1 regarding delivery of a toilet facility within the Golf Club House as set out above. The amendment secures toilet facilities for users of the AELTC Parkland in the golf clubhouse. Matters relating to the clubhouse would be reviewed later. There is a distinction between what happens during the tournament period and what happens outside of the tournament. During the tournament period the AELTC may install necessary temporary infrastructure, such as toilets, as they do currently, for example in Council owned Wimbledon Park. The proposed development also provides purpose built toilet facilities for spectators arriving. For example, Satellite Hub 2 provides toilet facilities in proximity to the Northern gateway.

Q: How long does a S106 last?

A: Section 106 agreements are associated with a particular development and run with the land and therefore are enforceable against any landowners (including the applicant) that sign up to the agreement and their successors in title. However, particular obligations may have particular timescales attached to them within a Section 106 Agreement.

Q: Will defibrillators be available?

A: Officers have consulted Green Spaces and note that there are two defibrillators available in council owned Wimbledon Park. One is located by the pavilion café and another located in the athletic club clubhouse. Officers have agreed a further condition with the applicant to provide an additional defibrillator in the AELTC Parkland (see condition 69 referred to above in this supplementary agenda).

Q: What's the difference between 'best endeavours' and 'reasonable endeavours'?

A: A requirement to use reasonable endeavours requires a person to take a reasonable course of action to achieve an objective, even if there might be other courses available. It does not normally require any action that would be harmful to their commercial interests and it usually would not require the person to enter into litigation proceedings. Best endeavours requires a person to take all steps in their power which can produce the result, even if this requires expenditure or sacrifice of their own commercial interest.

Q: Is there a planning definition for recreation and sporting use, particularly whether this includes public access to the facilities?

A: There is no set definition for sports and recreational use in planning policy. This is a matter of planning judgement by Officers. As noted in para 6.2.39 of the committee report, Officers consider the proposals to fall within the definition of alternative sport and recreational use.

Q: Do the 38 new courts and show court deliver sufficient public benefits needed to outweigh the harm to MOL, or only when considered with the other parts of the application? The public benefits given in the report seem to suggest the latter.

A: Please refer to sub-section 6.17 which outlines planning balances in relation to the proposed development. Officers consider it is the combination all public benefits noted in para 6.17.24 onwards that serve to outweigh harm identified.

Q: Could an application with less development deliver the same public benefits?

A: Officers assess the development as proposed. Officers are unable to comment whether less development would deliver the same public benefits as that would depend on what less development would look like and mean.

Q: Have all records of any discussions on any possible alternative plans between the AELTC and officers been published?

A: Possible alternatives have not been discussed. Officers have assessed the application as proposed. However, relatively minor updates to the planning application have been made as outlined in sub-section 1.10.

Q: Can public access to the AELTC Parkland be permanently withdrawn by AELTC at any stage in the future?

A: The s.106 agreement will require the applicant to deliver the AELTC Parkland (permissive park) prior to an agreed trigger and thereafter to maintain and manage the AELTC Parkland and provide public access in perpetuity (subject to some agreed exceptional circumstances in which access may be prevented in the short term). The applicant will provide and implement a plan regarding this access to be agreed by the Council as local planning authority. Section 106 agreements are associated with a particular development run with the land and therefore will be enforceable against both the applicant any landowners (including the applicant) that sign up to the agreement and their successors in title successors in title.

Q: 8 courts are being built for practice during the main draw. Where does practice for the main draw take place now?

A: Officers understand practice for the Main Draw occurs on AELTC's Main Grounds and comprises 14 Grass Practice Courts located in Aorangi Park. A further six Grass Practice Courts are available during The Championships which are located temporarily on the three Croquet Lawns to the North end of the site.

Q: Can any conditions be placed on AELTC that would prevent or restrict any future development?

A: Conditions cannot be placed on the permission which would restrict the submission of further planning applications. This would not pass the relevant legal tests applied to conditions.

Q: Looking at the reserved matters, is my understanding correct that AELTC have 10 years from consent to submit for approval details of scale and appearance of the show court (among other things) under the outline planning permission (p292).

A: Please refer to condition 4 on page 299 (agenda page 305) of the committee report which specifies timescales by which the applicant shall need to submit details. Condition 4 notes The first Reserved Matter of any Outline aspect of the development shall be submitted to and approved by the Local Planning Authority within 4 years of this consent. Further, the final Reserved Matter of the consent shall be submitted to the Local Planning Authority for approval within 10 years of the consent.

Q: Can you confirm if the cost of monitoring the application if approved will be met by the applicant or by the tax payer? If its by the applicant (A) what would the monies pay for and (B) how will the monitoring be shared with residents? How will local ward councillors views and experiences be inputted?

A:

a. The cost of monitoring the application, if approved, will be met by the applicant.

The cost of monitoring the s106 agreement would be agreed once all obligations are drafted and accounted for, will be informed by those obligations, and will be secured through the section 106 agreement. The Committee report pages 289-297 (agenda pages 295 – 303) sets out the proposed Section 106 heads of terms.

Monitoring fees are chargeable to the applicant and the total fee would be calculated based on the nature of each of the S106 obligations secured and how much it would cost the authority to monitor compliance with and performance of the same. Planning policy guidance requires that monitoring fees do not exceed the authority's costs of monitoring obligations over the lifetime of the development and that the sum to be paid must be proportionate and reasonable. There is no maximum monitoring fee for non-financial obligations, these are calculated on a case-by-case basis. Planning Policy Guidance provides authorities with a level of flexibility as to how to calculate appropriate monitoring fees within these parameters and therefore Officers can secure funds as necessary to ensure the Council is appropriately resourced without draining on public funds.

In addition to the monitoring fees, the Council may also secure additional funds from the applicant through a Planning Performance Agreement (PPA) for planning conditions. The Committee report section 7.3 pages 304 – 375 (agenda page 304-375) sets out all the planning conditions proposed for this application. This has been used in the past

with AELTC and would allow the Council to appropriately resource discharging conditions attached to the planning permission.

b. There will be several ways residents and councillors can access this information (i) The council has a legal obligation to report on the delivery of all Section 106 obligations in Merton every year (both financial and in kind obligations). Please see a link to the council's website on annual reports known as Infrastructure funding Statements for recent examples of this. <https://www.merton.gov.uk/planning-and-buildings/planning/community-infrastructure-levy/overview> (ii) The Committee report sub-section 7.3 page 293 (agenda page 300) sets out the requirements for a public liaison officer (Head of Term 16) and a Local Development working Group (Head of Term 15) who would be able to update on and involve councillors in the discharge of Section 106 obligations relevant to the construction phases of development (iii) Councillors can chose to invite the applicant to provide updates under the council's Scrutiny function as happens with other long-term development projects. Scrutiny meetings are open to the public. (iv) the applicant's representatives attend community meetings on request.

Q: Thereafter the construction process may take 8 (p273) or 15 years, thereafter (looking at the ecological monitoring report, the last of which is to be delivered 26 years after operationality commences (p 329/309, condition 32) it may take another 26 years for the full mitigation regrowth and wildlife recovery to take effect, so a maximum of 51 years from now?

A: The applicant has submitted a phasing diagram with their proposals. However, final phasing would be determined once planning permission is granted (condition 3). However, the development will be phased so the majority of the landscape/ecology improvements would occur earlier (with the Parkland Show Court likely to be the final phase). The time taken to provide BNG is an inbuilt component of the Defra BNG Metric calculations – i.e. the DEFRA metric recognises that some habitats (i.e., woodland) will take longer to establish than others (e.g., grasslands). The submitted BNG metric excel sheet is published online and shows different 'final time to target condition' in relation to different habitat types.

Q: Does "free of charge in perpetuity" (p285) refer both to the existence of the park and the fact that it is free from charge (HOT 8)

A: The section 106 agreement will secure that the AELTC Parkland is accessible by the public in perpetuity (subject to the parameters of HOT 8) and that such access will be free.

Q: Is it enforceable in perpetuity, and if so by whom & how ?

A: Section 106 agreements are associated with a particular development and run with the land and therefore are enforceable against any landowners (including the applicant) that sign up to the agreement and their successors in title. However, particular obligations may have particular timescales attached to them within a Section 106 Agreement. The section 106 agreement is enforceable by a local planning authority and can be enforced by way of an injunction or direct action.

Q: What happens if the WPSL&HCEA MP identifies "opportunities for development of the RPG" (pp 283 & 285)(HOT 5 & 8)

A: Any opportunities for development in the RPG are likely to be focused within Council owned Wimbledon Park. A key rationale for the production of the plan to identify opportunities that help remove the Registered Park and Garden for the Heritage At Risk register.

Q: What is to prevent Merton “agreeing changes” to the arrangements for the permissive park (p285).

A: As noted under Head of Term 8 on page 293 (agenda page 298), the council may agree changes to the Public Access Plan. However, this would need to be agreed by the Council acting in its capacity as local planning authority and the Council would have regard to ensuring the closure periods set out under Head of Term 8 are not extended and ensuring the range of permitted activities are appropriate for a publicly accessible open space.

Q: There do not appear to be any time specific obligations in relation to the de-silting of the lake, the building of the board walk, or the opening of the permissive park to the public (HOT 8 & 9, p286, conditions pp 308 & 309). What enforcement will be possible if AELTC delays or does not complete these works?

A: The s.106 agreement will contain appropriate trigger points to ensure these components are not unduly delayed and public benefits are prioritised. The Council would monitor the compliance with trigger points and enforce as necessary.

Q: The HOT and conditions give AELTC the ability to resile from there obligations in various ways, subject to the written agreement of Merton, for example:

- HOT 28(p290) “ticketing strategy to be submitted...and changes may be agreed”
- HOT10 (p286) “boardwalk may only be closed temporarily...unless otherwise agreed with Merton”
- HOT 8(p285) “a Public Access [to the permissive park] Plan to be implemented from approval in perpetuity subject to any changes which may be agreed with the council

A: Regarding Head of Terms, the caveat of unless otherwise agreed, is required in certain instances to allow flexibility to allow for actions to be, or not be, carried out in certain unforeseen circumstances. Importantly, however, agreement to the changes are to be agreed by the Council acting in its capacity as local planning authority and the Council’s decision would be subject to the same considerations as the original section 106 agreement.

Q: What is there to prevent Merton and the AELTC changing their minds in the future?

A: Regarding Head of Terms, the caveat of unless otherwise agreed, is required in certain instances to allow flexibility to allow for actions to be, or not be, carried out in certain unforeseen circumstances. Importantly, however, agreement to the changes are to be agreed by the Council acting in its capacity as local planning authority and the Council would have regard to maximising public access and benefits in any decision it makes.

It is open to the applicant and the Council to agree changes to a section 106 agreement through a deed of variation; any such changes would have to be agreed by the Council acting in its capacity as local planning authority and would be subject to the same considerations as the original section 106 agreement.

After 5 years, if the applicant wishes to make a change to the section 106 agreement and the Council does not agree, the applicant may appeal to the Secretary of State to ask for the amendment to be made.

Q: Looking at the conditions there are various potential opportunities for AELTC to resile from their obligations by agreement with the LPA, viz

- Re the Landscape Management Plan (con 16, p310) , the plan shall be implemented “in strict accordance with the agreed details, unless otherwise agreed in writing with the LPA”
- Unless otherwise agreed in writing by the LPA (con 27, p 321) all retained parking spaces in the Home Park Road golf club car park shall provide “active EV...charge point provision within 6 months of the completion of the CGHMB”
- The Applicant shall implement the development in accordance with the approved CEMP-EMPs unless otherwise agreed in writing (con 29 p 325)
- Any deviation from the approved phase specific Arborial Method Statements and TPPs (p338) shall require agreement in writing, the request can be made by email and the LPA will respond as soon as reasonably practical (p361)
- Re the CES (condition 46, p344) the development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the LPA
- P347 (con 51) the development shall comply with the submitted site-wide surface water drainage scheme unless otherwise approved in writing with the LPA

I am sure there are more and I would prefer there to be stronger protection for the residents and Merton, perhaps a requirement that the Applicant shall comply with its obligations unless, despite using its best endeavours, it is unable to do so, and only then will it seek the LPA's consent to variation.

A: Regarding conditions, it should be noted that the wording ‘unless otherwise agreed’ has been changed to “unless an appropriate application for alternative details is submitted to and approved by the local planning authority pursuant to this condition”. This is to allow for flexibility should the applicant need to submit revised details in relation to a particular condition. This is common practice for a development of this complexity and any decision to approve would need to be agreed by the Council in its capacity as local planning authority having regard to the details of the planning application when deciding to grant or refuse any revised details submitted.

Q: Inf 8 re condition 30 (p360) states “it is expected that the LEMP under condition 30 will also address the matters secured within the 106”under the de-silting HOT – this could be stronger – I would prefer “ required that” or just “shall”

A: The text under this informative has been updated. Please see proposed modification further up this report.

Q: Re condition 34, (the pre-construction mammal survey), what will happen if the survey does find badger setts that will be disturbed (p332)

A: Appropriate mitigation would need to be secured to ensure that badger setts are not adversely impacted by the development. This would be detailed in the CEMP for a particular phase where it is relevant.

Q: Unless I have missed it (possible!) there does not appear to be an obligation to comply with the site-wide LEMP once the phase-specific LEMPs have been complied with (p328), and only a “reasonable endeavours” obligation to implement any suggested changes to the site-wide LEMP put forward by the LPA in response to submitted ecological reports (p330). I think it would be preferable to have at least “ALL reasonable endeavours”, and for there to be an express obligation to comply with the site-wide LEMP, as there is for the phase specific LEMPs

A: The wording for condition 31 and 32 has been updated. Please refer to the relevant modification further above in this supplementary agenda.

Q: How is it proposed to “control the geese population (p376) as an active part of managing the biodiversity of the site long term”

A: Their presence is expected to reduce on site over time, due to the scheme creating a more structurally diverse habitat for a range of species. There is likely to be a reduction in geese numbers as the amount of mown grass within the scheme will be less, compared to the golf course layout, so in time, the site will become less attractive to them. A benefit will be improved water quality to the Lake through the release of less ammonia into the water system. Further, Officers note in the Design and Access statement notes partially submerged fence would be installed near to the boardwalk to act as barrier to geese with openings formed within fence to allow smaller water fowl to gain access to reedbeds.

Q: What are the special delivery vehicles that are excluded from the time restrictions under condition 64 (p355) and how many and how often are these vehicles going to be operating during the busy periods around the championship and qualifiers ?

A: The reference to special delivery vehicles has been removed from this condition. Please see revised condition referred to above in this supplementary agenda.

Q: What are the “longer term visual improvements” referred to at p257, and why does this balancing exercise not take into account the Show Court?

A: Please refer to sub-section 6.3 of the committee report which considers in detail the impact of the development on townscape and views, which includes consideration of the Show Court, notably para 6.3.26.

Q: The JAM report was commissioned as an independent expert report by the council. What are the areas of conflict with the officers’ views, and are they relying on their personal judgement when they depart from JAM’s findings ?

A: Please refer to para 6.13.33-6.13.42 which outlines Officers views regarding JAM’s findings. Officers are satisfied the ES is acceptable for the purposes of decision making.

Q: How long will it take for the bat population to recover from the construction phase, and how long would it be before the ecological measures beneficial to bats would be in place?

A: As noted in para 6.6.31-6.6.33, during construction, the loss of scattered trees of a young mature age and improved grassland would result in the reduction in the availability of habitats for bat foraging and commuting temporarily and is reversible following the creation and establishment of habitats. The habitats affected are mainly of low quality for bat foraging and commuting because they lack the structural and species diversity typically favoured by the species present within the Study Area, and habitats of highest value would be retained and protected. Notwithstanding, the development is not expected to have an effect on the population of bats. As noted on p192 (agenda page 198), para 6.6.32 no confirmed bat roosts would be destroyed i.e. all existing trees with bat roosts will be retained and protected. In addition, key habitat features including woodlands, peripheral tree lines and the lake will be retained, protected and enhanced throughout the construction period and through appropriate habitat management. Grassland habitats which comprise the majority of the Site have fallen significantly short of their potential to offer favourable foraging conditions for bats due to their intensive management. The creation of extensive areas of structurally and species diverse grasslands in the southern parkland, together with the retention and protection of important habitats on the site, will ensure that bats have sufficient access to, and availability of high-quality habitat for foraging and movement throughout the construction period.

Q: What will be the effect on the bat population of felling 296 mature trees?

A: Please refer to answer above.

Q: How much of the estimated BNG of 10.1% (p198) is reliant upon the desilting of the lake? 6.6.57

A: The figures for BNG are set out in paragraph 6.6.54 of the committee report, the above 10.1% BNG figure quoted in the question is an earlier calculation prior to amendments made to the application.

Delivery of BNG is not dependent on the lake de-silting process. The de-silting would therefore be an additionality to the BNG figures provided at 6.6.54 of the committee report. Ecological enhancement works to the lake following de-silting would contribute to BNG, notably the development of a hydrosere at the lake margins as noted in para 6.6.44 (bullet 3) of the committee report. Desilting the lake would further enhance water quality which would benefit the ecology of the lake in the long term. The lake de-silting also provides benefits to the community including enhanced recreational, water sports activities fishing opportunities, as well as restoring the Lake's original C18 outline and providing greatly enhanced public amenity. Please refer to para 6.12.10 which acknowledges desilting Wimbledon Park lake.

Q: Looking at page 192 (6.6.24) are the anticipated residual benefits expected to take 30 years (or longer) to achieve?

A: The applicant has submitted a phasing diagram with their proposals. Final phasing would be determined once planning permission is granted (condition 3). However, the development will be phased so the majority of the landscape/ecology improvements

would occur earlier (with the Parkland Show Court likely to be the final phase). The time taken to provide BNG is an inbuilt component of the Defra BNG Metric calculations – i.e. the DEFRA metric recognises that some habitats (i.e., woodland) will take longer to establish than others (e.g., grasslands). The submitted BNG metric excel sheet is published online and shows different ‘final time to target condition’ in relation to different habitat types.

Q: Will construction works take place during the Championships?

A: This would be confirmed in construction logistics plans secured by condition (see condition 20). Any approved CLP would take into account known events (such as the Championships). When approving relevant CLPs, Officers would seek to ensure that there would be no in-combination harmful impacts sourced from any construction activity occurring at the same time as the Championships.

Q: With officers accepting the disruption for residents, what measures have been considered to support or compensate them?

A: Please refer to para 6.3.42-6.3.45 for Officers assessment of neighbouring amenity in relation to construction. A Construction Logistics Plan (CLP) secured by condition for each phase would limit vehicle movements to fixed timeframes and to principal routes to and from the site. A Construction Environmental Management Plan (CEMP) for each phase would also reduce as far possible environmental negative construction impacts such as noise and dust. Further, to this any permission would obligate AELTC to appoint a public liaison officer who would be responsible for informing residents of relevant noise/vibration intensive works commencing (see Head of Term 16).

Q: As the park is on the At-Risk register are there any obligation on the owners of the land to maintain the park and protect the veteran trees etc without planning permission?

A: It is Officers’ understanding that the inclusion of the Registered Park and Garden on the ‘At-Risk’ register does not provide any statutory protection or require the landowner to maintain the land to a particular standard. However the registered status of the Park and Garden is a material planning consideration for the Local Planning Authority for any planning application submitted in the RPG. As set out at paragraph 1.3.12 of the Committee Report the trees on the site are protected by Tree Preservation Orders which prevent the cutting down, uprooting, wilful damage or destruction (and some other works) to the trees by the landowner without consent.

Q: As part of the S106 agreement, is there a possibility to include economic benefits?

A: As outlined in sub-section 6.11 on economy and employment, the proposals are considered to deliver considerable economic benefits. However, there is no set threshold or policy test that defines when those benefits are deemed acceptable. Nevertheless, as noted on report page 296 (agenda page 302), the development would secure the submission of a local employment and training strategy (Head of Term 23) for the construction and operational phases of the development. The strategy would need to be approved by the Council and would include a strategy for delivering jobs/training opportunities/apprenticeships to local people. In addition, Head of Term 29 referred to above in this modifications secures a business engagement plan to be submitted and approved by the Council. This would obligate AELTC to host ‘meet the business’ and ‘meet the buyer’ events.

Q: Why will only 7 of the grassland courts be available to the public? Can this figure be increased?

A: The original did not propose community access to courts and officers have secured access to 7. Overall, having regard to the site layout and all considerations we consider that the use of the 7 courts is reasonable and proportionate.

Q: What will the system be that allows members of the public to hire the court? What will the expected cost per hire be?

Please refer to para 6.12.14-15 on p.249 of the committee report and HOT 2 of the proposed S106 obligations at report page 289 (agenda page 295). Management and strategy for use of the courts to be set out in a plan for the Council to approve (prior to those courts coming into use). The plan would include details of costs. The courts will be available to community players of all standards as part of AELTC's community tennis programmes.

Q: I would appreciate some background in AELTEC's plan for providing toilets for visitors during the championship, including accessible toilets and a changing places toilet, since they don't provide any facilities to the general public/ championship visitors in the permanent structures.

A: The detailed for the player hubs and Parkland Show Court would be provided under relevant Reserved Matters applications for these buildings. It should be noted that the AELTC is at the top end of professional tennis, and we would be guided by them as to what their needs are for wheelchair tennis players. Notwithstanding this, additional detail would be sought on the Reserved Matters Applications regarding accessible provision for the outline buildings.

Q: I note that "all buildings above 500m² would be designed to BREEAM excellent standard or higher". Wouldn't it be possible to ensure that all buildings are BREEAM excellent standard, and where a small building can't, the additional requirements are transferred on to the larger buildings?

A: Merton policy CS15 (f) requires all new non-domestic development over 500m² to be built to BREAAAM very good or higher. Exceeding, this policy requirement, the Parkland Show Court and Central Grounds Maintenance Hubs would be designed to BREEAM excellent or higher, each of which are over 500m². This is secured by condition 43. It should be noted that does not mean the other buildings within the site would not be designed to high standards of sustainability. Indeed the S106 agreement (see Head of Term 21) requires the applicant to demonstrate by way of a final site wider energy strategy how the development as a whole has feasibly maximised carbon savings on-site.

Q: Given the substantial weighting of the harm to the MOL, have discussions with the applicant been had to reduce this impact? For instance, looking at reducing the size of the show court.

A: Officers have not considered in detail a reduction in height for the Show Court. The Show Court height as proposed is factored Officers assessment as relevant, notably in sub-sections 6.2 and 6.3 of the committee report. However, as noted in para 6.3.79 the

applicant did consider lowering the spectator bowl below ground level which may have enabled a reduced height. This option was however ruled out as it would result in a reduction in available accommodation across all levels of the building and therefore would be unable to meet the requirements for player and public facilities, plant, servicing and hospitality.

Q: Could you please consider whether it would be possible to condition that AELTC move to a ticketing system which gives some preferential access to tickets for The Championships to local residents - such as a separate ballot or earlier ticket release dates. If these were sold at face value it would have little commercial impact on the AELTC but would recognise the disruption and change that the local community is going to experience. This is something many other venues and events do. At the least, they could perhaps commit to reporting back to the committee on this and similar proposals to improve their relationship with the local community.

A: Officers consider that this would go beyond legal tests for s106 obligations. This would seek to control the commercial operation of the whole ticketing process which the AELTC have for the championships as a whole. The proposal does not include alterations to the main AELTC site, and it would not be reasonable to impose this as part of the current application. However, please refer to Head of Term 4 which secures ticketing strategy for residents of Wandsworth and Merton for the proposed Parkland Show Court on agenda page 295 (report page 289).

P/T/O for item 6

ITEM - 6 - 23/P2431 – Outside 13 Station Buildings, Coombe Lane, Raynes Park

Additional third party representations received raising objection:

- Business may want to use space for street trading. I believe the nearby florist already has a display in front of their shop. As per the Diba application the ability of businesses to use space for street trading is more important than adding a new advertising display.
- This footway is designated shared use path and forms part of the east/west cycle link between Wimbledon and New Malden. The new advertising board would contribute additional clutter which would be detrimental to Active Travel policies.
- Consultation does not appear to be wide enough. The sports ground on Taunton Ave is now leased to the Wimbledon Club and is in regular use. Given the shared use designation of the path I feel the following bodies should have been informed at the very least: Merton Active Travel, London Cycle Campaign, The Wimbledon Club, TJs mini gym.
- The pavement is shared use between pedestrians, cyclists and mobility scooters. Being present observing the volume of traffic along this stretch of footpath there is not the room to add further obstruction.
- The plan shows 2.77m between the hub and the shop windows but nobody walks touching the window so the gap is much less. In the Site plan and images, there is a 1,100 litre wheelie bin against the shop window. This bin reduces the pavement width by just over 1 meter. I will give credit to the shop as they remove it as soon as it has been emptied and they have no alternative site for it. If it had not been edited out of the proposed image the lack of space on the pavement would be clear.
- In the site plan and images document, page 5 and in the Comms Brochure there are several images of existing hubs situated with much more paving around them on pedestrian only pavements, making them in very suitable locations. If in the proposed image the street had a cyclist and some pedestrians in it, the lack of space would be clearer.
- As much as I think that we need a defibrillator in Paynes Park this is not the site to install it.
- During the last few months, I have been working outside on the rail embankment adjacent to the proposed site for the hub. The pavement is shared use between pedestrians, cyclists and mobility scooters. Being present observing the volume of traffic along this stretch of footpath there is not the room to add further obstruction. The plan shows 2.77m between the hub and the shop windows but nobody walks touching the window so the gap is much less. In the Site plan and images, there is a 1,100 litre wheelie bin against the shop window.
- This bin reduces the pavement width by just over 1 meter. I will give credit to the shop as they remove it as soon as it has been emptied and they have no

alternative site for it. If it had not been edited out of the proposed image the lack of space on the pavement would be clear. In the site plan and images document, page 5 and in the Comms Brochure there are several images of existing hubs situated with much more paving around them on pedestrian only pavements, making them in very suitable locations.

- If in the proposed image the street had a cyclist and some pedestrians in it, the lack of space would be clearer. Please refuse permission for this application but suggest that the hub is a good idea in the right location.

Merton Active Travel (formerly Merton Residents Transport Group)

The proposed site is a shared-use pavement, with high cycle and pedestrian traffic levels. It is a critical part of the safe, segregated cycle route that runs from Wimbledon to Coombe Lane and New Malden, and allows people who are cycling (inc. families with young children) to avoid cycling on the Raynes Park one way system itself.

The provision of shared space in this location is substandard as it is - with the use of shared space as opposed to segregated pedestrian and cycle provision increasing the risk of conflict between people cycling and pedestrians.

The pavement is frequently obstructed by bins, rubbish bags and the dumpster outside the "Favorite Chicken" restaurant (please see the attached photo as an example).

Introducing a Communications Hub of this type will inevitably exacerbate these issues by further narrowing the pavement width and obstructing sightlines. It will require people cycling to cycle more closely to shop entrances, creating risk to people exiting shops by foot. The presence of a large, bright screen at night will additionally make it more difficult for pavement users to see each other.

As stated in the Officer's Report to DPAC, "Core Strategy policies CS18 and CS20 requires that development would not adversely affect pedestrian or cycle movements". We would suggest that this proposal would adversely affect both cyclists and pedestrians, and as such we object to this proposal.

We note that an application for a similar display near the Raynes Park Tavern was refused permission on the grounds of increased visual clutter and impact to highways/pedestrian safety; we would argue there are several similarities between the proposal near the Raynes Park Tavern and this site, and we would hope the council applies the same principles here.

Merton Cycling Campaign

Please be aware that it is to be sited on what is a shared-use pavement, with high cycle and pedestrian traffic levels. We note that this fact has not been picked up in the "7.3 Use of the Highway" section of the "PLANNING APPLICATIONS COMMITTEE" document, which makes no mention of cycle traffic, cycle amenity or the creation of conflict between cyclists and pedestrians.

The width at this location is barely adequate as it is, and the pavement is frequently obstructed by bins, rubbish bags and the dumpster outside the "Favorite Chicken" restaurant. Introducing a Communications Hub of this type is clearly going to cause problems by narrowing the pavement width. In addition it obstructs sight-lines, making cycle/pedestrian collisions more likely. A cyclist will need to take a position nearer the shopfronts in order to see past the screen, which again will increase conflict with pedestrians. It is also worth noting that the presence of a large, bright screen at night will make it more difficult for pavement users to see each other.

As stated in the "PLANNING APPLICATIONS COMMITTEE" document, "*Core Strategy policies CS18 and CS20 requires that development would not adversely affect pedestrian or cycle movements*". We make the case above that this development absolutely would adversely affect both cyclists and pedestrians, and it really is the wrong location for a device of this type.

Furthermore, we have a grave concern that the fact that this is a shared-use pavement wasn't picked up. We really need cycling to be properly considered with all planning applications, as the Council's stated policy is to promote active travel and cycling.

Raynes Park centre is an important cycle route that is in need of better cycle facilities. The Council is developing a Cycling and Walking Strategy, and it is likely that this location will be a priority for better cycle infrastructure. Installations such as this Communications Hub will make it more difficult and expensive to improve cycle infrastructure, due to the physical and design costs to relocate or remove this unit. Cycle infrastructure budgets are very stretched at the moment and the last thing we need is to make progress more difficult and expensive.

Consultee comments:

Council's Transport Planner:

Raynes Park centre is a prominent cycle route that needs improved cycle facilities. The Council is developing a Cycling and Walking Strategy, and it is likely that this location will be a priority for better cycle infrastructure. This is a marked shared space cycle route which given the one way traffic system, is essential to provide a contraflow route for cyclists to access skew bridge. As this is shared with pedestrians and given high pedestrian flows here it is vital that width of the route is maximised and reducing this is not acceptable. There are too many street clutter surrounding the proposed communication hub and is likely to impact those getting off the bus.

Recommendation: **Refuse** - The proposed Communication Hub would be prejudicial to highway safety by virtue of its location, which would conflict with cyclists and pedestrians on this section of footway.

Amended section of report: 7.3 Use of the Highway

7.32

Pedestrian should be able to use the footpath of highways without barriers impeding movement. The Highway Officer commented that the communication hub unit was too far away from the kerbline and that it should be nearer the kerbline to allow for sufficient room to facility the free flow of movement of pedestrians and not act as barrier to this. The Applicant has amended the scheme in line with the Highway Officers comments. ~~As such the proposal is acceptable with respect to the use of the highway. The proposal is therefore considered to be acceptable in regards to transport and highway safety and would comply with Policies CS18 and CS20.~~

7.33

Notwithstanding the above, the Council's Transport Planner has reviewed the proposal and has specifically raised objection to it on grounds of safety due to the conflict with cyclists and pedestrians utilising a reduced width of the shared pavement. The pavement is a designated shared space for pedestrians and cyclists. This is reflected in some of the additional representations received. The existing pavement already has some obstacles, such as post box, lamp post and wheelie bin. Given the objection from the Transport Planner on safety grounds, officers consider that the proposal is therefore in conflict with Policies CS18 and CS20.

Amended section of report: Conclusion

8.1

~~The proposal is acceptable with respect to all relevant planning considerations. Therefore, planning permission is recommended to be approved, subject to conditions.~~

8.1

Although the proposal would deliver some benefits to the public, including advertisement, a defibrillator and telephone access, it has been identified by the Council's Transport Planner as causing a harmful impact on highway and pedestrian safety owing to the conflict between pedestrians and cyclists utilising the shared pavement. The proposal would result in a reduced width of this pavement space which is considered to cause harm. Officers Therefore recommend permission be refused.

REVISED RECCOMMENDATION:

Refuse the application for the following reason:

1. The proposal, by reason of its location and size, does not accord with the obligation to create places that are safe, inclusive and accessible which promote health and well-being and high standards of amenity for existing and future users. The proposal would lead to a conflict with various users of the

shared pavement and cycle way and thereby cause harm to highway and pedestrian safety. The proposal is therefore in conflict with Policies CS18 (Active Transport) and CS 20 (Parking, Servicing and Delivery) of the Core Strategy 2011.

Item 7 - 23/P2123 – Outside 13 Station Buildings, Coombe Lane, Raynes Park

Consultee comments:

Council's Transport Planner:

Raynes Park centre is a prominent cycle route that needs improved cycle facilities. The Council is developing a Cycling and Walking Strategy, and it is likely that this location will be a priority for better cycle infrastructure. This is a marked shared space cycle route which given the one way traffic system, is essential to provide a contraflow route for cyclists to access skew bridge. As this is shared with pedestrians and given high pedestrian flows here it is vital that width of the route is maximised and reducing this is not acceptable. There are too many street clutter surrounding the proposed communication hub and is likely to impact those getting off the bus.

Recommendation: **Refuse** - The proposed Communication Hub would be prejudicial to highway safety by virtue of its location, which would conflict with cyclists and pedestrians on this section of footway.

Amended section of report: 7.3 Use of the Highway

7.32

Pedestrian should be able to use the footpath of highways without barriers impeding movement. The Highway Officer commented that the communication hub unit was too far away from the kerbline and that it should be nearer the kerbline to allow for sufficient room to facilitate the free flow of movement of pedestrians and not act as barrier to this. The Applicant has amended the scheme in line with the Highway Officers comments. ~~As such the proposal is acceptable with respect to the use of the highway.~~ The advertisement display would be an LDC screen facing east and the Council's Highways Officer has not raised concern with regards to any impact on users of the public highway when displaying digital advertisements. ~~The proposal is therefore considered to be acceptable in regards to transport and highway safety and would comply with Policies CS18 and CS20.~~

7.33

Notwithstanding the above, the Council's Transport Planner has reviewed the proposal and has specifically raised objection to it on grounds of safety due to the conflict with cyclists and pedestrians utilising a reduced width of the shared pavement. The pavement is a designated shared space for pedestrians and cyclists.

This is reflected in some of the additional representations received. The existing pavement already has some obstacles, such as post box, lamp post and wheelie bin. The advertisement consent application is linked to the pending planning permission application under 23/P2431 which officers note the Transport Planner has also raised objection on the same grounds. Given the objection from the Transport Planner on safety grounds, officers consider that the proposal is therefore in conflict with Policies CS18 and CS20.

Amended section of report: Conclusion

8.1

~~The proposal is acceptable with respect to all relevant advertisement considerations. Therefore, advertisement consent is recommended to be approved, subject to conditions.~~

8.1

Although the proposal would deliver some benefits to the public, including advertisement display, a defibrillator and telephone access, it has been identified by the Council's Transport Planner as causing a harmful impact on highway and pedestrian safety owing to the conflict between pedestrians and cyclists utilising the shared pavement. The proposal would result in a reduced width of this pavement space which is considered to cause harm. Officers Therefore recommend permission be refused.

REVISED RECOMMENDATION:

Refuse advertisement consent for the following reason:

1. The proposal, by reason of its location and size, does not accord with the obligation to create places that are safe, inclusive and accessible which promote health and well-being and high standards of amenity for existing and future users. The proposal would lead to a conflict with various users of the shared pavement and cycle way and thereby cause harm to highway and pedestrian safety. The proposal is therefore in conflict with Policies CS18 (Active Transport) and CS 20 (Parking, Servicing and Delivery) of the Core Strategy 2011, and Policy DM D5 (Advertisements) of the Sies and Policies Plan 2014.

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