1. Introduction and Statement of my Case

1.1 Hello, my name is Michael Walls, and I am a local resident, living in my current property for over 7 years now, and in the Balham area for nearly 13 years. I have always preferred living in this area as it's a special place in the city. Even though we're very close the centre, we benefit from wonderful green spaces filled with nature. I would argue you get the best of both worlds here – central London, and commons that can make you forget you're even in a city. I think this is one of the many reasons, this is such a desired area for people to live, work and socialise.

1.2 Finding myself here today, it's with great sadness and emotional and mental stress that I'm speaking to you. Why? Wandsworth Council and Enable are persistently and doggedly pursuing an application to radically change the aesthetic of our common here on the Triangle to the point of a public inquiry. They are providing wafer-thin and outdated evidence to justify an application that will see a local council directly profiting from the sale of common land it is there to only administer for the community. We also have the company who provides oversight of the common on the same application – Enable. Why are they so interested? They're a maintenance company to oversee the common.

1.3 When reviewing the evidence presented by Simon Cooper Grundy on behalf of Enable, the council, or whomever he is representing, it is alluded to that this all began in 2012. However, that's a distortion of the facts. This issue has divided this community for at least 15 years – Attachment A: https://www.gopetition.com/petitions/protect-tooting-common.html. The local residents have been fighting this since at least 2008. Why hasn't this been pointed out, front and centre? That this council has been threatening this re-development through nearly 2 decades of public opposition? My guess is that they wouldn't want to publicise that fact.

1.4 Let's not get bedevilled into the detail just yet. Let's be clear, the community loves this space. You can see from all the pictures the variety of activities that this multi-use space is used for, and that it's utilised year-round. It's used for socialising, dog training and walking, sport, exercise, picnics, bike riding for children, meeting points for social groups and many other activities. To imply that it's not an important part of our local community is nothing short of a falsehood.

1.5 Regardless of what the applicants imply in their plans, this part of the common is special – not bordered by roads, large, amazing trees, a great open green space, a dark sky with a wonderful, isolated feeling, in the middle of a big city. It's special. This is why people feel so passionately about stopping this misrepresented redevelopment of OUR common land, and there is no justification for Wandsworth Council or Enable to try and sell this off for 25 years for commercial profits and new revenue stream for them! These profits are for Wandsworth Council only, NOT the other 2 sides of the Triangle's residents – Lambeth! To point out the obvious since this point seems to be getting confused, common land, in particular the Tooting Common Triangle does not belong to Wandsworth Council or Enable, and it is not there to be used for their own

profits, or to subsidise their low council tax. This is common land and belongs to us all. They should be held to account for the nearly 2-decade long campaign against us local residents to push this development into a part of the common where it isn't supported.

1.6 Following on from this, Wandsworth Council loves to brag about not raising their council tax, Attachment B Wandsworth formally approves its unique position as only council in London to be reducing its share of council tax bills - Wandsworth Borough Council, how do they do this? The entire country, sorry the entire world, is suffering a cost-of-living crisis with everything costing more. So how is that Wandsworth Council can provide services to the same level without charging a penny more? A correlation that can be drawn is that they are supplementing their finances with private projects, like this one, by selling off common land. They have admitted that they will profit from this application. Is that morally right? We all pay more outside of Wandsworth Council, yet our common land is being taken away from us so they can profit, and presumably pass this back into the coffers to benefit their constituents. It's not right. In fact, in Simon Cooper Grundy's evidence, it states that this won't cost their taxpayers anything but give them a revenue stream of 300k at least. In effect, subsidising their council tax takings from our common. This is outrageous and should be fully investigated by the National Audit Office. Should Wandsworth Council be able to dress up an application as a benefit to a community, against fierce opposition, sell off land for 25 years, profit from it, subsidise their council tax, brag about not raising it, and do this with public land? It's abhorrent.

1.7 You could also make the correlation of not doing routine maintenance on this site, such as flood mitigations, *Attachment C*, instead of trying to get a commercial venture to fund it could be inappropriate. In their own admissions, this field and site floods regularly each year. I submitted an FOI asking the questions about this, and this was the response: …*Wandsworth Council also commissioned further drainage works in the immediate vicinity of the former One O'clock Centre, in the late 1990's and early 2000's (cc2010/13) …*

1.8 They admit to not doing any maintenance for nearly 10 years, on a site they themselves admit floods regularly. It's clear, they have left this space untouched in order to let it deteriorate further to strengthen their own assertions that it's in dire need of re-development.

1.9 I assert that if Wandsworth Council or Enable doesn't want to administer the common as it should be done, and in the way it needs to be done, then they should be removed from it, and taken over by a different council. There is a dereliction of responsibility to all users of this common by Wandsworth Council and Enable. I will explain these in more detail, including supporting evidence to demonstrate that there is money at the heart of this development and it's rotten to the core, and will benefit no one in the local area, ASIDE from the profits of this sports company for 25 years, and Wandsworth Council getting out of its responsibilities in ensuring this part of the common is well looked after, all the while taking home an income stream for their own residents. It's morally wrong, and needs stopped.

1.10 The main areas and questions I'll cover are:

1.10.1 At least 15 years of stress and bullying from Wandsworth Council trying to shoehorn this commercial redevelopment of common land onto local residents

1.10.2 Why was no other site ever considered, including the existing sites at the south end of the common, in over 15 years?

1.10.3 Consultation with Lambeth residents, or lack thereof
1.10.4 Details within the application that aren't accurate or misleading
1.10.5 Parking and environmental issues
1.10.6 Light pollution
1.10.7 Noise pollution
1.10.8 Effects of 100s of people coming in and out of the Triangle area of the common many times a day
1.10.9 Misrepresentation of pictures they've used to show local residents and the public
1.10.10 Why was this consultation and approval done by the council during the darkest days of covid and lockdown, when no one could attend and had more pressing matters to deal with? Why was this one so urgent?
1.10.11 Who gives Wandsworth Council the right to go against local opinion and sell off our common for 25 years for the commercial gain of them and this sports company?
1.10.12 If Wandsworth Council is so altruistic in trying to ensure that residents have a re-developed site, why haven't they given local residents a choice of what it's turned into? I for one know that for a fact, locals would fully support turning it into a nature reserve and planting more trees and wildflowers
1.10.13 How does this application contribute towards net-zero? It doesn't and there's been no consideration of this, even though it's government policy.
1.10.14 Setting a precedent for councils to take the last remaining bits of solace and green space away from locals is terrible. It has been clearly demonstrated in a *TCMC survey – Attachment D* - that this is what people value, NOT a commercial development bringing in 100s of people per hour into a space that is small and shoehorned into a corner of the common. This will have a detrimental, real, and lasting effect on the mental health of residents (not consulted upon) and the neighbourhood itself (not consulted upon), and the aesthetic of the natural feel of the common (not consulted upon).

1.11 Once completed, I will show that the application has been drafted in a misleading way. The area proposed is inappropriate for this development. That Wandsworth Council has systematically been trying to get this proposal pushed forward for the best part of 2 decades, at the expense of the local residents.

1.12 They have inadequately consulted with Lambeth residents. They have inadequately consulted with Lambeth Council. They have ignored the concerns raised in the consultation responses or brushed them aside as non-issues.

1.13 They have been escalated to ICO for not fully disclosing information requested via FOIs for this project, in the sense of providing only half of the information or not fully answering the questions, and also not complying with legislated timeframes.

1.14 There are vested corporate interests, and Wandsworth Council are doggedly trying to pursue this for their own profit. Where in the statutes recognising this as common land, does it entitle a council and corporate entity to lease off parts of it for their own financial gain? The council has failed their own residents by spending nearly 25k promoting this (admitted to by FOI, but likely underestimated) *Attachment E: FOI to Wandsworth Council*, rather than even considering how the bottom part of the common could more easily house this type of facility with all the existing car parks, changing rooms and space available which is known as the sporting area of the common. They never even considered it, ever – *Attachment F: FOI consultation and consideration of other sites*

1.15 Let's be absolutely clear, the burden of proof and evidence to support this proposal falls directly onto them. Us local residents are not on trial, even though this is how it feels. They need to answer for all the misrepresentations, distortions, old evidence, and lack of consultation.

1.16 This proposal needs rejected. The precedent that would set is our green, common spaces are protected and local residents should not suffer mentally, environmentally, or otherwise for a commercial profit off of land that they have no right to sell off! I think that Wandsworth Council and Enable need to fully understand, this is not their land. It's common land.

2 The Triangle Re-Development into a commercial space. Not Upgrade or Refurbishment - there is a difference

2.1 For over 15 years, WC council has been doggedly and determined to redevelop this site against local resident opinions (Attachment A). In 2008, local residents started a petition against these proposed plans which garnered around 1000 signatures, in 2008! The question which is most obvious is why are we still talking about this in 2022? Why would a local council be so determined that they have admittedly spent over 25k – *Attachment E* - of their constituents' money to promote and market this? The answer is more money. The council and this for-profit sports corporation are due to make large amounts of money off of our common land, and if they can set the precedent here, what can they do elsewhere?

2.2 Wandsworth Council or Enable have no right to this land for their own financial purposes. It belongs to the community. Whether there is a legal way for them to lease it off for 25 years is not the issue. This belongs to the community, not the council. If they are trying to commercialise and lease off a piece of the common for a generation, it should have the broadest of community support. This redevelopment project does not, and it has not for nearly 2 decades. However, Wandsworth Council keeps pushing and spending their constituents' money on this.

2.3 When considering a project, you have to always consider alternatives, including a 'do nothing' option. Has Wandsworth Council even considered a different location on Tooting Common in the past 15 years at least? No. (*Attachment F*)

2.4 There are existing car parks, changing rooms, and other sports facilities at the south end of the common that would be able to house this development as well as stay in a part of the common that is already used for this purpose. So why was this never even discussed or considered?

2.5 I asked in the FOI for all notes, discussion materials and other documentation about how they decided on this spot on the north end of the common (*Attachment F*). They said there was none. They have admitted via FOI that they haven't even considered a spot on the common that would be less controversial. They have instead spent 25k (at least) - *Attachment E* - and the best part of 2 decades trying to get this development on the Triangle against public opinion.

2.6 How can this be considered a sound application when there are so many obvious flaws?

2.7 This part of the common which they are persistently trying to re-characterise as an 'urban park' is anything but - *Attachment G: Photos of the common.* This part of the common, is quiet, green, peaceful, and used by local residents for a variety of purposes.

2.8 What it isn't is a commercial centre which can handle hundreds of people per day, with floodlights that are lit every day, with parking on streets that are

already crowded. In fact, where in this application does it consider, note, or assess the impacts on Lambeth streets that are classed as 'streets under stress' already? I live on one of these streets, and all of our neighbouring streets are also classed this way to the overdevelopment and related issues. So where is that taken into account? It is not.

2.9 The application refers to upgrading or refurbishing the existing facilities. This is a deliberate attempt to minimise what will actually happen through the use of clever language. Make no mistake, this is a full-scale redevelopment of a site, not a simple upgrade or refurbishment. For example:

2.9.1 They fail to mention that there has not been fencing here for over a decade (or longer)

2.9.2 The floodlights are not in use, and if they are, it is at an irregular interval – not in anyway noticeable to residents or common users.

2.9.3 Having no parking available for all these customers of the site, so they refer to a wafer-thin assessment of the parking implications by saying they'll discourage it with a Green Plan. There's no evidence this will happen in practice, or mitigations if it does.

2.9.4 Having not consulted Lambeth residents directly about these issues even though we make up 2 sides of the triangle field.

2.9.5 Characterising this redevelopment as a simple upgrade or refurbishment is insulting to anyone who reads the plans and knows this area, and misleading to those who would simply trust them to be accurate.

3 **Consultation**

3.1 A consultation should consider all the views of affected stakeholders on a range of questions and issues for any type of proposal. A robust consultation should, as its main purpose, aim to gauge public opinion and consider all issues raised, and fully respond to them. It should also amend or reconsider any plan where issues that fundamentally affect a stakeholder or group of stakeholders can't be rectified. In any robust consultation, a selection of options should be considered – including do nothing – this is especially true when the solutions are controversial and adverse to public opinion.

3.2 I have sent FOI requests to WC about details of this consultation on a few occasions, with the final straw being that they are being referred to ICO for not providing full information in the legal timeframe. They have provided incomplete answers, they have pointed to web pages full of documents instead of answering simple questions, and they have also not answered the questions fully. They have acted in bad faith by not abiding by the spirit of the FOI legislation, in order to not answer the obvious questions – when were Lambeth residents, Lambeth councillors actively consulted upon about plans which will directly affect them. The answer, we know, is that we were not. So why not?

3.3 The subsequent planning application was sent out to just 34 households which notified them in writing of the plans by Wandsworth Council when it considered the planning application - despite the fact that the scheme will impact upon tens of thousands of common users.

3.4 The council blatantly misled the Planning Inspectorate by vastly under-reporting the level of public concern. The hearing took place during the height of lock down. Its documents at the time stated there were only 172 objections against 252 supporting comments, however its own website recorded 1,033 objections against 419, with the overwhelming majority of supportive comments coming as a result of two mass mailouts by the football club that stood to benefits, including instructions on how to make their comments. This was from their own website but has since been removed. Luckily, we have screenshots as proof.

3.5 So why the rush? Why make people who are dealing with the biggest upheaval in society since WWII are Wandsworth Council rushing this through planning? It makes no sense, until you realise this is just part of the pattern of avoiding a full public scrutiny of this application.

3.6 There were also issues that were raised but not consulted upon; however, within the application the manner in which they are described is misleading and flippant. For example, to name just a few: Parking on Lambeth streets, pollution from traffic, light pollution on a dark field which currently has none, noise pollution, and loss of visual natural views on the common, and net zero impacts of all these issues.

4 ***Parking***

4.1 We have lived in this area for over 7 years, and for the first half of that we struggled with a ridiculous parking situation, in the sense, there were no spaces ever because of commuters and shoppers to both Balham and Streatham Hill. We spent years lobbying the Lambeth Council to put in restrictions, which after much pain and consultation, we finally got it implemented. This was a small victory as Lambeth Council only put in measures to control commuters (2-hour restriction during the weekdays). However, there are still problems, especially on the weekends.

4.2 In their evidence submitted by Simon Cooper Grundy, it notes that the corporate for-profit sport company does not have parking at 2 of 3 of its facilities, and they encourage people to use other means of transport. However, what if this does not happen here? What if like all the local residents that raise this issue, who how bad parking is around here, causes even more problems for us? Where is the detailed evidence to categorically prove that the majority of the users of this facility will live within a 15-minute walk? Where is the proof that they will not drive and will not park our streets if they do? The simple answer there is none. These are all assumptions made off of warm words and assertions. There is no evidence provided whatsoever that these negative impacts will not occur, and moreover, that if they do, they have a plan to mitigate against them.

4.3 In fact, in the supporting documentation they point to on their website, the 'assessment' that took place stated in a few short sentences, that the parking basically isn't an issue. If it is, Lambeth residents can just have the council to institute different restrictions. That is a flippant disregard for Lambeth residents' lives. We all know that to do that, there'd be another consultation, costs involved, signage to be replaced and would take ages. Who would pay for that? The for-profit company or Wandsworth Council or Enable? No, Lambeth residents. Why isn't that highlighted? Why isn't it considered formally in their application that we should not suffer detriment for the commercial gain of both the council and this company?

4.4 What also is missing in this assessment is the transparent and complete description of what happens with parking here in this area. First, the streets on the Wandsworth Council side of the common (Fernlea Road, Cavendish, and Sistova Road) all have longer restrictions and paid parking via a ticket machine, even on the weekends. The streets immediately beside these on the top and right-hand side of the common (looking north) are Lambeth, and they do not. They have part-restricted times which was implemented to cut down on commuter parking, not commercial business traffic. So, where would you park? Where you pay in Wandsworth Council, or where you wouldn't have to in Lambeth Council? Of course, it'd be Lambeth, but this isn't accounted for anywhere in the assessments – *Attachment J: Photos of Parking Restrictions*.

4.5 There would be a direct and immediate consequence of having increased traffic on our streets. This, however, wasn't even considered. The assessment

could be interpreted as saying 'it should be ok, if not, let them change it'. Again, for what? Money, and not for the people being affected, for them!

4.6 If this proposal, against all odds is accepted, will Wandsworth Council and the commercial sports company that would be occupying our common land, accept full responsibility for the costs to change all of Lambeth parking signage in the local area immediately?

*5 **Floodlights***

5.1 If the application were to be believed, these new floodlights are just an upgrade on floodlights that are there already. However, this also is a misrepresentation of reality. We have lived here for 7 years, and I've seen the lights turned on once for what looked like a test. Characterising this as an upgrade is wrong. The new lights will be in use every day and will have a direct and immediate detrimental impact on the residents that overlook the field, and the aesthetics of the natural and green environment.

5.2 The assessment didn't include what impacts it would have on daily lives of residents to see floodlights in use, every day. They justify this by stating that the angle of the lights is the solution. One simple fact remains, lights illuminate dark. The dark field will be floodlit, that will be a direct and immediate impact. Again, this isn't fully explained or accounted for within the consultation. They provide all manner of text to explain why we won't even notice it, but what they never explain or consult upon is the real-world impact or views.

5.3 So, what if this does, as I attest it will, have a negative effect on people's lives that overlook the common, or those that use it? Well, it'll be there for 25 years. There is no review period, there is no way to challenge it, there is no way to improve the quality of your life if this affects it. Why? Money. Wandsworth Council and this commercial organisation will take our common land and fill their coffers. If it affects local residents, so be it. Wandsworth Council has tried this for the best part of 2 decades, and still doggedly pursue it against local opposition. I again feel that this isn't for altruistic reasons to get kids into football, otherwise it'd be a free facility as it is now. It's for profits, pure and simple.

6 ***Noise Pollution***

6.1 Within the consultation, there again was no meaningful mention of noise pollution that will be inflicted upon local residents and users of the common every day of the year. Living 0.15 miles from the common on a road that looks straight onto it, I know for a fact that noise travels. When they rent out the entire field to touch rugby, we hear it. When there's children's birthday parties, we hear it. When there were illegal music events during lockdown, we heard it. So, the noise from all these football fields full of people yelling and playing sport, we'll hear it. Where is this accounted for in the consultation? It isn't. When did they ask ALL local residents about this? The answer is, they haven't. They did say that a mitigating measure for ball noise being kicked is to make sure the fences are screwed in tight! I mean, I would be embarrassed if that was my main piece of mitigating evidence! Oh, and asking footy teams to keep the noise down, I mean you can't make this up!

6.2 So again, if this negatively affects my life or any of the local neighbourhood's, we only have to wait 25 years for this to come up for renewal. It's unacceptable, and again, a clear example of not fully considering all the impacts on locals. It is arrogance beyond words to simply brush aside these concerns, whilst hoping to fill your pockets full of money at the expense of people's happiness and enjoyment of life.

7 ***Flooding and Routine Maintenance, and further distortions of the truth***

7.1 Through an FOI submitted to Wandsworth Council – *Attachment C: FOI* - which asked clearly why routine flood maintenance wasn't being performed and was instead being linked to the approval of a commercial venture? They denied this was the case, and said:

7.2 ***In the early/mid 1980's****, Wandsworth Council commissioned an extensive drainage project on the Triangle field; on the grass area to the east of the redgra pitch, extending beyond the full width of the pitch and up to the footpath across the Triangle field linking Emmanuel Road and Bedford Hill. Wandsworth Council also commissioned further drainage works in the immediate vicinity of the former One O'clock Centre, in the* ***late 1990's and early 2000's (cc2010/13).*** *The Council has not de-prioritised drainage works in this area and note that plans are currently in place to carry out further works with a contractor currently engaged in proposing/planning works/solutions.* ***In reference to "linking with a commercial proposal", the current position is that the Council's leisure and culture contractor, Enable, has been made aware of the drainage proposals included in the development proposal and, in consultation with the Council, are considering potential benefits through the combination of any works activities. However, the current drainage project will go ahead regardless of the development proposal.***

7.3 What does this mean? It means that no meaningful work has taken place since 2013 from their own words. It also shows that they are talking about linking this work to the commercial project, clearing themselves of the expense if it is approved. It also says that the work will go ahead regardless. So, a quick question would be, so why hasn't it been done in the past 10 years? They know and admit this part of the common floods, but no work since 2013? Seems a bit odd to me. It seems like they're waiting on someone else to pay, and in this case, the approval of this commercial for-profit project.

7.4 I come from a wet area, and when growing up, my father always had me to clear the ditches, and ensure they were dug out each autumn. Why? So, the paths wouldn't flood. Why won't Wandsworth Council and Enable do this? Why is everything being left for 10 years? This commercial proposal. The mitigations which need to be done regularly, are much more robust than I'm explaining as this part of the common is waterlogged from autumn to spring. However, what I'm demonstrating is that even routine maintenance hasn't been performed like clearing the ditches along the paths and clearing out the drains.

7.5 The council and Enable are responsible for this, and by not doing it, they are not fulfilling their responsibilities to the residents and the users of this common.

7.6 If it is found that Wandsworth Council is not performing routine maintenance because they fail to collect enough council tax (remember they brag how they don't do this!) then what gives them the right to sell off bits of it to cover their

expenses? If this is true, which I would argue is correlated, they should lose the administration of the common for dereliction of their responsibility and be investigated by the NAO.

7.7 Further to this FOI, I discovered an article – *Attachment H: Wandsworth Guardian Article* – which also discusses this issue, but differently.

*7.8 The council's community services spokesman Cllr Steffi Sutters said on 11 August 2021 in Wandsworth Guardian (*Fate of Tooting Triangle to be decided in a public inquiry | Wandsworth Times (wandsworthguardian.co.uk) *)"The plans* ***would also enable us to address the flooding issues*** *that have plagued the Triangle site for many years and which have often meant its community facilities have often had to remain closed.:*

7.9 However, in the FOI they claim that these aren't even linked but would only look for efficiencies. This is yet another clear distortion of the truth. They are linking their responsibility of routine maintenance to a commercial project instead of performing their own duties.

7.10 This article went on to say *"We have drawn up plans to refurbish and improve the facilities at the Triangle which can be achieved without losing a single blade of grass on the common. This scheme covers only land that has already been built upon – there is no loss whatsoever of any of the common's green space."*

7.11 Whilst, they say not a blade of grass will be lost, what is not said is that the entire multi-use pitch that everyone currently uses for free will be fenced off and we will lose access to it. This quote implies that there'll be no difference if it goes ahead, which is categorically false.

7.12 She goes on to say: "There will be no impact at all on the natural open spaces of Tooting Common which local people rely on so heavily for their leisure, recreation and mental well-being.

7.13 Again, another complete fabrication of the truth. The fencing off of the area, floodlights in operation every day, 100s of people refreshing each hour into the space, and the noise pollution will all directly, and permanently change this area – for the worse. That's fact. That's why you have 42 people here today that have spent months of our time defending this space, and why they have received 1000s of opposition comments to this proposal – whether they want to admit that or not.

7.14 The clear difference in language from this article, and what is sent back via FOI is striking. It clearly depicts that Wandsworth Council and Enable are trying to tailor the message to fit their own ambitions. I thought this was just a planning application some people might say, well it's not. It's about them protecting their proposed revenue stream!

8 ***Consultation with Lambeth***

8.1 An FOI – *Attachment C* - was sent to Wandsworth Council asking what dates they specifically consulted with Lambeth residents or Lambeth councillors about these issues. The question(s) were not answered fully, and further clarifications submitted. This also led to them being referred to ICO again, about the lack of transparency in the council.

8.2 Why are they not being fully transparent on the dates/times/questions/issues they've consulted with Lambeth residents and councillors about? The reason is, they haven't. They did not want to ask the questions to a larger pool of local residents that make up 2 sides of the common. Why not? There's an expression, don't ask the questions you don't want an answer to. It's been clear for 15 years that locals oppose this commercial venture that will negatively affect our common and lives, but they don't want the proof of our opinions, because it would undermine the entire application they're trying to put forward.

8.3 It's a shockingly incomplete attempt at justifying their application with the consultation they've undertaken. If I did this at my job, and I send out consultations all the time, I'd be fired for incompetence.

9 ***Net Zero***

9.1 Where in the application is any information about how this development will work towards Wandsworth Council and Lambeth Council achieving net zero commitments? Where is it assessed whether this will positively or negatively affect these objectives? This is our national government's policy, and our children's future, and there isn't even a mention of it. That is another clear example of an incomplete assessment being included with this application.

9.2 This also brings back into question, why are they using the language 'upgrade' instead of 'fully re-develop into a commercial site'? The implications are completely different. You would be unable to justify in this day and age of reducing carbon footprints, and working towards net zero worldwide, that the potential of 100s of extra car journeys per day will be taken to this site. That extra traffic will directly and negatively affect our health, and our children's health. Again, there's not even a mention about it, other than they will discourage driving. Well, what if that doesn't happen? We'll just suffer with the consequences while you go to the bank with the profits I guess, for 25 years.

9.3 These questions remain unanswered, and the precedent set would be tragic for our environmental future if approved. It would demonstrate to everyone how to sidestep your obligations for profit, and negate all the hard work we, and our children do, and strive for in our communities.

10 ***TCMAC Survey***

10.1 The Tooting Common Management Advisory Committee undertook a survey of what is important to users of the common, independently of this application in November 2021 – *Attachment D*. It is clear to see that this survey demonstrates that users of the common want peaceful, green spaces, and do not want additional commercial facilities and they are even classed as not important.

10.2 In a time where people are concerned about the environment, social distancing, and mental health – to take away a part of our common for commercial gain is unjustifiable. During the last two years of covid and lockdowns, with corresponding social restrictions, it is a fundamental requirement of most people, as illustrated in the survey to have access to open green, and peaceful spaces. This is what our common offers, and Wandsworth Council and Enable want to sell it off, for their own revenue stream.

10.3 This survey goes to explain local views, which as I've been discussing, is contrary to this application. In fact, Simon Cooper Grundy refers in his evidence to a report about a lack of football pitches and public opinion on having more access to sport spaces like this, however, it's from 2013. Why is the most recent survey not being used? The reason is that people's views and priorities have changed, and that doesn't support their application.

Wandsworth Council Report on the common

cd-11-lpbrp-tooting-common-2008.pdf (wandsworth.gov.uk)

10.4 In their own words - *…it is managed with the objective of retaining much of its natural character as a large open space with extensive areas of woodland and acidic grassland and is classified as a site of metropolitan importance in an area of London severely deficient in good wildlife sites*. With this objective in mind, how can they justify closing part of the common off for commercial gain with barely assessed environmental consequences? Fencing it off, floodlighting a dark field, having increased pollution of all kinds - it is contrary to their own words.

10.5 It also states within the document that users are satisfied with sports facilities, so where is this demand they speak of? It's not from local users, proven even in their own report.

10.6 In addition to this, a reason they give that people don't use the common is that there is a lack of parking or public transport – but again this doesn't make it to the application. It simply sweeps it under the rug and pretends that people just won't try and drive here. It's nonsense.

10.7 There are so many contradictions with what is being said in the application to what is being reported in other documentation, it beggars belief.

10.8 Again, why isn't all the information being fully, and transparently reported in the application? And why is Wandsworth Council and Enable championing this to the point of wasting even more public money for a public inquiry? More

money for them. If this goes through, it'll cover all their costs, so it doesn't matter to them. This is purely and simply about who's going to benefit – and it's not local residents by the common, Wandsworth Council and the corporate sports facility.

11 ***Further Distortions and Unanswered Questions***

11.1 This whole process has the potential and ability to consume you, and that's by design. There is so much documentation being uploaded, so much contradictory information, details of how routine maintenance is put off because they want someone else to pay for it. Not to mention, the enormous burden of collating, posting and presenting this evidence here today. The lack of consultation with Lambeth residents or council. It's all-consuming. It's affected my, and many others' mental health and well-being. Why? For a new revenue stream for the Wandsworth Council.

11.2 I have in this section highlighted some further issues, which I've noticed that are frankly just misleading, and also many unanswered questions, let's remember the burden of proof and evidence falls upon them. For example, the pictures they've posted in association of what this will look like once it's fully re-developed and the construction is finished – Where is the picture of what the dark field will look like at night? Where is the picture of the meters high fencing that will enclose this? Where is the picture of the spaces under the railway bridge filled with cars? They draw this in a flattering way to hide the fact, that this will be a disruptive and fully visible development on common land, that you won't even be allowed to use unless you pay. Never mind the noise from 100s of people playing football day in and out.

11.3 Why do they discount or not assess issues that will happen to Lambeth residents?

11.4 Why weren't we consulted fully?

11.5 Why wasn't there a formal response to the Lambeth councillors' letter that illustrates the level of opposition to this? *Attachment I: Lambeth Councillors' Objection Letter*

11.6 Why do they use the term 'upgrade' and 'refurbish' instead of 'fully redevelop into a commercial venue'?

11.7 Why have they tried to characterise this area as unsafe/poor state in their application but also say they continue to rent it out, and even painted lines on it recently? This is a clear contradiction.

11.8 In Simon Cooper Grundy's evidence it states that this began in 2012, but in fact this was even being discussed in 2008. Even with this incorrect date being misleading, it demonstrates that they have been angling for this for over a decade.

11.9 Simon keeps stating that this will give Wandsworth everything it needs in terms of additional capacity for sports facilities, but Wandsworth's own surveys contradict that people want this. This is also NOT solely a common for Wandsworth Council, they administer it. That's a distinction we should understand. This common has as many Lambeth residents as Wandsworth, but yet the only perspective being offered is Wandsworth's. It is a distortion of public opinion and would be a folly to view this as a fair assessment.

11.10 Further to this in the evidence they've provided:

In 9.1.1 they refer to an assessment that took place as validation for their views. We all know how much the world has changed since then, as has the user's opinions of the common. WC, TCMAC and consultation responses that has been recently completed, all shows that green space and tranquillity is valued, not more commercial sports facilities.

In 9.1.2 – they refer to the fact that fencing was present decades ago, and removed decades ago, yet this should not provide a precedent to re-introduce it.

In 11.1.2 – It states that Lambeth Council never put forward an objection to parking, this is untrue. Wandsworth Council never responded back to the letter. All the assumptions of parking are just that, an assumption. What if they're wrong? What mitigations are being put forward? How will they ensure that no detriment occurs to local residents? The application, and Simon's evidence are both silent on this fact.

In 11.3.2 – They don't consider the noise to be an issue. Where are the formal assessments? Where are the responses to the residents who know how the noise travels? Again, this is glossed over as inflammatory scare mongering that's easily brushed aside.

In 11.3.3 – In a very glib response to our views that this part of the common is remote and tranquil, Simon points out the railway lines as the reason this should be overlooked. What is not accounted for is the continuous influx and refresh of people day in and day out. The use of floodlights every day. And the massive fence that will be clearly visible changing the entire aesthetic of the common in this area. Not to mention, that railways line is not heavily used, and the trains travel very slowly between Streatham Hill and Balham, not generating much noise. However, none of this is considered.

11.11 The arguments in this evidence feel very personal, like this is being pushed by an individual, and not on behalf of a local council. What is insulting is that they try and minimise the literal 1000s of objections over the course of nearly 2 decades, so that they can continue to push this land grabbing, money making proposal on a population that doesn't want it. They are using a decade's old assessment as proof of what the local residents and common users want; however, why not use the more recent surveys (all included) which clearly demonstrate people want green open spaces, not more traffic/pollution/and noise/commercial ventures in our common land?

11.12 The Council also hides the fact that these changes will not just radically alter this corner of the Common, but effectively forever change the character and enjoyment of the wider Triangle field, a tranquil and precious area of the common to all of us local residents. Again, this is not assessed or discussed.

12 **Conclusions**

12.1 I have raised today a variety of issues, distortions, omissions, and other discrepancies with this proposal. I don't intend on going through everything again at this stage. I instead want to take this to a personal level.

12.2 I am personally both outraged and saddened that Wandsworth Council and Enable has brought us to this stage. I am disappointed that instead of trying to stitch together a community, they are fixed on dividing it at any cost, and stitching us up. I am exhausted mentally having this Damocles sword swinging over my head for years. I am exasperated of having to pretend to be a lawyer today and prepare evidence for a case like this.

12.3 This planning proposal needs to be rejected and could easily be done on a variety of different grounds. At the very minimum if this weren't outright rejected, they should be required to do a new, full, transparent, and inclusive consultation – including Lambeth residents – about not only this proposal, but about the common itself. They should, if they are altruistically worried about the state of this area for users, ask the users what they want done with this space. I would suggest as a starting point: Nothing, turn it into a woodland, turn it into a wildflower meadow, or just resurface the redgra pitch or the proposed commercial development.

12.4 All of these options are both credible, and should have been considered, but we know they haven't been. We know that people's priorities and views have changed in the last few years, but they refer to evidence from a decade ago. This whole application is absolutely lacking in evidence and detail which means it's misleading.

12.5 Most importantly, I want to close off with a simple fact that all the parties bringing this forward need to understand. This is not your land for your own profiteering! This is not your land to subsidise your council tax payments! This is not your land to sell off to pay for maintenance you are required to perform but can't afford because you don't raise council tax payments. So, Wandsworth Council and Enable – do your job and administer the common, and take your hands off our common land!