



## Wandsworth Council

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Our ref: ECS/  
Your ref:  
Date: 19<sup>th</sup> March 2021

The Planning Inspectorate  
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sent by email to  
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Dear Mrs Margoum,

### **Proposed Works on Tooting Bec Common COM/3263104**

Thank you for your email of 18 January 2021 in reference to the Council's application for consent to improve the buildings and outdoor sports pitch area at Tooting Triangle, Tooting Bec Common, SW12 under Article 12 of the Schedule to the Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces) Act 1967 (MHLG 1967).

Thank you also for the attachments containing the emails that you received in response to the Council's Notice of Intention to seek this consent.

Having read every one of the (approximately) 750 representations, I have as far as possible, identified common themes/concerns to assist me in putting together a full and informed response.

Before seeking to address the concerns expressed by the respondents, I set out below a brief history of this proposed development of the existing facilities at Tooting Triangle. Wandsworth is a borough of playing pitch deficit and under considerable pressure to provide more facilities to meet the ever-growing demand for both matches and training. The proposed improvement of the facilities at Tooting Triangle would make a significant contribution to addressing the deficit in a way that setting out additional pitches on open grass areas, either on Tooting Common or other open spaces cannot do.

In 2007/2008, the Council proposed the development of a facility that would have provided between 10 and 12 five-a-side football pitches on an enclosed and floodlit area with an artificial grass playing surface. The proposal was to develop this facility on the Triangle Field, with new build changing facilities on the site of the current building and

the outdoor playing area based on and extended from the current 'redgra' playing surface.

The proposals attracted significant numbers of objections from local residents, and from farther afield, in particular objecting to the enclosure, of what was seen to be a significant portion of the Triangle Field which, it was claimed, would unfairly restrict the space available to the public for recreation in the open air in any open space. After due consideration of the objections received the Council withdrew the proposal later in 2008.

In 2012, the Council's Executive approved a recommendation to seek expressions of interest from groups or organisations interested in the future improvement, operation and maintenance of the 'redgra' sports pitch and former youth centre premises at Tooting Triangle. This was in response to a campaign by a local resident (Paper No. 12-572).

The Council received a number of expressions of interest and invited 7 of the interested organisations to submit tenders to redevelop the outdoor sports pitch and the adjacent built premises to provide an improved facility with publicly accessible toilets and a cafeteria.

Paper No. 16-451 reports on the responses to the Council's advertisement for expressions of interest, on the two tenders that were received and, subsequently two revised tenders and the Council's decision to award a draft contract to TFC Leisure Ltd. subject to their obtaining all necessary consents for the proposed improvements/works.

The report notes that tenders were initially submitted based on extending the size/footprint of the redgra surfaced outdoor sports area to support a 9 versus 9 Football Association compliant junior football pitch.

Following evaluation of tenders and consideration of locally expressed concerns at the proposed extension of sports pitch area/footprint, the Council invited both organisations to submit further tenders based on a revised brief which limited proposals for the improvement of the outdoor sports pitch to its current area/footprint. Both organisations submitted new tenders in March 2016 and the decision to award a draft contract was in respect of the revised tenders.

This report also approved that the Council's intention to dispose, by means of a 25 year lease, the redgra sports pitch and the former youth centre (premises occupied by Balham Amateur Boxing Club), to TFC Leisure Ltd. for the development of the facilities as outlined in its tender be advertised and further approved the conclusion of a lease subject to responses to the advertised intention and, at a later date to submit an application to the Planning Inspectorate for Secretary of State consent.

In November 2018, the Council's Finance and Corporate Resources Overview and Scrutiny Committee considered Paper No. 18-432 which recommended the Council's Executive to:

- (a) consider the objections received to the proposed disposal, by means of a lease for a period of 25 years, of the outdoor sports pitch and the premises currently occupied by the BABC, at Tooting Triangle, SW12 (Bedford);

- (b) approve the Director of Children's Services' declaration that the former Triangle One O'clock Centre premises are surplus to the Service's operational requirements and the recommendation that the premises be incorporated into the proposed development and lease;
- (c) having considered the objections, that the principle of disposal is acceptable, and the proposed incorporation of the former One O'clock Centre into the proposed development (paragraph 3(b) above), to approve entering into an agreement for lease and the grant of a lease for a term of 25 years to TFC Leisure Ltd., to develop and operate improved sports and leisure facilities at Tooting Triangle, subject to the necessary planning consents being granted and completion of a contract for service delivery of recreational services from the premises; and
- (d) subject to the approval of (c) above, to authorise the Assistant Director (Property Services), in consultation with the Director of Environment and Community Services and the Head of the SLLP, to agree the terms for the agreement for lease, the lease and the contract with TFC Leisure Ltd.

After the approval of the recommendations of this report, TFC Leisure Ltd. submitted its planning application that received approval in May 2020.

By providing this history of the Tooting Triangle project, the Council seeks to demonstrate its long standing commitment to providing improved facilities and opportunities for sport and other recreation in an appropriate and sustainable way and that since 2012 it has considered options and opportunities through an open democratic process, contrary to a number of concerns expressed in the representations including lack of consultation and lack of transparency and in particular "hiding" the identity of the operator of the proposed facilities, TFC Leisure Ltd.

In relation to the assertions and accusations of a lack of consultation, in particular relating to residents of Lambeth, the Council notes that on the two occasions during the process when it was required to publicly advertise its intentions: its intention to dispose of the land etc. by means of a lease (to TFC Leisure Ltd.) in 2016 and the Notice of Intention to apply for consent under Article 12 of MHLG 1967 to carry out works at Tooting Triangle, the Council placed the public notices in editions of the South London Press instead of its usual newspaper outlet; the Wandsworth Times. The Council used the South London Press following advice that its coverage into Lambeth was, and is, far better than the Wandsworth Times' coverage.

There are a number of matters of note that became apparent during my scrutiny of the representations in particular that a significant number of them appear, unfortunately, to have been influenced somewhat by misinformation that has circulated on social media sites and has, therefore, potentially caused misunderstandings of aspects of the scheme.

I have brought these together under a number of headings which I believe reasonably describe the particular concerns most frequently referred to in the representations and provide the Council's response to these, under the headings, in the following paragraphs.

## 1 Common Land:

Includes concerns at loss of common land and what is, and is not, permitted in terms of development, enclosure, charging for use of facilities etc. and loss of grassland and loss of freely accessible open space. Such concerns are expressed in a significant proportion of the representations.

In accordance with the provisions of the MHLG 1967 when making an application under Article 12 of the MHLG 1967 the Council must first satisfy itself that the proposed works (subject of the application) are within the scope of Article 7.

In support of it's application the Council cites the following (sub) sections of **Article 7**:

**(1)** *A local authority may in any open space - (a) provide and maintain – (ii) golf courses and grounds, tracks, lawns, courts, greens and such other open air facilities as the local authority think fit for any form of recreation whatsoever ....., and sub-paragraph (g) set apart or enclose in connection with any of the matters referred to in this article any part of the open space and preclude any person from entering that part so set apart or enclosed other than a person to whom access is permitted by the local authority or (where the right of so setting apart or enclosing is granted to any person by the local authority under the powers of this Part of this order) by such person – all provided that (vi) in exercising their powers under heads (v) and (vi) of sub-paragraph (a) of this paragraph a local authority shall satisfy themselves that they have not unfairly restricted the space available to the public for recreation in the open air in any open space.*

The total area that would be “enclosed” and so subject to restricted access amounts to less than 5000m<sup>2</sup> (approximately 4825m<sup>2</sup>) made up of the existing buildings plus the proposed extension: 475m<sup>2</sup>, the existing enclosed rear garden to the building previously occupied by the children's One O'clock Centre; 770m<sup>2</sup> and the outdoor sports pitch area; 3580m<sup>2</sup> (previously enclosed but currently not, so considered for these purposes a “new” enclosure”)

The newly enclosed areas created by the proposed works equate to approximately 5% of the total area of the Triangle field area of Tooting Bec Common (approximately 69,000m<sup>2</sup>) – approximately 0.8% of Tooting Bec Common (approximately 63 hectares) and approximately 0.5% of the total areas of the Tooting Commons (approximately 89 hectares)

On this basis the Council considers that it has paid due attention to the provisions and intentions of Article 7 and that the proposed works and resulting enclosure of open space do not “*unfairly restrict the space available to the public for recreation in the open air in any open space*” – all the more so as the Council notes that the public will continue to be able to access the facilities once the proposed development/improvements are completed; free of charge access to the proposed toilets and refreshment facility and access, generally but not exclusively, by payment of the relevant fee to the outdoor sports pitches. Access arrangements to the Balham Amateur Boxing Club, that will continue to operate from the (extended) built facility, will continue in the same or a similar form to current arrangements.

Regarding the Council's intention to lease or licence the proposed facilities to TFC Leisure Ltd., the Council refers to **Article 8** - summarised as: *"Licences to provide facilities and lettings of land and buildings for public recreation"* and to its intention to approve charges for use of the proposed facilities the Council refers to **Article 10** – summarised as: *"Charges in respect of user of open spaces"*.

The Council further notes that its intention is that any/all charges set by TFC Leisure Ltd. shall be in line with fees and charges levied by the Council for use of similar facilities in the Borough and that this intention is set out in the draft Contract with TFC Leisure Ltd.

## **2 Access to and availability of the proposed facilities**

In addition to concerns at the perceived loss of open space and loss of free access to open space are a significant number of incorrect assertions that the proposed outdoor sports pitches and associated indoor facilities will be for the sole, or predominant use, of one football club to the implied disadvantage/detriment of many/any other potential users.

Indeed, such assertions/allegations are frequently supported by assertions that an agreement has already been reached between the football club, Balham Blazers FC and TFC Leisure Ltd. to achieve this.

My first response to these assertions is to direct respondents, and the Planning Inspector/s, to TFC Leisure Ltd's web site at [www.tootingtriangle.com](http://www.tootingtriangle.com) This site contains much background information both about the company and the proposals for the facilities at the Tooting Triangle all of which is updated regularly and is designed be used by anyone who is interested in what is being proposed whether supportive or not of the proposals.

The following information/responses are taken from this web site:

- Chris Warren, the founder and Managing Director of TFC Leisure Ltd. is quite clear in his response to these assertions: *"We have not entered into any commercial agreements with any sporting organisations and do not intend to enter into any exclusive arrangements"*
- TFC goes on to say that *"We will be operating the same system as we operate at our centres in the London Boroughs of Hammersmith and Fulham, Richmond and Hounslow where we have an online booking system available to all"*.
- TFC also confirm that the sports opportunities available at the facility will be very much demand led and will include football, netball, mini-tennis, mini-cricket and tag rugby, all in line with the opportunities provided at the other centres that it operates.

In addition, TFC Leisure Ltd. has confirmed that to date it has been approached by Balham Blazers, Balham Foxes, and FC Battersea, all of whom are expressing interest in making use of the facilities if and when they are available. In all cases the enquiries relate to the running of sessions for boys and girls of all ages; juniors, adults and seniors answering another frequently expressed concern that the proposed facilities are designed primarily for adult males for football. TFC also confirm its stated principles as "sport for everyone and open for all".

Regarding concerns that have been expressed that access to the facilities will be dependant on an individuals or organisations ability to pay, TFC Leisure Ltd. refers to the Rocks Lane Sports Trust which was established some time ago and which provides support, in the form of subsidised fees or free entry, for individuals and families suffering financial hardship.

In addition to positively supporting those in need to enjoy and benefit from healthy outdoor activity the sports facilities will be available free of charge during all term time weekdays to local state schools.

Included under this general "Access and Availability" heading are relatively frequently expressed concerns that the proposed facilities are biased towards male users, based in part on a misconception that the sports pitches will provide opportunities for football only, and an apparently widely held misconception that football is a "man's game". Apart from the fact that the TFC Leisure Ltd.'s web site refers to a number of sports that will be offered, and notes that others might well be offered subject to demand all three of the clubs that have already expressed interest in using the proposed facilities make it clear that they provide football and general fitness/wellbeing opportunities for males and females of all ages.

An apparent mismatch in the proportion of changing, shower, and toilet facilities to be provided for males and females, according to the plans submitted as part of the planning application is cited as further evidence of this alleged bias. TFC Leisure Ltd. has reiterated/confirmed previous confirmation that the changing rooms and associated facilities shown on the building plans are flexible spaces both by "label" and layout with the space/s being adjustable according to the particular use at any time in accordance with Sport England's "flexible designs for changing facilities" guidance. The proposed design is based on the design and construction already in use, successfully, at TFC Leisure Ltd.'s centre in Chiswick. By way of further confirmation of TFC Leisure Ltd.'s commitment to providing opportunities for male and female users it is noted that the centre in Chiswick is an accredited FA Wildcats football centre (for girls) and that TFC Leisure Ltd. has already stated its commitment to gain relevant accreditations to recognise the quality of their sports delivery and operations, including FA Wildcats and Quest (UK Quality Scheme for Sport and Leisure), for the proposed facility at Tooting Triangle.

### **3 Loss of Greenspace:**

Together with concerns about potential loss of habitat and potentially detrimental effects on the biodiversity, flora and fauna of the common these concerns also account for a significant proportion of the representations.

The National Planning Policy Framework (NPPF) defines open space as: *'All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity'*.

- This proposal for the Tooting Triangle area does not change the fact that both the current purposes and the future proposals are both in accordance with this definition.

- The current pitch area is a hard surface treatment and has been for many years, the new proposals area also for an alternative hard surface treatment and, as such there is no loss of “green space” or land/surface supporting or providing opportunities for biodiversity, flora and fauna.

#### **4 Concern at potential harm to local ecosystem, no proper consideration of effects of fauna and flora, bats, birds, invertebrates, trees, shrubs etc:**

Tooting Common is a Site of Metropolitan Importance (SMI) for biodiversity as determined by the Mayor for London and the local authority in the Local Plan (M124). SMIs contain the best examples of the habitats that are of particular importance within London. They are protected through planning policy at both a London, Regional and National level. Of particular importance on Tooting Common are the priority habitats of acid grassland, secondary woodland, veteran trees, lakes and reedbeds. Priority species known to occur on the common include house sparrow, starling, swift, stag beetle, a wide suite of pollinators and bats.

#### **5 Priority habitats:**

The proposals will have no direct or indirect impact on priority habitats on Tooting Common. No acid grassland, veteran trees, lakes or reedbeds occur in the vicinity of the scheme. The pathway to the immediate north of the proposed development footprint is shrouded by individual, often self-set trees of mixed native species and is overhung by trees and scrub encroaching from the adjoining Network Rail land. None of this vegetation has the extent of form or functionality for biodiversity found within the secondary woodland complexes elsewhere on the wider Common. Of particular relevance for comparison would be the secondary woodland parcel (Triangle Wood) to the far east of the triangle field where a mix of native tree species is found together with a range of herbaceous plants, bare ground and ditches which combine to form a habitat of recognised value for biodiversity.

#### **6a Priority species – house sparrow:**

The proposals will have no direct or indirect impact on house sparrows. Whilst there is recognised breeding and foraging habitat well used by house sparrows in the scrub habitats to the north of Bedford Field, this will not be impacted in any way by the current proposal, being separated from the area of the proposals by a minimum 300m and a further raised railway line.

#### **6b Priority species – starling:**

The proposals will have no direct or indirect impact on starlings. Whilst there is recognised foraging habitat well used by starlings to be found in many parcels of amenity and sport pitch turf across the whole of Tooting Common, this will not be impacted in any way by the current proposal. Starlings nest in holes in trees and buildings; no nesting opportunities will be impacted in any way by the current proposal. The self-set trees to the immediate north of the proposed development are of insufficient size to support hole nesting birds; no signs of nesting activity were identified in any of the ecological surveys that have been undertaken to inform this proposal.

### **6c Priority species – swift:**

The proposals will have no direct or indirect impact on swifts. Swifts nest high up in roof spaces under the eaves of buildings and forage and feed on the wing. No signs of nesting activity were identified in any of the ecological surveys that have been undertaken to inform this proposal.

### **6d Priority species – stag beetle:**

The proposals will have no direct or indirect impact on stag beetles. Stag beetles spend up to seven years as larvae below ground feeding on rotting untreated wood. When they emerge as adults, they are indiscriminate about the habitats they use and can be found across the whole common as flying spring. No dead wood or suitable rotting buried wood to support larvae has been identified during any of the ecological surveys on site undertaken to inform this proposal.

### **6e Priority species – pollinators:**

The proposals will have a negligible effect on pollinators. This broad group includes wild bees, wasps, hoverflies, butterflies, moths, flies and soldierflies who play a significant role contributing to the functionality of heavily vegetated habitats (grassland and woodlands) in particular. The garden habitat associated with the children's centre building as well as the self-set trees to the immediate north provide opportunities for pollinators to overwinter, particularly those that use hollow stems or rolled leaves. Some pollinators overwinter in ground holes in warm sandy soils, the closest area for this habitat is away from these proposals to the south-west of Triangle Field. These species are highly mobile when foraging and seek to use appropriate flower rich habitats favouring those sheltered from breezes and not subject to heavy shading. The garden associated with the children's centre building, whilst sheltered, is not flower rich and is shaded throughout the day as a result of high fences surrounding a comparatively small footprint. The proposals will not bring about significant losses to pollinator habitats within the wider context of Tooting Common where suitable overwintering and summer foraging habitats are found in across a wide area in a mosaic which provides greater resilience for individual species populations.

### **6f Priority species – bats:**

The proposals will bring about a moderate beneficial impact on bats in this part of Tooting Common. Several professional bat studies have identified that 5 species of bat have been recorded using Tooting Common. This includes both species known to favour buildings for roosts and species known to utilise natural habitat features for roosts; of relevance to this issue are that these species have been recorded as roosting in the vicinity of Triangle Wood and The Woodfield Pavilion both a minimum of 300m to the east of the proposals. The data also clearly shows bats recorded both commuting and foraging across areas of Tooting Triangle, most notably again over Triangle Wood and over the canopy of the oak tree grove to the south-west of the Triangle field. The tree line alongside (and on the land associated with) the railway is also favoured by bats for commuting as it provides a comparatively dark corridor and affords good connectivity between off site roosts and favoured foraging areas on the common.



The buildings associated with the proposals in the Tooting Triangle area (currently a children's centre and a boxing club) have been fully internally and externally inspected

to inform our understanding of their value to roosting bats. They were assessed as having no bat roosts within or associated with the buildings; the associated garden habitat was assessed as providing limited foraging opportunity with other areas (as above) favoured and the railway lineside to the immediate north was identified as providing commuting habitat however the proposals will have no impact on this feature.

The plans and documents supplied with the proposals to inform the granting of planning permission demonstrate that the proposed changes to lamps and in particular the use of LED lights to replace the existing floodlights will bring about a reduction in light levels and light spill in this part of the Triangle field. When compared, the lux contour plans at 4m height and 8m height (the heights at which artificial lighting can adversely impact bat behaviour) for the existing (currently in situ) metal halide lights and the proposed LED luminaires (to be delivered as part of this proposal), indicated greatly reduced amounts of light spillage to the east and southern areas outside the pitch. The applicant also proposed the addition of further tree planting to "fill gaps" in the existing band of trees immediately abutting the east of the pitch area which will provide a strengthened natural buffer limiting light spill onto the Triangle Field and allowing unaffected ongoing use of areas known to be of value to bats (Triangle Wood, the oak tree grove and the areas around The Woodfield Pavilion). The Lighting Assessment Ecology Report (A Fure 2019) concludes that: the proposals slightly reduce the small amount of spillage onto the northern boundary; greatly reduce the unchecked spillage to the east and south; reduces glare across the pitch in every direction traveling through the wider environment; removes the need for the continuous illumination of an empty pitch; reduces reflectivity in the proposed surface; removes the unwanted UV component of the light.

Conditions were attached to the granted planning permission (ref:2019/4206) to ensure that the scheme can be built in accordance with the submitted plans and places a further obligation on the applicant to prevent harm to biodiversity throughout construction and further still, seeks post construction commitments to ensure that the proposals will have been appropriately delivered to prevent harm to and to actively benefit biodiversity with a focus on the needs of bats:

- Condition 4 requires the submission for approval of a Construction Environment Management Plan (CEMP) to ensure that construction methodologies and on-site staff awareness and training will prevent inadvertent harm to priority species.
- Condition 5 requires the submission for approval of a Post Completion Light Spillage Report demonstrating that the "as built" lighting is in accordance with the submitted plans. This is required to be approved before the facility is operational and is intended to ensure that the improvements to lighting as detailed in the submission are built as intended and achieve the minimised impacts required.
- Condition 5 also requires that at all times "Any and all sports pitch floodlights, should be turned off by no later than 21.00. Any additional external lighting (except emergency lights) should be on a timer and be turned off no later than 22:00 (to allow staff safe egress from the premises) or on a motion sensor activation. Floodlighting may not be used between 15th May and 15th September

each year". These are measures specifically implemented to prevent harm to protected and priority species (in particular bats).

- Conditions 6 require tree protection methods to be in place and approved as satisfactory to prevent harm to trees during construction.
- Condition 7 secures the delivery of the additional tree planting to the east of the pitch area and indeed secures further additional planting in the form of a native species hedge to the north of the buildings to supplement the self-set planting and overhanging vegetation from the railway lineside.

Whilst bats have been found to be foraging and commuting in proximity to the proposals, the measures applied by means of conditions attached to planning permission prevent harm to bats during construction, and the completed scheme will bring about permanent improvements to benefit bats and support their continued presence in this area.

The Council notes the view expressed by the Local Correspondent for the Open spaces Society (OSS) that the Council's position is "*completely incoherent*" given that it has "*strongly opposed the installation of floodlight's on the Streatham and Clapham High School (SCHS) hockey pitch adjacent to the common because of the impact this would have on the common but now proposes to have floodlights on the common itself .....*" In response to this view the Council refers to the information elsewhere in this section of this response that there is clear evidence that bats have been recorded as roosting in the vicinity of Triangle Wood and The Woodfield Pavilion both a minimum of 300m to the east of the application site. The data also clearly shows bats recorded both commuting and foraging across areas of Tooting Triangle, most notably again over Triangle Wood and over the canopy of the oak tree grove to the south-west of the Triangle field.

The Triangle Wood, some 300 metres distant from the application site, runs adjacent to the SCHS whilst the Woodfield Pavilion, also some 300 metres distant from the application site, is within 100m of the SCHS and this area is currently not subject to any floodlighting. Therefore, in response to the known and understood use of this immediate area for bats for roosting, commuting and foraging, the impacts of any proposed new floodlighting at SCHS would have a significant adverse impact unless sufficient suitable mitigation were proposed which, unfortunately has not been the case with their recent planning submissions. This is contrary to the situation that applies to the application site under current consideration where the use by bats is limited to local foraging over the small garden and commuting along the adjacent railway line concurrently with the existing floodlighting provision and where modifications to future lighting and additional planting have both been agreed to provide further mitigation.

## **7 Loss of trees:**

The proposal includes the removal of 4 (T3,T4,T5,T6) trees categorised as "low quality". These trees will be programmed for removal in the medium term regardless of whether the proposed development is approved, or not, due to their self-set nature which has resulted in a poor shape and form which causes them to overhang and interfere with existing buildings in this location, including compromising the security of

the premises by affording relatively easy access into the enclosed grounds and onto the premises roofs. None of the trees is of adequate shape or growth habit to support nesting birds nor do they contribute to the biodiversity of the wider Common in any significant way. The current proposal (Design and Access statement) has committed to planting a group of native trees, in accordance with the Council's policy of planting only

native tree species and whilst the numbers are not yet defined we expect this to amount to a minimum number of 20 new trees (minimum size 12-24) to complete and extend the copse to the immediate east of the proposals. Native tree species suggested as suitable for planting in this area include Oak, Hornbeam, Lime and Thorn. Extending the copse aids delivery of the Wandsworth Biodiversity Strategy through making an existing small woodland habitat parcel bigger. The trees will not be constrained by any buildings and will be able to grow in a form and shape appropriate to support nesting birds whilst the grouping will allow use by a range of other species supported by small copses across the wider Common.

Overall, there will be a measurable net gain in tree provision at this location if the plans proceed.

## **8 Inadequate consideration of the potential impact of additional traffic on local streets:**

A significant number of respondents expressed concerns that the proposed facility will generate significant increases in traffic travelling to and from the area and parking locally with many noting existing congestion and on-street parking problems. TFC Leisure Ltd. has produced a Green Transport Plan which was included in its application for planning permission which was granted in May 2020 as noted elsewhere in this response. The Plan recognises the problems associated with the use of private cars for relatively short distance journeys and sets out TFC Leisure Ltd.'s approach to seeking to reduce such problems by actively encouraging users, and staff to journey to and from the facility on foot, by bicycle or by public transport. All of these methods are considered to be both reasonable and realistic given the facility's proximity to regular and reliable Underground, National Rail, and bus services and the belief that the majority of potential customers will live within 15 minutes' walk of the facility, based on experience gained at the other centres. Notwithstanding the content and intent of its Green Transport Plan TFC Leisure Ltd. recognises and understands the concerns expressed and has committed to monitoring how its customers travel to and from the facility and to be actively involved in any surveys that might be required in the future to examine and identify remedies to any traffic issues that might, from time to time arise. In considering the possible detrimental impact of traffic locally the intention to extend the current Ultra Low Emission Zone (ULEZ) from mid October 2021 is noted as likely to have a significant impact on the numbers of vehicle journeys undertaken within the Zone (which will be bounded by the South and North Circular roads).

## **9 Environmental concerns related to the proposed installation of a 3G Artificial Grass playing surface:**

A relatively small number/proportion of the respondents referred to reports that the rubber crumb material commonly used as an infill in the artificial grass surface has significant carcinogenic properties and that the artificial grass "carpets" pose a number

of environmental problems including the release of micro plastic particles into the environment (air, soil and water) as the plastic “sward” gradually breaks down through use and issues around the disposal of “carpets” at their end of life; generally 10 or so years.

The Council’s view is that these concerns take no account of other, arguably more balanced information on the installation and use of artificial grass surfaces for sports activities nor of widely available information confirming the continuing development of the materials used in the provision and maintenance of these surfaces and their re-use or disposal at the end of life (as sports surfaces) Already, in the relatively short time since the introduction of 3G surfaces a number of alternatives to the use of rubber crumb, using organic materials, have been developed and brought into use as have further uses for the carpets as alternatives to disposal. The Council believes that technology and processes will continue to develop to further enhance the intrinsic benefits of the appropriate and proportionate use of artificial grass surfaces.

The Council notes the comments and concerns submitted by a number of the respondents and draws attention to Sport England’s current position statement on 3G pitches issued as a result of a collaboration between key stakeholders in response to question and concerns regarding “third generation” (3G) artificial grass pitches: *“Third generation or 3G artificial grass pitches are recognised s durable, safe, year -round playing surfaces, able to withstand intensive use and all kinds of weather.. They mean more people can benefit from all the associated social and health benefits of physical activity. Concerns have, however been raised about the safety associated with these pitches and their constituent parts, most commonly the presence of rubber crumb. We take these concerns very seriously . We have monitored numerous independent scientific studies on this issue, which have reported a very low/negligible level of concern for human health as a result of 3G pitches and rubber crumb. Indeed, the European Chemicals Agency has recently published its own findings, following an extensive EU-wide study, and has found no reason to advise people against playing sport on 3G pitches with rubber crumb. The Sports and Play Construction Association, the UK trade body for the sports itch industry, is developing a voluntary industry standard that will provide minimum requirements that go above and beyond what is currently required for rubber crumb under European regulation. Sport England and leading sport governing bodies all support this approach and will continue to work with the industry to provide reassurance that pitches in this country are safe”.*

In respect of the specific proposal to install a 3G artificial grass sport surface at Tooting Triangle TFC Leisure Ltd. confirm that they are aware of the conflicting advice and comments on health and environmental aspects of these playing surfaces and their constituent parts, notably the rubber crumb infill material and further confirm that they have recently installed cork based pitches at their facility in Barnes and that when removing carpets they employ pitch removal contractors who re-use the old carpets and associated materials for lining bunkers on golf courses and in horse stable areas so keeping the “old” material out of the disposal chain.

TFC Leisure #ltd. have also confirmed that they are registered with fidra (<https://www.fidra.org.uk/artificial-pitches/pitch-in-pledge-downloads>); an organisation working with the public, industry and governments to deliver pragmatic evidence based solutions for a healthy environment and sustainable communities and signed up to their Pitch in Pledge whereby they pledge to do all that they ca to raise awareness of potential pitch pollution and use best practice to avoid damage to the environment.

## **10 Potentially detrimental effect on the peaceful and tranquil nature of the surrounding area caused by excessive noise generated by activities at the proposed facility:**

TFC Leisure Ltd. and the Council recognise that use of the proposed facilities will generate some noise arising from two distinct but linked sources:

- Noise generated by groups of players calling to each other on the pitch (during games) and when meeting, prior to play, and dispersing, after play: TFC Leisure Ltd. confirm that customer behaviour will be monitored at all times and that appropriate actions will be taken in instances where individuals and/or groups ignore advice and warnings about their behaviour. TFC Leisure Ltd. will also investigate any and all reports of excessive (and or offensive) noise submitted by local residents and users of the common and will, as appropriate, take similar actions.
- Noise generated by activity on the pitches, in particular by balls hitting the side/enclosure fences: As a provider of similar facilities elsewhere in south west London TFC Leisure Ltd. are well aware of such concerns and mindful of doing all that can be reasonably done to keep such disturbance to the minimum. TFC Leisure Ltd. refer to the “Artificial Grass Pitches (AGP) Acoustics Planning Implications” guidance and advice published by Sport England and confirm that the project plans have been, and will continue to be, informed by this guidance.

Many of the respondents express the view that the Triangle field is a “quiet and peaceful” haven, and other similar descriptions. In great part this is due to the “remoteness” from roads (and traffic) separated as it is by railway embankments and generally some 200 metres or more of common land between the embankments and the nearest roads – The Council notes that the proposed facilities do not change this element in any way.

Whilst the larger part of the Triangle field might be relatively peaceful and tranquil the Council believes that this does not apply to the specific area which is the site of the proposed facilities and the immediate surrounds to this area, a belief which it feels is supported by many of the respondents who state that the area, in particular the current redgra surfaced area is extremely popular and well used by many people for a variety of sport and recreation activities. In addition to this there is the popular and well used children’s playground immediately adjacent to the site. Whilst it recognises that there will be some level of noise resulting from the use of the proposed facilities the Council believes that such noise will not be significantly different to, nor worse than, current levels of noise. The Council, and TFC Leisure Ltd. further believe that the active monitoring of the behaviour of customers while playing and congregating before and after play will ensure that noise levels are kept to acceptable levels at all times.

## **11 Failure to adequately consult and under reporting of opposition to the proposals:**

A number of concerns/issues were raised under this heading, most notably the low number of written notifications of the committee meeting that considered the planning application, the significant under reporting of the numbers of objections to the proposals received and the failure to mention a petition with some 7000 signatories.

Linked, if only by implication, to these concerns are assertions/allegations of improper conduct by the Council's planning committee and most specifically by the Chairman of that committee, Councillor Guy Humphries. The frequently stated allegation is that Councillor Humphries should have declared an interest in the matter under consideration and recused himself from that consideration on account of his role as a member of the Board of Enable Leisure and Culture which company, it is further alleged, stand to gain, in some unspecified way, from the proposed development.

The Council's response is that Councillor Humphries position with Enable Leisure and Culture in no way compromised his position as Chairman of the Planning Committee as Enable Leisure and Culture's sole involvement in the proposals is as the Council's provider of management services for parks and open spaces, amongst other activities. The Council further states that the draft arrangements for the development and ongoing management and maintenance of the facilities that were confirmed in 2018 are for a contract and lease (or licence) between the Council and TFC Leisure Ltd. Enable's involvement is limited to its current and ongoing assistance with the application to the Planning Inspectorate for consent on behalf of the Council. There are no plans or proposals for Enable to be involved with the project as/if it develops save for monitoring how it interacts with, and impacts on, the adjacent common, in its (Enable's) role as the managers of the Council's parks and open spaces.

The Council's further response is that all of the objections, together with the on-line petition were considered by officers and reported, as "Late Items of Correspondence", to the Council's Planning Committee on 19<sup>th</sup> May 2020 and that the "Late Items of Correspondence" document was included with the Council's application to the Planning Inspectorate.

The Council strongly refutes any suggestion that it has not taken account of views expressed in respect of this matter, neither in their content nor in their numbers. It considered all of the views so expressed and subsequently granted planning permission, with conditions, taking account of the detailed proposals set out in the planning application and all views expressed on many and various aspects of that application.

In addition to concerns highlighted in the preceding paragraphs, generally concerns that were expressed by significant numbers of the respondents, there are other concerns that require/merit the Council's response:

## **12 Concerns that granting this application will set a precedent for future proposals/developments on the common:**

The Council takes the view no precedent would, or could be set if this application were to be granted as each and every proposal to carry out works on common land requires a specific application to the Planning Inspectorate for Secretary of State consent that can only be granted on the specific aspects and merits of the particular application and project. As an active/real example of this view the Council refers to its position on the installation and use of floodlights set out in the section headed **Priority Species – Bats** elsewhere in this response.

**13 Concerns that the One o'clock centre will be lost if the application is approved:**

The Council's Children's Services Department has confirmed that the one o'clock centre provision, which has not been available during the current pandemic lockdown, has been permanently closed through the democratic process and with the Executive's approval since 2016. The Children's Services Department further confirms that they will not be reinstating any provision if the proposed development project does not proceed for any reason.

**14 Concerns that the open access children's playground will be lost if the application is approved:**

The Council is pleased to confirm that the open access children's playground is not affected in any way by the proposed development and that it will continue to be available and accessible whether the development scheme is approved, or not. For the avoidance of doubt the open access playground will remain in place, accessible and subject to the regular safety inspection processes undertaken by Enable's Playgrounds Officer.

**15 Concerns that the Balham Amateur Boxing Club will close if the application is granted:**

The Council together with TFC Leisure Ltd. and the Balham Amateur Boxing Club are pleased to confirm that the Club will continue to operate if consent is granted and the development scheme proceeds. The Boxing Club is working closely with TFC Leisure Ltd. on this project with the intention of continuing to provide development opportunities for all in improved facilities. If consent is not granted and/or for whatever reason the development scheme does not progress the Council's Valuations and Management Service (VAMS) would then recommend that negotiations should begin on regularising the Boxing Club's occupation under a lease rather than by way of a tenancy-at-will.

**16 Comments that the area is prone to flooding and concerns that the proposed development will exacerbate this:**

TFC Leisure Ltd. are aware that the area is prone to flooding during, and immediately after, periods of heavy/prolonged rainfall and has included a comprehensive drainage scheme in its proposals based on the results of full flood risk assessment that it commissioned. The proposed drainage scheme which forms part of the development proposal has been approved, in principal, by the Thames Water Authority who have also confirmed, in principal that they will grant consent for the proposed system to be connected into the existing main trunk sewer.

**17 In summary**, the Council has now considered all of the many and various views expressed to the Planning Inspectorate and by this response document seeks to address these.

I look forward to hearing from you in due course. If, in the meantime, you have any questions, or require any further information on this matter please contact Simon Cooper-Grundy at [scooper-grundy@enablelc.org](mailto:scooper-grundy@enablelc.org)

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Joanna Shearer'.

**Joanna Shearer**

Leisure and Culture Contract Manager