

PROOF OF EVIDENCE

Tooting Triangle – Common Land Application Inquiry

Prepared by Simon Cooper-Grundy



11/04/2022

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1 Introduction.

- 1.1 I am Simon Cooper-Grundy, currently employed by Enable Leisure and Culture (Enable) as a Senior Projects Officer.
- 1.2 Enable is a charitable company limited by guarantee that was set up in 2015, formed from the former Leisure and Culture Services of Wandsworth Borough Council (WBC). The full range of the former Councils Services includes Parks, Sport and Leisure, Bereavement, Arts, Public Events, Filming, Community Halls and the Putney School of Art and Design. Enable also has responsibility for the day to day management and direction of the Council's Parks and Events Police Service.
- 1.3 Enable has provided leisure and cultural services to Wandsworth Borough Council since 2015.
- 1.4 Prior to 2015 I was employed by WBC, since 1977, in a number of middle and senior management roles in the Council's Parks Service.
- 1.5 In those roles I had varying levels of responsibility for the maintenance and provision of 32 public open spaces including Tooting Commons and the delivery of public services which met the recreation needs of the community including the direct management of staff and service Contractors employed by the Council to deliver those services.
- 1.6 From the early to mid 1980's (1981 to '85 approx.) my role was District Officer, Southern District, my office and operational base on Tooting Common, at the Staff yard, Dr. Johnson Avenue, London SW17 8JU.
- 1.7 During the majority of my (nearly) 45 years continuous employment in the borough, 38 of which were with the Council and currently nearly 7 years with Enable, I have known the Tooting Triangle and the buildings and facilities for which consent to carry out works on common land is sought in their current and previous iterations.
- 1.8 I have prepared this Proof of Evidence taking full account of the information and guidance provided in ((by) the Department for Environment Food and Rural affairs "Common Land consents policy – November 2015" (Core Document 21) and the Planning Inspectorate's "Inspector's Requirements for the Public Inquiry"

2 General description of the Tooting Commons:

- 2.1 The majority of the information in this section of my proof is taken from “The Common Story – A History of Tooting Common” (Core Document 1)
- 2.2 Until the late 1860s, the area now known as Tooting Common (or more correctly Tooting Commons) comprised two distinct land parcels each under the control of different Lords of the Manor.
- 2.3 Prior to the 1830s infrastructure intrusions into the commons were relatively few, generally footpaths, bridleways and historic gravel workings.
- 2.4 This all changed with the development of the railways and subsequent/related housing construction which had a significant impact on the Commons and which in turn led to the introduction of the Metropolitan Commons Act 1866 which stated explicitly that any remaining metropolitan commons should be protected. The 1866 Act has been replaced by successive Metropolitan Commons Acts and other Acts which continue to protect metropolitan commons from inappropriate development.
- 2.5 By 1873 the Metropolitan Board of Works (MBW) had acquired fully the manorial rights to Tooting Bec Common and in 1875 an Act of Parliament was passed confirming the ownership and management of Tooting Graveney common by the MBW.
- 2.6 The MBW instituted a number of “improvements” in the late 1880s and early 1890s including the introduction of gravel paths and unspecified sporting facilities, recognising/responding to the growing demand for public open space of the increasing population.
- 2.7 Ownership and management of Tooting Commons was passed to the London County Council (LCC) in 1889.
- 2.8 The LCC continued to introduce improvements including, in the late 1890s, the construction of the refreshment room/café which opened on Tooting Bec Common in 1898, close to Dr. Johnson Avenue and the Common’s southern boundary. The café was leased to a private operator from the outset. (Location Map at Appendix A)
- 2.9 The Tooting Bec Lido opened in 1906 close to Tooting Bec road, next to the railway. (Location Map, Appendix A)
- 2.10 In 1936 the Tooting Athletic Track, enclosed by fencing, (originally the LCC Sports Ground) was opened on Tooting Graveney Common following the introduction, in 1935, of the LCC (General Powers) Act, which gave them, the LCC, greater power to alter the landscape and powers for the “provision and maintenance of miscellaneous recreational facilities”.
- 2.11 During their tenure the LCC/GLC also constructed:
 - tennis courts, enclosed by fencing (Location Map, Appendix A),
 - sports changing facilities with adjacent public toilets, close to the junction of Tooting Bec rd. and Dr Johnson Avenue (Location Map, Appendix A),
 - sports changing facilities on the north east corner of the Triangle field, demolished in the mid. 1980s,

- the Keeper's Lodge and the staff yard on Dr Johnson Avenue (both on Tooting Graveney common, and
- the original building on the site of the proposed development (Location Map, Appendix A).

2.12 Ownership and management of Tooting Commons was passed to WBC by the LCC's successor Authority, the Greater London Council (GLC), in 1971

2.13 Wandsworth continued to introduce improvements including:

- construction of machinery storage "garages" in the staff yard in the mid 1970s,
- construction of a Youth Activity Centre, on the application site, in the mid 1980s.
- extending the original building on the proposed development site as a children's One O'Clock centre, in the early/mid 1980s
- construction of a new children's play area towards the western edge of Tooting Bec common in the 1990s
- improving and extending the children's play area adjacent to the proposed development site in the mid 1980s and again, to its current form in 2012

3 Layout of Tooting Commons:

- 3.1 The area now known as Tooting Commons is made up of two historic commons: Tooting Bec Common and Tooting Graveney Common.
- 3.2 Tooting Bec Common, located on the eastern boundary of Wandsworth, in Bedford Ward in the south of the borough, is the larger of the two extending to 58.1 hectares
- 3.3 Tooting Graveney Common extends west and south of Tooting Bec Common and occupies approximately 27 hectares.
- 3.4 The site of the proposed development stands in the western corner of an area known as the Triangle field, which extends to approximately 69,000m² (6.9ha) on the northern side of Tooting Bec Common, close to the northern extent of the Common and the borough's boundary with the London Borough of Lambeth (LBL). A map of the Commons is provided as Appendix B
- 3.5 The application site ("the site") of the proposed development covers an area of approximately 4,825m² (0.48ha) and includes two existing buildings, linked by a covered passageway, beyond which is an enclosed garden area and an existing redgra surfaced, floodlit outdoor sports pitch area.
- 3.6 Immediately to the west of the site is an open access children's play area, known as the Tooting Triangle Natural Play Space, which is outside the application site and which is not included within the proposed development.
- 3.7 The area to the east and south of the site is predominately open grass land, extending to approximately 65,000m² (6.4ha) with mature trees along the northern and eastern perimeters and interspersed in the grassland. The majority of the open grassland is mown regularly providing a general amenity/recreational area.
- 3.8 Parcels to the eastern and southern edges are semi-improved neutral grassland and an area of wet broadleaved woodland, both managed for their biodiversity value (Appendix C: Tooting Triangle Biodiversity Map).
- 3.9 Valerie Selby, Enable LC's Biodiversity and Parks Development Manager provides detailed information on various parcels of land in her Proof of Evidence on Ecology matters.

4 The Proposed Development/Facilities – Background/History

- 4.1 Following informal expressions of interest, in 2012, from a local businessman who was proposing to install a new artificial grass surfaced and floodlit playing pitch, enclosed within mesh fence, to provide 2 5v5 or 7v7 football pitches which would be used by local schools, clubs and individuals for football and other sports activities, the Council sought 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. (Core Document 2: Paper No. 12-572 – paragraphs 113 to 115).
- 4.2 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.
- 4.3 Paper No. 16-451 (Core Document 3) reports on the expressions of interest, the two tenders 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.
- 4.4 This report, which was considered by the Community Services Overview and Scrutiny Committee on 21st November 2016 and subsequently approved by the Executive on 28th November 2016, also approved that the consultation (by advertisement) of Council's intention to dispose, by means of a 25 year lease, of the redgra sports pitch and the premises occupied by Balham Amateur Boxing Club (including the former One O'Clock Club premises and the adjoining enclosed garden), to TFC Leisure Ltd. for the development of the facilities as outlined in its tender, and also approved the granting of a lease, subject to responses to the advertised disposal intention and, at a later date, to submit an application to the Planning Inspectorate for Secretary of State consent for works on Tooting Common.
- 4.5 In November 2018, the Council approved recommendations set out in Paper No. 18-432 (Core Document 4) in particular the granting of an agreement to lease, and a lease subject to the necessary consents and the for the completion of a Service contract with TFC Leisure Ltd..
- 4.6 After the approval of the recommendations of this report, TFC Leisure Ltd. submitted its planning application that received approval in May 2020 (Core Document 5: Permission for Development).
- 4.7 The permitted works consist of:
 - 4.7.1 Erection of single storey rear/side extension to the north elevation of the building,
 - 4.7.2 Erection of a single storey rear/side extension to the west elevation of the building,
 - 4.7.3 Enclosure of existing covered corridor,
 - 4.7.4 Installation of retractable awning to the east elevation of the building,
 - 4.7.5 Installation of replacement doors on the south and west elevation and erection of platforms to provide disabled access ramps along the south elevation of the site,

- 4.7.6 Installation of replacement pitches (hardstanding and artificial grass) with associated 4.5m high perimeter fencing,
- 4.7.7 Installation of replacement floodlighting (8 number) plus one new floodlight, all approx. 8.3m high
- 4.7.8 The permitted works information taken from Core Document 6: Planning Committee 19/05/20 – Item 7
- 4.7.9 Following the granting of Planning Permission in November 2020 the Council submitted an Application for Consent to Carry out Works on Common Land in accordance with Article 12 of the Greater London Parks and Open Spaces Order 1967.
- 4.7.10 In accordance with the provisions of the Act the Council placed Notices confirming that it had made this application in the South London Press (13/11/20 edition) (Core Document 17) and the Wandsworth Times (12/11/20 edition) (Core Document 18) and posted copies of the Notice at the application site and at 2 other locations; at the western end of Culverden Path which runs between Bedford Hill and Emmanuel rd. and passes the application site and one at the southern extent of the Triangle field, where the path linking Bedford Hill with Emmanuel rd. enters the common at the “Spinney”
- 4.7.11 Also in accordance with the provisions of the Act the Council sent copies of the Notice to consultees specified by the Planning Inspectorate and placed copies of the Application and all supporting documents on the Council web-site in accordance with Government advice at the time in respect of Coronavirus (COVID-19).
- 4.7.12 In January 2021 the Planning Inspectorate forwarded just over 700 emails, received in response to the Council’s application requesting the Council’s comments on the representations, the comments to be in the form of a single statement which could be sent to all those who made representations and addresses all of the points raised by them.
- 4.7.13 Originally the Planning Inspectorate had asked for a response within 21 days. To best ensure that it had fully considered the various objections, concerns and other points raised by the respondents the Council requested additional time, which was duly granted, and the Council submitted its response on 19th March 2021 (Appendix F)
- 4.7.14 In late April 2021 the Planning Inspectorate forwarded 28 emails and a survey completed by 120 people, received in response to the Council’s letter/response dated 19th March 2021. As previously the Planning Inspectorate requested the Council’s comments on the representations, the comments to be in the form of a single statement which could be sent to all those who made representations and addresses all of the points raised by them.
- 4.7.15 The Council duly submitted its response on 14th June 2021 (Appendix G)
- 4.7.16 In late July 2021 the Planning Inspectorate informed the Council that an Inspector had considered the application and decided that a Public Inquiry would need to be held, initially scheduled for four days in March 2022

4.7.17 Following the Council's request that the Inquiry date be moved to later in the year the Inspectorate re-scheduled the Inquiry to June 2022 setting aside an additional 2 days due to the level of interest.

5 The Council's Objectives for the indoor and outdoor facilities

- 5.1 One of the Council's objectives in the context of this application is to recognise the role of open space provision as a resource that contributes to the health, well-being, cultural heritage, placemaking, landscape, education, climate change mitigation, bio-diversity and movement for people and wildlife (Core Document 7: WBC Open Space Report May 2021: Executive Summary, and page 1, Part 1: Introduction).
- 5.2 Another is to retain and develop/improve existing playing pitches and, where possible, to provide additional playing pitches and or playing capacity in accordance with the Playing Pitch Strategy 2013 (PPS) and the Playing Pitch Assessment Report 2013 that recognises that 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 (Core Document 8: WBC Playing Pitch Strategy 2013: page 20 and Core Document 9: WBC Playing Pitch Assessment Report 2013: page 35, paragraph 2.6).
- 5.3 Amongst the 15 key findings identified for football are:
- That 11 sites in the borough are overplayed which is considered to be inevitable given that some of the pitches are on open common land thereby attracting considerable informal use,
 - In general a decrease in senior men's football but an increase in youth, girl's and women's football,
 - 14 clubs express latent demand for access to more pitches to accommodate current demand and 31 clubs report plans to increase the numbers of teams they could provide,
 - Very little actual spare capacity (surplus provision) and where spare capacity is expressed it is likely to be retained as a matter of (good) practice to allow pitches to rest and rotate,
 - Modelling ideally suggests a need for an additional 4, full size 3G artificial grass pitches and a 60x40m 3G pitch. It goes on to note that whilst this is supported through consultation with clubs it is recognised that space and public funding is limited, so any move towards achieving this aspiration is only likely through redevelopment of existing sites and private sector funding.

- 5.4 The Council's view is that 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 and would provide facilities accessible to all sectors of the community, including young and old of all genders and all abilities with varying degrees of fitness wishing to keep fit and active. The Council therefore considers that the proposed facility will provide positive improvement opportunities for a sizeable proportion of the local community who are currently disadvantaged as a direct result of insufficient opportunity within the borough currently to participate in sport and physical activity and that it would achieve this by improving an existing facility without detriment to the amount of open grass area available to the public.
- 5.5 Another of the Council's objectives is achieving its vision, as set out in the Active Wandsworth Strategy 2017-2022 (Core Document 10: Page 18) of: *"enabling Wandsworth to be the most active borough in London by 2022"*, based upon four main themes one of which is
- Facilitate (places) – *investing in and maintaining existing sport and physical activity facilities* and thinking differently about how we use non-traditional sporting venues. *This encompasses protecting and improving the number and quality of places for active travel, active recreation and sports across the borough including the River Thames, highways, parks, playing fields, sports facilities, leisure centres, schools and other community buildings where physical activity and sport take place* (Core Document 10: pages 24 and 25.)

- 5.6 The proposed re-introduction and improvement of the outdoor and indoor sports and recreation facilities fully accords with these objectives.

6 The Current Indoor and Outdoor Facilities

6.1 The Buildings

- 6.2 One of the buildings, built by the Council in 1985 as a Youth Activity Centre, has been occupied, since 2008, by the Balham Amateur Boxing Club.
- 6.3 The other, originally built between 1947 and no later than 1951 (according to maps of the area dated 1947 to 1952 Appendix D) and 1951 to 1978 (Appendix E)), is currently vacant. This building is marked “WT” on the earlier map and “P.C.” on the later map. It is unclear whether it served originally as Play Centre or as Public Conveniences for users of the adjacent playground and of the wider common.
- 6.4 On the basis of the floorplan and the dates/ages of the maps it is thought likely that it was built as public conveniences and converted to its more recent use, probably by the London County Council (LCC), as a One O’Clock centre/children’s activity centre at a later date.
- 6.5 From 1971 following the transfer of Tooting Commons from the GLC to WBC the building was used as a Children’s One O’clock Centre, that provided supervised play opportunities, indoors and outdoors, on weekday early afternoons for pre-school children accompanied by their parent/s or carers and, from 2008, as a “Signposting” – Children’s Centre, with a specific remit to narrow the gap between those that are most disadvantaged, identified by those living in 0-10% Lower Super Output Areas (Income Deprivation Affection Children Index). This use continued until 2016 when, following consultation, the Council ceased Children’s Services delivery at the Triangle with the intention to re-instate stay and play and some nursery places through leasing the premises to a third party.
- 6.6 Proposals to lease the premises were put on hold in 2017 but the Council continued to provide a limited stay and play facility within the premises, albeit without a supporting budget, until 2019, when the facility was finally closed.
- 6.7 The decision to close the Children’s Centre was taken as the deprivation levels in Balham had fallen (no longer has 0-10% or 20-30% LSOAs) and the Council refocused its resources to the Faylands Estate and the Nightingale Square Homeless Unit, so that the statutory duty could be met for its most disadvantaged residents. The Council declared the premises surplus to its Children’s Services operational requirements in 2018. (Core Document 4: Paper No. 18-432).
- ### **6.8 Current Condition**
- 6.9 Both buildings are considered to be structurally sound with both showing signs of their ages, in particular the flat roof of the building occupied by the Boxing Club that has been repaired on a number of occasions, and continues to need repairs, to stop rain water leaks. The roof, rainwater gutters etc. and security shutters of the former One O’Clock Centre are, currently, in poor condition due to frequent vandalism since the facility closed.

- 6.10 Internally both buildings are in poor condition with generally poor insulation and associated low energy performance ratings, again reflecting their ages. In particular the toilets and showers serving the Boxing Club, whilst serviceable, are in a demonstrably very poor condition and fall far short of user expectations in the 21st century.
- 6.11 The generally poor condition of the buildings are confirmed by Condition Survey Reports, commissioned by the Council, that were carried out in November 2021 (Core Document 12: Balham Boxing Club building - Condition Survey Report 12/11/21 – Executive Summary and Core Document 13: (former) One O’Clock centre – Condition Survey Report 24/11/21 – Summary extract)
- 6.12 Overall neither the buildings nor the layout/configuration of the entire built area/footprint which includes a covered corridor linking the two buildings meet user expectations in the 21st century.
- 6.13 The outdoor sports pitch
- 6.14 The outdoor sports pitch, the eastern boundary of the site of the proposed development, was, it is believed, constructed in the late 1950’/early 1960’s. When constructed the pitch was enclosed within an approximately 4m high chain link fence with access gates; on the western perimeter and in the north west and south west corners and provided with floodlights mounted on 8 x 10metre high steel columns which remain in place and are available to be used by anyone wishing to book use of the facility.
- 6.15 The pitch, which has included floodlights, has been available for booking by sports clubs, teams and individuals since at least 1971, when ownership of the Commons was transferred to the Council (from the GLC). Whilst demand/bookings by sports clubs has fallen off, predominantly due to the poor condition of the playing surface, lack of fencing and the lack of changing facilities, the pitch and the floodlights remain available for booking through the Council’s grounds maintenance contractor, Continental Landscapes Ltd. Currently the pitch is booked and used by football clubs twice a week, on Saturdays and Thursdays. The Thursday booking is an evening fixture and includes use of the floodlights.
- 6.16 I arranged for the fencing on the north, east and south perimeters of the pitch to be removed in the late 1980’s/early 1990’s due to the poor and potentially hazardous condition of many of the steel uprights, the majority of which were heavily rusted at their bases, with some no longer set in the ground (due to the rusting), and sections of the chain fence panels.
- 6.17 The fence along the western boundary remains in place and still retains the angle brackets at each end that linked this section to original sections at the southern and northern ends of the playing pitch area. The intention at the time was to replace the fencing and upgrade the playing surface subject to securing the necessary funding.

6.18 Current Condition

6.19 The current redgra playing surface is in poor condition and is increasingly difficult to maintain to an acceptable and safe standard due to its age and the difficulty of obtaining the appropriate materials necessary for routine maintenance.

Notwithstanding this it is still booked by two “clubs” for regular, weekly, use, on Thursday evenings, with floodlights, and during the day on Saturdays. As with the buildings whilst still usable the playing pitch falls far short of 21st century standards and user expectations.

6.20 Building and outdoor sports pitch – overall/summary

6.21 The Council’s view, as previously stated, is that the proposed development of the facilities represents the most cost effective, and in current circumstances only, way of providing much needed improved facilities for people of all ages and abilities to have the opportunity to actively participate in sport and physical exercise in a safe and secure environment that meets 21st century expectations.

7 Common Land consents policy – Assessment Criteria

7.1 The information provided in the following paragraphs: 8: *The interest of persons having rights in relation to, or occupying the land (and in particular persons exercising rights of common over it)*; 9: *The interests of the Neighbourhood*, and 10: *The public interest*, accords with the Assessment Criteria set out in the Department for the Environment Food and Rural Affairs “Common Land consents policy” (Core Document 21)

8 The Interests of persons having rights in relation to, or occupying the land (and in particular persons exercising rights of common over it)

8.1.1 Exercise of Rights

The Council has confirmed in its application for consent that there are no registered rights for Tooting Bec Common (*Section C paragraph 5 of the Application together with Appendices 1 and 2 to the Application*). As such, the proposed works will/can have no effect of the “exercise of rights”.

The Council sets out its views in respect of the general public rights of access across the common in the following paragraphs: 6 (i) and (ii) and 7 (i).

8.1.2 Rights of Access

The Council has confirmed that there are 3 leaseholders with “rights of access over the land”. In this context, I have taken “land” to mean the wider area of Common.

These are the proprietors/operators of the Tooting Bec Café, off Bedford Hill, the Tennis courts, off Dr. Johnson Avenue, and the Tooting Bec Lido, Tooting Bec rd. (*Section C paragraph 7 of the Application*). These facilities are all located on the western part of the common on the area bounded by Bedford Hill, Dr Johnsons Avenue and Tooting Bec rd, and remote from the Triangle field (Appendix A; Location Map)

The Council confirms that the proposed works will have no effect on those occupiers' ability to "exercise their rights" as defined in their leases as none are located on, or close to the Triangle field and the site of the proposed works.

8.1.3 Loss or Benefit

Further to its responses to "Exercise of Rights" and "Rights of Access" (above) the Council contends that the proposed works will not cause any financial loss to rights holders.

9 The interests of the neighbourhood

9.1.1 Positive benefits

The Council noted in its responses to the Planning Inspectorate dated 19th March 2021 (Appendix F) and 14th June 2021 (Appendix G) that 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 as noted in the Playing Pitch Strategy 2013 (Core Document 8 – page 20).

The Council also noted its view that the proposed improvement of the existing facilities at Tooting Triangle; replacing the current redgra surfaced outdoor sports pitch which is in poor condition with a third generation (3G) artificial grass surface that will support 5-a-side and 7-a-side football pitches and a number of other sports activities, replacing the old and inefficient floodlights with modern LED lighting on units on shorter columns and replacing the perimeter fencing that was removed in the 1980s due to safety concerns and significantly upgrading the internal facilities to provide improved amenities for the Balham Amateur Boxing Club together with changing room, showers and toilets for users of the Boxing Club and the outdoor sports facility the majority of which have been in place for 60 years or more, would make a significant contribution to addressing the deficit, by providing more playing time and encouraging people to use the improved facilities, in a way that setting out additional pitches on open grass areas, either on Tooting Common or other open spaces, cannot do, without any loss of open and freely accessible grass woodland areas.

The Playing Pitch Assessment Report 2013 (Core document 9: page 20, table 2.6 and page 28, table 2.11) showed that the Balham area had the highest participation rates for youth boys (10-15 years age group) and Mini-soccer (mixed) 6-9 years age group) in the borough in 2014 and that there will be an estimated additional 55 Youth Boys teams and 41 mini-soccer mixed teams in/by 2026, using estimated population growth, generating a demand for additional appropriate pitches (facilities).

The Assessment further noted that there was a low satisfied demand and a high level of unmet demand for football and that existing Artificial Grass Pitch (AGP) used capacity was at 100%. It notes the view of the Football Association that AGPs can support intensive use and that, as such, they are great assets for both playing (matches) and training.

Among the 15 key findings identified for football in the Playing Pitch Strategy are that:

- 11 sites in the borough are overplayed which is considered to be inevitable given that some of the pitches are on open common land thereby attracting considerable informal use
- In general a decrease in senior men's football but increases in youths', girls' and women's football

- 14 clubs express latent demand for access to more pitches to accommodate current demand and 31 clubs report plans to increase the numbers of teams they could provide,
- There is very little spare capacity (surplus provision) and where spare capacity is expressed it is likely to be retained as a matter of (good) practice to all pitches to rest and rotate,
- Modelling ideally suggests a need for an additional 4, full size 3G artificial grass pitches and a 60mx40m 3G pitch. It goes on to note that whilst this is supported through consultation with clubs *it is recognised that space and public funding is limited*, so any move towards achieving this aspiration is *only likely through redevelopment of existing sites and private sector funding*

The Council's view is, as previously stated, that the proposed re-provided facility/facilities which include an artificial grass surfaced and floodlit outdoor playing pitch that will support a range of sports and recreational activities, linked to the existing buildings that will be significantly improved both inside and out that will provide improved facilities for the Balham Amateur Boxing Club, new changing rooms, showers and toilets for users of the facilities, facilities for stay and play activities for pre-school children with their parents or carers and a publicly accessible refreshment facility and accessible toilets that will open to all, both users of the facilities and users of the children's open access play area that is immediately adjacent to the application site, and users of the wider common, will provide positive benefits and opportunities to a sizeable proportion of the local community who comprise the "neighbourhood", including young and old of all genders and abilities, and of the wider borough community, who are currently disadvantaged as a direct result of insufficient opportunity within the borough currently to participate in sport and physical activity, all without any significant detrimental effect on the neighbourhood and the ability for all to use and enjoy the open space and facilities around the site of the proposed development and across the wider common. (Appendices F and G – response letters)

9.1.2 **Loss of existing use and Future use and enjoyment**

Whilst the construction of the proposed works, specifically the construction of a perimeter fence around the outdoor sports pitch, will result in users of the common being prevented from accessing this part of the site in the unrestricted way that they have been used to since the majority of the original perimeter fencing was removed due to concerns at its poor and potentially hazardous condition, in the late 1980s/early 1990s, the Council reiterates its views expressed in its correspondence with the Planning Inspectorate (Appendices F and G) that it has paid due attention to the provisions and intentions of Article 7 of the MHLG 1967 in particular its ability to "*set apart or enclose.....any part of the open space and preclude any person from entering that part.....*" and its requirement to "*...satisfy themselves that they have not unfairly restricted the space available to the public for recreation in the open space or in any open space*"

In support of its view that the proposed re-provided facilities will not "*...unfairly restrict the space available to the public for recreation in the open space...*" the Council notes that the proposed perimeter fencing will enclose an area of approximately 3580m² which equates to approximately

- 5% of the total area of the Triangle Field (approximately 69,000m²),
- 0.6% of the total area of Tooting Bec Common (58.1 hectares), and
- 0.4% of the total area of the Tooting Commons (approximately 85 hectares)

and that the public will continue to be able to access enclosed outdoor sports pitches by payment of the relevant fee and, in some cases, for example local schools, for free.

The enclosure simply re-provides that which formerly existed and is needed for functional reasons to allow the playing pitches to be used effectively for their intended purposes.

The pricing structure in terms of use of the playing pitch will be broadly in line with fees charged by the Council for similar facilities and reviewed annually and ultimately approved by the Council.

Access arrangements to the Balham Amateur Boxing Club and the Boxing Club will be the same as or similar to the current arrangements. The facilities available will however be significantly upgraded and improved.

Access to the proposed, newly provided publicly accessible toilets and refreshment facility will be free of charge. (Appendices F and G)

10 The Public Interest

10.1.1 Recreation and Access

As noted previously, the proposed works will have no impact on those wishing to use the wider common and only minimal impact on those wishing to use the existing redgra surfaced outdoor sports pitch for the purposes for which it was constructed in the late 1950's/early 1960's as indicated by the maps provided as Appendix D (map dated 1947-1952) and Appendix E (map dated 1951-1978). The pricing structure will be broadly in line with fees charged by the Council for similar facilities and the fee structure together with arrangements for the allocation and booking of space/s in the facility, indoors and outdoors will be set out in the Service Contract.

10.1.2 Nature Conservation

Refer to the Proof of Evidence on Ecology Matters provided by Valerie Selby, Biodiversity and Parks Development Manager, Enable.

10.1.3 Impact on the Townscape/Landscape

Refer to Proof of Evidence on (all) Planning matters to be provided by Michael Lowndes

10.1.4 Protection of Archaeology

The Council refers to the responses provided by Historic England both to the local Planning application and to the Council's Application to the Planning Inspectorate that "Having considered the proposals with reference to information held in the Greater London Historic environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest"

10.1.5 Local Heritage

This matter is addressed by Mr.Lowndes in his proof of evidence. The Council contends (that it is generally agreed) that through the greater part of the 20th century and continuing into the 21st century Tooting Commons serve a primarily recreational and ecological function that has evolved from a wide range of historical functions that were relevant to their times. The proposed re-provision of the facilities seeks to continue that evolution in a sensitive manner

by improving existing facilities that were first installed early in the second half of the 20th century (Appendix D; Map dated 1947-1952 and Appendix E; Map dated 1951-1978) by re-providing indoor and outdoor facilities for sport and recreation appropriate to 21st C demand and expectation with no loss of open green space and little or no impact on the environmental and ecological value of the neighbouring/surrounding green space. The proposals are therefore in accordance with the historic and current character and function of the Commons and in particular the Tooting Triangle part of the Commons.

11 Other Issues

11.1 Impact of additional traffic – congestion and parking

- 11.1.1 A 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.
- 11.1.2 TFC Leisure Ltd. (TFC) has produced a Green Transport Plan (Appendix H) which was included in its application for planning permission which was which was accepted by the Council in its capacity as the local Planning Authority and the local Highways Authority in May 2020. The Plan sets out TFC approach to actively encouraging users, and staff to journey to and from the facility on foot, by bicycle or by public transport. Indeed, neither Wandsworth LBC, acting as local highway authority, nor Transport for London nor the adjoining Lambeth LBC local highway authority advanced any objection to the planning application on the basis of unacceptable traffic or parking impacts.
- 11.1.3 Notwithstanding the content and intent of its Green Transport Plan TFC appreciates 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. The Council too recognises the concerns expressed and confirms that it will work with TFC, local residents and others to minimise any impact
- 11.1.4 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.
- 11.1.5 The survey for the *London Parks Benchmarking Research Project (Tooting Common) 2008* report (Core Document 12: page 11) found that between 72 and 80% of visitors to the Common travelled by foot whilst between 6% and 11% travelled by car. These figures were repeated in the survey conducted for the *Wandsworth Open Space Report 2021* (Core Document 7: page 20 – table 3.1.4) which found that 82% of visitors to the common travelled by foot, 11% by bicycle and 4% by car.
- 11.1.6 The Council's view is that the use of the car to visit the Common, for any purpose, will remain low. The Council notes that the total number of private cars registered in London, and the number of new registrations each year (in London) fell every year between 2016 and 2020. In 2020 there were 2,648,000 cars registered in London, down from 2,668,000 in 2016 with 107,300 new registrations down from 173,100 in 2016. The Council's current targets to 2041 for increasing sustainable modes of travel, and for reducing car ownership and car use are as set out in section 3.8 of its Local Implementation Plan, as approved by the Mayor of London/Transport for London. Other London councils also have targets for increasing sustainable travel. The Local Implementation Plan is subject to change depending upon any Mayoral instructions.

11.2 Access to and availability of the proposed facilities

11.2.1 A significant number of respondents expressed concerns 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 with many asserting that an agreement has already been reached between the football club, Balham FC and TFC to achieve this.

The Council reiterates its previous responses to these concerns noting that Chris Warren, the founder and Managing Director of TFC Leisure Ltd. is and has been quite clear in his responses to these assertions publicly stating that:

- *“We have not entered into any commercial agreements with any sporting organisations and do not intend to enter into any exclusive arrangements”*
- *“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”.*

- 11.2.2 TFC also confirm that the sports opportunities available at the facility and that will be incorporated into their Sports Programme, will be very much demand led and will include football, netball, mini-tennis, mini-cricket, hockey and tag rugby, all in line with the opportunities provided at the other centres that it operates.
- 11.2.3 In addition, TFC has confirmed that to date it has been approached by Balham FC, 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 as well as for adults and seniors, thereby 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”*.
- 11.2.4 Respondents have also expressed concerns that access to the facilities will be dependent on an individuals or organisations ability to pay.
- 11.2.5 TFC refers to the Rocks Lane Sports Trust which provides support, in the form of subsidised fees or free entry, for individuals and families suffering financial hardship and confirms that they will introduce their 1 in 10 programme which they run at the existing centres in partnership with local schools and charities.
- 11.2.6 This programme has the sole aim of providing sporting opportunities to those children with fewer opportunities to participate in sport by providing 1 free place for every 10 children attending their school sports programme and providing Schools Sports Partnership competitions free of charge. Free and subsidised sessions are evaluated in conjunction with the schools and pupils entitled to free school meals are prioritised for inclusion in the programme.
- 11.2.7 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.
- 11.2.8 TFC’s statements are endorsed as appropriate by the Council particularly as regards to the 1:10 programme as the Council looks to build social value on the site.
- 11.2.9 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”.
- 11.2.10 In addition to TFC’s confirmation, on its web site, and noted above, or the range of sports that will be provided for 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.
- 11.2.11 Refer also to the Proof of Evidence on the development, operation and management of the proposed facilities provided by Chris Warren of TFC Leisure Ltd.

11.3 Potentially detrimental effect of noise.

11.3.1 A number of respondents have expressed concerns about the potentially detrimental effect of noise on the peaceful and tranquil nature of the surrounding area due to excessive noise generated by activities at the proposed facility.

11.3.2 TFC 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 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 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 are well aware of such concerns and mindful of doing all that can be reasonably done to keep such disturbance to the minimum. One particular source of noise, namely balls hitting the enclosure fencing, can be minimised by ensuring that the fencing is securely clamped with resilient fixings so as to avoid vibration, in accordance with Sport England guidance. This will be done as part of the installation of the fencing and through on-going maintenance. Given the separation between the site and the nearest residential property, and the intervening presence of the railway lines, it is not considered that any unacceptable adverse impacts will arise in terms of noise. Additionally, the site and the Common more generally is already a well-used recreational area, thereby generating noise normally associated with such activity now. The Local Planning Authority, when deciding to grant planning permission, did not consider the impact in terms of noise and disturbance to be unacceptable.

- 11.3.3 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.
- 11.3.4 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.
- 11.3.5 In addition to this there is the popular and well used children’s playground immediately adjacent to the site and the location of the site close to two railway embankments with associated existing significant ambient railway noise as confirmed in Michael Lowndes Proof of Evidence.
- 11.3.6 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 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.
- 11.3.7 A copy of the draft Heads of Terms for the proposed lease, with commercially sensitive information redacted (Core Document 14), and copies of the initial tender documents (draft Contract) (Core Document 15) and draft Specification (Core Document 16) are provided for information in response to further questions asking if requirements in respect of the monitoring and control of “behaviour” are specified in the terms and conditions of the draft lease and or draft (Service) Contract .
- 11.3.8 The Council points out that the draft Contract documents referred to at paragraph 11.3.7 above relate to the initial/original proposals and that there have been a number of changes since then, including a revised brief to restrict proposals for the outdoor playing/sports pitch area to the existing footprint and the inclusion of the former One O’Clock centre buildings and enclosed outside area in the development proposals.
- 11.3.9 The Council confirms that processes and procedures for dealing with behaviours that are detrimental to neighbours and the neighbourhood will be identified, agreed, and adopted, in the Service Contract noting that TFC have established protocols regarding acceptable behaviour and customer complaints and comments procedures.

12 Summary and Conclusions

12.1 Summary

- 12.1.1 **(paragraph 1)** I have compiled my Proof of Evidence referring to relevant Council documents and documents from other sources which are provided as Core Documents to the four Proofs of Evidence submitted in this case and using my more than forty years of experience, understanding and knowledge of the Council's parks and open spaces, in particular Tooting Bec Common and the application site and the diverse views and expectations and sometimes conflicting demands of the users of these green spaces.
- 12.1.2 **General Description and layout of Tooting commons (paragraph 2 and 3):** Tooting Bec Common forms the larger part of the open space known as Tooting Commons which has been owned and managed by public bodies since the early /mid 1870s successively by the MBW, the LCC, the GLC and currently by WBC since 1971
- 12.1.3 A number of facilities have been built on the Commons since the late 1890s, including, on Tooting Bec Common the refreshment room/café (late 1890s), Tooting Bec Lido (1906), Tennis Courts within a perimeter fence/enclosure, Sports changing facilities and adjacent public toilets, the original buildings on the application site (between 1947 and 1951) and the building currently occupied by the Balham Amateur Boxing Club (1985)
- 12.1.4 **The proposed facilities – background (paragraph 4):** The Council first sought expressions of interest from groups and organisations interested in the future improvement, operation and maintenance of the redgra sports pitch and the premises currently occupied by the Balham Amateur Boxing Club in 2012 (Core Document 2)
- 12.1.5 Subsequently, in 2016, the Council approved the award of a draft contract to TFC Leisure Ltd. subject to their obtaining all necessary consents for the proposed improvements and consultation, by advertisement, on the Council's intention to dispose, by means of a 25 year lease, of the redgra sports pitch, the premises occupied by the Boxing Club, and the former one 'clock centre premises and associated garden area, to TFC Leisure Ltd. for the development of facilities outlined in its tender and also approved the granting of a lease subject to responses to the advertised disposal intention and, at a later date to submit an application to the Planning Inspectorate for consent for works on Tooting Bec Common. (Core Document 3)
- 12.1.6 In November 2018 having considered the responses to the advertised intention to dispose the Council approved the granting of an agreement to lease, a lease, and completion of a Service contract with TFC all subject to the necessary permissions being granted. (Core Document 4)

- 12.1.7 TFC submitted a planning application to construct small extensions on two sides of the building occupied by the Boxing Club, refurbish/replace the roofs of both buildings, install new windows and access doors, together with access ramps for the disabled, construct new changing rooms, showers and toilets, improved facilities for the Boxing Club, indoor play space, a refreshment area and publicly accessible toilets, all within the existing buildings and proposed extensions, together with the installation of a third generation (3G) artificial grass surfaced sports pitch area, replacing the existing redgra surface, replacing the existing floodlights with more efficient LED lights mounted on shorter columns and reinstating a perimeter fence that had enclosed the playing area until the late 1980s/early 1990s when 3 sides of the enclosure were removed due to the poor and potentially dangerous condition of the steel uprights.
- 12.1.8 Planning consent, with conditions, was granted in May 2020 (Core Documents 5 and 6)
- 12.1.9 Subsequently, in November 2020 the Council submitted the application for consent to carry out works on common land in accordance with Article 12 of the Greater London Parks and Open Spaces Order 1967 which is the subject of this Inquiry (Core Document 20 – Item 4)
- 12.1.10 **The Council’s objectives for the facilities (paragraph 5):** the Council’s objectives include recognising the role of open space provision as a resource that contributes to general health, well-being, cultural heritage, education, climate change mitigation and biodiversity (Core Document 7) and to retain and develop/improve existing playing pitches to meet ever growing demand for facilities (Core Document 8) with minimal detrimental impact on either the amount, biodiversity or accessibility of open grass, planted and woodland areas.
- 12.1.11 The Council’s view is that the proposed improvements to the already existing facilities would make a significant contribution to achieving its objectives and addressing the deficit in a way that setting out additional pitches on open grass areas, either on Tooting Bec Common, or on any other council owned open space cannot do., meeting the demand
- 12.1.12 **The current facilities (paragraph 6):** The current buildings consist of one formerly used as a children’s One O’Clock centre and (latterly) as a Children’s Centre, built between 1947 and 1951 and a second currently occupied by the Balham Amateur Boxing Club, built in 1985. The redgra surfaced sports pitch area is believed to have been constructed in the late 1950s/early 1960s.
- 12.1.13 Whilst both buildings are considered to be structurally sound both are in poor condition both internally and externally. The roof of the Boxing Club building and the changing area, toilets and showers attached to it are in particularly poor condition and fall far below the standards expected for such facilities.

- 12.1.14 The sports pitch surface is difficult to maintain to an acceptable and safe standard due mainly to its age and the difficulty of obtaining appropriate materials for routine maintenance and renovation. The floodlights, whilst in working condition, are outdated and inefficient and the majority of the fencing that originally enclosed the playing area was removed in the late 1980s/early 1990s due to poor and potentially unsafe condition of the steel uprights.
- 12.1.15 The Council's view is that the proposed development of the facilities, buildings and sports pitch area represents the most cost effective, and in current circumstances only, way of providing much needed improved facilities for people of all ages and abilities to have the opportunity to actively participate in sport and physical exercise in a safe and secure environment that meets 21st century expectations.
- 12.1.16 **Common Land consents policy – assessment criteria (paragraph 7)**
- 12.1.17 Information/evidence that accords with the assessment criteria set out in the Department for the Environment Food and Rural Affairs Common Land consents policy is provided in paragraphs 8: *The interest of persons having rights in relation to, or occupying the land (and in particular persons exercising rights of common over it)*; 9 *The interest of the neighbourhood*, and 10: *The public interest*, of my Proof of Evidence.
- 12.1.18 In summary the Council has confirmed that:
- 12.1.19 there are no registered rights for Tooting Bec Common and that, as such the proposed works will/can have no effect on the “exercise of rights”,
- 12.1.20 there are three leaseholders with rights, under the terms of the leases, with rights of access over the land. Their facilities are located on the western part of the Common with identified access routes away from the application site.
- 12.1.21 The proposed works will not cause any financial loss to the three leaseholders,
- 12.1.22 The proposed re-introduced and improved facilities would make a significant contribution to addressing the ever increasing demand for pitches and to reducing the over use of grass pitches without loss of open and freely accessible grass and woodland, benefitting both sports people and the wider population who use the Common and other open spaces primarily for general recreation and relaxation and value the relative tranquillity of such spaces.
- 12.1.23 The total area of the application site equates to approximately 5% of the total area of the Triangle field on which the site is located, approximately 0.6% of the area of Tooting Bec Common and approximately 0.4% of the total area of Tooting Commons. The Council's view is that the proposed development does not unfairly restrict the space available to the public for recreation in the open air in any open space nor will it have any impact on those wishing to use the wider common.
- 12.1.24 Separate Proofs of Evidence are provided by Ms Valerie Selby and Mr Michael Lowndes that address Nature Conservation and Impact on Townscape/Landscape

- 12.1.25 Historic England conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest
- 12.1.26 On the matter of Local Heritage the Council contends that through the greater part of the 20th century and continuing into the 21st century Tooting Commons serves a primarily recreational and ecological function that evolved from a wide range of functions that were relevant to their times. The proposed re-provision of the facilities seeks to continue that evolution in a sensitive manner by improving existing facilities to re-provide indoor and outdoor facilities for sport and recreation appropriate to 21st century demand and expectation with no loss of open green space and little or no impact on the environmental and ecological value of the wider green space. The proposals are therefore in accordance with the historic and current character and function of the Commons and in particular the Tooting Triangle part of the Commons.
- 12.1.27 **Other Issues (paragraph 11)**
- 12.1.28 **Impact of additional traffic:** TFC has produced a Green Transport Plan which formed part of its planning application and which was accepted by the Council in May 2020. Indeed, neither WBC, acting as the local highway authority, nor Transport for London, nor the adjoining Lambeth (LBL) local highway authority advanced any objection to the planning application on the basis of unacceptable traffic or parking impacts.
- 12.1.29 The Plan sets out TFCs approach to actively encouraging users and staff to journey to and from the site on foot, by bicycle or by public transport and is backed up by TFCs commitment to monitoring how its customers and staff travel to and from the site and taking appropriate actions if and when the need arises. The Council too has committed to working with TFC, local residents and others to minimise any impact should the need arise.
- 12.1.30 It is noted that surveys carried out in 2002 and 2021 found that between 72% and 82% of respondents travelled to the common on foot whilst between 4% and 11% travelled by car.
- 12.1.31 **Access to and availability of the proposed facilities:** responding to concerns that the proposed facilities will be for the sole or predominant use of one football club to the disadvantage of many potential users TFC have confirmed that it has not, nor does it intend to, entered into any commercial agreements with any sporting organisations and that it will be operating the same on-line booking system currently used at its other centres, that will be open/accessible to all potential customers
- 12.1.32 TFC has further confirmed that wide range of sports and other recreational opportunities will be provided for at the proposed facilities and that actual use will depend very much on customer demand and preferences.
- 12.1.33 It has provided information on its programmes and initiatives to assist people suffering financial hardship with free or subsidised access and confirms its stated principle of “sport for everyone and open for all”
- 12.1.34 Refer to TFCs Proof of Evidence for more information on plans and proposals for the development, management and maintenance of the proposed facilities.

- 12.1.35 **Potentially detrimental effect of noise:** responding to concerns about the potentially detrimental effect of noise on the peaceful and tranquil nature of the surrounding area due to excessive noise generated by activities at the proposed facility TFC and the Council recognise that some noise will arise from two distinct but linked sources: noise derived from the voices of players on the pitches and when arriving at, and departing from the site and noise derived from balls hitting the surrounds to the pitches and other fixtures.
- 12.1.36 TFC have confirmed that they will monitor customers behaviour at all times as they already do at their other facilities and take appropriate action in cases where individuals and/or groups ignore advice and warnings about their behaviour. They will also investigate all /any reports of excessive and/or offensive noise submitted by local residents and users of the common and take appropriate action.
- 12.1.37 TFC have also confirmed that the project plans have been designed and that the proposed development will be carried out in accordance with the “Artificial Grass Pitches (AGP) Acoustics Planning Implications” guidance and advice produced and published by Sport England.
- 12.1.38 The Council refers to the fact that TFC have established protocols regarding acceptable behaviour and customer complaints and comments procedures that will apply at the proposed facility and has confirmed that processes and procedures for dealing with behaviours that are detrimental to neighbours and the neighbourhood will be included in the Service Contract.
- 12.1.39 The Council notes that while the larger part off the Triangle field might be relatively peaceful and tranquil it does not believe that this is not the case for the application site and its immediate surrounds given the proximity of the very popular and well used open access children’s play area, two busy railway routes and general activity on the redgra pitch and to and from the Boxing Club.
- 12.2 In my Proof of Evidence I have sought to address the main points of concern that have been raised by members of the public in particular the suitability or not of the proposed facilities in the particular location on Tooting Bec Common, the concerns that the proposed facilities and future use of the facilities will have a detrimental effect on the adjacent open grassland and woodland areas which many of the respondents refer to as peaceful, tranquil and special, and concerns at the potential negative impacts on the neighbouring residential areas due to an increase in visitors and associated traffic.
- 12.3 I believe that I have demonstrated that the Council has considered all of the concerns expressed by members of the public by ensuring that the proposed development does not encroach onto currently undeveloped areas of the common and that it is retained entirely within the current footprint and that robust arrangements to minimise noise, encourage sustainable travel and ensure the good/appropriate behaviour of users of the proposed facilities will be included in the Service Contract with TFC Leisure Ltd.

12.4 I further believe that the Council has taken full account of the legislation that determines what is permitted and what is not permitted by way of any “development” proposals for the common and has ensured that the proposed development is in accord with the legislation

12.5 Conclusion

In Conclusion I believe that the Council has taken a consistent and considered approach to providing improved facilities for people of all ages and all abilities to engage in sport and physical activities in a safe, secure and welcoming environment appropriate to 21st century expectations since 2012.

It has recognised the ever increasing demand for the sort of high quality and professionally managed/operated facilities that are the subject of this application and believes that the proposed development of existing facilities is a most appropriate way of meeting some of that demand without the loss of any open part of the open grass area.

It has taken account of the concerns expressed to aspects of the planning application when it considered, the application and granted approval.

The Council believes that if Consent is granted, the proposed facilities will prove to be successful and generally well received both by users of the facilities and by users of the wider common and neighbours.