

Planning Casework Unit
Ministry of Housing, Communities and Local Government

By email only to pcu@communities.gov.uk

30 October 2024

Dear Sir, Madam,

Request by Friends of Whitewebbs Park and CPRE London to the Secretary of State to call in Planning Application 24/00987/FUL (London Borough of Enfield)

This letter is written on behalf of:

- Friends of Whitewebbs Park, an unincorporated association which aims to protect Whitewebbs Park for public use, and;
- CPRE London, the London branch of the national charity which campaigns for green spaces which are accessible to all.

By this letter, Friends of Whitewebbs Park and CPRE London request that the Secretary of State exercises her power under s77(2)(b) of the Town and Country Planning Act 1990 to call in the application by Tottenham Hotspur Ltd (“THL”) for planning permission for a football training centre at Whitewebbs Park, ref 24/00987/FUL, from the London Borough of Enfield.

Summary grounds for call in

A call in is sought on the following grounds set out in the Ministerial Statement of 26.10.12, namely (1) that planning issues of more than local importance are involved, specifically: that the proposed development may conflict with national policies on protection of Green Belt and public open space, both of which are important matters; (2) that it could have significant effects beyond the immediate locality of Enfield, given the potential precedential impact of permitting such development and (3) that it gives rise to substantial national controversy in light of (1) and (2) above.

The nature of the site

The application site encompasses 53 hectares, or 54%, of Whitewebbs Park (“the Park”), a historic park of 97.8 hectares which was acquired for public recreational purposes in 1931 under the Public Health Act 1875 and has been public recreational and open space ever since. The majority of the application site was operated as a public golf course within the Park from 1932 to 2021, when it was closed by Enfield Borough Council citing financial losses. The public had access to affordable and accessible recreation on the application site both in the form of golf for a modest fee and walking around the course. The two forms of recreation were consistent and carried out without tension between walkers/ golfers, as is extremely common on public golf courses. Since its closure, the application site has naturalised and returned to being parkland. The only distinction between the application site and the remaining 44.8 hectares of the Park is that the application site is significantly less wooded than the remainder, and as a consequence is the most heavily used part of the Park

by walkers as it forms the majority of the open grassland. It is designated Local Open Space.

The site is importantly mischaracterised in THL's planning statement, as follows:

Presently, the site is a redundant, over-grown golf course in the main, with a significant area of woodland. When it was used as a golf course those playing golf had priority over other members of the public using the land...It is noteworthy that the parkland has up until recently provided limited access to the general public, given the majority of it has been used as a private and public golf club (especially over the eastern part, with c77% of the total application site area having been restricted to golf)...Consequently, access across Whitewebbs has been historically limited, with almost 41 ha of the Site used as a golf course.

It should be noted that:

- (1) The application site is obviously now part of a large park in the character of one of the large London Commons. This is apparent to anyone who visits it; it is no more "redundant" or "overgrown" than Hampstead Heath.
- (2) That golfers had priority over walkers is of no significance on the issue of public access. Both walking and golfing were legitimate public recreational activities which took place on the application site both separately and simultaneously.
- (3) In the passage quoted above, THL misdescribes the extent to which the public could access the application site: "limited access to the general public", "77% ... restricted to golf". This is incorrect for the reasons given above. That THL considers it necessary to strain to minimise the extent of public access only underlines the materiality to its application of the loss of public access.
- (4) The loss of public recreational facilities and potential conflict with NPPF policy on public recreation are apparent from Sport England's objection to the application, which states: "...due to the permanent loss of Whitewebbs public golf facility, Sport England objects to these proposals as we require more information before we are satisfied that the application complies with NPPF paragraph 103..."

The impact of the proposals on local open spaces

The proposals are for the development of a private football training centre and pitches on 16 hectares, or 16% of the Park, by Tottenham Hotspur Football Club Ltd. In reality, the proportion to which access will be blocked will be larger than 16% due to thick vegetation for privacy, a large drainage lake, and fencing. The proposals allow "general access" to the remainder of the application site, although it is not clear on what terms. The public will lose their statutory right of access over the undeveloped portion. Simply put, the whole application site will no longer form part of a public park – the public will be wholly excluded from 16 hectares/ 16% of the Park and the remainder of the application site, 35 hectares/ 36% of the Park, will be privately owned and operated land to which the public have access by licence/ permission of the owner. This is a material loss of public open space and is a highly controversial use of parkland. It has attracted media coverage from national newspapers and the BBC¹.

¹ Examples:

<https://www.bbc.co.uk/sounds/play/p0h53kjg>

<https://www.bbc.co.uk/news/uk-england-london-67344600>

<https://www.thesun.co.uk/sport/20960353/furious-tottenham-training-ground-plan/>

The application of the National Planning Policy Framework policies on open space and recreation and protecting Green Belt Land in respect of proposals which would transform the use of Green Belt land from a public park into a private commercial undertaking is a matter of national importance and should fall to be decided by the Secretary of State to provide consistency and centralised consideration as to where the public interest lies.

There have been recent examples of the public/local groups successfully resisting the efforts of private interests to encroach on public open spaces. London Borough of Ealing has decided to designate Warren Farm as a local nature reserve, after Queens Park Rangers FC attempted to develop the land against the wishes of local residents. However, these examples are against a background of local authorities attempting to dispose of parts of and/or commercialise open spaces to save or defray maintenance costs without considering other options that retain full public access or use.

THL's proposals represent a further major development in this process, potentially allowing full commercialisation of much or all of public parks. If a precedent is created in Enfield, a signal would be sent to companies and local authorities that public open spaces can be permanently reassigned to private commercial purposes. Campaigners' efforts to retain public open spaces would be less likely to be successful in future as a result.

Public open spaces are often on undeveloped land, well linked by public transport (as they are supposed to serve local communities) – exactly the sort of land which is attractive to commercial interests. As a result, they are highly vulnerable to loss and once lost they are unlikely ever to return to their former use or state. There must at least be consideration at a national level as to whether it is acceptable for their protections under the planning system to be eroded.

Protection of the Green Belt

In addition to the impact on the protection of public open spaces, the land is Green Belt, and the central Very Special Circumstance ("VSC") on which THL relies in support of its intended development appears to be THL's desire to site its women's training ground adjacent to its men's training ground. This is a commercial objective. This is apparent from THL's planning statement (with emphasis added):

*The scheme can be said to be compliant with much of Green Belt Policy, there is a modest impact on the openness of the Green Belt. Consequently, there is a presumption in policy against development, unless VSC are proven. In this case, there is a need for the development, **which cannot be located elsewhere due to the operational inter relationship with the Men's Training Centre...***

The other listed benefits, including the investment in women's football, could be delivered elsewhere. The situation of the training centre within the park is purely for the commercial benefit of THL. Given the immense pressure on the Green Belt, it should fall to the Secretary

<https://www.theguardian.com/uk-news/2024/jan/09/locals-hit-back-at-spurs-football-plans-for-green-biodiverse-space-tottenham-enfield-london>

<https://enfielddispatch.co.uk/enfield-council-could-face-legal-action-over-whitewebbs-park-lease/>

<https://enfielddispatch.co.uk/wait-for-appeal-go-ahead-goes-on-as-chris-packham-slams-bonkers-spurs-plans-for-whitewebbs/>

<https://www.mirror.co.uk/3am/celebrity-news/chris-packham-war-tottenham-hotspur-33149205>

<https://www.thetottenhamindependent.co.uk/news/24205266.london-assembly-candidate-slams-whitewebbs-park-spurs-lease/>

<https://www.standard.co.uk/homesandproperty/gardening/tottenham-hotspur-enfield-council-whitewebbs-golf-course-campaign-b1138014.html>

of State to consider whether in the application of planning policy, the company's commercial objectives amount to a VSC in the circumstances.

In summary, it is submitted that the planning application should be called in for the following reasons:

- It may conflict with national policies on the protection of the Green Belt and the protection of public open space and recreation which are important matters.
- It could have significant effects beyond its immediate locality given the precedent that would be created regarding the privatisation of park land and the loss of public access.
- It gives rise to substantial national controversy, as demonstrated by media coverage to date.

Yours faithfully,

PILC

Public Interest Law Centre