



September Briefing

Executive Summary

- SWP are currently pursuing three separate legal challenges against the plans of the All England Lawn Tennis Club (AELTC) to build on the former golf course in Wimbledon Park
- Our next appearance in court will be October 6th or 7th at the Royal Courts Of Justice
- We will confirm the date as soon as we know it – you are invited to attend and observe the proceedings
- The result of this legal action is expected within three months of the hearing

Background

The challenge to the AELTC's development continues to face three legal reasons why it cannot proceed as planned. It has conceded in court that its project fails two of these three legal impediments.

The Save Wimbledon Park campaign is involved in two cases in the Court of Appeal. On October 6th or 7th (TBC) the Court will hear SWP's appeal against the decision of the High Court to refuse a Judicial Review of the Mayor of London's decision, to grant to the AELTC planning permission for its major development of the former golf course land in Wimbledon Park.

SWP's other Appeal – against the decision of the High Court that the land is not subject to a statutory public recreation trust – is due to be heard in 2027.

SWP's position is as follows:

In 2024 the Mayor of London granted planning permission for the scheme despite having received firm legal advice that the land was subject to a public recreation trust which would make the scheme undeliverable. SWP argued that he was wrong to do so, and sought Judicial Review of the decision. In July 2025 the High Court rejected that argument but the Court of Appeal subsequently granted SWP permission to appeal. That appeal ('the Planning Appeal') was scheduled for hearing in early October this year.

SWP's challenge to the grant of planning permission prompted the AELTC to bring its own proceedings, for a decision as to whether or not the land actually is subject to a recreation trust. In March of this year, the High Court decided there is no recreation trust. However, in July the Court of Appeal granted SWP permission to appeal against that decision as well. That appeal ('the Statutory Trust Appeal') is due to be heard in about the summer of next year.

SWP naturally concluded that the common-sense and cost-effective course would be to postpone the hearing of the Planning Appeal until after the Statutory Trust Appeal has been finally decided. If the Court of Appeal (or the Supreme Court) decides that the land is not protected by public recreation rights, then that would render the Planning Appeal largely academic.

Therefore, SWP applied to the Court of Appeal to 'stay' (i.e. postpone) the hearing of the Planning Appeal. SWP's application was vigorously opposed by the Mayor and by the AELTC, who both wish to have certainty about the planning situation and to avoid any further delay on the planning front. Regrettably, the Court has rejected SWP's application. In those circumstances, SWP has been left with no alternative but to fight on with the Planning Appeal.

In granting permission to appeal in respect of the Statutory Trust, the Court of Appeal acknowledged that SWP's arguments "have a real prospect of success". If that Appeal succeeds that will render the AELTC's scheme impossible to implement, because they concede that the scheme is incompatible with public recreation rights. The same goes for the 1993 restrictive covenants when the AELTC promised to Merton and their community not to develop the golf course but to keep it open and to provide a footpath around the lake. The AELTC have also conceded that their proposed development would breach these covenants, and that they would need to have the covenants removed by a further application to court.

We continue the fight because we still believe we have a strong case for protecting this precious open space from development. Wimbledon promised they would never build on this land. And Wimbledon can do better because there are existing, alternative plans which show that their scheme can be accommodated on their current site. The benefits of this are two fold. After one of the hottest summers on record, it is much more environmentally friendly and secondly still allows AELTC to stage their qualifying tournament on site.

In addition we have always maintained the outcome of our case sets a precedent. Wimbledon Park is not just a local issue - it has significant national implications. This litigation is important for everyone in London and all around the country who live near similarly protected green space and open land which might now be bulldozed and developed. Therefore, we fight on.

Background to March court judgement [here](#)
A short history of the AELTC planning application [here](#)

www.savewimbledonpark.org