

London Borough of Richmond upon Thames, Local Plan

Appendices to Schedule of Responses to Consultation on Proposed Main Modification in respect of the Local Green Space (LGS) designation at Udney Park Playing Fields, Teddington

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Appendix 1: MM Rep No. 351 Matthieu **Comard** – Attached Images

Appendix 2: MM Rep No. 1774 Barry Rideout on behalf of the Udney Park Playing Fields Trust (background report from **Greenspace Information for Greater London (GiGL)** CIC) - Report

Appendix 3: MM Rep No. 1833 Vicky Aston, **Sport England** - Response

Appendix 4: MM Rep No. 1834 Katarina **Hagstrom** – Supporting Content

Appendix 5: MM Rep No. 1836 Daniel Osborne, Barton Willmore on behalf of **the Quantum Group** - Representations

Appendix 6: MM Rep No. 1839 Mark Jopling on behalf of the **Friends of Udney Park Playing Fields, the Teddington Society and the Udney Park Playing Fields Trust** – Attached Tabs

① TCSG CIC - no mention of Development



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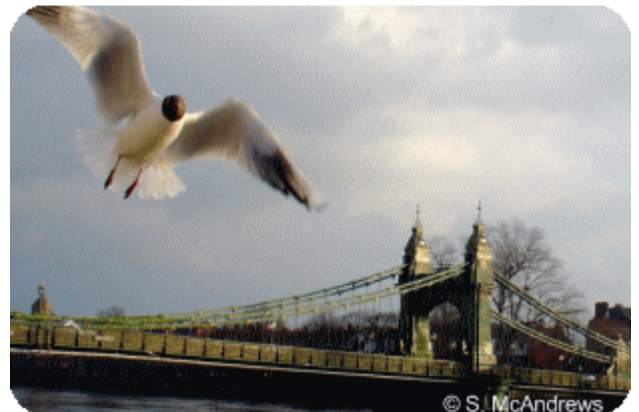


GiGL Greenspace Information for Greater London CIC
the capital's environmental records centre

An Ecological Data Search for Teddington Udney Park

On behalf of
Udney park playing fields trust

Report reference 1881



Prepared on 05 Mar 2019
by Benjamin Town, Community Officer

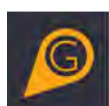
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Annex B – Supporting Information



1.0 Introduction

An ecological data search for Teddington Udney Park and surrounding land to a 2km (6km bat survey) radius on behalf of Udney park playing fields trust.

The following report was compiled by Greenspace Information for Greater London CIC (GiGL) on behalf of Udney park playing fields trust, to provide ecological information for the above site for Planning application. This report may include information on statutory sites, non-statutory sites, species records, habitat or open space information held by GiGL, as requested for the above search area. The boundaries of this search area are defined in the maps in Annex A and lie within the London Borough(s) of Kingston Upon Thames and Richmond.

Please note: GiGL do not hold any data relating to the search area within the County of Surrey. It is advisable to contact the following local record centre for any site details and habitat and species records.

Important information about this report

The data provided within this report is for the **internal** use of Udney park playing fields trust to inform understanding of the site of interest for **1 year** in accordance with the terms and conditions agreed to on request of the search.

The data provided must not be distributed or published for an external or public audience, for example within the appendix of a report. Local Planning Authorities may request a copy of the data from GiGL either via their Service Level Agreement (most boroughs are GiGL partners) or as a data search.

The report is compiled using data held by GiGL at the time of the request. GiGL takes the accuracy of our data holdings very seriously and the Recorder Advisory Group is set up to help with this important task to ensure what we provide to you is the best data possible for your needs.

GiGL is constantly striving to improve the coverage and currency of its data holdings. We would be interested in hearing from you if you are able to submit species or habitat data arising from field surveys.



2.0 Statutory Sites and Local Nature Reserves

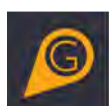
A desk-based search shows that there is one site with European or National statutory designation within the search area and 2 LNRs.

Any citations currently available for the statutory sites within the search area can be seen on the following pages.

Statutory site designations:

- Special Area of Conservation (SAC)
- Special Protection Area (SPA)
- Ramsar sites
- Site of Special Scientific Interest (SSSI)
- National Nature Reserve (NNR)
- Local Nature Reserve (LNR)

For further explanations of the designations please see the “Supporting Information” annex. Please note that statutory citations are legal documents, the content of which is fixed and true at the time of designation. Species referred to in the citations may not be present on site today. Citations may have been written based on data not held by GiGL.



Site name:	Bushy Park and Home Park	County:	Greater London
District:	London Borough of Richmond		
Status:	Site of Special Scientific Interest (SSSI) notified under Section 28 of the Wildlife and Countryside Act 1981, as substituted by Schedule 9 to the Countryside and Rights of Way Act 2000.		
Local Planning Authority:	London Borough of Richmond, Greater London Authority		
National Grid reference:	TQ159692	Area:	541.03 ha
Ordnance Survey sheet:	1:50,000: 176	1:10,000:	TQ 16 NE, NW TQ17 SW, SE

Notification date: 5 September 2014

Reasons for notification:

Bushy Park and Home Park SSSI is of special interest for its nationally important saproxylic (dead and decaying wood associated) invertebrate assemblage, population of veteran trees and acid grassland communities. These features occur within and are supported by the wider habitat mosaic. The saproxylic invertebrates include those associated with heartwood decay, bark and sapwood decay and with fungal fruiting-bodies found within the veteran trees which are located throughout the site, notably in the large areas currently managed as wood pasture. Lowland dry acid grassland communities present include National Vegetation Classification (NVC) types U1 sheep's fescue *Festuca ovina*-common bent *Agrostis capillaris*-sheep's sorrel *Rumex acetosella* grassland and U4 sheep's fescue *Festuca ovina*-common bent *Agrostis capillaris*-heath bedstraw *Galium saxatile* grassland community which are found within the grassland mosaic of the site.

General description:

Bushy Park and Home Park SSSI sits on the floodplain of the River Thames with the London Clay Formation overlain by the more recent Kempton Park gravel, and Taplow gravel formations. These sand and gravel deposits are of Quaternary age and extend north across Bushy Park and south over much of Home Park, superficial deposits of alluvium associated with riverine floodplains are also present in the south east of the park near the bordering river Thames. This underlying geology gives rise to the well-drained, acidic soils found across the site, and a moderate calcareous influence in places.

The history of Bushy Park and Home Park is well documented and enables an unusually detailed insight into habitat continuity; the land was enclosed as a Royal Park in the early 16th Century. The park boundary and design was altered over time incorporating first Home Park, then Bushy Park and the Home Park paddocks. There remains several ancient trees which predate the enclosure of the site. The site was used by Henry VIII as a royal hunting ground, and some oak trees which were planted during his reign to demark boundaries of what was the original Bushy Park boundary still survive. Subsequent monarchs made further alterations to the landscape and hydrology of the site, including the addition of the Longford River and its associated wetland habitats, and the planting of many of today's veteran and ancient trees. Long term management of the site as a deer park has maintained a large area of acid grassland habitat, a rare resource nationally.

Invertebrates

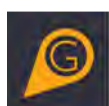
The veteran trees and associated habitats support a nationally important assemblage of saproxylic invertebrates. These are associated with heartwood decay, bark and sapwood decay and with fungal-fruiting bodies. The high diversity of specialised deadwood invertebrates at this site is comparable with the most important sites in the UK for this group.

The site is known to support a substantial number of nationally scarce and otherwise uncommon beetles including *Aeletes atomarius*, *Stenichnus godarti*, *Trichonyx sulcicollis*, *Velleius dilatatus*, *Aplocnemus impressus*, *Diplocoelus fagi*, *Teredus cylindricus*, *Scryptia fuscula* and many more, all of which are part of the saproxylic assemblage for which this site has been notified.

Assessment of the beetle fauna of the site has shown high numbers of species which are indicative of ecological continuity; this demonstrates that the long term continuation of dead wood habitat on site has enabled retention of species which may have been present before the site was emparked. Trees such as lime and flowering shrubs such as hawthorn *Crataegus* spp. in addition to flowering plants within the surrounding park also provide important nectar sources for insects as well as places to breed.

Veteran trees

Bushy Park and Home Park has a large number of veteran trees occurring in open parkland, amongst avenues of trees, and in woodland. The veteran tree population is distributed across the site and is predominantly comprised of lime *Tilia x europaea* and *T. platyphyllos* and Pedunculate oak *Quercus robur* along with alder *Alnus glutinosa*, sweet chestnut *Castanea sativa*, crack willow *Salix fragilis*, small-leaved lime *Tilia cordata* and sycamore *Acer pseudoplatanus*. A range of tree forms exist, the majority being either maiden or natural and managed pollards. Park management has maintained continuous replanting of trees since the Tudor period and there exists a range of tree age cohorts ranging from trees planted in the sixteenth century, to more recent planting infilling of gaps in avenues resulting from losses to storms and

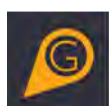


Dutch elm disease. A further notable feature is the occurrence of a large number of veteran hawthorn trees from which Bushy Park gets its name. It is unusual for such a large number of hawthorns to reach the veteran stage at a single site; hawthorns were planted during the Tudor period as part of management of the park for deer coursing and occur widely across Bushy Park as scattered trees, and along the course of old field boundaries.

As well as being a feature of national significance in their own right, the veteran trees provide habitat for the sites outstanding saproxylic invertebrate assemblages. The trees also supports associated species interest including locally uncommon mistletoe *Viscum album* which is frequent on the lime and hawthorn trees and fungi including the bracket fungus *Phellinus torulosus* which is believed to be at its northern extent in the British Isles.

Acid grassland

Extensive areas of two distinctive lowland dry acid grassland types are present in a mosaic with neutral grassland, stands of bracken, wetland areas and woodland. The acid grassland is characterised by typical plants including common bent *Agrostis capillaris*, squirrel-tail fescue *Vulpia bromoides*, sweet vernal-grass *Anthoxanthum odoratum*, heath grass *Danthonia decumbens*, mouse-ear hawkweed *Pilosella officinarum*, sheep's sorrel *Rumex acetosella*, heath bedstraw *Galium saxatile*, harebell *Campanula rotundifolia* and tormentil *Potentilla erecta*. Several plants which are locally uncommon add to the special interest. These include rough clover *Trifolium scabrum*, clustered clover *T. glomeratum*, autumn squill *Scilla autumnalis*, crested hair-grass *Koeleria macrantha*, upright chickweed *Moenchia erecta*, sand spurrey *Spergularia rubra*, birds-foot *Ornithopus perpusillus* and early hair-grass *Aira praecox*. Ant-hills are a feature of many areas and these support specialised plants including little mouse-ear *Cerastium semidecandrum*, parsley-piert *Aphanes arvensis*, wall speedwell *Veronica arvensis* and thyme-leaved sandwort *Arenaria serpyllifolia*. Parts of Home Park include grassland with a calcareous influence occurring in a mosaic with acid grassland. These areas support plants more characteristic of limestone grassland such as salad burnet *Sanguisorba minor*, dropwort *Filipendula vulgaris*, large thyme *Thymus pulegioides* and meadow oat-grass *Helictotrichon pratense*, a highly unusual feature.



Name	Ham Common
Status	Local Nature Reserve (LNR)
Area	40.27 hectares
Grid reference	TQ 184 718

Planning Authority

London Borough of Richmond

Owner/Manager

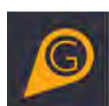
London Borough of Richmond

Scientific interest/Existing use of site

Most of the site has been succeeded by birch and oak woodland. There is a lot of dead wood habitat valuable for invertebrates, fungi and cavity-nesting birds such as woodpeckers. There are several wet hollows within the woodland which support breeding frogs during wet springs where there is sufficient standing water. The common is divided in two by a road—in the northern section the woodland is generally younger with a denser understorey and more diverse ground flora. A more extensive area of grassland survives at the western end of the common with a wide range of plants typical of dry acid grassland.

Reasons for declaration

Ham Common supports a large number of species and habitats, many of which have been identified in the Biodiversity Action Plan process. Additionally, the site is used extensively by the public for the informal enjoyment of nature.



Name	Ham Lands
Status	Local Nature Reserve (LNR)
Area	60.01 hectares
Grid reference	TQ 165 720

Planning Authority

London Borough of Richmond upon Thames

Owner/Manager

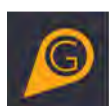
Owned and managed by the London Borough of Richmond upon Thames

Scientific interest/Existing use of site

Ham Lands is an area of infilled gravel pits, some old water meadows and a narrow belt of woodland. The area has developed into a mosaic of different ecological zones. The site is of considerable value for informal recreation and is well used by local people and children. It is also used by local schools and for educational projects by students and nature groups.

Reasons for declaration

1. To enable bye-laws to be passed to facilitate adequate control of activities on the site.
2. To secure its long-term future as a protected wildlife habitat.



3.0 Non-Statutory Sites

A desk-based search shows that there are 15 SINC's and no RIGS/LIGS within the search area.



3.1 Sites of Importance for Nature Conservation

Introduction

Sites of Importance for Nature Conservation (SINCs) are recognised by the Greater London Authority and London borough councils as important wildlife sites.

There are three tiers of sites:

- Sites of Metropolitan Importance
- Sites of Borough Importance (borough I and borough II)
- Sites of Local Importance

The *London Plan* identifies the need to protect biodiversity and to provide opportunities for access to nature. The *Mayor's Biodiversity Strategy* sets out criteria and procedures for identifying such land for protection in Local Development Frameworks. A London Wildlife Sites Board (LWSB) has been established to provide support and guidance on the selections of SINCs.

The boundaries and site grades reflect the most recent consideration of each site, details of which are available from London borough councils. Note that boundaries and grades may change as new information becomes available. For further explanations of the designations please see the "Supporting Information" annex.

Areas of Deficiency (AoD) are defined as built-up areas more than one kilometre actual walking distance from an accessible Metropolitan or borough site. AoD areas can be seen on the SINC map.

GiGL manage a **dataset of spaces designated as public open space categorised according to a site hierarchy documented in The London Plan (Table 7.2)**.

Information on public open spaces sites are displayed within the open space table.

Citations

Citations currently available for SINCs within the search area can be seen on the following pages.

Please note that the content of SINC citations is reviewed periodically and that species referred to in the citations may not be present on site today. Citations may have been written based on data not held by GiGL.



Metropolitan

Site Reference:	M031
Site Name:	River Thames and tidal tributaries
Summary:	The Thames, London's most famous natural feature, is home to many fish and birds, creating a wildlife corridor running right across the capital.
Grid ref:	TQ 302 806
Area (ha):	2311.35
Borough(s):	Barking and Dagenham, Bexley, City of London, Greenwich, Hammersmith and Fulham, Havering, Hounslow, Kensington and Chelsea, Kingston upon Thames, Lambeth, Lewisham, Newham, Richmond upon Thames, Southwark, Tower Hamlets, Wandsworth, Westminster
Habitat(s):	Intertidal, Marsh/swamp, Pond/Lake, Reed bed, Running water, Saltmarsh, Secondary woodland, Vegetated wall/tombstones, Wet ditches, Wet grassland, Wet woodland/carr
Access:	Free public access (part of site)
Ownership:	Port of London Authority (Tidal banks) and Private (Riparian owners (non tidal banks))

Site Description:

The River Thames and the tidal sections of creeks and rivers which flow into it comprise a number of valuable habitats not found elsewhere in London. The mud-flats, shingle beach, inter-tidal vegetation, islands and river channel itself support many species from freshwater, estuarine and marine communities which are rare in London. The site is of particular importance for wildfowl and wading birds. The river walls, particularly in south and east London, also provide important feeding areas for the nationally rare and specially-protected black redstart. The Thames is extremely important for fish, with over 100 species now present. Many of the tidal creeks are important fish nurseries, including for several nationally uncommon species such as smelt. Barking Creek supports extensive reed beds. Further downstream are small areas of saltmarsh, a very rare habitat in London, where there is a small population of the nationally scarce marsh sow-thistle (*Sonchus palustris*). Wetlands beside the river in Kew support the only London population of the nationally rare and specially-protected cut-grass (*Leersia oryzoides*). The numerous small islands in the upper reaches support important invertebrate communities, including several nationally rare snails, as well as a number of heronries. Chiswick Eyot, one of the islands, is a Local Nature Reserve. The towpath in the upper reaches is included in the site, and in places supports a diverse flora with numerous London rarities, both native and exotic. Ninety per cent of the banks of the tidal Thames and its creeks are owned by the Port of London Authority, whereas the riparian owners are responsible for the non tidal (upriver) banks. The water is not owned by anybody. The River Thames upriver of the Thames Barrier is followed by the Thames Path National Trail.

Site first notified:	01/04/1986	Boundary last changed:	01/07/2017
Citation last edited:	01/07/2017	Mayor Agreed:	25/11/2002
Defunct:	N		
Last Updated:	03/01/2019		



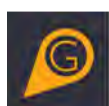
Metropolitan

Site Reference:	M082
Site Name:	Richmond Park and associated areas
Summary:	One of London's two National Nature Reserves, with a tremendous range of wildlife habitats, including grassland, woodlands, ponds and some very old trees. Of great importance for insects, especially beetles.
Grid ref:	TQ 200 730
Area (ha):	1063.55
Borough(s):	Richmond upon Thames
Habitat(s):	Acid grassland, Bracken, Pond/lake, Secondary woodland, Veteran trees, Wet grassland
Access:	Free public access (all/most of site)
Ownership:	London Borough of Richmond upon Thames and The Royal Parks

Site Description:

In addition to Richmond Park itself, this site includes Richmond Park and Sudbrook Park Golf Courses as well as Ham, Petersham, East Sheen and Palewell Commons. Together, these form an extensive area of high quality wildlife habitats. The many ancient pollarded oaks are of international importance for invertebrates, especially beetles, and also support a wide range of fungi and hole-nesting birds. The stag beetle (*Lucanus cervus*) is common here, while many other insect species are nationally rare or scarce. Acid grassland is the most extensive habitat on the site, and includes both dry and damp areas. These support numerous regionally uncommon plants, including upright chickweed (*Moenchia erecta*), blinks (*Montia fontana*) and subterranean clover (*Trifolium subterraneum*). A variety of wetlands include ponds, ditches and a section of the Beverley Brook. These support many locally uncommon plants, including ivy-leaved crowfoot (*Ranunculus hederaceus*), and an extremely diverse invertebrate fauna, including 135 species of wetland beetles. There are also several areas of plantation woodland supporting a diversity of breeding birds, including woodcock and hobby. The adjacent golf courses and common provide additional areas of acid grassland and secondary woodland. Richmond Park is a Site of Special Scientific Interest, a National Nature Reserve and a Special Area for Conservation (EU Habitats Directive).

Site first notified:	19/09/1988	Boundary last changed:	09/03/2001
Citation last edited:	22/05/2006	Mayor Agreed:	25/11/2002
Defunct:	N		
Last Updated:	14/03/2007		



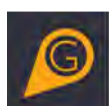
Metropolitan

Site Reference:	M083
Site Name:	Ham Lands
Summary:	An attractive area of scrub and grassland beside the River Thames, well known for its remarkably diverse plant life.
Grid ref:	TQ 165 722
Area (ha):	72.27
Borough(s):	Richmond upon Thames
Habitat(s):	Pond/lake, Scrub, Secondary woodland, Semi-improved neutral grassland, Wet grassland
Access:	Free public access (all/most of site)
Ownership:	London Borough of Richmond upon Thames

Site Description:

This area of restored gravel pits beside the River Thames contains a mosaic of habitats, including herb-rich grassland, scrub and woodland. In the north-west is a low-lying area of original flood meadow, though this floods only rarely. It supports a diverse flora, including dropwort (*Filipendula vulgaris*) which is rare in London, and more typical species such as false fox-sedge (*Carex otrubae*) and cuckooflower (*Cardamine pratensis*). The rest of the site has been raised by landfill, and is therefore drier. Open areas support a grassland community of remarkable diversity, with numerous London rarities, both native and exotic. The nationally scarce Deptford pink (*Dianthus armeria*), a UK Biodiversity Action Plan Priority species, was recorded in the mid-1990s but has since disappeared. Other uncommon plants include hairy vetchling (*Lathyrus hirsutus*), dyer's greenweed (*Genista tinctoria*), hoary cinquefoil (*Potentilla argentea*), bee orchid (*Ophrys apifera*), and the nationally scarce species yellow vetchling (*Lathyrus aphaca*) and dittander (*Lepidium latifolium*). The grassland is fast losing ground to scrub, which requires control. Scrub is also an important habitat however, supporting a diversity of birds and mammals. Breeding avifauna includes spotted flycatcher, lesser whitethroat and tawny owl. Beneath the scrub can be found an unusual form of sweet violet with peach-coloured flowers (*Viola odorata* f. *sulphurea*). Included within the site is the Thames Young Mariners Base, with a willow-fringed lagoon and sluice to the Thames. This supports a range of common water birds, including breeding reed bunting and kingfisher. A Local Nature Reserve.

Site first notified:	19/09/1988	Boundary last changed:	30/11/2005
Citation last edited:	01/12/2005	Mayor Agreed:	25/11/2002
Defunct:	N		
Last Updated:	26/02/2007		



Metropolitan

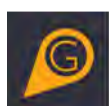
Site Reference:	M084
Site Name:	Bushy Park and Home Park
Summary:	This area provides an extensive and varied open space on the edge of London. The parks contain several nationally scarce plants, as well as a variety of wetlands and some fine old trees.
Grid ref:	TQ 158 699
Area (ha):	644.54
Borough(s):	Richmond upon Thames
Habitat(s):	Acid grassland, Bracken, Pond/lake, Running water, Secondary woodland, Veteran trees, Wet ditches, Wet grassland
Access:	Free public access (all/most of site)
Ownership:	The Historic Royal Palaces Agency and The Royal Parks

Site Description:

These two adjacent Royal Parks comprise a large area of old parkland habitats, including some of the best acid grassland in London and a variety of interesting wetlands. The acid grasslands support numerous locally uncommon plants, including small cudweed (*Filago minima*), subterranean clover (*Trifolium subterraneum*), spring and prickly sedges (*Carex caryophyllea*, *C. muricata* ssp. *lamprocarpa*), upright chickweed (*Moenchia erecta*), and several nationally scarce species; chamomile (*Chamaemelum nobile*) and the only sizeable population in south-east England of autumn squill (*Scilla autumnalis*). Damp neutral grassland in Hampton Court Paddocks supports a completely different range of plants, including meadow crane's-bill (*Geranium pratense*) which is scarce in London. The numerous ponds and ditches are also home to rare plants, including the only London population of the nationally scarce mudwort (*Limosella aquatica*), a declining plant which grows at the edges of Heron Pond in Bushy Park. Ditches in the Paddocks support a particularly rich wetland flora, including the London rarities marsh arrow-grass (*Triglochin palustre*), blue water-speedwell (*Veronica anagallis-aquatica*) and yellow loosestrife (*Lysimachia vulgaris*). The specially protected water vole occurs here. Open habitats also support a good diversity of invertebrates. The old parkland trees support fewer invertebrates than those in Richmond Park, although several nationally rare species such as the rusty click-beetle (*Elaterrugineus*) are present. Older trees are also valuable for hole-nesting birds such as tree sparrow and jackdaw. A group of horse paddocks in the west of Bushy Park include several old pollards of sweet chestnut (*Castanea sativa*) and oak, an old hedgerow and a series of inter-connected pools. The Longford River feeds Bushy Park's wetlands with water from the River Colne.

Bushy Park won a Green Flag Award for 2006/7.

Site first notified:	19/09/1988	Boundary last changed:	30/11/2005
Citation last edited:	24/07/2006	Mayor Agreed:	25/11/2002
Defunct:	N		
Last Updated:	28/02/2007		



Borough Grade II

Site Reference:	RiBII03
Site Name:	Fulwell and Twickenham Golf Courses
Summary:	These golf courses contain some fine acid grassland, with a few clumps of heather - a rare plant in London.
Grid ref:	TQ 138 719
Area (ha):	83.22
Borough(s):	Richmond upon Thames
Habitat(s):	Acid grassland, Heathland, Pond/lake, Scrub, Secondary woodland, Wet ditches
Access:	Access on public footpaths only
Ownership:	London Borough of Richmond upon Thames (Twickenham Golf Course) and Private (Fulwell Golf Course)

Site Description:

These two adjacent golf courses contain some fine acid grassland, with small areas of woodland and scrub, several wet ditches and a pond.

The grassland is mostly cut short, with little rough, but nevertheless contains characteristic plants of acid soils, including sheep's sorrel (*Rumex acetosella*), mouse-ear hawkweed (*Pilosella officinarum*) and cat's-ear (*Hypochaeris radicata*). A few clumps of heather (*Calluna vulgaris*) grow in the southern corner of Fulwell Golf Course. The acid grassland supports a good population of the small copper butterfly.

The pond in the north-east corner of Fulwell Golf Course provides a home for frogs, newts, water birds, dragonflies and damselflies. Marginal plants include soft rush (*Juncus effusus*), yellow iris (*Iris pseudacorus*), great reedmace (*Typha latifolia*), water cress (*Rorippa nasturtium-aquaticum*) and brooklime (*Veronica beccabunga*), while broad-leaved pondweed (*Potamogeton natans*), starwort (*Callitriche* sp) and white water-lily (*Nymphaea alba*) grow in deeper parts. Grass vetchling (*Lathyrus nissolia*) grows on the banks, where mowers cannot reach it.

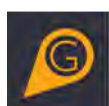
The site also includes the abandoned allotments and the old hedgerow along Sixth Cross Road to the north-east of the golf courses. The western half of the allotments has been abandoned for some time and has been colonised by wild vegetation which has developed a good variety of structure. It is now a mixture of bramble scrub and young woodland contrasting with patches of more open grassland. Many ant hills of the yellow meadow ant (*Lasius flavus*) are present in the grassland, providing food green woodpeckers which can be seen flying over the golf course. The old hedgerow along the road is an extension of the hedgerow which skirts the northern boundary of the site along Staines Road. It contains many fine hawthorns (*Crataegus monogyna*) as well as ash (*Fraxinus excelsior*), elder (*Sambucus nigra*), holly (*Ilex aquifolium*), Norway maple (*Acer platanoides*), sycamore (*A. pseudoplatanus*) and beech (*Fagus sylvatica*).

Site first notified: 01/01/1993 **Boundary last changed:** 11/04/2000

Citation last edited: 01/02/2006 **Mayor Agreed:**

Defunct: N

Last Updated: 08/05/2006



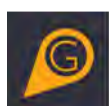
Borough Grade II

Site Reference:	RiBII05
Site Name:	Strawberry Hill Golf Course
Summary:	A small golf course with areas of woodland, scrub and acid grassland and a patch of heather.
Grid ref:	TQ 152 720
Area (ha):	20.39
Borough(s):	Richmond upon Thames
Habitat(s):	Acid grassland, Heathland, Running water, Scattered trees, Scrub, Secondary woodland
Access:	Can be viewed from adjacent paths or roads only
Ownership:	London Borough of Richmond upon Thames

Site Description:

This small golf course has a secluded parkland feel, despite its urban location. There are some fine old oaks scattered around the course, and small areas of woodland and scrub. The roughs contain some fine acid grassland, with characteristic plants such as sheep's sorrel (*Rumex acetosella*), mouse-ear hawkweed (*Pilosella officinarum*) and buck's-horn plantain (*Plantago coronopus*), and a single patch of heather (*Calluna vulgaris*). A stream runs at the bottom of a deep grassy ditch lined on either side by small blocks of limestone. The limited amount of submerged vegetation includes water-starwort (*Callitriche* sp) and a pondweed (*Potamogeton* sp). This site also includes the large railway triangle to the south-east. A footpath runs along the east of the rail land allowing views of the variety of habitats which are present here. The site receives little human disturbance apart from passing trains and contains strips of birch woodland, scrub, areas of tall herbs and strips of grassland alongside the railway lines. It is an important area in this part of the Borough for birds and butterflies that favour a woodland edge type of habitat. Operational management of the railside trees should ensure that this type of habitat is retained on the site.

Site first notified:	01/01/1993	Boundary last changed:	01/02/2000
Citation last edited:	06/09/2005	Mayor Agreed:	
Defunct:	N		
Last Updated:	12/04/2006		



Borough Grade II

Site Reference:	RiBII10
Site Name:	The Copse, Holly Hedge Field and Ham Avenues
Summary:	A flowery meadow, a stand of ancient oaks and an historic avenue of lime trees combine to provide habitat for a wealth of animals and plants.
Grid ref:	TQ 174 726
Area (ha):	11.88
Borough(s):	Richmond upon Thames
Habitat(s):	Scattered trees, Secondary woodland, Semi-improved neutral grassland, Veteran trees
Access:	Free public access (all/most of site)
Ownership:	London Borough of Richmond upon Thames and National Trust

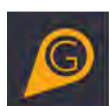
Site Description:

Holly Hedge Field is an attractive, flowery meadow. Parts are quite rough and dominated by cow parsley (*Anthriscus sylvestris*), while areas of finer grassland display sheets of bulbous buttercup (*Ranunculus bulbosus*) intermingled with other wild flowers, including meadow saxifrage (*Saxifraga granulata*), which is rare in London.

The Copse is a stand of ancient oaks (*Quercus robur*). Their gnarled trunks and twisted branches contain much dead wood and many holes, providing habitat for invertebrates, fungi, hole-nesting birds and probably roosting bats.

Also included in the site are the historic avenue leading north to Ham House and, to the south, the horse ride leading from Holly Hedge Field to Ham Common. The avenue in the north is mainly of common lime (*Tilia x europaea*), merging into young oak woodland in the western edge. In the east some gaps occur, which are filled by rough grassland providing good habitat for invertebrates. The horse ride in the south provides cover for birds and mammals in an area otherwise dominated by short-mown amenity grassland. The ride is flanked on either side by dense scrub and trees.

Site first notified:	01/01/1993	Boundary last changed:	01/02/2000
Citation last edited:	01/02/2006	Mayor Agreed:	
Defunct:	N		
Last Updated:	06/06/2007		



Local

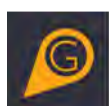
Site Reference:	KiL09
Site Name:	Hogsmill River in Central Kingston
Summary:	The final stretch of the River Hogsmill before it flows into the River Thames.
Grid ref:	TQ 181 689
Area (ha):	1.42
Borough(s):	Kingston upon Thames
Habitat(s):	Ruderal, Running water, Scattered trees, Scrub, Semi-improved neutral grassland, Tall herbs
Access:	Can be viewed from adjacent paths or roads only
Ownership:	Environment Agency, Royal Borough of Kingston upon Thames and Private (Riparian owners)

Site Description:

The last section of the Hogsmill River within Kingston runs through the centre of the town of Kingston upon Thames and is inextricably linked to its history. Near the Guildhall the Clattern Bridge, with its three semicircular arches over the Hogsmill, dating from the late 12th century, can still be seen.

This downstream stretch of the Hogsmill River extends from Villiers Road to its confluence with the River Thames just upstream of Kingston Bridge, where the Hogsmill ends its journey which began near Ewell. Much of the Hogsmill within the Royal Borough is followed by the London LOOP, the Thames Down Link and the Hogsmill Valley Walk, which also follow this section via footpaths along the top of the banks. At the Thames confluence a series of rafts, planted mainly with pendulous sedge (*Carex pendula*), provide nesting and roosting sites for birds such as mallard, mute swan, moorhen and coot, while exposed shingle upstream is frequented by grey wagtail and dunnock. Both the vegetated rafts and the exposed shingle are likely to provide habitats for invertebrates. Many fish can be seen in the river including chub and dace, whilst the banded demoiselle damselfly (*Calopteryx splendens*) flits above the surface. Unlike further upstream, the river in the town centre runs between vertical concrete banks, as it passes beneath various road bridges and between the buildings of the Guildhall complex. Downstream of the Clattern Bridge, on the north bank of the river, a fig tree (*Ficus carica*) has established a precarious hold through the concrete. This is probably the same one mentioned as being there in 1918. The seed doubtless came through the Hogsmill Valley Sewage Works, lodged when the river was in high spate and then chanced upon an unusually warm year or two to give the conditions necessary for its establishment. Such figs typify the banks of warm streams below sewage outfalls in urban Britain. Although the artificial nature of the banks through the town centre otherwise mostly precludes vegetation getting a foothold, there are places where gravelly margins remain, such as upstream where the river passes over a weir. Beyond the weir, fennel pondweed (*Potamogeton pectinatus*) occurs. The banktop vegetation includes crack willow (*Salix fragilis*), ash (*Fraxinus excelsior*), and honeysuckle (*Lonicera periclymenum*) as well as naturalised species such as rosemary (*Rosemarinus officinalis*).

Site first notified:	01/01/1992	Boundary last changed:	01/01/1992
Citation last edited:	27/02/2007	Mayor Agreed:	
Defunct:	N		
Last Updated:	27/02/2007		



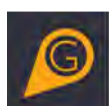
Local

Site Reference:	KiL10
Site Name:	Royal Park Gate Open Space
Summary:	A public park next to the River Thames and continuing northwards as Ham Lands.
Grid ref:	TQ 174 712
Area (ha):	1.55
Borough(s):	Kingston upon Thames
Habitat(s):	Amenity grassland, Planted shrubbery, Scattered trees, Scrub, Semi-improved neutral grassland, Tall herbs
Access:	Free public access (all/most of site)
Ownership:	Royal Borough of Kingston upon Thames

Site Description:

This public park is next to the River Thames, close to the boundary with Richmond-upon-Thames, in which Borough it continues as Ham Lands. However, Royal Park Gate Open Space is very different from Ham Lands as it is much less wild. It consists of scrub, trees and a significant area of semi-improved neutral grassland, where patches of rough grassland are interspersed with frequently-mown grass paths. The diverse grassland flora includes grass vetchling (*Lathyrus nissolia*), meadow buttercup (*Ranunculus acris*) and oxeye daisy (*Leucanthemum vulgare*), and it is likely that seeding with a 'meadow mix' has occurred in the past. The western boundary is marked by a strip of scrub including bramble (*Rubus fruticosus* agg.), trees such as aspen (*Populus tremula*) and a variety of tall herbs. A range of birds such as whitethroat and goldfinch are found at the site, as is the scarce and exotic-looking rose-chafer beetle (*Cetonia aurata*). Near the boundary with Richmond, the grassland is bordered by scrub of hawthorn (*Crataegus monogyna*), and jackdaw and mistle thrush can be seen here.

Site first notified:	01/01/2002	Boundary last changed:	01/01/2002
Citation last edited:	27/02/2007	Mayor Agreed:	
Defunct:	N		
Last Updated:	27/02/2007		



Local

Site Reference:	RiL07
Site Name:	Hampton Court House Grounds
Summary:	An attractive landscaped garden centred on a pond.
Grid ref:	TQ 153 690
Area (ha):	2.3
Borough(s):	Richmond upon Thames
Habitat(s):	Acid grassland, Flower beds, Marsh/swamp, Planted shrubbery, Pond/lake, Scattered trees
Access:	No public access
Ownership:	Independent private school

Site Description:

Hampton Court House was built in the 18th century, when its attractive gardens were laid out by Thomas Wright. It now houses a private school.

The centrepiece of the gardens is an oval pond, fringed with reedmace (*Typha latifolia*) and yellow iris (*Iris pseudacorus*), with smaller amounts of gypsywort (*Lycopus europaeus*) and remote sedge (*Carex remota*).

Moorhens nest among the irises.

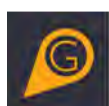
The gardens contain many fine mature trees, including pedunculate oak (*Quercus robur*), sweet chestnut (*Castanea sativa*), silver birch (*Betula pendula*) and Scots pine (*Pinus sylvestris*). Beneath these, the lawns contain a good range of plants typical of dry acid grassland, including sheep's sorrel (*Rumex acetosella*), mouse-ear hawkweed (*Pilosella officinarum*), lady's bedstraw (*Galium verum*), field woodrush (*Luzula arvensis*) and parsely-piert (*Aphanes* sp.).

Site first notified: 01/01/1993 **Boundary last changed:** 01/01/1993

Citation last edited: 07/02/2007 **Mayor Agreed:**

Defunct: N

Last Updated: 07/02/2007



Local

Site Reference:	RiL08
Site Name:	Cassel Hospital
Summary:	Pleasant hospital grounds, with lawns of acid grassland, a fringe of woodland and an old walled garden.
Grid ref:	TQ 176 717
Area (ha):	3.63
Borough(s):	Richmond upon Thames
Habitat(s):	Acid grassland, Orchard, Scattered trees, Scrub, Secondary woodland, Veteran trees
Access:	No public access
Ownership:	West London Mental Health NHS Trust

Site Description:

The pleasant, secluded grounds to the rear of the Cassel Hospital contain extensive lawns, a fringe of woodland and an old walled garden. The lawns consist of acid grassland. Dominated by common bent (*Agrostis capillaris*) and red fescue (*Festuca rubra*), they contain a good diversity of wild flowers typical of dry acid soils, including birdsfoot (*Ornithopus perpusillus*), sand spurrey (*Spegularia rubra*), mouse-ear hawkweed (*Pilosella officinarum*), cat's-ear (*Hypochaeris radicata*) and sheep's sorrel (*Rumex acetosella*). The lawn contains some fine mature trees, including a magnificent pollarded oak (*Quercus robur*).

The lawn is surrounded on three sides by a mostly narrow fringe of woodland. The canopy consists of oak (*Quercus robur*), ash (*Fraxinus excelsior*), beech (*Fagus sylvatica*) and false acacia (*Robinia pseudacacia*), with a line of large yew (*Taxus baccata*) along the boundary fence. The walled garden contains a small apple orchard, becoming overgrown with bramble (*Rubus fruticosus* agg.).

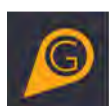
There is no public access, but the grounds are of therapeutic and educational value to patients of the hospital and the associated school.

Site first notified: 01/01/1993 **Boundary last changed:** 01/01/1993

Citation last edited: 12/01/2007 **Mayor Agreed:**

Defunct: N

Last Updated: 07/02/2007



Local

Site Reference:	RiL13
Site Name:	Ham Common west
Summary:	An area of short acid grassland with an attractive pond.
Grid ref:	TQ 177 719
Area (ha):	8.51
Borough(s):	Richmond upon Thames
Habitat(s):	Acid grassland, Pond/lake, Scattered trees
Access:	Free public access (all/most of site)
Ownership:	London Borough of Richmond upon Thames

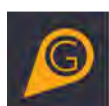
Site Description:

The western part of Ham Common consists of close-mown acid grassland, with an attractive pond. The wooded, eastern section of the common is included in the Richmond Park Site of Metropolitan Importance.

The pond is fringed with a few weeping willows (*Salix x sepulcralis*). There is a diverse marginal vegetation, particularly on the northern edge. This includes round-fruited rush (*Juncus compressus*), which is rare in London. The rush is naturally-occurring here, while many of the more colourful species, such as marsh marigold (*Caltha palustris*), purple loosestrife (*Lythrum salicaria*), brooklime (*Veronica beccabunga*) and yellow iris (*Iris pseudacorus*) have been planted. White water-lilies (*Nymphaea alba*) float on the water's surface, while curled pondweed (*Potamogeton crispus*) grows beneath the surface.

The extensive grasslands surrounding the pond, seem at first glance to be too closely-mown to be of any ecological interest. However the abundance of sheep's sorrel (*Rumex acetosella*) and cat's-ear (*Hypochaeris radicata*) throughout the sward indicates that this is acid grassland. Part of the grasslands are used for cricket and the common is popular for informal recreation.

Site first notified:	01/01/1993	Boundary last changed:	01/02/2000
Citation last edited:	16/01/2007	Mayor Agreed:	
Defunct:	N		
Last Updated:	07/02/2007		



Local

Site Reference: RiL15
Site Name: Churchyard of St Mary with St Alban, Teddington
Summary: An attractive churchyard with colourful, flowery grassland and some large trees.
Grid ref: TQ 165 713
Area (ha): 0.56
Borough(s): Richmond upon Thames
Habitat(s): Amenity grassland, Secondary woodland, Semi-improved neutral grassland, Vegetated wall/tombstones
Access: Free public access (all/most of site)
Ownership: Diocese of London

Site Description:

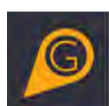
This attractive churchyard is a pleasant blend of formal and semi-natural landscapes. Alongside Ferry Road, the grass between the graves is kept short to present a tidy appearance. Away from the road, the grass is allowed to grow longer, with an annual hay cut in late summer. This allows wild flowers to thrive, including rosy garlic (*Allium roseum*), honesty (*Lunaria annua*) and wood avens (*Geum urbanum*). Foxgloves (*Digitalis purpurea*) and sweet violets (*Viola odorata*) grow in the shade cast by a group of yew (*Taxus baccata*) and lime (*Tilia* sp.) trees.

Site first notified: 01/01/1993 **Boundary last changed:** 01/01/1993

Citation last edited: 17/01/2007 **Mayor Agreed:**

Defunct: N

Last Updated: 07/02/2007



Local

Site Reference:	RiL16
Site Name:	The Copse at Hampton Wick and Normansfield Hospital
Summary:	A wooded nature reserve and the landscaped grounds of a former hospital.
Grid ref:	TQ 173 703
Area (ha):	13.02
Borough(s):	Richmond upon Thames
Habitat(s):	Amenity grassland, Coniferous woodland, Scattered trees, Veteran trees
Access:	Access on public footpaths only
Ownership:	London Borough of Richmond upon Thames (The Copse) and Private (Normansfield Hospital)

Site Description:

The Copse is a small educational nature reserve, run by the Borough Council. It is largely wooded, with a canopy of sycamore (*Acer pseudoplatanus*) over an understorey of birch (*Betula pendula*), elder (*Sambucus nigra*) and willow (*Salix* sp.). Ivy (*Hedera helix*) scrambles up many of the trees, and the ground flora is dominated by cow parsley (*Anthriscus sylvestris*). It is well used by local schools, but is not accessible to the public.

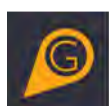
Across Normansfield Road from The Copse is the former Normansfield Hospital. This is currently disused and due for development. Much of the grounds are parkland, with some magnificent mature trees, including horse chestnuts (*Aesculus hippocastanum*), false acacias (*Robinia pseudacacia*) and a variety of conifers. In one area, these latter form a dense stand of woodland, with a number of species including Scots and Bhutan pines (*Pinus sylvestris* and *P. wallichiana*), wellingtonia (*Sequoiadendron giganteum*) and yew (*Taxus baccata*), interspersed with a few broadleaves such as pedunculate and holm oaks (*Quercus robur* and *Q. ilex*), London plane (*Platanus x hispanica*) and common lime (*Tilia x europaea*). The woodland has a well developed shrub layer of holly (*Ilex aquilifolium*), elder (*Sambucus nigra*), rhododendron (*Rhododendron ponticum*) and elm (*Ulmus* sp.). The woodland supports a good range of common birds, including coal tit, treecreeper, nuthatch and stock dove, and other animals. The redevelopment is expected to retain the woodland and mature trees. As part of a planning agreement, public access is permitted along the path across the site between Broom Road and Kingston Road.

Site first notified: 01/01/1993 **Boundary last changed:** 01/01/1993

Citation last edited: 29/03/2007 **Mayor Agreed:**

Defunct: N

Last Updated: 10/04/2007



Local

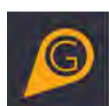
Site Reference:	RiL24
Site Name:	Teddington Cemetery
Summary:	An attractive Victorian cemetery with plenty of mature trees.
Grid ref:	TQ 153 718
Area (ha):	5.49
Borough(s):	Richmond upon Thames
Habitat(s):	Amenity grassland, Planted shrubbery, Scattered trees, Semi-improved neutral grassland, Vegetated wall/tombstones
Access:	Free public access (all/most of site)
Ownership:	London Borough of Richmond upon Thames

Site Description:

Opened in 1879, this attractive cemetery contains plenty of mature trees, mostly conifers and ornamental cherries (*Prunus* sp.). These provide habitat for a good range of common birds, the conifers being particularly attractive to coal tits and goldcrests. The grass between the graves is kept fairly short without being over-manicured, allowing common wild flowers such as lesser celandine (*Ranunculus ficaria*) and ground ivy (*Glechoma hederacea*) to flourish. Stonecrops (*Sedum* spp.) grow on many of the graves, providing a valuable nectar source for invertebrates.

Among those buried here is 19th century novelist R.D. Blackmore, author of 'Lorna Doone'.

Site first notified:	01/02/2000	Boundary last changed:	01/02/2000
Citation last edited:	07/02/2007	Mayor Agreed:	
Defunct:	N		
Last Updated:	07/02/2007		



3.2 Important Geological/Geomorphological Sites

Introduction

The designation in planning documents of regionally important geological sites (RIGS) and locally important geological sites (LIGS) is one way of recognising and protecting important geodiversity and landscape features for future generations to enjoy.

Geodiversity is defined as:

‘the variety of rocks, fossils, minerals, landforms, soils and natural processes, such as weathering, erosion and sedimentation, that underlie and determine the character of our natural landscape and environment’ (London Plan).

RIGS are currently the most important designated places for geology and geomorphology outside statutorily protected land such as SSSIs. They are equivalent to Sites of Metropolitan Importance for nature conservation. In London, RIG Sites have been selected by South London RIGS, North West London RIGS and GeoEssex (voluntary organisations) but have yet to be formally designated in Greater London.

The London boroughs may also designate certain areas as being of local interest for their geodiversity - LIGS. The boundaries and site grades reflect the most recent consideration of each site. Details may change as new information becomes available.

More information can be found in the London Plan Supplementary Planning Guidance *London’s Foundations* (March 2012) and the *London Geodiversity Action Plan*, both available from www.londongeopartnership.org.uk.

Citations

RIGS/LIGS are designated in four stages:

- **Potential RIGS/LIGS** are those recommended by the London Geodiversity Partnership and identified in *London’s foundations*
- **Recommended RIGS** are those recommended by the London Geodiversity Partnership, identified in *London’s foundations* and have been through a consultation process with the London boroughs and relevant landowners
- **Proposed RIGS/LIGS** are those included in draft Borough Development Plan Documents
- **Adopted RIGS/LIGS** are those identified in adopted Borough Development Plan Documents

Please note that the content of RIGS and LIGS citations is reviewed periodically by the London Geodiversity Partnership.



There are no RIGS or LIGS within the search area.



4.0 Species

Species from these categories can be seen on the following pages:

- Internationally or nationally protected species *
- National or London Biodiversity Action Plan (BAP) priority species
- Red Data List species
- Species of Conservation Concern in London
- London Invasive Species Initiative (LISI) species

Note that GiGL does not currently hold comprehensive species data for all areas. Even where data is held, a lack of records for a species in a defined geographical area does not necessarily mean that the species does not occur there – the area may simply not have been surveyed.

Distances and direction to each species record are calculated from the centre-point of a search area. Note that because the resolution of grid references varies between surveys the records with a low grid reference resolution are presented in the Vague Records table.

The species, listed by taxon name, were recorded from a broad range of surveys - from public and species specific surveys to formal surveys carried out during the GLA's rolling survey programme.

Please note: As of April 2010, the London Bat Group has asked GiGL to stop providing bat roost information with immediate effect. If you require this information you can contact the London Bat Group directly: enquires@londonbats.org.uk or lbgr@hotmail.co.uk. Records of bat sightings are presented in the report if found in the search area.

If you would like further information regarding rare, notable and protected species please contact a relevant person listed in the Further Contacts section of this report.

* Protected species are those listed on EC Habitats Directive – Annexes II and IV, EC Birds Directive – Annex I, Conservation (Natural Habitats) Regulations 1994 – Schedules 2 & 5, NERC 2006 Section 41, Wildlife and Countryside Act 1981 (as amended) – Schedules 1, 5 & 8, Protection of Badgers Act 1992

4.1 Protected Species and Species of Conservation Concern

Records in this section come from a variety of planning and conservation designations and are presented here to provide a broad range of information about the search area. GiGL's Recorder Advisory Group have advised on the inclusion of each category and further information about the designations (legal and notable) can be found in the "Supporting Information" annex.

All records in this section were recorded to at least 100 m² accuracy (a six grid reference figure or higher). The total number of occurrences states the number of recorded instances for a species in the search area e.g. one recorded instance of fly orchid (*Ophrys insectifera*) could have a count of 10 individual plants. The maximum occurrence column records either that the species was present "P" or gives a numerical value of the highest count of species recorded in the search area where this is known.

Table 1 Red Data List designation abbreviations used in the species table. Further information on the designations can be found in the annex.

Designation short name	Designation full name	Designation short name	Designation full name
RL_DataDeficient	IUCN (2001) - Data Deficient	RL_LowerRisk	IUCN (2001) - Lower risk - near threatened
RL_CriticalEndangered	IUCN (2001) - Critically endangered	RL_Extinct	IUCN (2001) - Extinct
RL_Endangered	IUCN (2001) - Endangered	RL_ExtinctWild	IUCN (2001) - Extinct in the wild
RL_Vulnerable	IUCN (2001) - Vulnerable	RL_RegionExtinct	IUCN (2001) - Regionally Extinct

Taxon Name	Common Name	Designation	Total number of occurrences	No. of breeding occurrences	Maximum occurrence	Distance (m) of nearest record	Bearing of nearest record	Date of nearest record	Distance (m) of most recent record	Bearing of most recent record	Date of most recent record
Fungi											
<i>Agaricus comtulus</i>	Ornamented Mushroom	Local Spp of Cons Conc	1	1	P	2091	SW	21/07/2009	2091	SW	21/07/2009
<i>Boletus declivatum</i>	A Fungus	RL_DataDeficient	3		P	1930	SW	14/10/2009	1930	SW	14/10/2009
<i>Coriolopsis gallica</i>	Brownflesh Bracket	Local Spp of Cons Conc	1		1	2054	S	11/10/2012	2054	S	11/10/2012
<i>Hericium erinaceus</i>	Bearded Tooth	W&CA Sch8 NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3		P	1119	SW	07/12/2013	1463	W	14/10/2014
<i>Inonotus cuticularis</i>	Clustered Bracket	Local Spp of Cons Conc	1		P	1903	W	28/08/2009	1903	W	28/08/2009
<i>Leccinum scabrum</i>	Brown Birch-Bolete	RL_DataDeficient	5		P	1993	SW	20/11/2009	1993	SW	20/11/2009
Higher Plants - Flowering Plants											
<i>Althaea officinalis</i>	Marsh-mallow	Nationally Scarce	2		P	1336	SW	23/06/2004	2119	W	09/07/2004
<i>Buxus sempervirens</i>	Box	RL_DataDeficient Nationally Rare	1		P	1469	NE	06/10/1999	1469	NE	06/10/1999
<i>Carex caryophyllea</i>	Spring-sedge	Local Spp of Cons Conc	3		P	1119	SW	1981	1119	SW	1998
<i>Carex riparia</i>	Greater Pond-sedge	Local Spp of Cons Conc	11		P	1119	SW	1997	1982	W	23/06/2011
<i>Carex vulpina</i>	True Fox-sedge	NERC Act Section 41 BAP Priority National RL_Vulnerable Nationally Rare	1		P	1134	S	21/07/2012	1134	S	21/07/2012
<i>Centaurea cyanus</i>	Cornflower	NERC Act Section 41 BAP Priority National	1		P	987	NE	1984	987	NE	1984
<i>Cerastium cerastoides</i>	Starwort Mouse-ear	Nationally Scarce	1		P	2065	W	12/05/2014	2065	W	12/05/2014
<i>Chamaemelum nobile</i>	Chamomile	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc RL_Vulnerable	7		P	1412	SW	11/10/1984	1996	W	23/06/2011
<i>Chenopodium bonus-henricus</i>	Good-King-Henry	RL_Vulnerable	1		P	1119	SW	1990	1119	SW	1990
<i>Convallaria majalis</i>	Lily-of-the-valley	Local Spp of Cons Conc	1		P	2036	E	1974	2036	E	1974



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<i>Crepis mollis</i>	Northern Hawk's-beard	NERC Act Section 41 BAP Priority National RL_Endangered Nationally Rare	1		P	1356	SE	21/07/2012	1356	SE	21/07/2012
<i>Epilobium palustre</i>	Marsh Willowherb	Local Spp of Cons Conc	2		P	662	NE	19/07/2004	662	NE	19/07/2004
<i>Filago minima</i>	Small Cudweed	Local Spp of Cons Conc	1		P	1903	W	1990	1903	W	1990
<i>Fritillaria meleagris</i>	Fritillary	Nationally Scarce	1		P	1903	W	1997	1903	W	1997
<i>Geranium pratense</i>	Meadow Crane's-bill	Local Spp of Cons Conc	3		P	1336	SW	23/06/2004	2119	W	09/07/2004
<i>Hyacinthoides non-scripta</i>	Bluebell	W&CA Sch8 Local Spp of Cons Conc	2		P	1336	SW	23/06/2004	1336	SW	23/06/2004
<i>Hydrocotyle vulgaris</i>	Marsh Pennywort	Local Spp of Cons Conc	4		P	1144	S	05/07/2004	1241	S	14/08/2012
<i>Hyoscyamus niger</i>	Henbane	Local Spp of Cons Conc RL_Vulnerable	1		P	976	NE	1983	976	NE	1983
<i>Juncus compressus</i>	Round-fruited Rush	Local Spp of Cons Conc RL_LowerRisk	4		P	1612	NE	21/07/1984	1680	NE	1994
<i>Lathyrus aphaca</i>	Yellow Vetchling	Local Spp of Cons Conc RL_Vulnerable Nationally Scarce	5		P	976	NE	1975	1016	N	24/05/1999
<i>Lathyrus hirsutus</i>	Hairy Vetchling	Local Spp of Cons Conc Nationally Rare	1		P	2002	N	2004	2002	N	2004
<i>Lepidium latifolium</i>	Dittander	Nationally Scarce	8		P	662	NE	2003	1402	N	2004
<i>Limosella aquatica</i>	Mudwort	BAP Priority London Local Spp of Cons Conc Nationally Scarce	7		2	1256	S	17/08/2011	1256	S	17/08/2011
<i>Moenchia erecta</i>	Upright Chickweed	Local Spp of Cons Conc	1		P	1119	SW	1981	1119	SW	1981
<i>Nymphoides peltata</i>	Fringed Water-lily	Local Spp of Cons Conc Nationally Scarce	10		P	1036	S	1987	1134	S	1995
<i>Persicaria minor</i>	Small Water-pepper	Local Spp of Cons Conc RL_Vulnerable	3		P	1119	SW	1986	1574	SW	1987
<i>Persicaria mitis</i>	Tasteless Water-pepper	Local Spp of Cons Conc RL_Vulnerable Nationally Scarce	1		250	1100	N	1995	1100	N	1995
<i>Polygala serpyllifolia</i>	Heath Milkwort	Local Spp of Cons Conc	4		2	1465	W	23/09/2011	1465	W	23/09/2011
<i>Populus nigra subsp. betulifolia</i>	Black Poplar	BAP Priority London	10		2	1100	N	2002	1335	W	06/06/2011
<i>Potamogeton trichoides</i>	Hairlike Pondweed	Local Spp of Cons Conc	4		P	1119	SW	1986	1982	W	23/06/2011
<i>Potentilla argentea</i>	Hoary Cinquefoil	Local Spp of Cons Conc RL_LowerRisk	3		1	1303	N	01/06/2003	1303	N	2004
<i>Rosa obtusifolia</i>	Round-leaved Dog-rose	Local Spp of Cons Conc	1		P	942	NE	2003	942	NE	2003
<i>Sagittaria sagittifolia</i>	Arrowhead	Local Spp of Cons Conc	4		P	1206	S	28/07/2007	1206	S	28/07/2007
<i>Salvia verbenaca</i>	Wild Clary	Local Spp of Cons Conc	2		P	901	N	2003	901	N	2003
<i>Thalictrum flavum</i>	Common Meadow-rue	Local Spp of Cons Conc	1		P	1336	SW	23/06/2004	1336	SW	23/06/2004
<i>Tilia platyphyllos</i>	Large-leaved Lime	Nationally Scarce	84		P	663	SW	15/07/2010	1080	SW	09/09/2010
<i>Trifolium glomeratum</i>	Clustered Clover	Local Spp of Cons Conc Nationally Scarce	2		P	969	SE	01/07/2014	969	SE	01/07/2014
<i>Umbilicus rupestris</i>	Navelwort	Local Spp of Cons Conc	2		P	1144	S	05/07/2004	1144	S	05/07/2004
<i>Valeriana officinalis</i>	Common Valerian	Local Spp of Cons Conc	1		P	1520	E	31/05/2006	1520	E	31/05/2006
<i>Viscum album</i>	Mistletoe	BAP Priority London Local Spp of Cons Conc	186		1	157	NW	2002	2131	SE	18/04/2013
Invertebrates - Molluscs											



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<i>Arion (Arion) ater</i>	Large Black Slug	RL_DataDeficient	10		P	1249	SW	28/06/04-23/08/04	1405	N	2010
<i>Lymnaea (Stagnicola) palustris</i>	Marsh Pond Snail	RL_DataDeficient	1		3	1133	S	22/08/2012	1133	S	22/08/2012
<i>Valvata macrostoma</i>	Large-mouthed Valve Snail	NERC Act Section 41 BAP Priority National RL_Vulnerable	2		P	1781	SW	Aug 2000	1781	SW	Aug 2000
Invertebrates - Spiders											
<i>Ero aphana</i>	A Spider	BAP Priority London Local Spp of Cons Conc	1		1	1003	N	10/06/2007	1003	N	10/06/2007
<i>Nigma walckenaeri</i>	A Spider	Local Spp of Cons Conc	2		P	1405	N	2010	1405	N	2010
Invertebrates - Mayflies											
<i>Ephemera lineata</i>	Mayflies (Greendrakes)	RL_Vulnerable	9		1	1405	N	2010	2175	W	21/06/2014
Invertebrates - Dragonflies & Damselflies											
<i>Brachytron pratense</i>	Hairy Dragonfly	Local Spp of Cons Conc	4		1	1119	SW	2000	1230	S	13/06/2012
<i>Cordulia aenea</i>	Downy Emerald	Local Spp of Cons Conc	2		1	1301	S	16/06/2015	1301	S	16/06/2015
<i>Erythromma najas</i>	Red-eyed Damselfly	Local Spp of Cons Conc	10	1	3	1119	SW	Aug 2011	1119	SW	Aug 2011
<i>Gomphus vulgatissimus</i>	Common Club-tail	RL_LowerRisk	1		P	1119	SW	1993-1996	1119	SW	1993-1996
<i>Lestes sponsa</i>	Emerald Damselfly	Local Spp of Cons Conc	1		P	1911	SE	14/07/2011	1911	SE	14/07/2011
<i>Libellula fulva</i>	Scarce Chaser	RL_LowerRisk	1		P	1100	S	14/07/2016	1100	S	14/07/2016
<i>Platycnemis pennipes</i>	White-legged Damselfly	Local Spp of Cons Conc	7		1	1119	SW	1997	1284	SW	12/07/2016
<i>Somatochlora metallica</i>	Brilliant Emerald	RL_Vulnerable	2		P	1119	SW	1993-1996	2152	SW	1997
<i>Sympetrum sanguineum</i>	Ruddy Darter	Local Spp of Cons Conc	3		11	1119	SW	1993-1996	1946	W	24/09/2014
Invertebrates - Grasshoppers & Crickets											
<i>Conocephalus fuscus</i>	Long-winged Cone-head	Local Spp of Cons Conc	22		12	1119	SW	22/07/2004	2046	W	05/09/2014
<i>Stenobothrus lineatus</i>	Stripe-winged Grasshopper	Local Spp of Cons Conc	5		P	906	S	28/06/04-23/08/04	906	S	28/06/04-23/08/04
Invertebrates - True Bugs											
<i>Anoscopus albifrons</i>	A True Bug	Nationally Notable B	5		P	1249	SW	28/06/04-23/08/04	1249	SW	28/06/04-23/08/04
<i>Anthocoris visci</i>	A True Bug	Nationally Notable B	2		P	1467	S	28/06/04-23/08/04	1467	S	28/06/04-23/08/04
<i>Asiraca clavicornis</i>	A True Bug	Local Spp of Cons Conc Nationally Notable B	1		P	1405	N	2010	1405	N	2010
<i>Edwardsiana ishidai</i>	A True Bug	Nationally Notable B	1		P	1405	N	2010	1405	N	2010
<i>Iassus scutellaris</i>	A True Bug	Nationally Notable A	1		P	2026	W	28/06/04-23/08/04	2026	W	28/06/04-23/08/04
<i>Macropsis glandacea</i>	A True Bug	Nationally Notable B	1		P	2026	W	28/06/04-23/08/04	2026	W	28/06/04-23/08/04
Invertebrates - Beetles											
<i>Abdera biflexuosa</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	12		2	1249	SW	28/06/04-23/08/04	1642	W	26/07/2010
<i>Abdera flexuosa</i>	A Beetle	Nationally Notable B	1		P	1495	W	28/06/04-23/08/04	1495	W	28/06/04-23/08/04



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<i>Abdera quadrifasciata</i>	A Beetle	Nationally Notable A	2		P	1249	SW	28/06/04-23/08/04	1249	SW	28/06/04-23/08/04
<i>Abraeus granulum</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	2		P	906	S	28/06/04-23/08/04	906	S	28/06/04-23/08/04
<i>Acalles ptinoides</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	1		1	1642	W	06/09/2010	1642	W	06/09/2010
<i>Acrolocha minuta</i>	A Beetle	Nationally Notable	2		2	1661	SW	12/12/2009	1661	SW	12/12/2009
<i>Aderus populneus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	5		3	1249	SW	30/09/2009	1713	SW	12/12/2009
<i>Agrilus (Anambus) biguttatus</i>	Two-Spot Wood-Borer	Local Spp of Cons Conc	14		P	906	S	28/06/04-23/08/04	906	S	28/06/04-23/08/04
<i>Agrilus (Anambus) laticornis</i>	A Beetle	Local Spp of Cons Conc	13		3	906	S	28/06/04-23/08/04	1642	W	09/08/2010
<i>Agrilus (Anambus) sinuatus</i>	Hawthorn Jewel Beetle	Local Spp of Cons Conc	11		P	1120	S	09/08/1986	1405	N	2010
<i>Aleochara (Xenochara) stichai</i>	A Beetle	Nationally Notable	8		1	1249	SW	24/11/2009	2033	SW	04/10/2010
<i>Ampedus cardinalis</i>	Cardinal Click Beetle	BAP Priority London Local Spp of Cons Conc	13		10	906	S	28/06/04-23/08/04	2117	W	24/07/2010
<i>Anacaena bipustulata</i>	A Beetle	Local Spp of Cons Conc	7		2	1093	SE	15/06/2004	1750	W	06/07/2010
<i>Anaglyptus mysticus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	2		2	2132	W	23/05/2010	2175	W	16/05/2015
<i>Anisoxya fuscata</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	1		P	2026	W	28/06/04-23/08/04	2026	W	28/06/04-23/08/04
<i>Anitys rubens</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	1		P	906	S	28/06/04-23/08/04	906	S	28/06/04-23/08/04
<i>Anobium inexpectatum</i>	A Beetle	Nationally Notable B	6		6	1669	W	29/06/2010	1817	W	05/07/2010
<i>Anobium nitidum</i>	A Beetle	Local Spp of Cons Conc	3		1	2033	SW	26/07/2010	2033	SW	26/07/2010
<i>Anotylus hamatus</i>	A Beetle	Nationally Notable	3		23	1642	W	02/08/2010	1642	W	02/08/2010
<i>Anthribus fasciatus</i>	A Beetle	Nationally Notable A	4		1	845	SE	19/01/2010	1885	SW	05/07/2010
<i>Aphodius (Limarus) zenkeri</i>	A Beetle	Nationally Notable B	14		13	1642	W	26/07/2010	1642	W	04/10/2010
<i>Aplocnemus impressus</i>	A Beetle	Local Spp of Cons Conc	1		1	2117	W	26/02/2010	2117	W	26/02/2010
<i>Aromia moschata</i>	Musk Beetle	Nationally Notable B	2		P	1119	SW	1980-2006	1119	SW	1980-2006
<i>Aulonothroscus brevicollis</i>	A Beetle	Local Spp of Cons Conc	62		18	1249	SW	13/10/2009	2033	SW	11/10/2010
<i>Batrisodes delaporti</i>	A Beetle	Local Spp of Cons Conc	1		1	2073	SW	05/07/2010	2073	SW	05/07/2010
<i>Bibloporus minutus</i>	A Beetle	Nationally Notable B	1		1	1249	SW	23/09/2009	1249	SW	23/09/2009
<i>Carpelimus obesus</i>	A Beetle	Nationally Notable	1		1	2038	W	23/05/2010	2038	W	23/05/2010
<i>Carpelimus similis</i>	A Beetle	Nationally Notable	1		1	1446	W	23/05/2010	1446	W	23/05/2010
<i>Cercyon (Cercyon) bifenestratus</i>	A Beetle	Nationally Scarce Nationally Notable A	1		2	2038	W	23/05/2010	2038	W	23/05/2010
<i>Chaetarthria seminulum</i>	A Beetle	Nationally Scarce	1		1	1673	SW	31/05/2010	1673	SW	31/05/2010
<i>Cicones undatus</i>	A Beetle	Local Spp of Cons Conc	14		2	1249	SW	09/09/2009	1642	W	25/10/2010
<i>Cis festivus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	1		P	1119	SW	1980-2006	1119	SW	1980-2006
<i>Coeliodes ruber</i>	A Beetle	Nationally Notable B	2		1	1642	W	12/07/2010	1642	W	12/07/2010
<i>Colyidium elongatum</i>	A Beetle	Local Spp of Cons Conc	1		P	1249	SW	28/06/04-23/08/04	1249	SW	28/06/04-23/08/04
<i>Conopalpus testaceus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	10		1	906	S	28/06/04-23/08/04	2033	SW	05/07/2010
<i>Corticaria alleni</i>	A Beetle	Local Spp of Cons Conc Nationally Notable	2		1	1642	W	26/07/2010	1642	W	26/07/2010
<i>Cossonus linearis</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	1		P	1405	N	2010	1405	N	2010



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<i>Cryptarcha strigata</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	1		P	1249	SW	28/06/04- 23/08/04	1249	SW	28/06/04- 23/08/04
<i>Cryptarcha undata</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	4		7	2033	SW	21/06/2010	2033	SW	26/07/2010
<i>Cryptophagus falcozi</i>	A Beetle	Local Spp of Cons Conc	1		4	2073	SW	24/07/2010	2073	SW	24/07/2010
<i>Cryptophagus micaceus</i>	A Beetle	Local Spp of Cons Conc	23		5	1249	SW	23/09/2009	2033	SW	04/10/2010
<i>Cryptophagus ruficornis</i>	A Beetle	Local Spp of Cons Conc Nationally Notable	3		P	1568	SW	28/06/04- 23/08/04	1568	SW	28/06/04- 23/08/04
<i>Ctesias serra</i>	Cobweb Beetle	Nationally Notable B	15		7	906	S	28/06/04- 23/08/04	2033	SW	28/06/2010
<i>Dexiogyia corticina</i>	A Beetle	Local Spp of Cons Conc Nationally Notable	2		7	1120	S	12/12/2009	1120	S	12/12/2009
<i>Diplocoelus fagi</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	14		3	1249	SW	16/09/2009	1642	W	27/09/2010
<i>Dorcatoma flavicornis</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	12		1	1120	S	16/10/1988	1642	W	02/08/2010
<i>Dorcatoma substriata</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	3		P	1119	SW	1980-2006	2175	W	21/06/2014
<i>Elater ferrugineus</i>	Click beetle	BAP Priority London Local Spp of Cons Conc	2		P	1249	SW	28/06/04- 23/08/04	1619	W	19/10/2009
<i>Eledona agricola</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	9		100	1204	S	19/01/2010	1925	W	29/06/2010
<i>Enicmus brevicornis</i>	A Beetle	Local Spp of Cons Conc Nationally Notable	30		16	1249	SW	30/09/2009	1642	W	06/09/2010
<i>Enicmus rugosus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable	8		3	1204	S	19/01/2010	1642	W	09/08/2010
<i>Epuraea (Epuraea) fuscicollis</i>	A Beetle	Nationally Notable B	1		P	1119	SW	1980-2006	1119	SW	1980-2006
<i>Epuraea (Epuraea) guttata</i>	A Beetle	Nationally Notable B	3		1	1249	SW	28/06/04- 23/08/04	2033	SW	26/07/2010
<i>Ernoporicus fagi</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	2		P	1568	SW	28/06/04- 23/08/04	1568	SW	28/06/04- 23/08/04
<i>Eucnemis capucina</i>	False click beetle	BAP Priority London Local Spp of Cons Conc	2		1	2033	SW	21/06/2010	2033	SW	21/06/2010
<i>Euglenes oculatus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	35		110	1249	SW	28/06/04- 23/08/04	2033	SW	09/08/2010
<i>Euplectus kirbii</i>	A Beetle	Local Spp of Cons Conc Nationally Notable	2		4	2073	SW	05/07/2010	2073	SW	05/07/2010
<i>Euplectus mutator</i>	A Beetle	Nationally Notable	2		1	1119	SW	1980-2006	1642	W	06/09/2010
<i>Euryusa sinuata</i>	A Beetle	Local Spp of Cons Conc	1		P	2033	SW	28/06/04- 23/08/04	2033	SW	28/06/04- 23/08/04
<i>Gnorimus variabilis</i>	Variable Chafer	NERC Act Section 41 BAP Priority National RL_Endangered	1		P	1119	SW	1980-2006	1119	SW	1980-2006
<i>Gyrophana manca</i>	A Beetle	Local Spp of Cons Conc Nationally Notable	1		P	2033	SW	28/06/04- 23/08/04	2033	SW	28/06/04- 23/08/04
<i>Hadrobregmus denticollis</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	5		2	1642	W	02/08/2010	1642	W	09/08/2010
<i>Haploglossa marginalis</i>	A Beetle	Local Spp of Cons Conc Nationally Notable	1		9	1565	SW	29/03/1986	1565	SW	29/03/1986
<i>Hedobia (Ptinomorphus) imperialis</i>	A Beetle	Nationally Notable B	2		1	2033	SW	14/06/2010	2033	SW	14/06/2010



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<i>Hydrovatus clypealis</i>	A Beetle	Nationally Scarce	2		5	1093	SE	15/06/2004	1093	SE	15/06/2004
<i>Hygrotus (Coelambus) nigrolineatus</i>	A Beetle	Nationally Scarce	1		1	1962	W	06/07/2010	1962	W	06/07/2010
<i>Hylis olexai</i>	A Beetle	Local Spp of Cons Conc	2		1	1119	SW	1980-2006	1642	W	05/07/2010
<i>Hypera (Dapalinus) meles</i>	A Beetle	Nationally Notable A	1		P	1979	W	24/07/2010	1979	W	24/07/2010
<i>Hypnogyra angularis</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	4		1	1119	SW	1980-2006	2073	SW	05/07/2010
<i>Hypopycna rufula</i>	A Beetle	Local Spp of Cons Conc	1		1	2033	SW	11/10/2010	2033	SW	11/10/2010
<i>Ischnomera caerulea</i>	A Beetle	Local Spp of Cons Conc	1		1	2033	SW	14/06/2010	2033	SW	14/06/2010
<i>Ischnomera cyanea</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	3		P	1249	SW	28/06/04- 23/08/04	1405	N	2010
<i>Leiodes oblonga</i>	A Beetle	Nationally Notable	5		3	1642	W	31/08/2010	1642	W	20/09/2010
<i>Liparus coronatus</i>	A Beetle	Nationally Notable B	1		1	1003	N	10/06/2007	1003	N	10/06/2007
<i>Lissodema denticolle</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	2		P	1709	SW	28/06/04- 23/08/04	1709	SW	28/06/04- 23/08/04
<i>Longitarsus parvulus</i>	Flax Flea Beetle	Local Spp of Cons Conc Nationally Notable A	5		2	1642	W	16/08/2010	1642	W	25/10/2010
<i>Lucanus cervus</i>	Stag Beetle	Hab&Spp Dir Anx 2np NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Nationally Notable B	763		3	120	W	17/06/2016	1433	NW	18/06/2018
<i>Lymexylon navale</i>	A Beetle	Local Spp of Cons Conc	12		6	1249	SW	28/06/04- 23/08/04	1642	W	26/07/2010
<i>Magdalis (Porrothus) cerasi</i>	A Beetle	Nationally Notable B	3		2	1249	SW	28/06/04- 23/08/04	1337	SW	31/05/2010
<i>Malthinus frontalis</i>	A Beetle	Local Spp of Cons Conc	1		P	2033	SW	28/06/04- 23/08/04	2033	SW	28/06/04- 23/08/04
<i>Megatoma undata</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	5		1	1249	SW	28/06/04- 23/08/04	2033	SW	05/07/2010
<i>Melandrya caraboides</i>	A Beetle	Nationally Notable B	1		P	1119	SW	1980-2006	1119	SW	1980-2006
<i>Meligethes rotundicollis</i>	A Beetle	Nationally Notable	1		1	1312	SW	05/07/2010	1312	SW	05/07/2010
<i>Mordellistena (Mordellistena) neuwaldeggiana</i>	A Beetle	Local Spp of Cons Conc	3		1	1249	SW	28/06/04- 23/08/04	1642	W	05/07/2010
<i>Mycetochara humeralis</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	2		1	1310	S	03/06/2007	2033	SW	14/06/2010
<i>Mycetophagus piceus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	7		1	1284	S	30/09/1992	2033	SW	11/10/2010
<i>Mycetophagus quadriguttatus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	1		P	1903	W	28/06/04- 23/08/04	1903	W	28/06/04- 23/08/04
<i>Nephus quadrimaculatus</i>	A Beetle	Local Spp of Cons Conc	4		5	1269	SW	31/05/2010	1405	N	2010
<i>Neuraphes (Pararaphes) plicicollis</i>	A Beetle	Nationally Notable	2		1	1642	W	11/10/2010	1642	W	11/10/2010
<i>Nossidium pilosellum</i>	A Beetle	Local Spp of Cons Conc Nationally Notable	2		P	1119	SW	1980-2006	2073	SW	05/07/2010
<i>Notaris scirpi</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	2		2	1991	W	06/07/2010	1991	W	06/07/2010
<i>Notolaemus unifasciatus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	3		1	1119	SW	1980-2006	2033	SW	14/06/2010
<i>Oligota apicata</i>	A Beetle	Nationally Notable	1		P	1249	SW	28/06/04- 23/08/04	1249	SW	28/06/04- 23/08/04



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<i>Omalius rugatum</i>	A Beetle	Nationally Notable	2		1	1642	W	11/10/2010	1642	W	11/10/2010
<i>Onthophagus (Paleonthophagus) verticicornis</i>	A Beetle	RL_RegionExtinct	1		3	1456	W	11/06/2003	1456	W	11/06/2003
<i>Opilo mollis</i>	A Beetle	Local Spp of Cons Conc	7		1	1119	SW	14/10/2006	1642	W	09/08/2010
<i>Orchesia micans</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	7		1	1249	SW	28/06/04- 23/08/04	1642	W	13/09/2010
<i>Orchesia minor</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	1		P	1119	SW	1980-2006	1119	SW	1980-2006
<i>Orthoperus nigrescens</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	51		49	1119	SW	1980-2006	1642	W	25/10/2010
<i>Oxystoma cerdo</i>	A Beetle	Nationally Notable B	4		P	2006	W	23/05/2010	2075	W	24/07/2010
<i>Pachyatheta cribrata</i>	A Beetle	Nationally Notable	1		1	1642	W	04/10/2010	1642	W	04/10/2010
<i>Peltodytes caesus</i>	A Beetle	Nationally Scarce	6		14	1345	SW	15/06/2004	1782	W	06/07/2010
<i>Philorhizus quadrisignatus</i>	Mab's Lantern	NERC Act Section 41 BAP Priority National RL_LowerRisk	2		1	1120	S	09/08/1986	1757	SW	14/10/2006
<i>Phloiophilus edwardsii</i>	A Beetle	Local Spp of Cons Conc	38		9	1119	SW	1980-2006	1642	W	25/10/2010
<i>Phloiotrya vaudoueri</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	9		2	1249	SW	28/06/04- 23/08/04	1642	W	26/07/2010
<i>Phytoecia cylindrica</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	1		P	1405	N	2010	1405	N	2010
<i>Placusa tachyporoides</i>	A Beetle	Local Spp of Cons Conc Nationally Notable	1		1	1249	SW	09/09/2009	1249	SW	09/09/2009
<i>Platycis minutus</i>	A Beetle	Local Spp of Cons Conc	3		1	1119	SW	1980-2006	1642	W	13/09/2010
<i>Platypus cylindrus</i>	Pinhole Borer	Local Spp of Cons Conc Nationally Notable B	35		36	947	S	30/09/1992	1642	W	06/09/2010
<i>Plegaderus dissectus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	4		1	1119	SW	1980-2006	2073	SW	05/07/2010
<i>Podagrira fuscicornis</i>	Mallow Flea Beetle	Nationally Notable B	1		P	1405	N	2010	1405	N	2010
<i>Prionocyphon serricornis</i>	A Beetle	Local Spp of Cons Conc	2		P	1249	SW	28/06/04- 23/08/04	1249	SW	28/06/04- 23/08/04
<i>Prionus coriarius</i>	Tanner Beetle	Local Spp of Cons Conc Nationally Notable A	1		P	2008	SW	28/06/04- 23/08/04	2008	SW	28/06/04- 23/08/04
<i>Prionychus ater</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	12		1	1249	SW	28/06/04- 23/08/04	1642	W	08/08/2010
<i>Procrærus tibialis</i>	A Beetle	Local Spp of Cons Conc	9		1	906	S	28/06/04- 23/08/04	2117	W	24/07/2010
<i>Ptenidium (Gressnerium) gressneri</i>	A Beetle	Local Spp of Cons Conc Nationally Notable	1		25	1713	SW	12/12/2009	1713	SW	12/12/2009
<i>Ptenidium (Matthewsium) turgidum</i>	A Beetle	Local Spp of Cons Conc	1		P	1903	W	28/06/04- 23/08/04	1903	W	28/06/04- 23/08/04
<i>Ptinus sexpunctatus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	1		1	2033	SW	14/06/2010	2033	SW	14/06/2010
<i>Pyrochroa coccinea</i>	Black-headed Cardinal Beetle	Local Spp of Cons Conc Nationally Notable B	5		P	1249	SW	28/06/04- 23/08/04	1574	SW	12/12/2009
<i>Quedius (Microsaurus) brevicornis</i>	A Beetle	Nationally Notable B	1		P	1565	SW	29/03/1986	1565	SW	29/03/1986
<i>Quedius (Microsaurus) fulgidus</i>	A Beetle	Nationally Notable B	1		1	2033	SW	28/06/2010	2033	SW	28/06/2010
<i>Quedius (Microsaurus) nigrocaeruleus</i>	A Beetle	Nationally Notable B	1		1	1642	W	05/07/2010	1642	W	05/07/2010
<i>Quedius (Microsaurus) scitus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	1		1	1642	W	02/08/2010	1642	W	02/08/2010



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<i>Quedius (Microsaurus) truncicola</i>	A Beetle	Nationally Notable B	2		P	906	S	28/06/04-23/08/04	906	S	28/06/04-23/08/04
<i>Rhinocyllus conicus</i>	A Beetle	Nationally Notable A	2		1	1642	W	25/10/2010	1642	W	25/10/2010
<i>Rhizophagus (Rhizophagus) nitidulus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	2		P	1249	SW	28/06/04-23/08/04	1249	SW	28/06/04-23/08/04
<i>Scolytus mali</i>	Large Fruit Bark Beetle	Nationally Notable B	2		P	1642	W	28/06/04-23/08/04	1642	W	28/06/04-23/08/04
<i>Scraptia fuscula</i>	A Beetle	Local Spp of Cons Conc RL_Vulnerable	1		1	1885	SW	05/07/2010	1885	SW	05/07/2010
<i>Scraptia testacea</i>	A Beetle	Local Spp of Cons Conc	8		5	1420	W	29/06/2010	2033	SW	19/07/2010
<i>Scydmaenus (Cholerus) rufus</i>	A Beetle	Local Spp of Cons Conc	4		1	1249	SW	28/06/04-23/08/04	1642	W	28/06/2010
<i>Scymnus (Scymnus) femoralis</i>	A Beetle	Nationally Notable B	1		1	1817	W	26/02/2010	1817	W	26/02/2010
<i>Scymnus (Scymnus) schmidti</i>	A Beetle	Nationally Notable B	1		P	1903	W	28/06/04-23/08/04	1903	W	28/06/04-23/08/04
<i>Sepedophilus bipunctatus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	1		P	1885	SW	01/12/2009	1885	SW	01/12/2009
<i>Sepedophilus testaceus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable	2		5	1921	SW	19/01/2010	1921	SW	19/01/2010
<i>Silvanus bidentatus</i>	A Beetle	Nationally Notable B	2		P	1119	SW	1980-2006	1119	SW	1980-2006
<i>Sphindus dubius</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	4		8	1249	SW	28/06/04-23/08/04	1332	W	29/06/2010
<i>Stenelmis canaliculata</i>	A Beetle	RL_Vulnerable	1		1	1960	W	06/07/2010	1960	W	06/07/2010
<i>Stenolophus teutonius</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	1		4	2038	W	23/05/2010	2038	W	23/05/2010
<i>Synchita humeralis</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	1		P	2026	W	28/06/04-23/08/04	2026	W	28/06/04-23/08/04
<i>Synchita separanda</i>	A Beetle	Local Spp of Cons Conc	2		P	1903	W	28/06/04-23/08/04	1903	W	28/06/04-23/08/04
<i>Tachyusa coarctata</i>	A Beetle	Nationally Notable	3		2	1249	SW	30/09/2009	2038	W	23/05/2010
<i>Taphrorychus bicolor</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	2		1	2033	SW	20/09/2010	2033	SW	20/09/2010
<i>Tillus elongatus</i>	A Beetle	Local Spp of Cons Conc	5		P	906	S	28/06/04-23/08/04	2073	SW	05/07/2010
<i>Tomoxia bucephala</i>	A Beetle	Nationally Notable A	3		1	1669	W	29/06/2010	1669	W	29/06/2010
<i>Trichophya pilicornis</i>	A Beetle	Nationally Notable B	1		1	1983	W	23/05/2010	1983	W	23/05/2010
<i>Trinodes hirtus</i>	A Beetle	Local Spp of Cons Conc RL_LowerRisk	10		5	2033	SW	28/06/04-23/08/04	2033	SW	12/07/2010
<i>Tychius pusillus</i>	A Beetle	Nationally Notable B	4		P	906	S	28/06/04-23/08/04	906	S	28/06/04-23/08/04
<i>Uleiota planatus</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	7		30	1119	SW	1980-2006	1502	W	29/06/2010
<i>Velleius dilatatus</i>	Hornet Rove-Beetle	Local Spp of Cons Conc	1		1	1642	W	16/08/2010	1642	W	16/08/2010
<i>Xyleborus dispar</i>	Ambrosia Beetle	Local Spp of Cons Conc Nationally Notable B	9		2	1119	SW	1980-2006	1642	W	19/07/2010
<i>Xyleborus dryographus</i>	Ambrosia Beetle	Local Spp of Cons Conc Nationally Notable B	2		1	1119	SW	1980-2006	2033	SW	28/06/2010
Invertebrates - Butterflies											
<i>Apatura iris</i>	Purple Emperor	Local Spp of Cons Conc RL_LowerRisk	1		1	2119	NW	23/07/2015	2119	NW	23/07/2015



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<i>Argynnis aglaja</i>	Dark Green Fritillary	BAP Priority London Local Spp of Cons Conc	1		1	1905	W	27/07/2008	1905	W	27/07/2008
<i>Argynnis paphia</i>	Silver-washed Fritillary	Local Spp of Cons Conc	2		1	1869	W	01/09/2008	2016	W	02/08/2015
<i>Aricia agestis</i>	Brown Argus	Local Spp of Cons Conc	8		2	768	SW	25/07/2011	1905	W	12/08/2016
<i>Coenonympha pamphilus</i>	Small Heath	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc RL_LowerRisk	627		65	768	SW	13/07/2008	1616	W	27/09/2014
<i>Coenonympha pamphilus pamphilus</i>	Small Heath	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc RL_LowerRisk	154		9	1006	S	02/09/2015	1696	W	26/09/2018
<i>Lasiommata megera</i>	Wall	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc RL_LowerRisk	2		1	1665	W	03/06/2006	1665	W	03/06/2006
<i>Limenitis camilla</i>	White Admiral	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc RL_Vulnerable	2		1	1616	W	01/07/2009	1812	W	25/07/2017
<i>Melanargia galathea</i>	Marbled White	Local Spp of Cons Conc	3		1	1114	SE	15/07/2005	1230	S	21/07/2012
<i>Melanargia galathea serena</i>	Marbled White	Local Spp of Cons Conc	8		3	1330	SE	10/07/2015	1616	W	22/07/2018
Invertebrates - Moths											
<i>Acronicta psi</i>	Grey Dagger	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2		1	1661	W	29/07/2010	1661	W	29/07/2010
<i>Acronicta rumicis</i>	Knot Grass	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1		2	2013	W	28/07/2010	2013	W	28/07/2010
<i>Amphipoea oculea</i>	Ear Moth	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	8		26	1291	SW	04/08/2006	1661	W	29/07/2010
<i>Apamea remissa</i>	Dusky Brocade	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1		2	2126	W	22/06/2010	2126	W	22/06/2010
<i>Aporophyla lutulenta</i>	Deep-brown Dart	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1		1	2013	W	04/10/2010	2013	W	04/10/2010
<i>Calamotropha paludella</i>	Bulrush Veneer	Nationally Notable B	4		3	1356	SE	09/07/2005	1956	W	28/07/2010
<i>Calophasia lunula</i>	Toadflax Brocade	Local Spp of Cons Conc	1		1	1946	W	13/06/2014	1946	W	13/06/2014



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<i>Caradrina morpheus</i>	Mottled Rustic	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	4		4	1356	SE	09/07/2005	1977	W	22/06/2010
<i>Ceramica pisi</i>	Broom Moth	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	8		9	1001	S	09/07/2005	1977	W	22/06/2010
<i>Cirrhia icteritia</i>	Sallow	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2		4	1955	W	04/10/2010	1955	W	04/10/2010
<i>Diarsia rubi</i>	Small Square-spot	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	10		37	1150	SW	17/08/2005	1977	W	22/06/2010
<i>Earias clorana</i>	Cream-bordered Green Pea	Local Spp of Cons Conc	1		1	1956	W	28/07/2010	1956	W	28/07/2010
<i>Ecliptopera silaceata</i>	Small Phoenix	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1		1	2128	W	20/08/08- 21/08/08	2128	W	20/08/08- 21/08/08
<i>Eilema griseola</i>	Dingy Footman	Local Spp of Cons Conc	5		9	1291	SW	04/08/2006	1405	N	2010
<i>Elegia similella</i>	White-barred Knot-horn	Nationally Notable B	1		1	1150	SW	12/06/2006	1150	SW	12/06/2006
<i>Ennomos erosaria</i>	September Thorn	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	5		4	1150	SW	17/08/2005	1956	W	28/07/2010
<i>Ennomos fuscantaria</i>	Dusky Thorn	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1		1	2175	W	04/08/2006	2175	W	04/08/2006
<i>Ennomos quercinaria</i>	August Thorn	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1		1	1640	S	01/08/2007	1640	S	01/08/2007
<i>Eugnorisma glareosa</i>	Autumnal Rustic	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3		9	1955	W	04/10/2010	1955	W	04/10/2010
<i>Eupithecia pygmaeata</i>	Marsh Pug	Local Spp of Cons Conc	1		P	2175	W	16/05/2015	2175	W	16/05/2015
<i>Euplagia quadripunctaria</i>	Jersey Tiger	Hab&Spp Dir Anx 2np	1		P	1574	E	27/07/2016	1574	E	27/07/2016
<i>Euxoa tritici</i>	Dusky Dart	NERC Act Section 41 BAP Priority National	3		1	1356	SE	17/08/2005	1638	SW	01/10/2007
<i>Griposia aprilina</i>	Merveille du Jour	Local Spp of Cons Conc	2		1	1985	W	01/10/2007	2013	W	04/10/2010
<i>Hepialus humuli</i>	Ghost Moth	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1		1	2013	W	21/06/2010	2013	W	21/06/2010
<i>Hoplodrina blanda</i>	Rustic	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	5		16	1640	S	22/06/2007	1661	W	29/07/2010



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<i>Hydraecia micacea</i>	Rosy Rustic	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	6		14	1150	SW	17/08/2005	1955	W	04/10/2010
<i>Leucania comma</i>	Shoulder-striped Wainscot	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	13		107	1001	S	09/07/2005	1977	W	22/06/2010
<i>Litoligia literosa</i>	Rosy Minor	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	5		11	1291	SW	04/08/2006	1956	W	28/07/2010
<i>Mythimna straminea</i>	Southern Wainscot	Local Spp of Cons Conc	5		3	1956	W	28/07/2010	1956	W	28/07/2010
<i>Mythimna turca</i>	Double Line	BAP Priority London Local Spp of Cons Conc	2		1	1356	SE	09/07/2005	1643	SW	11/07/2005
<i>Nephoterix angustella</i>	Spindle Knot-horn	Nationally Notable B	1		1	1150	SW	12/06/2006	1150	SW	12/06/2006
<i>Pediasia contaminella</i>	Waste Grass-veneer	Nationally Notable B	3		2	1291	SW	04/08/2006	1590	SW	01/08/2007
<i>Perizoma albulata</i>	Grass Rivulet	BAP Priority London Local Spp of Cons Conc	2		1	1977	W	22/06/2010	1977	W	22/06/2010
<i>Rhizedra lutosa</i>	Large Wainscot	NERC Act Section 41 BAP Priority National	1		1	1691	W	14/10/2010	1691	W	14/10/2010
<i>Schrankia costaestrigalis</i>	Pinion-streaked Snout	Local Spp of Cons Conc	2		3	1150	SW	12/06/2006	2013	W	21/06/2010
<i>Scotopteryx chenopodiata</i>	Shaded Broad-bar	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1		P	2008	SW	28/06/04- 23/08/04	2008	SW	28/06/04- 23/08/04
<i>Scrobipalpa ocellatella</i>	Beet Moth	Nationally Notable	1		1	1291	SW	04/08/2006	1291	SW	04/08/2006
<i>Spilosoma lubricipeda</i>	White Ermine	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	11		9	1150	SW	12/06/2006	1405	N	2010
<i>Spilosoma lutea</i>	Buff Ermine	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	5		4	1356	SE	09/07/2005	2126	W	22/06/2010
<i>Stathmopoda pedella</i>	Alder Signal	Nationally Notable B	1		1	2126	W	22/06/2010	2126	W	22/06/2010
<i>Synaphe punctalis</i>	Long-legged Tabby	Nationally Notable B	1		5	1640	S	01/08/2007	1640	S	01/08/2007
<i>Tholera cespitis</i>	Hedge Rustic	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3		8	1590	SW	22/08/2006	1955	W	04/10/2010
<i>Tholera decimalis</i>	Feathered Gothic	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1		2	1640	S	22/08/2006	1640	S	22/08/2006
<i>Timandra comae</i>	Blood-vein	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3		1	1150	SW	12/06/2006	1996	W	30/07/2010



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<i>Tyria jacobaeae</i>	Cinnabar	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	28		140	906	S	28/06/04- 23/08/04	2046	W	26/06/2014
<i>Watsonalla binaria</i>	Oak Hook-tip	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	5		5	1150	SW	28/05/2006	1590	SW	22/08/2006
<i>Xestia ditrapezium</i>	Triple-spotted Clay	Local Spp of Cons Conc	3		3	1977	W	22/06/2010	1977	W	22/06/2010
Invertebrates - True Flies											
<i>Acrocer a orbiculus</i>	Top-horned Hunchback	Local Spp of Cons Conc	2		P	1120	S	09/08/1986	2033	SW	28/06/04- 23/08/04
<i>Agathomyia falleni</i>	A True Fly	Local Spp of Cons Conc Nationally Scarce	3		P	1642	W	30/09/2011	2111	SW	16/10/2011
<i>Agathomyia woodella</i>	A True Fly	Nationally Scarce	1		P	2032	W	07/10/2011	2032	W	07/10/2011
<i>Amiota basdeni</i>	A True Fly	RL_DataDeficient	3		1	1642	W	31/08/2010	1642	W	31/08/2010
<i>Amiota variegata</i>	Variegated Fruit-fly	NERC Act Section 41 BAP Priority National	1		P	2111	SW	17/07/2014	2111	SW	17/07/2014
<i>Atypophthalmus inustus</i>	A True Fly	Nationally Notable	4		P	1972	W	20/06/14- 15/08/14	1972	W	20/06/14- 15/08/14
<i>Aulogastromyia anisodactyla</i>	A True Fly	Nationally Notable	5		1	1642	W	20/09/2010	1642	W	04/10/2010
<i>Beris fuscipes</i>	Short-horned Black Legionnaire	Nationally Notable	1		1	1642	W	02/08/2010	1642	W	02/08/2010
<i>Blaesoxipha plumicornis</i>	A True Fly	Nationally Notable	1		P	1794	W	12/07/2012	1794	W	12/07/2012
<i>Chorisops nagatomii</i>	Bright Four-spined Legionnaire	Nationally Notable	7		1	1119	SW	15/07/2004	2032	W	22/08/2012
<i>Chrysopilus laetus</i>	Tree Snipefly	RL_LowerRisk	1		1	1642	W	26/07/2010	1642	W	26/07/2010
<i>Coenosia atra</i>	A True Fly	Nationally Notable	1		P	2128	W	20/06/14- 15/08/14	2128	W	20/06/14- 15/08/14
<i>Dasiops spatiosus</i>	A True Fly	Nationally Notable	1		P	2128	W	30/07/2014	2128	W	30/07/2014
<i>Dioxyna bidentis</i>	A True Fly	Local Spp of Cons Conc Nationally Notable	1		P	1310	S	29/08/2014	1310	S	29/08/2014
<i>Drapetis ephippiata</i>	A True Fly	Local Spp of Cons Conc	25		20	1356	SE	04/07/14- 30/07/14	1356	SE	04/07/14- 30/07/14
<i>Fannia clara</i>	A True Fly	Nationally Notable	13		P	1642	W	22/08/2012	1642	W	30/07/14- 03/10/14
<i>Fannia gotlandica</i>	A True Fly	Nationally Notable	2		P	1642	W	01/08/2013	1642	W	01/08/2013
<i>Ferdinandea ruficornis</i>	A True Fly	Nationally Scarce Nationally Notable	1		P	2033	SW	28/06/04- 23/08/04	2033	SW	28/06/04- 23/08/04
<i>Gnophomyia viridipennis</i>	A True Fly	Local Spp of Cons Conc Nationally Notable	2		P	2032	W	30/09/2011	2032	W	30/09/2011
<i>Grzegorzekia collaris</i>	A True Fly	Nationally Scarce	2		1	1642	W	20/09/2010	2111	SW	28/06/2012
<i>Hilara brevivittata</i>	A True Fly	Nationally Scarce	4		P	2032	W	13/04/2012	2032	W	23/05/2012
<i>Homoneura tesquae</i>	A True Fly	Nationally Notable	1		P	2128	W	17/07/2014	2128	W	17/07/2014
<i>Keroplatus testaceus</i>	A True Fly	Nationally Scarce	4		P	2032	W	01/11/2011	2032	W	01/11/2011
<i>Lasiambia brevibucca</i>	A True Fly	Nationally Notable	3		1	1642	W	19/07/2010	2033	SW	06/09/2010
<i>Leopoldius signatus</i>	A True Fly	Nationally Notable	2		P	1972	W	03/10/2014	1972	W	03/10/2014
<i>Macronychia striginervis</i>	A True Fly	Nationally Notable	1		1	1642	W	19/07/2010	1642	W	19/07/2010
<i>Meoneura minutissima</i>	A True Fly	Nationally Notable	1		1	1642	W	14/06/2010	1642	W	14/06/2010
<i>Mycetophila caudata</i>	A True Fly	Nationally Scarce	3		P	1642	W	10/08/2012	2128	W	31/10/2014
<i>Mycetophila lastovkai</i>	A True Fly	Nationally Scarce	3		P	1642	W	29/08/2014	1642	W	29/08/2014
<i>Mycomya parva</i>	A True Fly	Nationally Scarce	5		P	1642	W	16/09/2011	2111	SW	30/07/2014



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<i>Neoleria propinqua</i>	A True Fly	RL_LowerRisk Nationally Notable	1		P	1642	W	31/10/2014	1642	W	31/10/2014
<i>Oxycera morrisii</i>	White-barred Soldier	Nationally Notable	3		1	1119	SW	15/07/2004	1750	W	06/07/2010
<i>Oxycera rara</i>	Four-barred Major	Local Spp of Cons Conc	1		P	1903	W	28/06/04- 23/08/04	1903	W	28/06/04- 23/08/04
<i>Pandivirilia melaleuca</i>	Forest Silver-stiletto	RL_LowerRisk	1		P	1120	S	16/08/1988	1120	S	16/08/1988
<i>Pherbellia pallidiventris</i>	A True Fly	Local Spp of Cons Conc	1		P	2111	SW	30/07/2014	2111	SW	30/07/2014
<i>Pollenia vagabunda</i>	Vagabund Clusterfly	RL_DataDeficient	4		1	2033	SW	02/08/2010	2033	SW	11/10/2010
<i>Pseudolyciella pallidiventris</i>	A True Fly	RL_DataDeficient	5		2	1642	W	23/08/2010	2032	W	07/10/2011
<i>Rhamphomyia lamellata</i>	A True Fly	Nationally Scarce	1		P	2032	W	14/08/2011	2032	W	14/08/2011
<i>Sarcophaga subulata</i>	A True Fly	Nationally Notable	3		1	1642	W	30/07/2014	1642	W	30/07/2014
<i>Sceptonia flavipuncta</i>	A True Fly	Nationally Scarce	4		P	1642	W	25/07/2011	2111	SW	30/07/2014
<i>Sceptonia tenuis</i>	A True Fly	Nationally Scarce	1		P	1642	W	07/10/2011	1642	W	07/10/2011
<i>Solva marginata</i>	Drab Wood-soldierfly	Local Spp of Cons Conc Nationally Notable	3		P	1119	SW	15/07/2004	1903	W	28/06/04- 23/08/04
<i>Stratiomys potamida</i>	Banded General	Nationally Notable	7		8	1654	W	06/07/2010	1654	W	06/07/2010
<i>Stratiomys singularior</i>	Flecked General	Nationally Notable	3		2	906	S	28/06/04- 23/08/04	906	S	28/06/04- 23/08/04
<i>Tetanocera arrogans</i>	A True Fly	Local Spp of Cons Conc	2		P	1405	N	2010	1996	W	01/08/2013
<i>Tipula helvola</i>	A True Fly	Nationally Notable	4		1	1642	W	19/07/2010	1642	W	30/07/2014
<i>Tipula pierrei</i>	A True Fly	Local Spp of Cons Conc	1		2	1800	W	15/06/2004	1800	W	15/06/2004
<i>Trichonta clavigera</i>	A True Fly	Nationally Scarce	1		P	1642	W	22/08/2012	1642	W	22/08/2012
<i>Vanoyia tenuicornis</i>	Long-horned Soldier	Nationally Notable	5		150	1133	S	15/06/2004	1310	S	27/06/2013
<i>Volucella inanis</i>	A True Fly	Local Spp of Cons Conc	8		P	1249	SW	28/06/04- 23/08/04	1642	W	30/07/2014
<i>Volucella zonaria</i>	A True Fly	Local Spp of Cons Conc	6		P	1993	SW	14/08/2011	2128	W	15/08/2014
<i>Zophomyia temula</i>	A True Fly	Nationally Notable	1		P	1996	W	20/06/2014	1996	W	20/06/2014
Invertebrates - Ants, Bees, Sawflies & Wasps											
<i>Ammophila sabulosa</i>	Red Banded Sand Wasp	Local Spp of Cons Conc	1		P	1119	SW	Aug 1948-May 1953	1119	SW	Aug 1948-May 1953
<i>Andrena (Andrena) varians</i>	Backthorn Mining Bee	Nationally Notable B	1		P	1119	SW	Aug 1948-May 1953	1119	SW	Aug 1948-May 1953
<i>Andrena (Chlorandrena) humilis</i>	Buff-tailed Mining Bee	Local Spp of Cons Conc Nationally Notable B	2		P	1119	SW	27/06/71- 04/09/71	1119	SW	27/06/71- 04/09/71
<i>Andrena (Plastandrena) bimaculata</i>	Large Gorse Mining Bee	Local Spp of Cons Conc Nationally Notable B	4		P	902	S	16/04/2004	1249	SW	28/06/04- 23/08/04
<i>Andrena (Plastandrena) tibialis</i>	Grey-gastered Mining Bee	Local Spp of Cons Conc Nationally Notable A	1		P	1119	SW	Aug 1948-May 1953	1119	SW	Aug 1948-May 1953
<i>Andrena (Poecilandrena) labiata</i>	Red-girdled Mining Bee	Local Spp of Cons Conc Nationally Notable A	3		P	1567	SW	06/06/2004	1706	W	28/06/04- 23/08/04
<i>Andrena (Poliandrena) florea</i>	Bryony Mining Bee	Local Spp of Cons Conc	8		P	1119	SW	Jun 2006	1405	N	2010
<i>Andrena (Zonandrena) flavipes</i>	Yellow-legged Mining Bee	Local Spp of Cons Conc	15		P	902	S	13/07/2004	906	S	28/06/04- 23/08/04
<i>Astata boops</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc	8		P	902	S	04/08/2003	906	S	28/06/04- 23/08/04
<i>Auplopus carbonarius</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc Nationally Notable B	20		P	902	S	23/07/2004	906	S	28/06/04- 23/08/04
<i>Cerceris rybyensis</i>	Ornate Tailed Digger Wasp	Local Spp of Cons Conc	15		P	902	S	13/07/2004	906	S	28/06/04- 23/08/04



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<i>Cleptes nitidulus</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc Nationally Notable A	1		P	902	S	20/06/2004	902	S	20/06/2004
<i>Crabro peltarius</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc	3		P	902	S	25/06/2004	902	S	25/06/2004
<i>Crabro scutellatus</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc Nationally Notable A	1		P	1119	SW	27/06/71- 04/09/71	1119	SW	27/06/71- 04/09/71
<i>Crossocerus (Crossocerus) distinguendus</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc Nationally Notable A	5		P	902	S	13/07/2004	906	S	28/06/04- 23/08/04
<i>Dasygaster hirtipes</i>	Pantaloon Bee	Nationally Notable B	6		P	902	S	20/06/2004	906	S	28/06/04- 23/08/04
<i>Diodontus insidiosus</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc	9		P	902	S	11/07/2003	906	S	28/06/04- 23/08/04
<i>Dolichovespula (Dolichovespula) media</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc Nationally Notable A	3		P	902	S	04/08/2003	2026	W	28/06/04- 23/08/04
<i>Dolichovespula (Pseudovespula) saxonica</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc	5		P	906	S	28/06/04- 23/08/04	906	S	28/06/04- 23/08/04
<i>Hedychridium coriaceum</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc	10		P	902	S	11/07/2003	906	S	28/06/04- 23/08/04
<i>Hedychridium cupreum</i>	An Ant, Bee, Sawfly or Wasp	Nationally Notable B	2		P	906	S	28/06/04- 23/08/04	906	S	28/06/04- 23/08/04
<i>Hedychridium roseum</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc	8		P	902	S	04/08/2003	906	S	28/06/04- 23/08/04
<i>Hedychrum niemelai</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc	7		P	845	SE	14/08/2003	906	S	28/06/04- 23/08/04
<i>Heriades truncorum</i>	Ridge-saddled Carpenter Bee	Local Spp of Cons Conc	5		P	902	S	23/07/2004	1249	SW	28/06/04- 23/08/04
<i>Lasioglossum (Evylaeus) malachurum</i>	Sharp-collared Furrow Bee	Local Spp of Cons Conc Nationally Notable B	6		P	902	S	23/07/2004	1903	W	28/06/04- 23/08/04
<i>Lasioglossum (Evylaeus) pauxillum</i>	Lobe-spurred Furrow Bee	Local Spp of Cons Conc Nationally Notable A	6		P	906	S	28/06/04- 23/08/04	906	S	28/06/04- 23/08/04
<i>Lasius brunneus</i>	Brown Tree Ant	Local Spp of Cons Conc Nationally Notable A	17		P	902	S	14/08/2003	1405	N	2010
<i>Lestiphorus bicinctus</i>	An Ant, Bee, Sawfly or Wasp	Nationally Notable B	2		P	1119	SW	27/06/71- 04/09/71	2115	W	11/07/2004
<i>Microdynerus exilis</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc Nationally Notable B	3		P	1119	SW	27/06/71- 04/09/71	2175	W	21/06/2014
<i>Mimesa bruxellensis</i>	An Ant, Bee, Sawfly or Wasp	Nationally Notable A	1		P	1119	SW	Aug 1948-May 1953	1119	SW	Aug 1948-May 1953
<i>Monosapyga clavicornis</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc Nationally Notable B	2		P	1119	SW	Aug 1948-May 1953	1119	SW	Jul 2003-Sep 2003
<i>Nomada flavopicta</i>	Blunthorn Nomad Bee	Local Spp of Cons Conc Nationally Notable B	5		P	902	S	23/07/2004	1249	SW	28/06/04- 23/08/04
<i>Nomada fucata</i>	Painted Nomad Bee	Nationally Notable A	5		P	902	S	11/07/2003	1249	SW	28/06/04- 23/08/04
<i>Nomada fulvicornis</i>	Orange-horned Nomad Bee	Local Spp of Cons Conc	1		P	902	S	16/04/2004	902	S	16/04/2004
<i>Nomada lathburiana</i>	Lathbury's Nomad Bee	Local Spp of Cons Conc	2		P	902	S	18/04/2004	902	S	26/04/2004
<i>Nysson dimidiatus</i>	Small Spurred Digger Wasp	Local Spp of Cons Conc Nationally Notable B	1		P	1119	SW	Aug 2004	1119	SW	Aug 2004
<i>Nysson trimaculatus</i>	An Ant, Bee, Sawfly or Wasp	Nationally Notable B	5		P	1249	SW	28/06/04- 23/08/04	1249	SW	28/06/04- 23/08/04
<i>Panurgus banksianus</i>	Large Shaggy Bee	Local Spp of Cons Conc	1		P	1119	SW	Aug 1948-May 1953	1119	SW	Aug 1948-May 1953



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<i>Passaloecus gracilis</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc	3		P	1249	SW	28/06/04-23/08/04	1249	SW	28/06/04-23/08/04
<i>Pemphredon (Ceratophorus) morio</i>	An Ant, Bee, Sawfly or Wasp	Nationally Notable B	2		P	1903	W	28/06/04-23/08/04	1903	W	28/06/04-23/08/04
<i>Philanthus triangulum</i>	Bee Wolf	Local Spp of Cons Conc	7		P	902	S	13/07/2004	906	S	28/06/04-23/08/04
<i>Priocnemis (Priocnemis) confusor</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc Nationally Notable B	1		P	1119	SW	Aug 1948-May 1953	1119	SW	Aug 1948-May 1953
<i>Priocnemis (Priocnemis) cordivalvata</i>	An Ant, Bee, Sawfly or Wasp	Nationally Notable B	2		P	1903	W	28/06/04-23/08/04	1903	W	28/06/04-23/08/04
<i>Priocnemis (Priocnemis) hyalinata</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc Nationally Notable B	1		P	1249	SW	28/06/04-23/08/04	1249	SW	28/06/04-23/08/04
<i>Priocnemis (Priocnemis) schioedtei</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc Nationally Notable B	1		P	1119	SW	Aug 1948-May 1953	1119	SW	Aug 1948-May 1953
<i>Pseudomalus violaceus</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc Nationally Notable B	3		P	1706	W	28/06/04-23/08/04	1706	W	28/06/04-23/08/04
<i>Sphecodes crassus</i>	Swollen-thighed Blood Bee	Local Spp of Cons Conc Nationally Notable B	5		P	1249	SW	28/06/04-23/08/04	1249	SW	28/06/04-23/08/04
<i>Sphecodes miniatus</i>	False Margined Blood Bee	Nationally Notable B	1		P	1119	SW	2004	1119	SW	2004
<i>Sphecodes niger</i>	Dark Blood Bee	Local Spp of Cons Conc	2		P	1249	SW	28/06/04-23/08/04	1249	SW	28/06/04-23/08/04
<i>Sphecodes reticulatus</i>	Reticulate Blood Bee	Local Spp of Cons Conc Nationally Notable A	3		P	906	S	28/06/04-23/08/04	906	S	28/06/04-23/08/04
<i>Stelis breviscula</i>	Little Dark Bee	Local Spp of Cons Conc	6		P	1249	SW	28/06/04-23/08/04	1249	SW	28/06/04-23/08/04
<i>Stigmus pendulus</i>	An Ant, Bee, Sawfly or Wasp	Local Spp of Cons Conc	3		P	902	S	25/06/2004	1709	SW	28/06/04-23/08/04
<i>Tiphia minuta</i>	Small Tiphia	Local Spp of Cons Conc Nationally Notable B	2		P	1119	SW	Jul 2003-Sep 2003	1119	SW	Jul 2003-Sep 2003
Fish - Bony											
<i>Anguilla anguilla</i>	European Eel	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	5		33	728	NE	2015	728	NE	2016
<i>Cottus gobio</i>	Bullhead	Hab&Spp Dir Anx 2np Local Spp of Cons Conc	1		P	1960	W	06/07/2010	1960	W	06/07/2010
Amphibians											
<i>Bufo bufo</i>	Common Toad	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	63		500	431	W	2002	623	NE	10/03/2018
<i>Rana temporaria</i>	Common Frog	Hab&Spp Dir Anx 5 Local Spp of Cons Conc	394		400	157	NW	2002	2065	W	31/05/2014



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<i>Triturus cristatus</i>	Great Crested Newt	Hab&Spp Dir Anx 2np Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	10		11	1119	SW	Summer 1999	1716	W	08/04/2018
Reptiles											
<i>Anguis fragilis</i>	Slow-worm	W&CA Sch5 Sec 9.1k/i NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1		1	1003	N	30/08/1998	1003	N	30/08/1998
<i>Natrix helvetica</i>	Grass Snake	W&CA Sch5 Sec 9.1k/i NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	18		2	1212	SW	18/05/2004	1996	W	30/09/2017
Birds											
<i>Acanthis cabaret</i>	Lesser Redpoll	NERC Act Section 41 BAP Priority National Bird-Red	43		50	956	SW	20/10/2005	1119	SW	Dec 2015
<i>Acanthis flammea</i>	Common (Mealy) Redpoll	BAP Priority London Local Spp of Cons Conc	59		100	1119	SW	Dec 1991	1846	S	06/03/2014
<i>Alauda arvensis</i>	Skylark	NERC Act Section 41 BAP Priority London Local Spp of Cons Conc Bird-Red	430	15	460	377	W	03/10/2014	1170	SW	13/09/2016
<i>Alcedo atthis</i>	Kingfisher	Birds Dir Anx 1 W&CA Sch1 Part 1 Local Spp of Cons Conc	235	16	3	309	S	21/07/2001	1095	S	15/09/2016
<i>Anas acuta</i>	Pintail	Local Spp of Cons Conc	29		10	804	N	07/11/1987	1846	S	07/03/2004
<i>Anas clypeata</i>	Shoveler	Local Spp of Cons Conc	51		30	804	N	19/01/1987	1439	SW	10/12/2015
<i>Anas crecca</i>	Teal	Local Spp of Cons Conc	78		180	1095	S	14/09/2009	1921	SW	16/04/2016
<i>Anas penelope</i>	Wigeon	Local Spp of Cons Conc	58		30	804	N	24/10/1987	1119	SW	Dec 2015
<i>Anas querquedula</i>	Garganey	W&CA Sch1 Part 1 Local Spp of Cons Conc	6		1	1304	S	23/10/2014	1304	S	01/11/2014
<i>Anas strepera</i>	Gadwall	Local Spp of Cons Conc	164	2	55	804	N	12/03/1987	1095	S	12/12/2016
<i>Anser albifrons</i>	White-fronted Goose	Bird-Red	7		30	804	N	13/01/1987	1846	S	21/02/2012
<i>Anthus pratensis</i>	Meadow Pipit	Local Spp of Cons Conc	581	11	250	377	W	04/11/2014	1266	SE	12/12/2016
<i>Anthus trivialis</i>	Tree Pipit	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	30		9	947	S	01/05/2004	1304	S	10/10/2014
<i>Apus apus</i>	Swift	Local Spp of Cons Conc	390	43	200	309	S	01/06/2004	905	NE	11/05/2018
<i>Ardea cinerea</i>	Grey Heron	Local Spp of Cons Conc	473	7	12	309	S	22/08/2001	905	NE	11/05/2018



Taxon Name	Common Name	Designation	Total number of occurrences	No. of breeding occurrences	Maximum occurrence	Distance (m) of nearest record	Bearing of nearest record	Date of nearest record	Distance (m) of most recent record	Bearing of most recent record	Date of most recent record
<i>Asio flammeus</i>	Short-eared Owl	Birds Dir Anx 1 Local Spp of Cons Conc	2		1	1702	N	21/11/1986	1846	S	01/11/2012
<i>Aythya ferina</i>	Pochard	Bird-Red	168		37	1095	S	30/09/2008	1439	SW	02/10/2016
<i>Aythya nyroca</i>	Ferruginous Duck	Birds Dir Anx 1	5		2	1846	S	11/01/2000	1846	S	12/06/2004
<i>Botaurus stellaris</i>	Bittern	Birds Dir Anx 1 W&CA Sch1 Part 1 NERC Act Section 41 BAP Priority National BAP Priority London	1	1	1	1846	S	30/01/1982	1846	S	30/01/1982
<i>Branta leucopsis</i>	Barnacle Goose	Birds Dir Anx 1	12		3	820	N	07/07/2014	820	N	18/07/2014
<i>Bucephala clangula</i>	Goldeneye	Local Spp of Cons Conc	40		34	662	NE	18/01/1985	1565	SW	19/12/2006
<i>Calidris maritima</i>	Purple Sandpiper	W&CA Sch1 Part 1	1		1	804	N	09/09/84- 10/09/84	804	N	09/09/84- 10/09/84
<i>Columba oenas</i>	Stock Dove	Local Spp of Cons Conc	508	22	400	377	W	07/04/2014	1390	S	12/12/2016
<i>Corvus frugilegus</i>	Rook	Local Spp of Cons Conc	1		1	1702	N	16/10/1987	1702	N	16/10/1987
<i>Cuculus canorus</i>	Cuckoo	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	83	4	255	1003	N	14/05/1997	1671	SW	15/05/2017
<i>Cygnus columbianus</i>	Bewick's Swan	Birds Dir Anx 1 W&CA Sch1 Part 1	1		35	1846	S	04/03/1984	1846	S	04/03/1984
<i>Cygnus olor</i>	Mute Swan	Local Spp of Cons Conc	563	18	100	309	S	22/08/2001	905	NE	11/05/2018
<i>Delichon urbicum</i>	House Martin	Local Spp of Cons Conc	231	3	400	820	N	19/05/2014	1457	S	11/07/2016
<i>Dendrocopos minor</i>	Lesser Spotted Woodpecker	BAP Priority London Local Spp of Cons Conc Bird-Red	195	10	4	847	SW	24/11/2004	1119	SW	Feb 2015
<i>Egretta garzetta</i>	Little Egret	Birds Dir Anx 1 Local Spp of Cons Conc	53		20	1117	S	10/12/2013	2119	SW	23/02/2016
<i>Emberiza citrinella</i>	Yellowhammer	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	2		P	1119	SW	1983-1992	1119	SW	1983-1992
<i>Emberiza schoeniclus</i>	Reed Bunting	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	319	14	30	377	W	18/11/2014	1354	SE	12/12/2016
<i>Falco columbarius</i>	Merlin	Birds Dir Anx 1 W&CA Sch1 Part 1 Bird-Red	7	1	1	1119	SW	1983-1992	1119	SW	01/01/2003
<i>Falco tinnunculus</i>	Kestrel	Local Spp of Cons Conc	414	19	8	408	N	1986	905	NE	11/05/2018
<i>Ficedula hypoleuca</i>	Pied Flycatcher	Bird-Red	17		2	947	S	19/04/2000	1702	N	23/08/2013
<i>Fringilla montifringilla</i>	Brambling	W&CA Sch1 Part 1	18		4	309	S	Mar 1987-Apr 1987	1846	S	30/10/2013
<i>Gallinago gallinago</i>	Snipe	Local Spp of Cons Conc	48		8	1003	N	01/03/2004	1119	SW	Oct 2015
<i>Hirundo rustica</i>	Swallow	Local Spp of Cons Conc	238	5	1150	309	S	1986	2118	N	15/05/2018
<i>Jynx torquilla</i>	Wryneck	W&CA Sch1 Part 1 BAP Priority National	2		1	1341	S	31/08/2006	1341	S	31/08/2006



Taxon Name	Common Name	Designation	Total number of occurrences	No. of breeding occurrences	Maximum occurrence	Distance (m) of nearest record	Bearing of nearest record	Date of nearest record	Distance (m) of most recent record	Bearing of most recent record	Date of most recent record
<i>Lanius collurio</i>	Red-backed Shrike	Birds Dir Anx 1 W&CA Sch1 Part 1 BAP Priority National Bird-Red	9		1	1467	S	25/05/2003	1467	S	25/05/2003
<i>Larus argentatus</i>	Herring Gull	BAP Priority London Local Spp of Cons Conc Bird-Red	181	1	206	705	N	06/08/1999	905	NE	15/05/2018
<i>Larus argentatus subsp. argentatus</i>	Herring Gull	BAP Priority London Local Spp of Cons Conc Bird-Red	9		1	2150	NE	29/12/2000	2150	NE	29/12/2000
<i>Larus fuscus</i>	Lesser Black-backed Gull	Local Spp of Cons Conc	124		50	705	N	06/08/1999	905	NE	15/05/2018
<i>Larus melanocephalus</i>	Mediterranean Gull	Birds Dir Anx 1 W&CA Sch1 Part 1	2		1	1846	S	03/01/2003	1846	S	12/12/2009
<i>Limosa lapponica</i>	Bar-tailed Godwit	Birds Dir Anx 1	2		1	1119	SW	1983-1992	1119	SW	1983-1992
<i>Linaria cannabina</i>	Linnet	BAP Priority London Local Spp of Cons Conc Bird-Red	56		42	1003	N	19/04/2006	1119	SW	Nov 2015
<i>Loxia curvirostra</i>	Common Crossbill	W&CA Sch1 Part 1 Local Spp of Cons Conc	4		1	1846	S	13/08/2012	1846	S	13/08/2012
<i>Luscinia megarhynchos</i>	Nightingale	Local Spp of Cons Conc Bird-Red	2		1	1119	SW	1983-1992	1119	SW	1983-1992
<i>Mergellus albellus</i>	Smew	Birds Dir Anx 1	10		3	662	NE	15/01/1985	1702	N	15/01/87- 16/01/87
<i>Milvus migrans</i>	Black Kite	Birds Dir Anx 1	2		1	1119	SW	1983-1992	1119	SW	1983-1992
<i>Milvus milvus</i>	Red Kite	Birds Dir Anx 1 W&CA Sch1 Part 1	14		1	820	N	04/03/2014	1119	SW	Dec 2015
<i>Motacilla cinerea</i>	Grey Wagtail	Local Spp of Cons Conc Bird-Red	264	4	7	309	S	22/08/2001	1095	S	12/12/2016
<i>Motacilla flava</i>	Yellow Wagtail	BAP Priority London Local Spp of Cons Conc Bird-Red	29		5	1101	S	01/05/2004	1457	S	03/10/2014
<i>Muscicapa striata</i>	Spotted Flycatcher	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	146	9	10	662	NE	30/05/2002	1119	SW	Aug 2015
<i>Numenius arquata</i>	Curlew	NERC Act Section 41 BAP Priority National Bird-Red	1		3	1702	N	24/07/1985	1702	N	24/07/1985
<i>Numenius phaeopus</i>	Whimbrel	W&CA Sch1 Part 1 Bird-Red	3		1	1642	W	02/05/2005	1846	S	24/04/2008
<i>Pandion haliaetus</i>	Osprey	Birds Dir Anx 1 W&CA Sch1 Part 1	2		1	1846	S	09/05/2012	1846	S	15/05/2012
<i>Passer domesticus</i>	House Sparrow	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	559	80	30	157	NW	2002	1170	SW	13/09/2016



Taxon Name	Common Name	Designation	Total number of occurrences	No. of breeding occurrences	Maximum occurrence	Distance (m) of nearest record	Bearing of nearest record	Date of nearest record	Distance (m) of most recent record	Bearing of most recent record	Date of most recent record
<i>Passer montanus</i>	Tree Sparrow	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	13	1	36	1119	SW	1991	1119	SW	1983-1992
<i>Perdix perdix</i>	Grey Partridge	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	11		15	1119	SW	1983-1992	1356	SE	03/02/2000
<i>Pernis apivorus</i>	Honey-buzzard	Birds Dir Anx 1 W&CA Sch1 Part 1	1		1	1702	N	29/09/2000	1702	N	29/09/2000
<i>Phalacrocorax aristotelis</i>	Shag	Bird-Red	5		2	309	S	12/06/1986	1119	SW	1983-1992
<i>Phoenicurus ochruros</i>	Black Redstart	W&CA Sch1 Part 1 BAP Priority London Bird-Red	3		1	1119	SW	1983-1992	2221	E	01/02/2008
<i>Phylloscopus sibilatrix</i>	Wood Warbler	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	4		1	1119	SW	1983-1992	1227	S	16/08/2006
<i>Phylloscopus trochilus</i>	Willow Warbler	Local Spp of Cons Conc	165	9	20	309	S	23/04/2004	1119	SW	Sep 2015
<i>Pluvialis apricaria</i>	Golden Plover	Birds Dir Anx 1	4		7	1252	SE	11/03/1996	1846	S	26/12/1999
<i>Podiceps auritus</i>	Slavonian Grebe	Birds Dir Anx 1 W&CA Sch1 Part 1 Bird-Red	1		1	309	S	01/03/86- 05/03/86	309	S	01/03/86- 05/03/86
<i>Poecile palustris</i>	Marsh Tit	BAP Priority London Local Spp of Cons Conc Bird-Red	4		1	1119	SW	26/01/2000	1846	S	11/01/2003
<i>Prunella modularis</i>	Duncock	BAP Priority London Local Spp of Cons Conc	314	11	20	820	N	02/05/2014	2141	SW	18/04/2016
<i>Pyrrhula pyrrhula</i>	Bullfinch	BAP Priority London	84	5	18	820	N	09/12/2014	1814	N	05/05/2016
<i>Rallus aquaticus</i>	Water Rail	Local Spp of Cons Conc	100		3	1119	SW	1983-1992	1119	SW	Dec 2015
<i>Regulus ignicapilla</i>	Firecrest	W&CA Sch1 Part 1 Local Spp of Cons Conc	25		2	1119	SW	11/11/1998	1119	SW	Dec 2015
<i>Regulus regulus</i>	Goldcrest	Local Spp of Cons Conc	292	14	20	309	S	27/04/2004	1276	S	12/12/2016
<i>Riparia riparia</i>	Sand Martin	BAP Priority London Local Spp of Cons Conc	49	1	25	820	N	15/05/2014	1119	SW	Sep 2015
<i>Saxicola rubetra</i>	Whinchat	Bird-Red	262		9	1117	S	16/09/2014	1305	SW	13/09/2016
<i>Saxicola rubicola</i>	Stonechat	Local Spp of Cons Conc	501	14	57	377	W	18/11/2014	1266	SE	12/12/2016
<i>Scolopax rusticola</i>	Woodcock	Local Spp of Cons Conc Bird-Red	23		2	1119	SW	Dec 1991	1846	S	07/02/2014
<i>Sterna hirundo</i>	Common Tern	Birds Dir Anx 1 Local Spp of Cons Conc	107		5	309	S	27/04/2010	905	NE	15/05/2018
<i>Sterna paradisaea</i>	Arctic Tern	Birds Dir Anx 1	1		2	1846	S	24/04/2014	1846	S	24/04/2014
<i>Sterna sandvicensis</i>	Sandwich Tern	Birds Dir Anx 1	6		2	804	N	23/09/1982	1119	SW	17/08/2006
<i>Streptopelia turtur</i>	Turtle Dove	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	5		1	1119	SW	1983-1992	1256	S	2006
<i>Strix aluco</i>	Tawny Owl	Local Spp of Cons Conc	251	7	20	309	S	13/06/2004	1305	SW	20/09/2015



Taxon Name	Common Name	Designation	Total number of occurrences	No. of breeding occurrences	Maximum occurrence	Distance (m) of nearest record	Bearing of nearest record	Date of nearest record	Distance (m) of most recent record	Bearing of most recent record	Date of most recent record
<i>Sturnus vulgaris</i>	Starling	BAP Priority London Local Spp of Cons Conc Bird-Red	776	4	2000	309	S	22/08/2001	905	NE	11/05/2018
<i>Tadorna ferruginea</i>	Ruddy Shelduck	Birds Dir Anx 1	1		1	1702	N	08/03/2005	1702	N	08/03/2005
<i>Tadorna tadorna</i>	Shelduck	Local Spp of Cons Conc	80	1	6	1095	S	17/06/2015	1137	S	05/06/2016
<i>Tringa nebularia</i>	Greenshank	W&CA Sch1 Part 1	5		2	1119	SW	25/08/2001	1119	SW	25/08/2001
<i>Tringa ochropus</i>	Green Sandpiper	W&CA Sch1 Part 1	14		1	1101	S	09/05/2001	1995	W	19/01/2012
<i>Tringa totanus</i>	Redshank	Local Spp of Cons Conc	7		1	1101	S	14/02/2004	2026	W	02/03/2012
<i>Turdus iliacus</i>	Redwing	W&CA Sch1 Part 1 Bird-Red	333		2450	309	S	31/01/2001	1117	S	15/03/2016
<i>Turdus philomelos</i>	Song Thrush	BAP Priority London Local Spp of Cons Conc Bird-Red	835	14	26	157	NW	2002	2118	N	15/05/2018
<i>Turdus pilaris</i>	Fieldfare	W&CA Sch1 Part 1 Bird-Red	119		300	939	S	28/01/2006	1117	S	10/02/2016
<i>Turdus torquatus</i>	Ring Ouzel	NERC Act Section 41 BAP Priority National Bird-Red	15		4	1078	SW	28/10/2001	1284	S	03/05/2004
<i>Turdus viscivorus</i>	Mistle Thrush	Local Spp of Cons Conc Bird-Red	597	10	20	309	S	01/06/2000	1117	S	12/12/2016
<i>Upupa epops</i>	Hoopoe	W&CA Sch1 Part 1	3		1	1119	SW	1983-1992	1119	SW	1983-1992
<i>Vanellus vanellus</i>	Lapwing	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	42	1	280	1009	E	2000	1846	S	27/09/2013
Mammals - Marine											
<i>Halichoerus grypus</i>	Grey Seal	Hab&Spp Dir Anx 2np Hab&Spp Dir Anx 5	2		1	1500	E	15/01/2015	1500	E	15/01/2015
Mammals - Terrestrial (excl. bats)											
<i>Arvicola amphibius</i>	European Water Vole	W&CA Sch5 Sec 9.4a W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	31		1	885	NE	14/10/2010	1431	SW	06/11/2017
<i>Erinaceus europaeus</i>	West European Hedgehog	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	436		1	157	NW	2002	1557	W	2018
<i>Muscardinus avellanarius</i>	Hazel Dormouse	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2		2	1003	N	06/05/2004	1003	N	06/05/2004
<i>Sorex araneus</i>	Eurasian Common Shrew	Local Spp of Cons Conc	18		2	1003	N	19/04/2006	1996	W	25/11/2017



Taxon Name	Common Name	Designation	Total number of occurrences	No. of breeding occurrences	Maximum occurrence	Distance (m) of nearest record	Bearing of nearest record	Date of nearest record	Distance (m) of most recent record	Bearing of most recent record	Date of most recent record
Mammals - Terrestrial (bats)											
<i>Chiroptera</i>	Bats	Hab&Spp Dir Anx 2np Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	33		17	833	NE	29/08/2009	1055	E	2018
<i>Eptesicus serotinus</i>	Serotine	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	33		10	650	E	18/05/2017	650	E	18/05/2017
<i>Myotis</i>	Unidentified Bat	Hab&Spp Dir Anx 2np Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	52		9	833	NE	15/08/2008	1436	N	20/09/2017
<i>Myotis daubentonii</i>	Daubenton's Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	203		210	662	NE	23/05/2012	833	NE	25/08/2016
<i>Myotis nattereri</i>	Natterer's Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	13		1	1045	SE	Apr 2006	1927	SE	15/07/2013
<i>Nyctalus</i>	Nyctalus Bat species	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3		1	1080	E	Aug 2007	1930	SW	14/08/2014
<i>Nyctalus leisleri</i>	Lesser Noctule	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	25		10	662	NE	29/06/2012	1927	SE	15/06/2014



Taxon Name	Common Name	Designation	Total number of occurrences	No. of breeding occurrences	Maximum occurrence	Distance (m) of nearest record	Bearing of nearest record	Date of nearest record	Distance (m) of most recent record	Bearing of most recent record	Date of most recent record
<i>Nyctalus noctula</i>	Noctule Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	104		27	662	NE	29/06/2012	1436	N	30/08/2017
<i>Pipistrellus</i>	Pipistrelle Bat species	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	124		8	802	S	27/07/2004	1705	SE	28/06/2017
<i>Pipistrellus nathusii</i>	Nathusius's Pipistrelle	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	27		6	1500	E	01/07/2012	1600	N	19/09/2014
<i>Pipistrellus pipistrellus</i>	Common Pipistrelle	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London	172		39	241	W	30/06/2009	1436	N	20/09/2017
<i>Pipistrellus pygmaeus</i>	Soprano Pipistrelle	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	274		46	157	NW	04/05/2005	1436	N	20/09/2017
<i>Plecotus</i>	Long-eared Bat species	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2		P	1045	SE	19/08/2007	1045	SE	19/08/2007
<i>Plecotus auritus</i>	Brown Long-eared Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	18		7	1003	N	03/06/2001	1147	E	19/08/2007



Taxon Name	Common Name	Designation	Total number of occurrences	No. of breeding occurrences	Maximum occurrence	Distance (m) of nearest record	Bearing of nearest record	Date of nearest record	Distance (m) of most recent record	Bearing of most recent record	Date of most recent record
<i>Vespertilionidae</i>	Bats	Hab&Spp Dir Anx 2np Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	349		2	157	NW	2002	1378	E	15/01/2014

Protected species and Species of Conservation Concern – Coarse Resolution Records

The species records in this table are represent records of 1km², 2km² or 10km² accuracy.

Taxon Name	Common Name	Designation	Total number of occurrences	Record accuracy	Date of oldest record	Date of most recent record
Lower Plants - Mosses						
<i>Leucobryum glaucum</i>	Large White-moss	Hab&Spp Dir Anx 5	2	10km	1957	1961
<i>Sphagnum capillifolium subsp. rubellum</i>	Red Bog-moss	Hab&Spp Dir Anx 5	1	10km	1957	1957
<i>Sphagnum compactum</i>	Compact Bog-moss	Hab&Spp Dir Anx 5	1	10km	1961	1961
<i>Sphagnum cuspidatum</i>	Feathery Bog-moss	Hab&Spp Dir Anx 5	1	10km	1961	1961
<i>Sphagnum magellanicum</i>	Magellanic Bog-moss	Hab&Spp Dir Anx 5	1	10km	1957	1957
<i>Sphagnum palustre</i>	Blunt-leaved Bog-moss	Hab&Spp Dir Anx 5	1	10km	1957	1957
<i>Sphagnum papillosum</i>	Papillose Bog-moss	Hab&Spp Dir Anx 5	1	10km	1957	1957
<i>Sphagnum pulchrum</i>	Golden Bog-moss	Hab&Spp Dir Anx 5	1	10km	1957	1957
<i>Sphagnum recurvum</i>	A Moss	Hab&Spp Dir Anx 5	1	10km	1957	1957
<i>Sphagnum subsecundum</i>	Slender Cow-horn Bog-moss	Hab&Spp Dir Anx 5	1	10km	1957	1957
<i>Sphagnum tenellum</i>	Soft Bog-moss	Hab&Spp Dir Anx 5	1	10km	1961	1961
Higher Plants - Clubmosses						
<i>Lycopodiella inundata</i>	Marsh Clubmoss	NERC Act Section 41 BAP Priority National RL_Endangered Nationally Scarce	6	10km	1836	1878
Higher Plants - Ferns						
<i>Blechnum spicant</i>	Hard-fern	Local Spp of Cons Conc	3	10km	1990	28/04/2001
<i>Oreopteris limbosperma</i>	Lemon-scented Fern	Local Spp of Cons Conc	3	10km	1990	09/10/1999
<i>Pilularia globulifera</i>	Pillwort	NERC Act Section 41 BAP Priority National RL_LowerRisk Nationally Scarce	10	10km	1831	01/01/1874
Higher Plants - Flowering Plants						
<i>Aira caryophylla</i>	Silver Hair-grass	Local Spp of Cons Conc	9	10km	1949	2000
<i>Allium schoenoprasum</i>	Chives	Nationally Scarce	1	10km	1981	1981
<i>Alopecurus aequalis</i>	Orange Foxtail	Local Spp of Cons Conc	4	2km, 10km	1949	2002
<i>Anthemis arvensis</i>	Corn Chamomile	RL_Endangered	1	10km	15/07/1988	1988
<i>Anthemis cotula</i>	Stinking Chamomile	RL_Vulnerable	1	10km	15/07/1988	1988



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<i>Apera spica-venti</i>	Loose Silky-bent	Local Spp of Cons Conc RL_LowerRisk	7	10km	04/07/1931	1986
<i>Apium inundatum</i>	Lesser Marshwort	Local Spp of Cons Conc	1	10km	1965-1976	1965
<i>Arabis glabra</i>	Tower Mustard	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc RL_Endangered Nationally Scarce	1	1km	1864	1864
<i>Atriplex littoralis</i>	Grass-leaved Orache	Local Spp of Cons Conc	1	10km	2003	2003
<i>Baldellia ranunculoides</i>	Lesser Water-plantain	Local Spp of Cons Conc RL_LowerRisk	4	2km, 10km	1963	1990
<i>Bromus racemosus</i>	Smooth Brome	Local Spp of Cons Conc	1	10km	1945	1945
<i>Carex binervis</i>	Green-ribbed Sedge	Local Spp of Cons Conc	2	10km	1956	1961
<i>Carex caryophylla</i>	Spring-sedge	Local Spp of Cons Conc	4	10km	1945	1977
<i>Carex panicea</i>	Carnation Sedge	Local Spp of Cons Conc	1	10km	1961	1961
<i>Carex riparia</i>	Greater Pond-sedge	Local Spp of Cons Conc	6	1km, 10km	1963	2002
<i>Catabrosa aquatica</i>	Whorl-grass	Local Spp of Cons Conc	2	10km	16/06/1934	1957
<i>Centaurea calcitrapa</i>	Red Star-thistle	NERC Act Section 41 BAP Priority National RL_CriticalEndangered Nationally Rare	1	10km	27/08/1950	1950
<i>Centaurea cyanus</i>	Cornflower	NERC Act Section 41 BAP Priority National	5	2km, 10km	1884	1965
<i>Centaureum littorale</i>	Seaside Centaury	Nationally Scarce	1	10km	1965	1965
<i>Cerastium arvense</i>	Field Mouse-ear	Local Spp of Cons Conc	9	1km, 10km	1936	1987
<i>Ceratocarpus claviculata</i>	Climbing Corydalis	Local Spp of Cons Conc	1	10km	1960	1960
<i>Chamaemelum nobile</i>	Chamomile	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc RL_Vulnerable	11	10km	1838	2004
<i>Chenopodium bonus-henricus</i>	Good-King-Henry	RL_Vulnerable	5	10km	1945	19/06/2005
<i>Chenopodium chenopodioides</i>	Saltmarsh Goosefoot	Nationally Scarce	1	10km	1860	01/01/1860
<i>Chenopodium murale</i>	Nettle-leaved Goosefoot	Local Spp of Cons Conc RL_Vulnerable	4	2km, 10km	1950	1988
<i>Chenopodium vulvaria</i>	Stinking Goosefoot	W&CA Sch8 NERC Act Section 41 BAP Priority National Local Spp of Cons Conc RL_Endangered Nationally Scarce	4	10km	1920	1988
<i>Chrysosplenium oppositifolium</i>	Opposite-leaved Golden-saxifrage	Local Spp of Cons Conc	2	10km	1950	1977
<i>Convallaria majalis</i>	Lily-of-the-valley	Local Spp of Cons Conc	2	10km	10/09/1927	1965
<i>Cuscuta epithymum</i>	Dodder	BAP Priority London Local Spp of Cons Conc RL_Vulnerable	1	10km	1974	1974
<i>Cuscuta europaea</i>	Greater Dodder	Nationally Scarce	6	10km	1942	1978
<i>Cynodon dactylon</i>	Bermuda-grass	Nationally Rare	5	10km	1947	1984
<i>Cynoglossum officinale</i>	Hound's-tongue	RL_LowerRisk	1	10km	1953	1953
<i>Cyperus longus</i>	Galingale	RL_LowerRisk Nationally Scarce	7	10km	1947	08/08/1990



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<i>Damasonium alisma</i>	Starfruit	W&CA Sch8 NERC Act Section 41 BAP Priority National RL_CriticalEndangered Nationally Rare	9	10km	1844	2004
<i>Dianthus armeria</i>	Deptford Pink	W&CA Sch8 NERC Act Section 41 BAP Priority National Local Spp of Cons Conc RL_Endangered Nationally Scarce	2	10km	1859	1972
<i>Dianthus deltoides</i>	Maiden Pink	RL_LowerRisk Nationally Scarce	7	2km, 10km	1871	1973
<i>Echium vulgare</i>	Viper's-bugloss	Local Spp of Cons Conc	1	10km	1998	1998
<i>Eleocharis acicularis</i>	Needle Spike-rush	Local Spp of Cons Conc	1	10km	16/09/1944	1944
<i>Eleocharis palustris subsp. palustris</i>	Common Spike-Rush	RL_DataDeficient	1	10km	1928	1928
<i>Eleogiton fluitans</i>	Floating Club-rush	Local Spp of Cons Conc	2	10km	1960	1965
<i>Epilobium palustre</i>	Marsh Willowherb	Local Spp of Cons Conc	3	10km	1950	1965
<i>Epipactis purpurata</i>	Violet Helleborine	Local Spp of Cons Conc	1	10km	1997	1997
<i>Erica cinerea</i>	Bell Heather	Local Spp of Cons Conc	9	10km	1947	14/08/2004
<i>Erica tetralix</i>	Cross-leaved Heath	Local Spp of Cons Conc	5	10km	1952	01/01/1970
<i>Eriophorum angustifolium</i>	Common Cottongrass	Local Spp of Cons Conc	3	10km	1956	01/01/1957
<i>Eryngium campestre</i>	Field Eryngo	W&CA Sch8 NERC Act Section 41 BAP Priority National RL_CriticalEndangered Nationally Rare	1	10km	1966	01/01/1966
<i>Euphorbia platyphyllos</i>	Broad-leaved Spurge	Local Spp of Cons Conc	2	10km	2009	01/01/2009
<i>Euphorbia serrulata</i>	Upright Spurge	Nationally Rare	1	10km	1990	01/01/1990
<i>Fallopia dumetorum</i>	Copse-bindweed	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc RL_Vulnerable Nationally Scarce	1	10km	1841	01/01/1841
<i>Filago lutescens</i>	Red-tipped Cudweed	W&CA Sch8 NERC Act Section 41 BAP Priority National RL_Endangered Nationally Scarce	10	10km	1840	1862
<i>Filago minima</i>	Small Cudweed	Local Spp of Cons Conc	3	10km	1946	1990
<i>Filago pyramidata</i>	Broad-leaved Cudweed	W&CA Sch8 NERC Act Section 41 BAP Priority National RL_Endangered Nationally Scarce	13	1km, 10km	1842	1886
<i>Fritillaria meleagris</i>	Fritillary	Nationally Scarce	1	10km	1997	1997
<i>Fumaria vaillantii</i>	Few-flowered Fumitory	RL_Vulnerable Nationally Scarce	1	1km	1949	1949



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<i>Galeopsis angustifolia</i>	Red Hemp-nettle	NERC Act Section 41 BAP Priority National Local Spp of Cons Conc RL_CriticalEndangered Nationally Scarce	1	10km	1850	1850
<i>Galium tricornutum</i>	Corn Cleavers	NERC Act Section 41 BAP Priority National RL_CriticalEndangered Nationally Rare	2	10km	1850	1953
<i>Genista anglica</i>	Petty Whin	Local Spp of Cons Conc RL_LowerRisk	11	10km	1923	1997
<i>Geranium columbinum</i>	Long-stalked Crane's-bill	Local Spp of Cons Conc	1	10km	1978	1978
<i>Geranium pratense</i>	Meadow Crane's-bill	Local Spp of Cons Conc	27	1km, 2km, 10km	1928	1997
<i>Glebionis segetum</i>	Corn Marigold	RL_Vulnerable	2	1km, 10km	1963	1966
<i>Gnaphalium sylvaticum</i>	Heath Cudweed	RL_Endangered	1	1km	1957	1957
<i>Helictotrichon pratense</i>	Meadow Oat-grass	Local Spp of Cons Conc	2	10km	1946	1963
<i>Helleborus viridis subsp. occidentalis</i>	A Flowering Plant	Local Spp of Cons Conc	1	10km	2000	2000
<i>Hyacinthoides non-scripta</i>	Bluebell	W&CA Sch8 Local Spp of Cons Conc	7	1km, 10km	1956	1997
<i>Hydrocharis morsus-ranae</i>	Frogbit	RL_Vulnerable	2	10km	10/06/1928	1945
<i>Hydrocotyle vulgaris</i>	Marsh Pennywort	Local Spp of Cons Conc	9	1km, 10km	1960	1985
<i>Hyoscyamus niger</i>	Henbane	Local Spp of Cons Conc RL_Vulnerable	13	10km	1926	1992
<i>Hypericum maculatum</i>	Imperforate St John's-wort	Local Spp of Cons Conc	1	10km	1965	1965
<i>Jasione montana</i>	Sheep's-bit	Local Spp of Cons Conc	4	1km, 2km, 10km	1935	1983
<i>Juncus compressus</i>	Round-fruited Rush	Local Spp of Cons Conc RL_LowerRisk	14	1km, 2km, 10km	1910	2000
<i>Juncus squarrosus</i>	Heath Rush	Local Spp of Cons Conc	6	10km	1945	1998
<i>Koeleria macrantha</i>	Crested Hair-grass	Local Spp of Cons Conc	8	1km, 10km	1945	1965
<i>Lathyrus aphaca</i>	Yellow Vetchling	Local Spp of Cons Conc RL_Vulnerable Nationally Scarce	9	1km, 10km	1953	01/06/2003
<i>Lathyrus hirsutus</i>	Hairy Vetchling	Local Spp of Cons Conc Nationally Rare	2	10km	24/06/1996	18/06/2005
<i>Leersia oryzoides</i>	Cut-grass	W&CA Sch8 NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc RL_Endangered Nationally Rare	6	10km	1827	01/01/2002
<i>Lepidium heterophyllum</i>	Smith's Pepperwort	Local Spp of Cons Conc	2	10km	1963	1998
<i>Lepidium latifolium</i>	Dittander	Nationally Scarce	9	10km	1964	18/06/2005
<i>Lepidium ruderale</i>	Narrow-leaved Pepperwort	Local Spp of Cons Conc	3	1km, 10km	1960	01/01/1965
<i>Limosella aquatica</i>	Mudwort	BAP Priority London Local Spp of Cons Conc Nationally Scarce	7	1km, 2km, 10km	1986	01/01/2004
<i>Linaria repens</i>	Pale Toadflax	Local Spp of Cons Conc	1	2km	1950	01/01/1950
<i>Lithospermum arvense</i>	Field Gromwell	RL_Endangered	4	10km	1943	01/01/1948
<i>Marrubium vulgare</i>	White Horehound	Nationally Scarce	1	10km	1956	01/01/1956
<i>Medicago sativa subsp. falcata</i>	Sickle Medick	Nationally Scarce	6	10km	1910	1992



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<i>Melampyrum arvense</i>	Field Cow-wheat	W&CA Sch8 Nationally Rare	1	10km	1870	1870
<i>Mentha pulegium</i>	Pennyroyal	W&CA Sch8 NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc RL_Endangered Nationally Scarce	2	10km	1890	1898
<i>Mentha suaveolens</i>	Round-leaved Mint	RL_DataDeficient Nationally Scarce	1	10km	1964	1964
<i>Minuartia hybrida</i>	Fine-leaved Sandwort	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc RL_Endangered Nationally Scarce	1	10km	01/07/1995	1995
<i>Misopates orontium</i>	Weasel's-snout	RL_Vulnerable	2	1km, 2km	1949	1965
<i>Moenchia erecta</i>	Upright Chickweed	Local Spp of Cons Conc	8	2km, 10km	1935	26/05/2002
<i>Muscari neglectum</i>	Grape-hyacinth	NERC Act Section 41 BAP Priority National RL_Vulnerable Nationally Rare	3	10km	1875	1946
<i>Myosotis discolor</i>	Changing Forget-me-not	Local Spp of Cons Conc	3	10km	1951	07/05/1994
<i>Myosurus minimus</i>	Mousetail	RL_Vulnerable	3	10km	2003	01/01/2004
<i>Narcissus pseudonarcissus</i>	Daffodil	Local Spp of Cons Conc	1	10km	1954	01/01/1954
<i>Narthecium ossifragum</i>	Bog Asphodel	Local Spp of Cons Conc	3	10km	1920	1957
<i>Nepeta cataria</i>	Cat-mint	RL_Vulnerable	5	10km	1910	1963
<i>Nymphoides peltata</i>	Fringed Water-lily	Local Spp of Cons Conc Nationally Scarce	11	1km, 2km, 10km	1918	12/08/1995
<i>Oenanthe aquatica</i>	Fine-leaved Water-dropwort	Local Spp of Cons Conc	4	2km, 10km	1909	01/01/1965
<i>Oenanthe fistulosa</i>	Tubular Water-dropwort	NERC Act Section 41 BAP Priority National RL_Vulnerable	3	10km	1920	01/01/1943
<i>Oenanthe lachenalii</i>	Parsley Water-dropwort	Local Spp of Cons Conc	1	10km	1874	01/01/1874
<i>Ononis spinosa</i>	Spiny Restharrow	Local Spp of Cons Conc	1	10km	1946	01/01/1946
<i>Orobanche hederæ</i>	Ivy Broomrape	Local Spp of Cons Conc	2	10km	1978	1984
<i>Pedicularis sylvatica</i>	Lousewort	Local Spp of Cons Conc	1	10km	1946	1946
<i>Persicaria minor</i>	Small Water-pepper	Local Spp of Cons Conc RL_Vulnerable	8	1km, 10km	1926	1993
<i>Persicaria mitis</i>	Tasteless Water-pepper	Local Spp of Cons Conc RL_Vulnerable Nationally Scarce	3	10km	1934	1989
<i>Poa bulbosa</i>	Bulbous Meadow-grass	Local Spp of Cons Conc Nationally Scarce	2	10km	1983	1983
<i>Polygala serpyllifolia</i>	Heath Milkwort	Local Spp of Cons Conc	4	10km	1939	1995
<i>Polygonatum multiflorum</i>	Solomon's-seal	Local Spp of Cons Conc	1	10km	1995	1995
<i>Populus nigra subsp. betulifolia</i>	Black Poplar	BAP Priority London	2	10km	2002	2003
<i>Potamogeton compressus</i>	Grass-wrack Pondweed	NERC Act Section 41 BAP Priority National RL_Endangered Nationally Scarce	1	10km	1852	1852



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<i>Potamogeton friesii</i>	Flat-stalked Pondweed	RL_LowerRisk Nationally Scarce	1	10km	19/06/1949	1949
<i>Potamogeton perfoliatus</i>	Perfoliate Pondweed	Local Spp of Cons Conc	1	10km	03/08/1964	1964
<i>Potamogeton polygonifolius</i>	Bog Pondweed	Local Spp of Cons Conc	5	10km	1950	1974
<i>Potamogeton trichoides</i>	Hairlike Pondweed	Local Spp of Cons Conc	2	10km	1990	1998
<i>Potentilla anglica</i>	Trailing Tormentil	Local Spp of Cons Conc	1	10km	17/06/1944	1944
<i>Potentilla argentea</i>	Hoary Cinquefoil	Local Spp of Cons Conc RL_LowerRisk	8	2km, 10km	1931	01/06/2003
<i>Ranunculus arvensis</i>	Corn Buttercup	NERC Act Section 41 BAP Priority National RL_CriticalEndangered	5	10km	1922	01/01/1982
<i>Ranunculus fluitans</i>	River Water-crowfoot	Local Spp of Cons Conc	2	10km	1948	01/01/1991
<i>Ranunculus hederaceus</i>	Ivy-leaved Crowfoot	Local Spp of Cons Conc	8	1km, 10km	1924	1990
<i>Ranunculus tripartitus</i>	Three-lobed Crowfoot	NERC Act Section 41 BAP Priority National RL_Endangered Nationally Scarce	5	10km	1850	1886
<i>Rorippa islandica</i>	Northern Yellow-cress	Nationally Scarce	5	1km, 10km	1965-1976	1965
<i>Rorippa palustris x amphibia = R. x erythrocaulis</i>	Thames Yellow-cress	RL_Vulnerable Nationally Rare	2	1km, 10km	1916	1978
<i>Rosa micrantha</i>	Small-flowered Sweet-briar	Local Spp of Cons Conc	2	10km	1991	01/06/2003
<i>Rosa obtusifolia</i>	Round-leaved Dog-rose	Local Spp of Cons Conc	3	10km	1945	01/01/1947
<i>Rosa spinosissima</i>	Burnet Rose	Local Spp of Cons Conc	1	10km	1944	01/01/1944
<i>Rosa stylosa</i>	Short-styled Field-rose	Local Spp of Cons Conc	2	10km	1930	1964
<i>Rubus britannicus</i>	Bramble	Nationally Rare	1	10km	2002	2002
<i>Rumex palustris</i>	Marsh Dock	Local Spp of Cons Conc	1	10km	1997	1997
<i>Ruscus aculeatus</i>	Butcher's-broom	Hab&Spp Dir Anx 5	1	10km	1950	1950
<i>Sagittaria sagittifolia</i>	Arrowhead	Local Spp of Cons Conc	1	10km	1965-1976	1965
<i>Salix aurita</i>	Eared Willow	Local Spp of Cons Conc	3	1km, 10km	1920	1945
<i>Salix repens var. repens</i>	Willow	Local Spp of Cons Conc	6	10km	1929	1964
<i>Salvia verbenaca</i>	Wild Clary	Local Spp of Cons Conc	13	1km, 2km, 10km	1945	18/07/2006
<i>Saxifraga granulata</i>	Meadow Saxifrage	Local Spp of Cons Conc	11	1km, 2km, 10km	1903	2004
<i>Scandix pecten-veneris</i>	Shepherd's-needle	NERC Act Section 41 BAP Priority National Local Spp of Cons Conc RL_CriticalEndangered	2	10km	1945	1947
<i>Schoenoplectus lacustris x triqueter = S. x carinatus</i>	Club-Rush	RL_Vulnerable Nationally Rare	3	10km	1917	10/10/1931
<i>Schoenoplectus triqueter</i>	Triangular Club-rush	W&CA Sch8 NERC Act Section 41 BAP Priority National Local Spp of Cons Conc RL_CriticalEndangered Nationally Rare	8	10km	1846	1908
<i>Scilla autumnalis</i>	Autumn Squill	BAP Priority London Local Spp of Cons Conc Nationally Scarce	19	1km, 10km	1871	11/08/2001
<i>Scirpus sylvaticus</i>	Wood Club-rush	Local Spp of Cons Conc	2	10km	1944	1957



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<i>Scleranthus annuus</i>	Annual Knawel	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc RL_Endangered	13	1km, 10km	1869	1982
<i>Scutellaria minor</i>	Lesser Skullcap	Local Spp of Cons Conc	8	10km	1949	2002
<i>Sedum telephium</i>	Orpine	Local Spp of Cons Conc	2	10km	1937	2001
<i>Serratula tinctoria</i>	Saw-wort	Local Spp of Cons Conc	7	10km	1939	1990
<i>Silene noctiflora</i>	Night-flowering Catchfly	RL_Vulnerable	1	10km	1978	1978
<i>Silene nutans</i>	Nottingham Catchfly	RL_LowerRisk Nationally Scarce	6	10km	1920	1988
<i>Sisymbrium irio</i>	London-rocket	Local Spp of Cons Conc	1	10km	2009	2009
<i>Sium latifolium</i>	Greater Water-parsnip	NERC Act Section 41 BAP Priority National RL_Endangered Nationally Scarce	4	10km	1850	1911
<i>Spergula arvensis</i>	Corn Spurrey	RL_Vulnerable	5	10km	1945	02/06/1985
<i>Stachys arvensis</i>	Field Woundwort	RL_LowerRisk	2	10km	1944	01/01/1949
<i>Stellaria palustris</i>	Marsh Stitchwort	NERC Act Section 41 BAP Priority National RL_Vulnerable	3	10km	1867	31/05/1916
<i>Stratiotes aloides</i>	Water-soldier	RL_LowerRisk Nationally Rare	2	1km, 10km	1990	1992
<i>Succisa pratensis</i>	Devil's-bit Scabious	Local Spp of Cons Conc	3	1km, 10km	1960	1962
<i>Teesdalia nudicaulis</i>	Shepherd's Cress	RL_LowerRisk	1	10km	1932	1932
<i>Thalictrum flavum</i>	Common Meadow-rue	Local Spp of Cons Conc	3	10km	1949	1952
<i>Torilis arvensis</i>	Spreading Hedge-parsley	NERC Act Section 41 BAP Priority National RL_Endangered Nationally Scarce	1	10km	1865	1865
<i>Trifolium glomeratum</i>	Clustered Clover	Local Spp of Cons Conc Nationally Scarce	2	1km, 10km	1981	28/05/2005
<i>Trifolium ornithopodioides</i>	Bird's-foot Clover	Local Spp of Cons Conc	2	1km, 10km	1958	1960
<i>Triglochin palustre</i>	Marsh Arrowgrass	Local Spp of Cons Conc	7	1km, 2km, 10km	1947	1991
<i>Ulex minor</i>	Dwarf Gorse	Local Spp of Cons Conc	8	10km	1944	1997
<i>Vaccinium myrtillus</i>	Bilberry	Local Spp of Cons Conc	1	10km	1997	1997
<i>Valeriana officinalis</i>	Common Valerian	Local Spp of Cons Conc	2	1km, 2km	1965-1976	1965
<i>Valerianella ramosa</i>	Broad-fruited Cornsalad	NERC Act Section 41 BAP Priority National RL_Endangered Nationally Scarce	2	1km, 10km	1845	1845
<i>Verbascum lychnitis</i>	White Mullein	Local Spp of Cons Conc Nationally Scarce	1	10km	1950	1950
<i>Veronica scutellata</i>	Marsh Speedwell	Local Spp of Cons Conc	1	1km	1933	1933
<i>Vicia lutea</i>	Yellow-vetch	RL_LowerRisk Nationally Scarce	4	10km	1953	1997
<i>Viola canina subsp. canina</i>	Heath Dog-Violet	Local Spp of Cons Conc RL_LowerRisk	5	10km	1945	1995
<i>Viola tricolor subsp. tricolor</i>	Pansy	RL_LowerRisk	1	10km	1980	1980
<i>Viscum album</i>	Mistletoe	BAP Priority London Local Spp of Cons Conc	13	1km, 2km, 10km	1940	2004



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<i>Wolffia arrhiza</i>	Rootless Duckweed	RL_Vulnerable Nationally Scarce	5	10km	1878	1940
Invertebrates - Grasshoppers & Crickets						
<i>Conocephalus fuscus</i>	Long-winged Cone-head	Local Spp of Cons Conc	2	1km, 10km	01/09/2001	2002
Invertebrates - Beetles						
<i>Acalles ptinoides</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	1	1km	01/01/10-31/12/10	2010
<i>Anthribus fasciatus</i>	A Beetle	Nationally Notable A	1	1km	01/01/09-31/12/09	2009
<i>Attactagenus plumbeus</i>	A Beetle	Nationally Notable B	2	1km	01/01/13-31/12/13	01/01/13-31/12/13
<i>Coeliodes ruber</i>	A Beetle	Nationally Notable B	1	1km	01/01/10-31/12/10	01/01/10-31/12/10
<i>Cossonus linearis</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	1	1km	15/06/2010	15/06/10-15/06/10
<i>Ernoporicus fagi</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	2	1km	01/01/03-31/12/03	01/01/04-31/12/04
<i>Gymnetron villosulum</i>	A Beetle	Nationally Notable B	1	1km	08/07/2013	08/07/13-08/07/13
<i>Hypera (Dapalinus) meles</i>	A Beetle	Nationally Notable A	1	1km	01/01/10-31/12/10	01/01/10-31/12/10
<i>Lucanus cervus</i>	Stag Beetle	Hab&Spp Dir Anx 2np NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Nationally Notable B	4	1km	Jun 2002	28/07/02-28/07/02
<i>Magdalis (Porrothus) cerasi</i>	A Beetle	Nationally Notable B	3	1km	01/01/03-31/12/03	01/01/10-31/12/10
<i>Megatoma undata</i>	A Beetle	Local Spp of Cons Conc Nationally Notable B	1	1km	07/05/2016	07/05/16-07/05/16
<i>Orchestes (Orchestes) testaceus</i>	Alder Flea Weevil	NERC Act Section 41 BAP Priority National	1	1km	01/01/03-31/12/03	01/01/03-31/12/03
<i>Otiorhynchus (Otiorhynchus) raucus</i>	A Beetle	Nationally Notable B	1	1km	15/09/2013	15/09/13-15/09/13
<i>Oxystoma cerdo</i>	A Beetle	Nationally Notable B	1	1km	01/01/10-31/12/10	01/01/10-31/12/10
<i>Platypus cylindrus</i>	Pinhole Borer	Local Spp of Cons Conc Nationally Notable B	6	1km	06/08/1992	01/01/09-31/12/09
<i>Polydrusus (Chrysophis) formosus</i>	A Beetle	Nationally Notable A	2	1km	01/01/10-31/12/10	01/01/10-31/12/10
<i>Prionus coriarius</i>	Tanner Beetle	Local Spp of Cons Conc Nationally Notable A	1	1km	05/08/2004	05/08/04-05/08/04
<i>Rhinocyllus conicus</i>	A Beetle	Nationally Notable A	1	1km	01/01/10-31/12/10	01/01/10-31/12/10
<i>Scolytus mali</i>	Large Fruit Bark Beetle	Nationally Notable B	3	1km	01/01/03-31/12/03	05/09/2013
<i>Stereocorynes truncorum</i>	A Beetle	Local Spp of Cons Conc Nationally Notable A	1	1km	01/05/2013	01/05/2013
<i>Tanymecus palliatus</i>	A Beetle	Nationally Notable B	1	1km	25/06/2013	25/06/2013
<i>Tychius pusillus</i>	A Beetle	Nationally Notable B	2	1km	01/01/03-31/12/03	01/01/2004
<i>Xyleborus dispar</i>	Ambrosia Beetle	Local Spp of Cons Conc Nationally Notable B	1	1km	01/06/03-30/06/03	01/06/2003
<i>Xyleborus dryographus</i>	Ambrosia Beetle	Local Spp of Cons Conc Nationally Notable B	1	1km	01/01/10-31/12/10	01/01/2010
Invertebrates - Butterflies						



Taxon Name	Common Name	Designation	Total number of occurrences	Record accuracy	Date of oldest record	Date of most recent record
<i>Coenonympha pamphilus</i>	Small Heath	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc RL_LowerRisk	4	1km	1995	22/06/2011
Invertebrates - Moths						
<i>Acronicta psi</i>	Grey Dagger	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	6	1km, 10km	1940	1969
<i>Acronicta rumicis</i>	Knot Grass	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	4	10km	1950	1969
<i>Agrochola helvola</i>	Flounced Chestnut	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1967
<i>Agrochola litura</i>	Brown-spot Pinion	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1969
<i>Agrochola lychnidis</i>	Beaded Chestnut	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1967
<i>Allophyes oxyacanthae</i>	Green-brindled Crescent	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1967
<i>Amphipoea oculea</i>	Ear Moth	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2	10km	1950	1967
<i>Amphipyra tragopoginis</i>	Mouse Moth	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	4	10km	1950	1969
<i>Apamea remissa</i>	Dusky Brocade	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1967
<i>Aporophyla lutulenta</i>	Deep-brown Dart	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1	10km	1967	1967
<i>Arctia caja</i>	Garden Tiger	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	5	10km	1940	1969



Taxon Name	Common Name	Designation	Total number of occurrences	Record accuracy	Date of oldest record	Date of most recent record
<i>Asteroscopus sphinx</i>	Sprawler	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2	10km	1950	1960
<i>Caradrina morpheus</i>	Mottled Rustic	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2	10km	1950	1960
<i>Ceramica pisi</i>	Broom Moth	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1967
<i>Chesias legatella</i>	Streak	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2	10km	1950	1960
<i>Chiasmia clathrata</i>	Latticed Heath	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1940	1969
<i>Cirrhia gilvago</i>	Dusky-lemon Sallow	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2	10km	1950	1960
<i>Cirrhia icteritia</i>	Sallow	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1940	1960
<i>Cirrhia ocellaris</i>	Pale-lemon Sallow	Local Spp of Cons Conc	2	10km	1950	1960
<i>Cossus cossus</i>	Goat Moth	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	4	10km	1940	1967
<i>Cucullia absinthii</i>	Wormwood	Local Spp of Cons Conc	2	10km	1950	1960
<i>Diacrisia sannio</i>	Clouded Buff	Local Spp of Cons Conc	2	10km	1950	1960
<i>Diarsia rubi</i>	Small Square-spot	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1967
<i>Earias clorana</i>	Cream-bordered Green Pea	Local Spp of Cons Conc	1	10km	1967	1967
<i>Ematurga atomaria</i>	Common Heath	Local Spp of Cons Conc	2	10km	1940	1967
<i>Ennomos erosaria</i>	September Thorn	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2	10km	1950	1960
<i>Ennomos fuscantaria</i>	Dusky Thorn	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1967
<i>Euclidia mi</i>	Mother Shipton	Local Spp of Cons Conc	1	10km	1940	1940



Taxon Name	Common Name	Designation	Total number of occurrences	Record accuracy	Date of oldest record	Date of most recent record
<i>Eugnorisma glareosa</i>	Autumnal Rustic	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1967
<i>Eulithis mellinata</i>	Spinach	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	4	10km	1940	1967
<i>Euxoa nigricans</i>	Garden Dart	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2	10km	1950	1960
<i>Helotropha leucostigma</i>	Crescent	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1	10km	1950	1950
<i>Hepialus humuli</i>	Ghost Moth	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	4	10km	1940	1967
<i>Hoplodrina blanda</i>	Rustic	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1969
<i>Hydraecia micacea</i>	Rosy Rustic	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1967
<i>Hypena rostralis</i>	Buttoned Snout	Local Spp of Cons Conc	3	10km	1940	1960
<i>Lacanobia suasa</i>	Dog's Tooth	Local Spp of Cons Conc	3	10km	1950	1967
<i>Leucania comma</i>	Shoulder-striped Wainscot	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2	10km	1950	1960
<i>Litolia literosa</i>	Rosy Minor	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1969
<i>Lycia hirtaria</i>	Brindled Beauty	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	4	10km	1940	1967
<i>Macaria wauaria</i>	V-Moth	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1969
<i>Malacosoma neustria</i>	Lackey	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1	10km	1967	1967



Taxon Name	Common Name	Designation	Total number of occurrences	Record accuracy	Date of oldest record	Date of most recent record
<i>Melanchra persicariae</i>	Dot Moth	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	5	10km	1950	1969
<i>Mniotype adusta</i>	Dark Brocade	NERC Act Section 41 BAP Priority National Local Spp of Cons Conc	4	10km	1950	1969
<i>Mythimna pudorina</i>	Striped Wainscot	Local Spp of Cons Conc	1	10km	1967	1967
<i>Odezia atrata</i>	Chimney Sweeper	Local Spp of Cons Conc	1	10km	1940	1940
<i>Orthosia gracilis</i>	Powdered Quaker	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1967
<i>Orthosia miniosa</i>	Blossom Underwing	Local Spp of Cons Conc	1	10km	1967	1967
<i>Pelurga comitata</i>	Dark Spinach	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1967
<i>Phytometra viridaria</i>	Small Purple-barred	Local Spp of Cons Conc	1	10km	1940	1940
<i>Scopula immutata</i>	Lesser Cream Wave	Local Spp of Cons Conc	1	10km	1950	1950
<i>Scopula marginepunctata</i>	Mullein Wave	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2	10km	1950	1960
<i>Scotopteryx chenopodiata</i>	Shaded Broad-bar	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	4	10km	1940	1967
<i>Scrobipalpa ocellatella</i>	Beet Moth	Nationally Notable	1	10km	04/08/2006	2006
<i>Sphinx ligustri</i>	Privet Hawk-moth	Local Spp of Cons Conc	4	1km, 10km	1940	1967
<i>Spilosoma lubricipeda</i>	White Ermine	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	4	10km	1950	1969
<i>Spilosoma lutea</i>	Buff Ermine	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	6	10km	1940	1969
<i>Stathmopoda pedella</i>	Alder Signal	Nationally Notable B	1	10km	22/06/2010	2010
<i>Synanthedon myopaeformis</i>	Red-belted Clearwing	Local Spp of Cons Conc	2	1km, 10km	1950	1960
<i>Synanthedon tipuliformis</i>	Currant Clearwing	Local Spp of Cons Conc	4	10km	1940	1967
<i>Tethea or</i>	Poplar Lutestring	Local Spp of Cons Conc	1	10km	1967	1967
<i>Tholera cespitis</i>	Hedge Rustic	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2	10km	1950	1960
<i>Tholera decimalis</i>	Feathered Gothic	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2	10km	1950	1960



Taxon Name	Common Name	Designation	Total number of occurrences	Record accuracy	Date of oldest record	Date of most recent record
<i>Timandra comae</i>	Blood-vein	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1940	1967
<i>Triphosa dubitata</i>	Tissue	Local Spp of Cons Conc	2	10km	1950	1960
<i>Tyria jacobaeae</i>	Cinnabar	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	6	10km	1940	2015
<i>Tyta luctuosa</i>	Four-spotted	NERC Act Section 41 BAP Priority National Local Spp of Cons Conc	1	10km	1940	1940
<i>Watsonalla binaria</i>	Oak Hook-tip	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	10km	1950	1967
<i>Xanthorhoe ferrugata</i>	Dark-barred Twin-spot Carpet	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	4	10km	1950	1969
<i>Xestia ditrapezium</i>	Triple-spotted Clay	Local Spp of Cons Conc	1	10km	1967	1967
Birds						
<i>Alauda arvensis</i>	Skylark	NERC Act Section 41 BAP Priority London Local Spp of Cons Conc Bird-Red	8	1km, 10km	04/12/2010	06/11/2014
<i>Alcedo atthis</i>	Kingfisher	Birds Dir Anx 1 W&CA Sch1 Part 1 Local Spp of Cons Conc	5	1km, 10km	01/05/2013	13/12/2014
<i>Anas clypeata</i>	Shoveler	Local Spp of Cons Conc	2	1km, 10km	24/11/2010	08/12/2010
<i>Anas penelope</i>	Wigeon	Local Spp of Cons Conc	1	1km	24/11/2010	24/11/2010
<i>Anas strepera</i>	Gadwall	Local Spp of Cons Conc	1	1km	30/12/2010	30/12/2010
<i>Anthus pratensis</i>	Meadow Pipit	Local Spp of Cons Conc	12	1km	01/05/2013	16/12/2014
<i>Apus apus</i>	Swift	Local Spp of Cons Conc	19	1km	01/01/07-31/12/07	22/07/2014
<i>Ardea cinerea</i>	Grey Heron	Local Spp of Cons Conc	7	1km	08/12/2010	10/02/2016
<i>Aythya ferina</i>	Pochard	Bird-Red	1	1km	24/11/2010	24/11/2010
<i>Branta leucopsis</i>	Barnacle Goose	Birds Dir Anx 1	4	1km	11/07/2014	08/09/2014
<i>Columba oenas</i>	Stock Dove	Local Spp of Cons Conc	21	1km, 10km	01/05/2013	04/12/2014
<i>Cygnus olor</i>	Mute Swan	Local Spp of Cons Conc	6	1km, 10km	01/05/2013	10/02/2016
<i>Delichon urbicum</i>	House Martin	Local Spp of Cons Conc	12	1km	18/08/2013	19/09/2014
<i>Egretta garzetta</i>	Little Egret	Birds Dir Anx 1 Local Spp of Cons Conc	1	1km	18/10/2010	18/10/2010
<i>Emberiza schoeniclus</i>	Reed Bunting	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	4	1km	13/03/2013	18/11/2014
<i>Falco tinnunculus</i>	Kestrel	Local Spp of Cons Conc	8	1km	01/05/2013	06/02/2016
<i>Fringilla montifringilla</i>	Brambling	W&CA Sch1 Part 1	2	1km	26/10/2010	06/11/2010
<i>Gallinago gallinago</i>	Snipe	Local Spp of Cons Conc	1	1km	04/12/2010	04/12/2010
<i>Hirundo rustica</i>	Swallow	Local Spp of Cons Conc	8	1km	01/05/2013	25/09/2014



Taxon Name	Common Name	Designation	Total number of occurrences	Record accuracy	Date of oldest record	Date of most recent record
<i>Larus argentatus</i>	Herring Gull	BAP Priority London Local Spp of Cons Conc Bird-Red	13	1km, 10km	13/07/2013	24/12/2014
<i>Linaria cannabina</i>	Linnet	BAP Priority London Local Spp of Cons Conc Bird-Red	1	10km	18/10/2010	18/10/2010
<i>Motacilla cinerea</i>	Grey Wagtail	Local Spp of Cons Conc Bird-Red	11	1km, 10km	13/07/2013	13/12/2014
<i>Passer domesticus</i>	House Sparrow	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	18	1km, 10km	09/03/2013	20/12/2014
<i>Phylloscopus trochilus</i>	Willow Warbler	Local Spp of Cons Conc	2	1km, 10km	22/04/2013	10/04/2014
<i>Prunella modularis</i>	Dunnock	BAP Priority London Local Spp of Cons Conc	8	1km, 10km	01/05/2013	13/12/2014
<i>Rallus aquaticus</i>	Water Rail	Local Spp of Cons Conc	1	10km	20/12/2010	20/12/2010
<i>Regulus regulus</i>	Goldcrest	Local Spp of Cons Conc	16	1km, 10km	24/12/2010	10/02/2016
<i>Riparia riparia</i>	Sand Martin	BAP Priority London Local Spp of Cons Conc	1	10km	14/04/2014	14/04/2014
<i>Saxicola rubicola</i>	Stonechat	Local Spp of Cons Conc	3	1km	18/10/2010	10/10/2014
<i>Sterna hirundo</i>	Common Tern	Birds Dir Anx 1 Local Spp of Cons Conc	5	1km	27/07/2013	01/07/2014
<i>Strix aluco</i>	Tawny Owl	Local Spp of Cons Conc	2	1km	27/07/2013	18/08/2013
<i>Sturnus vulgaris</i>	Starling	BAP Priority London Local Spp of Cons Conc Bird-Red	29	1km, 10km	18/10/2010	06/02/2016
<i>Turdus iliacus</i>	Redwing	W&CA Sch1 Part 1 Bird-Red	23	1km, 10km	18/10/2010	08/12/2014
<i>Turdus philomelos</i>	Song Thrush	BAP Priority London Local Spp of Cons Conc Bird-Red	15	1km, 10km	01/05/2013	01/12/2014
<i>Turdus pilaris</i>	Fieldfare	W&CA Sch1 Part 1 Bird-Red	7	1km, 10km	18/10/2010	17/03/2013
<i>Turdus viscivorus</i>	Mistle Thrush	Local Spp of Cons Conc Bird-Red	16	1km	24/12/2010	16/12/2014
<i>Vanellus vanellus</i>	Lapwing	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	1	1km	04/12/2010	04/12/2010
Mammals - Terrestrial (bats)						
<i>Myotis daubentonii</i>	Daubenton's Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	12	1km	03/05/1995	06/08/2013



Taxon Name	Common Name	Designation	Total number of occurrences	Record accuracy	Date of oldest record	Date of most recent record
<i>Nyctalus noctula</i>	Noctule Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	1km	01/08/1995	01/08/1995
<i>Pipistrellus</i>	Pipistrelle Bat species	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	2	1km, 10km	05/07/2005	05/07/2005
<i>Pipistrellus pipistrellus</i>	Pipistrelle	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	5	1km, 10km	01/08/1995	01/08/1995
<i>Pipistrellus pygmaeus</i>	Soprano Pipistrelle	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	5	1km	01/08/1995	01/08/1995
<i>Plecotus auritus</i>	Brown Long-eared Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	4	1km, 10km	25/06/2004	05/07/2005
<i>Vespertilionidae</i>	Bats	Hab&Spp Dir Anx 2np Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	1km, 10km	Jul 1986	24/08/1994



4.2 Bat survey 6km radius

Taxon Name	Common Name	Designation	Total number of occurrences	No. of breeding occurrences	Maximum occurrence	Date of nearest record	Date of most recent record
<i>Chiroptera</i>	Bats	Hab&Spp Dir Anx 2np Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	76	1	24	29/08/2009	2018
<i>Eptesicus serotinus</i>	Serotine	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	113		10	18/05/2017	18/05/2017
<i>Myotis</i>	Unidentified Bat	Hab&Spp Dir Anx 2np Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	577		959	15/08/2008	01/10/2017
<i>Myotis brandtii</i>	Brandt's Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London	2		P	14/05/2006	20/08/2006
<i>Myotis daubentonii</i>	Daubenton's Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	641		210	23/05/2012	06/10/2017
<i>Myotis mystacinus</i>	Whiskered Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London	3		1	08/08/2006	20/08/2006
<i>Myotis nattereri</i>	Natterer's Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	108		40	Apr 2006	02/08/2014



Taxon Name	Common Name	Designation	Total number of occurrences	No. of breeding occurrences	Maximum occurrence	Date of nearest record	Date of most recent record
<i>Nyctalus</i>	Nyctalus Bat species	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	7		1	Aug 2007	14/08/2014
<i>Nyctalus leisleri</i>	Lesser Noctule	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	109		10	29/06/2012	01/08/2017
<i>Nyctalus noctula</i>	Noctule Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	532		154	29/06/2012	30/08/2017
<i>Pipistrellus</i>	Pipistrelle Bat species	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	521		40	27/07/2004	Apr 2018-Aug 2018
<i>Pipistrellus nathusii</i>	Nathusius's Pipistrelle	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	72		9	01/07/2012	06/10/2017
<i>Pipistrellus pipistrellus</i>	Pipistrelle	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	807		716	30/06/2009	01/11/2017
<i>Pipistrellus pygmaeus</i>	Soprano Pipistrelle	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1142		406	04/05/2005	02/10/2017



Taxon Name	Common Name	Designation	Total number of occurrences	No. of breeding occurrences	Maximum occurrence	Date of nearest record	Date of most recent record
<i>Plecotus</i>	Long-eared Bat species	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	10		1	19/08/2007	06/10/2009
<i>Plecotus auritus</i>	Brown Long-eared Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	96		7	03/06/2001	01/08/2016
<i>Plecotus austriacus</i>	Grey Long-eared Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London	1		P	20/03/2017	20/03/2017
<i>Vespertilionidae</i>	Bats	Hab&Spp Dir Anx 2np Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	1111		50	2002	28/04/2017

4.3 Confidential Records

Records included in this section do not include any geographic content as it has been requested (by the data owners/originators) that the location remains confidential. The following information is provided to create a 'species alert' record highlighting the presence of a species in the search area.

In order to establish the presence of confidential records on the site in question, a second data search request must be submitted with a detailed site boundary. For further explanations of GiGL's Access to Data Policy and the confidential records please see the "Supporting Information" annex.

For more details about any bat roost records in the table please contact the London Bat Group enquiries@londonbats.org.uk

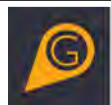
Taxon Name	Common Name	Designation	Total number of occurrences	Date of oldest record	Date of most recent record
Birds					
<i>Accipiter gentilis</i>	Goshawk	W&CA Sch1 Part 1	1	20/09/2001	20/09/2001
<i>Anas querquedula</i>	Garganey	W&CA Sch1 Part 1 Local Spp of Cons Conc	2	11/04/2013	11/06/2013
<i>Asio otus</i>	Long-eared Owl	Local Spp of Cons Conc	2	21/11/1986	21/11/1986
<i>Aythya ferina</i>	Pochard	Bird-Red	37	15/04/2001	11/07/2016
<i>Caprimulgus europaeus</i>	Nightjar	Birds Dir Anx 1 NERC Act Section 41 BAP Priority National	3	07/06/2006	07/06/2006
<i>Cettia cetti</i>	Cetti's Warbler	W&CA Sch1 Part 1 Local Spp of Cons Conc	16	31/07/2013	01/09/2015
<i>Coccothraustes coccothraustes</i>	Hawfinch	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	1	06/11/2012	06/11/2012
<i>Coturnix coturnix</i>	Quail	W&CA Sch1 Part 1	3	14/06/2004	06/06/2005
<i>Egretta garzetta</i>	Little Egret	Birds Dir Anx 1 Local Spp of Cons Conc	4	06/07/2001	18/05/2012



Taxon Name	Common Name	Designation	Total number of occurrences	Date of oldest record	Date of most recent record
<i>Falco peregrinus</i>	Peregrine	Birds Dir Anx 1 W&CA Sch1 Part 1 BAP Priority London Local Spp of Cons Conc	23	18/06/2006	10/09/2014
<i>Falco subbuteo</i>	Hobby	W&CA Sch1 Part 1 Local Spp of Cons Conc	187	1983-1992	08/05/2018
<i>Gallinago gallinago</i>	Snipe	Local Spp of Cons Conc	2	12/04/2000	01/04/2015
<i>Milvus milvus</i>	Red Kite	Birds Dir Anx 1 W&CA Sch1 Part 1	8	04/05/2005	24/05/2007
<i>Oriolus oriolus</i>	Golden Oriole	W&CA Sch1 Part 1 Bird-Red	4	22/05/1999	05/05/2004
<i>Phoenicurus ochruros</i>	Black Redstart	W&CA Sch1 Part 1 BAP Priority London Bird-Red	4	26/04/1985	26/04/1985
<i>Poecile montana</i>	Willow Tit	Bird-Red	3	1983-1992	01/01/1983
<i>Streptopelia turtur</i>	Turtle Dove	NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc Bird-Red	6	06/07/1985	26/04/1987
<i>Sylvia undata</i>	Dartford Warbler	Birds Dir Anx 1 W&CA Sch1 Part 1 Local Spp of Cons Conc	127	1983-1992	30/10/1999
<i>Tyto alba</i>	Barn Owl	W&CA Sch1 Part 1 Local Spp of Cons Conc	1	12/09/2014	12/09/2014
Mammals - Terrestrial (excl. bats)					
<i>Meles meles</i>	Eurasian Badger	Protection of Badgers Act 1992 Local Spp of Cons Conc	33	21/05/1999	15/05/2018
Mammals - Terrestrial (bats)					



Taxon Name	Common Name	Designation	Total number of occurrences	Date of oldest record	Date of most recent record
<i>Eptesicus serotinus</i>	Serotine	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	1	16/08/2017	16/08/2017
<i>Myotis daubentonii</i>	Daubenton's Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	4	02/08/1997	01/10/2008
<i>Myotis nattereri</i>	Natterer's Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	3	Apr 2006	01/04/2006
<i>Nyctalus leisleri</i>	Lesser Noctule	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	1	01/06/2008	01/06/2008
<i>Nyctalus noctula</i>	Noctule Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	3	02/08/1997	02/08/1997



Taxon Name	Common Name	Designation	Total number of occurrences	Date of oldest record	Date of most recent record
<i>Pipistrellus</i>	Pipistrelle Bat species	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	27	1985	19/04/2005
<i>Pipistrellus nathusii</i>	Nathusius's Pipistrelle	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	1	16/08/2017	16/08/2017
<i>Pipistrellus pipistrellus</i>	Pipistrelle	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c BAP Priority London Local Spp of Cons Conc	13	01/01/2005	28/09/2017
<i>Pipistrellus pygmaeus</i>	Soprano Pipistrelle	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	81	30/06/1997	01/10/2008



Taxon Name	Common Name	Designation	Total number of occurrences	Date of oldest record	Date of most recent record
<i>Plecotus auritus</i>	Brown Long-eared Bat	Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	7	25/06/2004	01/04/2006
<i>Vespertilionidae</i>	Bats	Hab&Spp Dir Anx 2np Hab&Spp Dir Anx 4 Cons Regs 2010 Sch2 W&CA Sch5 Sec 9.4b W&CA Sch5 Sec 9.4c NERC Act Section 41 BAP Priority National BAP Priority London Local Spp of Cons Conc	5	28/10/1991	28/10/1991



4.4 LISI Species

The London Invasive Species Initiative (LISI) encourages better co-ordination and partnership working to prevent, reduce and eliminate the impacts caused by invasive non-native species across the city.

The list presents a number of species present in London and causing impacts for which action, monitoring or research is needed. It also lists species not currently in London but of concern due to high risk of negative impact should they arrive, including those for which national alerts are in place through the GB Non-Native Species Secretariat. LISI species are categorised following their likely risk to the environment. For further explanations please see the Supporting Information annex.

LISI Category	Explanation
LISI 1	Species not currently present in London but present nearby or of concern because of the high risk of negative impacts should they arrive. Should any species listed in this category appear in London, this should be reported to GiGL or LISI to ensure that action is taken rapidly.
LISI 2	Species of high impact or concern present at specific sites that require attention (control, management, eradication etc). Such species are priority species for action in London and LISI encourages this wherever possible.
LISI 3	Species of high impact or concern which are widespread in London and require concerted, coordinated and extensive action to control/eradicate. These species are species currently causing large scale impacts across London and LISI supports area or catchment wide partnership working to ensure this.
LISI 4	Species which are widespread for which eradication is not feasible but where avoiding spread to other sites may be required. Appropriate biosecurity is required for sites where these species are found.
LISI 5	Species for which insufficient data or evidence was available from those present to be able to prioritise.
LISI 6	Species that were not currently considered to pose a threat or have the potential to cause problems in London.

For further advice on dealing with invasive species in London, or to report management work undertaken at a site please contact the LISI Manager at enquiries@londonisi.org.uk or visit <http://londonisi.org.uk/>

Taxon Name	Common Name	Designation	Total number of occurrences	Maximum occurrence	Location of nearest record	Date of nearest record	Location of most recent record	Date of most recent record	Date range
Higher Plants - Ferns									
<i>Azolla filiculoides</i>	Water Fern	LISI category 2	11	P	TQ1581569939	1985	TQ1559769333	14/08/2012	11/10/84-14/08/12
Higher Plants - Flowering Plants									
<i>Ailanthus altissima</i>	Tree-of-heaven	LISI category 3	8	P	TQ176705	13/07/1999	TQ1588068831	18/02/2011	13/07/99-18/02/11
<i>Buddleja davidii</i>	Butterfly-bush	LISI category 3	17	1	TQ1668969725	05/07/2004	TQ1449570226	12/05/2014	18/05/99-12/05/14
<i>Cotoneaster</i>	A Flowering Plant	LISI category 2	8	P	TQ176708	06/10/1999	TQ1550270629	12/02/2007	10/06/99-12/02/07
<i>Crassula helmsii</i>	New Zealand Pigmyweed	LISI category 3	2	P	TQ159719	2001-2002	TQ159719	2001-2002	01/01/01-31/12/02
<i>Crocsmia pottsii</i> x <i>aurea</i> = <i>C. x crocosmiiflora</i>	Montbretia	LISI category 2	1	P	TQ161724	06/08/1999	TQ161724	06/08/1999	06/08/1999
<i>Elodea canadensis</i>	Canadian Waterweed	LISI category 4	4	P	TQ1581569939	1984	TQ170710	2001-2002	01/01/84-31/12/02
<i>Elodea nuttallii</i>	Nuttall's Waterweed	LISI category 4	3	P	TQ1649369653	05/07/2004	TQ1649369653	05/07/2004	23/06/04-05/07/04
<i>Fallopia japonica</i>	Japanese Knotweed	LISI category 3	24	97	TQ164718	21/05/1999	TQ1442370549	01/10/2014	26/09/84-01/10/14
<i>Fallopia japonica</i> x <i>sachalinensis</i> = <i>F. x bohemica</i>	Knotweed	LISI category 5	2	P	TQ165721	1994	TQ165721	1994	01/01/86-31/12/94
<i>Galega officinalis</i>	Goat's-rue	LISI category 4	13	P	TQ166718	24/05/1999	TQ14387055	01/10/2014	01/01/90-01/10/14
<i>Galinsoga parviflora</i>	Gallant Soldier	LISI category 3	2	P	TQ15746972	23/06/2004	TQ15746972	23/06/2004	06/08/99-23/06/04
<i>Heracleum mantegazzianum</i>	Giant Hogweed	LISI category 3	3	P	TQ1581569939	1993	TQ15746972	23/06/2004	01/01/91-23/06/04
<i>Hyacinthoides hispanica</i>	Spanish Bluebell	LISI category 4	5	P	TQ164726	24/05/1999	TQ150720	14/06/1999	18/05/99-14/06/99
<i>Hydrocotyle ranunculoides</i>	Floating Pennywort	LISI category 3	24	P	TQ1639969599	14/08/2012	TQ1593869397	14/08/2012	28/07/07-14/08/12
<i>Impatiens balfourii</i>	Kashmir Balsam	LISI category 2	1	P	TQ167714	2003	TQ167714	2003	01/01/03-31/12/03
<i>Impatiens capensis</i>	Orange Balsam	LISI category 2	25	P	TQ174711	2003	TQ1667969733	21/07/2012	01/01/83-21/07/12
<i>Impatiens glandulifera</i>	Indian Balsam	LISI category 3	14	P	TQ164718	21/05/1999	TQ167714	19/07/2004	01/01/93-19/07/04
<i>Lemna minuta</i>	Least Duckweed	LISI category 4	14	P	TQ1667969733	21/07/2012	TQ1449570226	12/05/2014	01/01/96-12/05/14
<i>Myriophyllum aquaticum</i>	Parrot's-feather	LISI category 3	4	P	TQ175720	13/07/1999	TQ170710	2001-2002	01/01/93-31/12/02
<i>Passiflora caerulea</i>	Blue Passionflower	LISI category 6	1	P	TQ158688	03/01/2009	TQ158688	03/01/2009	03/01/2009
<i>Paulownia tomentosa</i>	Foxglove-tree	LISI category 5	2	3	TQ1576569720	13/01/2009	TQ1576569720	13/01/2009	28/05/05-13/01/09
<i>Pentaglottis sempervirens</i>	Green Alkanet	LISI category 6	17	P	TQ166718	24/05/1999	TQ1555569896	21/07/2012	01/01/97-21/07/12



Taxon Name	Common Name	Designation	Total number of occurrences	Maximum occurrence	Location of nearest record	Date of nearest record	Location of most recent record	Date of most recent record	Date range
<i>Prunus laurocerasus</i>	Cherry Laurel	LISI category 3	10	P	TQ176708	06/10/1999	TQ155710	11/01/2009	18/05/99-11/01/09
<i>Quercus cerris</i>	Turkey Oak	LISI category 5	297	2	TQ164718	21/05/1999	TQ1471470363	11/01/2012	01/01/97-11/01/12
<i>Quercus ilex</i>	Evergreen Oak	LISI category 5	164	6	TQ1697669900	06/09/2007	TQ1449470731	08/09/2011	24/05/99-08/09/11
<i>Rhododendron ponticum</i>	A Flowering Plant	LISI category 2	12	7	TQ1579670050	03/08/2004	TQ1500370243	03/08/2004	18/05/99-03/08/04
<i>Robinia pseudoacacia</i>	False-acacia	LISI category 4	143	P	TQ166718	24/05/1999	TQ1540870575	13/12/2011	24/05/99-13/12/11
<i>Symphoricarpos albus</i>	Snowberry	LISI category 2	10	P	TQ1736071320	02/06/2006	TQ1736071320	02/06/2006	01/01/97-02/06/06
Invertebrates - Molluscs									
<i>Dreissena polymorpha</i>	Zebra Mussel	LISI category 4	1	P	TQ163722	2010	TQ163722	2010	01/01/10-31/12/10
Invertebrates - Crustaceans									
<i>Chelicorophium curvispinum</i>	A Crustacean	LISI category 1	10	10	TQ158692	15/06/2004	TQ1581469191	Sep 2005	01/08/98-30/09/05
<i>Eriocheir sinensis</i>	Chinese Mitten Crab	LISI category 4	3	P	TQ16906984	15/06/2004	TQ179704	30/08/2016	15/06/04-30/08/16
<i>Hemimysis anomala</i>	A Crustacean	LISI category 2	2	P	TQ1698171415	30/11/2012	TQ1698171415	30/11/2012	30/11/2012
Birds									
<i>Psittacula krameri</i>	Ring-necked Parakeet	LISI category 4	2236	3500	TQ164718	20/05/1999	TQ167729	15/05/2018	01/01/83-15/05/18
Mammals - Terrestrial (excl. bats)									
<i>Neovison vison</i>	American Mink	LISI category 2	2	1	TQ177694	17/12/2014	TQ177694	17/12/2014	06/09/00-17/12/14

LISI species – Coarse Resolution Records

The species records in this table are represent records of 1km², 2km² or 10km² accuracy.

Taxon Name	Common Name	Designation	Total number of occurrences	Record accuracy	Date of oldest record	Date of most recent record
Higher Plants - Flowering Plants						
<i>Ailanthus altissima</i>	Tree-of-heaven	LISI category 3	3	1km, 2km	1965-1976	1983
<i>Allium paradoxum</i>	Few-flowered Garlic	LISI category 2	1	2km	04/05/1996	04/05/1996
<i>Ambrosia artemisiifolia</i>	Ragweed	LISI category 5	1	10km	2003	2003
<i>Buddleja davidii</i>	Butterfly-bush	LISI category 3	11	1km, 10km	1946	03/08/2005
<i>Cotoneaster obtusus</i>	Dartford Cotoneaster	LISI category 2	1	10km	04/05/1996	04/05/1996
<i>Crocsmia pottsii x aurea = C. x crocsmiiflora</i>	Montbretia	LISI category 2	1	10km	1988	1988
<i>Elodea canadensis</i>	Canadian Waterweed	LISI category 4	3	1km, 10km	1965-1976	1965-1976
<i>Elodea nuttallii</i>	Nuttall's Waterweed	LISI category 4	1	1km	1965-1976	1965-1976
<i>Fallopia japonica</i>	Japanese Knotweed	LISI category 3	14	1km, 10km	1950	01/06/2003
<i>Fallopia japonica x sachalinensis = F. x bohemica</i>	Knotweed	LISI category 5	1	10km	01/06/2003	01/06/2003
<i>Galega officinalis</i>	Goat's-rue	LISI category 4	5	1km, 10km	1965-1976	01/06/2003
<i>Galinsoga parviflora</i>	Gallant Soldier	LISI category 3	8	1km, 10km	1960	1965-1976
<i>Galinsoga quadriradiata</i>	Shaggy Soldier	LISI category 3	3	1km, 10km	1965-1976	1965-1976
<i>Heracleum mantegazzianum</i>	Giant Hogweed	LISI category 3	2	1km	1965-1976	1965-1976
<i>Hyacinthoides hispanica</i>	Spanish Bluebell	LISI category 4	5	1km	1965-1976	1965-1976
<i>Hydrocotyle ranunculoides</i>	Floating Pennywort	LISI category 3	3	1km, 10km	2000	28/07/2007
<i>Ilex aquifolium x perado = I. x altaclerensis</i>	Highclere Holly	LISI category 5	1	1km	1997	1997
<i>Impatiens capensis</i>	Orange Balsam	LISI category 2	7	1km, 10km	1964	11/08/2001
<i>Impatiens glandulifera</i>	Indian Balsam	LISI category 3	5	1km, 10km	1965-1976	2002



Taxon Name	Common Name	Designation	Total number of occurrences	Record accuracy	Date of oldest record	Date of most recent record
<i>Impatiens parviflora</i>	Small Balsam	LISI category 2	1	10km	1965-1976	1965-1976
<i>Lemna minuta</i>	Least Duckweed	LISI category 4	2	1km, 10km	1997	2002
<i>Lysichiton americanus</i>	American Skunk-cabbage	LISI category 2	1	10km	28/04/2001	28/04/2001
<i>Myriophyllum aquaticum</i>	Parrot's-feather	LISI category 3	1	10km	1990	1990
<i>Pentaglottis sempervirens</i>	Green Alkanet	LISI category 6	7	1km, 2km, 10km	1949	28/04/2001
<i>Quercus cerris</i>	Turkey Oak	LISI category 5	5	1km, 10km	1965-1976	1965-1976
<i>Quercus ilex</i>	Evergreen Oak	LISI category 5	4	1km, 10km	1965-1976	03/08/2005
<i>Rhododendron ponticum</i>	A Flowering Plant	LISI category 2	2	1km	1965-1976	1965-1976
<i>Robinia pseudoacacia</i>	False-acacia	LISI category 4	8	1km, 10km	1965-1976	2000
<i>Smyrniium perfoliatum</i>	Perfoliate Alexanders	LISI category 2	2	10km	1995	2005
<i>Symphoricarpos albus</i>	Snowberry	LISI category 2	8	1km, 10km	1962	1997
Invertebrates - Crustaceans						
<i>Eriocheir sinensis</i>	Chinese Mitten Crab	LISI category 4	2	1km	07/09/2015	26/10/2016
Birds						
<i>Psittacula krameri</i>	Ring-necked Parakeet	LISI category 4	25	1km, 10km	01/05/2013	10/02/2016



5.0 Habitats

Habitats present within the search area from these sources can be seen on the following pages:

- Survey data
- BAP Condition Assessment and Habitat Suitability

It can be cross-referenced with the Survey Parcels Map or BAP Habitat Condition Assessment & Habitat Suitability Map.

Note that GiGL does not currently hold habitat data for all areas. Even where data is held, a lack of records in a defined geographical area does not necessarily mean that the habitat does not occur there – the area may simply not have been surveyed.

This section identifies and maps components of the local ecological networks and potential areas identified for habitat restoration or creation.



5.1 Survey Data

This table holds the most recent habitat survey information for a given site. It includes data collected via different survey methodologies. The GLA conducted a series of rolling habitat surveys between the mid-1980s and 2009. It used the habitat typologies developed specifically for Greater London for further details of categories please refer to the Supporting Information section of the Annex. Other habitat classification methodologies recorded in the database are National Vegetation Classification, Phase 1 Habitat Assessment, and Biodiversity Action Plan Broad Habitat classification.

Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Royal Park Gate Open Space	GiGL_HAB_10304	TQ1749571244	1.56	02/06/2006	Neutral grassland (semi-improved) Amenity grassland Bare artificial habitat Scattered trees tall herbs Planted shrubbery Scrub	49 30 7 5 3 3 3	0.76 0.47 0.11 0.08 0.05 0.05 0.05	Lon(P1)
River Thames at Kingston, North Section	GiGL_HAB_10325	TQ1790670465	8.34	31/05/2006	Running water (rivers and streams) Scattered trees Bare artificial habitat	98 1 1	8.14 0.08 0.08	Lon(P1)
River Thames at Kingston, East bank of north section	GiGL_HAB_10326	TQ1794670466	0.90	31/05/2006	Scattered trees Scrub tall herbs Neutral grassland (semi-improved) Bare artificial habitat	35 25 20 10 10	0.32 0.23 0.18 0.09 0.09	Lon(P1)
River Thames at Kingston, Kingston Railway Bridge southwards	GiGL_HAB_10327	TQ1775668376	8.90	22/06/2006	Running water (rivers and streams) Bare artificial habitat Scattered trees	97 2 1	8.6 0.18 0.09	Lon(P1)
River Thames at Kingston, Steven's Eyot	GiGL_HAB_10329	TQ1788070346	0.17	31/05/2006	Scattered trees tall herbs Bare artificial habitat	70 20 10	0.11 0.03 0.02	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Ham Lands - Kingston Section	GiGL_HAB_10331	TQ1736071320	0.88	02/06/2006	Neutral grassland (semi-improved) Scrub tall herbs Bare artificial habitat	70 15 10 5	0.62 0.13 0.09 0.04	Lon(P1)
YMCA Hawker Centre	GiGL_HAB_10332	TQ1768771077	3.30	02/06/2006	Amenity grassland Bare artificial habitat Scattered trees Ruderal or ephemeral	58 35 5 2	1.91 1.15 0.16 0.07	Lon(P1)
Tiffin's Girls School	GiGL_HAB_10333	TQ1809270916	2.58	31/05/2006	Bare artificial habitat Amenity grassland Planted shrubbery Neutral grassland (semi-improved) Scrub Scattered trees	80 10 3 3 2 2	2.06 0.26 0.08 0.08 0.05 0.05	Lon(P1)
Fern Hill Primary School	GiGL_HAB_10334	TQ1816170773	2.85	31/05/2006	Bare artificial habitat Scattered trees Planted shrubbery Amenity grassland	60 20 15 5	1.7 0.57 0.43 0.14	Lon(P1)
Wolsey Drive Allotments	GiGL_HAB_10335	TQ1827971017	1.25	31/05/2006	Allotments (active) tall herbs Neutral grassland (semi-improved) Scrub	85 5 5 5	1.05 0.06 0.06 0.06	Lon(P1)
Tudor Drive Roadsides	GiGL_HAB_10336	TQ1832771184	3.06	31/05/2006	Amenity grassland Bare artificial habitat Scattered trees Planted shrubbery	52 40 5 3	1.59 1.22 0.15 0.09	Lon(P1)
Latchmere Lane Recreational Ground	GiGL_HAB_10340	TQ1863570793	3.61	05/06/2006	Amenity grassland Scattered trees Ruderal or ephemeral Bare artificial habitat	80 10 5 5	2.88 0.36 0.18 0.18	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Thames River Path between Lower Ham Road and Ham Lands	GiGL_HAB_10344	TQ1764971057	1.51	02/06/2006	Neutral grassland (semi-improved) Bare artificial habitat Scattered trees tall herbs Scrub	30 30 20 15 5	0.45 0.45 0.3 0.23 0.08	Lon(P1)
Canbury Gardens, Grassland east of Riverside Walk	GiGL_HAB_10345	TQ1785570033	3.57	31/05/2006	Amenity grassland Bare artificial habitat Scattered trees Planted shrubbery Ruderal or ephemeral	40 22 20 15 3	1.42 0.78 0.71 0.53 0.11	Lon(P1)
Canbury Gardens, Recreation Area	GiGL_HAB_10346	TQ1793470073	2.37	31/05/2006	Bare artificial habitat Amenity grassland Planted shrubbery Scattered trees	50 35 10 5	1.18 0.83 0.24 0.12	Lon(P1)
Hogsmill River in Central Kingston, River Thames to Penrhyn Road	GiGL_HAB_10412	TQ1787069060	0.44	12/06/2006	Running water (rivers and streams) Scattered trees Wet marginal vegetation tall herbs Scrub	95 2 1 1 1	0.42 0.01 0 0 0	Lon(P1)
Railsides between Kingston station and River Thames on Kingston branch	GiGL_HAB_10485	TQ1798069600	1.23	30/05/2006	Bare artificial habitat Scrub Scattered trees Neutral grassland (semi-improved)	65 20 10 5	0.79 0.24 0.12 0.06	Lon(P1)
Cassel Hospital	GiGL_HAB_10640	TQ1765171746	3.35	02/09/1999	Amenity grassland Non- native broadleaved woodland Neutral grassland (semi-improved)	80 15 5	2.67 0.5 0.17	Lon(P1)
Cassel Hospital	GiGL_HAB_10641	TQ1763071678	0.85	02/09/1999	Amenity grassland Non- native broadleaved woodland	90 10	0.77 0.09	Lon(P1)
Bushy Park,	GiGL_HAB_10678	TQ1502470330	92.60	11/10/1984	Acid grassland Amenity grassland Native broadleaved woodland Standing water (includes canals)	75 12 10 3	69.23 11.08 9.23 2.77	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Bushy Park,	GiGL_HAB_10679	TQ1478669667	32.58	11/10/1984	Other Native broadleaved woodland Standing water (includes canals)	75 20 5	24.36 6.5 1.62	Lon(P1)
Bushy Park,	GiGL_HAB_10680	TQ1575469630	66.44	11/10/1984	Bracken Amenity grassland Acid grassland	69 21 10	45.71 13.91 6.62	Lon(P1)
Bushy Park,	GiGL_HAB_10681	TQ1641469845	64.15	11/10/1984	Neutral grassland (semi-improved) Bracken Acid grassland Native broadleaved woodland	30 30 30 10	19.18 19.18 19.18 6.39	Lon(P1)
Bushy Park,	GiGL_HAB_10682	TQ1650169388	56.94	11/10/1984	Bracken Acid grassland Native broadleaved woodland Bare artificial habitat	45 45 5 5	25.54 25.54 2.84 2.84	Lon(P1)
Bushy Park, The Royal Paddocks	GiGL_HAB_10683	TQ1667969094	32.33	11/10/1984	Amenity grassland Other	80 20	25.79 6.45	Lon(P1)
Bushy Park, Diana Fountain	GiGL_HAB_10684	TQ1581469191	1.26	11/10/1984	Standing water (includes canals)	100	1.26	Lon(P1)
Bushy Park,	GiGL_HAB_10685	TQ1629969544	2.14	11/10/1984	Standing water (includes canals)	100	2.14	Lon(P1)
Bushy Park,	GiGL_HAB_10686	TQ1667969733	1.11	11/10/1984	Standing water (includes canals)	100	1.11	Lon(P1)
Bushy Park,	GiGL_HAB_10687	TQ1446970250	16.40	28/09/1999	Neutral grassland (semi-improved)	100	0.00	Lon(P1)
Bushy Park, South-west Paddock	GiGL_HAB_10688	TQ1451369714	19.53	28/09/1999	Improved or re-seeded agricultural grassland Scattered trees Wet marginal vegetation Standing water (includes canals)	90 6 2 2	16.65 1.11 0.37 0.37	Lon(P1)
Bushy Park - , Parcel 15	GiGL_HAB_10689	TQ1454771086	0.96	28/09/1999				Lon(P1)
Bushy Park - , Parcel 16	GiGL_HAB_10690	TQ1437770827	3.45	28/09/1999				Lon(P1)
Bushy Park - , Parcel 17	GiGL_HAB_10691	TQ1527270447	5.95	28/09/1999				Lon(P1)
Bushy Park - , Parcel 19	GiGL_HAB_10692	TQ1551170214	3.33	28/09/1999				Lon(P1)
Bushy Park - , Parcel 20	GiGL_HAB_10693	TQ1551570314	2.53	28/09/1999				Lon(P1)
Bushy Park - , Parcel 21	GiGL_HAB_10694	TQ1571970144	3.54	28/09/1999				Lon(P1)
Bushy Park - , Parcel 22	GiGL_HAB_10695	TQ1720369523	8.62	28/09/1999				Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Bushy Park,	GiGL_HAB_10696	TQ1574470328	6.87	16/08/1999	Amenity grassland Bare artificial habitat	95 5	7.03 0.37	Lon(P1)
Bushy Park,	GiGL_HAB_10697	TQ1530868921	8.53	28/09/1999	Amenity grassland Scattered trees Bare artificial habitat	80 10 10	6.82 0.85 0.85	Lon(P1)
Bushy Park,	GiGL_HAB_10698	TQ1533269000	2.24	28/09/1999	Acid grassland Scattered trees Standing water (includes canals) Bare artificial habitat	50 30 10 10	1.14 0.68 0.23 0.23	Lon(P1)
Bushy Park, Western allotments	GiGL_HAB_10699	TQ1429970328	5.73	29/09/1999	Allotments (active)	100	6.40	Lon(P1)
Bushy Park,	GiGL_HAB_10700	TQ1447670655	6.39	28/09/1999	Bare soil and rock Amenity grassland	60 40	3.98 2.66	Lon(P1)
Bushy Park, Longford River - western section	GiGL_HAB_10701	TQ1436570553	2.63	28/09/1999	Neutral grassland (semi-improved) Scattered trees Standing water (includes canals) Running water (rivers and streams)	60 20 10 10	1.46 0.49 0.24 0.24	Lon(P1)
Bushy Park,	GiGL_HAB_10702	TQ1540970507	0.99	16/08/1999	Habitat information not available	100	1.08	Lon(P1)
Sudbrook Park Golf Course, Main grasslands	GiGL_HAB_10743	TQ1835272451	35.45	17/06/1999	Amenity grassland Acid grassland Native broadleaved woodland Scattered trees	65 20 10 5	22.95 7.06 3.53 1.76	Lon(P1)
Sudbrook Park Golf Course, Western woodland strip	GiGL_HAB_10744	TQ1799772588	1.68	17/06/1999	Native broadleaved woodland Acid grassland Scattered trees	85 10 5	1.5 0.18 0.09	Lon(P1)
Ham Common, Western Grasslands	GiGL_HAB_10745	TQ1770471949	8.24	13/07/1999	Acid grassland Amenity grassland Scattered trees	75 20 5	6.17 1.65 0.41	Lon(P1)
Ham Common, Pond	GiGL_HAB_10746	TQ1759572057	0.23	13/07/1999	Standing water (includes canals) Wet marginal vegetation	95 5	0.23 0.01	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Ham Common, Woodland north of Ham Gate Avenue	GiGL_HAB_10747	TQ1848971969	13.00	18/05/1999	Native broadleaved woodland Scrub Neutral grassland (semi-improved) Ditches (water filled) Acid grassland	90 5 3 1 1	11.88 0.66 0.4 0.13 0.13	Lon(P1)
Ham Common, Horse exercising area	GiGL_HAB_10748	TQ1821771911	1.34	18/05/1999	Acid grassland Scattered trees Non- native broadleaved woodland	75 22 3	0.81 0.24 0.03	Lon(P1)
Ham Common, Edges of wood - western end	GiGL_HAB_10749	TQ1788471964	3.19	18/05/1999	Neutral grassland (semi-improved) Acid grassland Scattered trees Native broadleaved woodland tall herbs Scrub	25 25 20 20 5 5	0.78 0.78 0.62 0.62 0.16 0.16	Lon(P1)
Ham Common, Woodland south of Ham Gate Avenue	GiGL_HAB_10750	TQ1832071695	23.34	18/05/1999	Native broadleaved woodland Non- native broadleaved woodland Acid grassland Scrub	90 5 3 2	21.15 1.18 0.71 0.47	Lon(P1)
Ham Common, St Andrews Churchyard	GiGL_HAB_10751	TQ1803171794	0.47	26/08/1999	Neutral grassland (semi-improved) Bare artificial habitat Vegetated walls, tombstones etc. Native hedge	65 20 10 5	0.31 0.1 0.05 0.02	Lon(P1)
Trowlock Boathouse Garden	GiGL_HAB_10752	TQ1753870943	0.97	02/09/1999	Non- native broadleaved woodland Amenity grassland	50 50	0.51 0.51	Lon(P1)
Trowlock Boathouse Garden - , Parcel 2	GiGL_HAB_10753	TQ1758470922	0.01	02/09/1999				Lon(P1)
Udney Hall Park	GiGL_HAB_10754	TQ1659371159	1.04	13/07/1999	Amenity grassland Scattered trees	70 30	0.73 0.31	Lon(P1)
Hampton Court Park, Hampton Court Palace Grounds	GiGL_HAB_10796	TQ1573968446	27.05	11/10/1984	Bare artificial habitat Other Amenity grassland Standing water (includes canals)	35 30 30 5	9.44 8.09 8.09 1.35	Lon(P1)
Hampton Court Park, Deer Paddocks	GiGL_HAB_10797	TQ1604768683	3.79	11/10/1984	Neutral grassland (semi-improved) Amenity grassland	75 25	2.84 0.95	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Hampton Court Park, Hampton Court Park Grounds	GiGL_HAB_10800	TQ1674868407	113.97	26/09/1984	Acid grassland	94	106.58	Lon(P1)
					Neutral grassland (semi-improved)	3	3.4	
					Improved or re-seeded agricultural grassland	3	3.4	
Hampton Court Park, Hampton Wick Pond	GiGL_HAB_10802	TQ1716169135	1.62	26/09/1984	Standing water (includes canals)	95	1.54	Lon(P1)
					Wet marginal vegetation	5	0.08	
Hampton Court Park, Northern Pastures	GiGL_HAB_10803	TQ1755969064	7.57	26/09/1984	Neutral grassland (semi-improved)	70	5.29	Lon(P1)
					Improved or re-seeded agricultural grassland	20	1.51	
					tall herbs	7	0.53	
					Amenity grassland	3	0.23	
Hampton Court Park, Barge Walk/towpath	GiGL_HAB_10808	TQ1767368272	11.51	26/09/1984	Neutral grassland (semi-improved)	70	8.04	Lon(P1)
					Neutral grassland (semi-improved)	70	7.63	
					Native broadleaved woodland	20	2.3	
					Amenity grassland	15	1.64	
					Other	7	0.8	
					Scrub	5	0.55	
					Scattered trees	5	0.55	
					Bare artificial habitat	5	0.55	
					Non- native broadleaved woodland	3	0.34	
Ham Lands, Thames Mariners Buildings	GiGL_HAB_10827	TQ1640472275	1.45	19/08/1999	Amenity grassland	60	0.86	Lon(P1)
					Bare artificial habitat	30	0.43	
					Scrub	10	0.14	
Ham Lands, Northern playing field	GiGL_HAB_10828	TQ1683173010	4.41	20/05/1999	Amenity grassland	95	4.18	Lon(P1)
					Native hedge	5	0.22	
Ham Lands, Grassland strip inside towpath along north	GiGL_HAB_10829	TQ1635572884	6.97	20/05/1999	Neutral grassland (herb-rich)	67	4.4	Lon(P1)
					tall herbs	30	1.97	
					Scattered trees	3	0.2	
Ham Lands, Land either side of towpath along north	GiGL_HAB_10830	TQ1619372762	2.86	20/05/1999	Native broadleaved woodland	85	2.31	Lon(P1)
					tall herbs	15	0.41	



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Ham Lands, Parcel 11	GiGL_HAB_10831	TQ1652272869	4.51	21/05/1999	Roughland (intimate mix of 9, 14 and 6) Native broadleaved woodland Scrub	70 25 5	3.23 1.15 0.23	Lon(P1)
Ham Lands, Woodland strip along towpath - south	GiGL_HAB_10832	TQ1639271920	6.24	21/05/1999	Native broadleaved woodland Non- native broadleaved woodland tall herbs Scrub Bare artificial habitat Wet marginal vegetation	60 27 5 5 2 1	3.62 1.63 0.3 0.3 0.12 0.06	Lon(P1)
Ham Lands, Woodland north of lake	GiGL_HAB_10833	TQ1651672629	4.47	24/05/1999	Native broadleaved woodland Roughland (intimate mix of 9, 14 and 6)	85 15	3.88 0.68	Lon(P1)
Ham Lands, Open area west of Rifle Range	GiGL_HAB_10834	TQ1663472670	2.65	24/05/1999	Roughland (intimate mix of 9, 14 and 6) Scattered trees Non- native broadleaved woodland	90 5 5	2.4 0.13 0.13	Lon(P1)
Ham Lands, Woodland north and west of rifle range	GiGL_HAB_10835	TQ1667072746	1.22	24/05/1999	Native broadleaved woodland Roughland (intimate mix of 9, 14 and 6)	90 10	1.06 0.12	Lon(P1)
Ham Lands, Outgrown hedge along south of Kew Association Football Pitches	GiGL_HAB_10836	TQ1679272618	0.20	24/05/1999	Scrub Non- native broadleaved woodland Amenity grassland tall herbs	75 10 10 5	0.15 0.02 0.02 0.01	Lon(P1)
Ham Lands, Open area north-west of lake	GiGL_HAB_10837	TQ1631672576	6.20	24/05/1999	Roughland (intimate mix of 9, 14 and 6) Scattered trees	95 5	6.15 0.32	Lon(P1)
Ham Lands, Open area south of lake	GiGL_HAB_10838	TQ1683471849	32.20	24/05/1999	Roughland (intimate mix of 9, 14 and 6) Scrub Scattered trees	85 10 5	27.2 3.2 1.6	Lon(P1)
Ham Lands, Riverside Drive Verges	GiGL_HAB_10839	TQ1705272760	1.40	19/08/1999	Amenity grassland	100	1.38	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Ham Lands, Playing field east of rifle range	GiGL_HAB_10840	TQ1695672904	4.27	19/08/1999	Amenity grassland	85	3.61	Lon(P1)
					Scattered trees	5	0.21	
					Native hedge	5	0.21	
					Bare artificial habitat	5	0.21	
Ham Lands, Allotments	GiGL_HAB_10841	TQ1702172800	1.41	19/08/1999	Allotments (active)	100	1.40	Lon(P1)
Ham Lands, Rifle ranges	GiGL_HAB_10842	TQ1680372846	1.04	19/08/1999	Amenity grassland	60	0.62	Lon(P1)
					Scrub	20	0.21	
					Neutral grassland (semi-improved)	10	0.1	
					Bare artificial habitat	10	0.1	
Ham Lands, Horse Pastures	GiGL_HAB_10843	TQ1687572748	1.08	19/08/1999	Improved or re-seeded agricultural grassland	95	1.03	Lon(P1)
					Scattered trees	3	0.03	
					Scrub	2	0.02	
Ham Lands, Playing fields west of rifle range	GiGL_HAB_10844	TQ1676872737	3.56	19/08/1999	Amenity grassland	100	3.55	Lon(P1)
Ham Lands, Thames Mariners Lake	GiGL_HAB_10845	TQ1646772409	3.57	19/08/1999	Standing water (includes canals)	100	3.65	Lon(P1)
Ham Lands, Thames Mariners grassland	GiGL_HAB_10846	TQ1642572376	0.84	19/08/1999	Amenity grassland	80	0.68	Lon(P1)
					Scrub	20	0.17	
Ham Lands, Thames mariners woodland	GiGL_HAB_10847	TQ1625772373	3.03	19/08/1999	Native broadleaved woodland	70	2.06	Lon(P1)
					Scrub	30	0.89	
Ham House Fields, The Copse Meadow	GiGL_HAB_10855	TQ1745472801	6.44	14/07/1999	Neutral grassland (semi-improved)	85	5.42	Lon(P1)
					Non- native broadleaved woodland	8	0.51	
					Scattered trees	5	0.32	
					Bare soil and rock	2	0.13	
Ham House Fields, Ham House Grounds	GiGL_HAB_10857	TQ1724372978	6.71	19/08/1999	Amenity grassland	60	3.97	Lon(P1)
					Bare artificial habitat	20	1.32	
					Scattered trees	10	0.66	
					Native hedge	10	0.66	
Ham House Fields, Sandy Lane Park - north	GiGL_HAB_10858	TQ1753272644	0.53	19/08/1999	Amenity grassland	90	0.49	Lon(P1)
					Bare artificial habitat	5	0.03	
					Native hedge	3	0.02	
					Scattered trees	2	0.01	



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Ham House Fields, Manor House	GiGL_HAB_10859	TQ1736972672	2.62	19/08/1999	Amenity grassland Neutral grassland (semi-improved) Scattered trees	80 10 10	2.09 0.26 0.26	Lon(P1)
Ham House Fields, Sandy Lane Park - south	GiGL_HAB_10860	TQ1757272472	1.76	19/08/1999	Amenity grassland Scrub	90 10	1.59 0.18	Lon(P1)
Ham House Fields, Grey Court School	GiGL_HAB_10861	TQ1751972308	2.99	19/08/1999	Amenity grassland Neutral grassland (semi-improved) Scattered trees	90 5 5	2.65 0.15 0.15	Lon(P1)
Ham House Fields, Horse Ride	GiGL_HAB_10862	TQ1757372361	0.93	19/08/1999	Scrub Scattered trees Neutral grassland (semi-improved) Scrub Scattered trees Bare soil and rock	60 40 20 20 20 20	0.57 0.38 0.19 0.19 0.19 0.19	Lon(P1)
Strawberry Hill Golf Course	GiGL_HAB_10863	TQ1523472144	11.37	14/06/1999	Amenity grassland Neutral grassland (semi-improved) Scattered trees Acid grassland Native broadleaved woodland Planted shrubbery Running water (rivers and streams)	70 10 10 5 3 1 1	7.98 1.14 1.14 0.57 0.34 0.11 0.11	Lon(P1)
Strawberry Hill Golf Course, Central woodland	GiGL_HAB_10864	TQ1520372084	0.60	14/06/1999	Native broadleaved woodland Non- native broadleaved woodland Acid grassland	55 40 5	0.33 0.24 0.03	Lon(P1)
Strawberry Hill Golf Course, Western Woodlands	GiGL_HAB_10865	TQ1500672035	0.52	14/06/1999	Native broadleaved woodland	100	0.64	Lon(P1)
Strawberry Hill Golf Course, Strawberry Hill Railway Triangle	GiGL_HAB_10866	TQ1542172055	7.69	23/08/1999	Roughland (intimate mix of 9, 14 and 6) Bare artificial habitat Native broadleaved woodland	40 40 20	3.05 3.05 1.52	Lon(P1)
Strawberry Hill Golf Course, St James School Playing Field	GiGL_HAB_10867	TQ1515872313	2.09	23/08/1999	Amenity grassland Scattered trees	95 5	1.99 0.1	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Fulwell and Twickenham Golf Course, Fulwell Golf Course Pond	GiGL_HAB_10899	TQ1461471921	0.17	10/06/1999	Standing water (includes canals) Native broadleaved woodland Wet marginal vegetation Scattered trees Ruderal or ephemeral	60 25 5 5 5	0.11 0.05 0.01 0.01 0.01	Lon(P1)
Fulwell and Twickenham Golf Course, Railway embankment E of Fulwell Golf Course	GiGL_HAB_10900	TQ1447071600	1.32	10/06/1999	Non- native broadleaved woodland Bare artificial habitat Scrub tall herbs Neutral grassland (semi-improved) Vegetated walls, tombstones etc.	40 30 15 10 4 1	0.58 0.44 0.22 0.15 0.06 0.01	Lon(P1)
Fulwell and Twickenham Golf Course, Main grassland of Fulwell Golf Course	GiGL_HAB_10911	TQ1409171875	47.53	26/05/1999	Amenity grassland Neutral grassland (semi-improved) Acid grassland Scattered trees Native broadleaved woodland Non- native broadleaved woodland	50 30 10 5 3 2	23.7 14.22 4.74 2.37 1.42 0.95	Lon(P1)
St Albans and St Mary with St Alban Churchyards	GiGL_HAB_10966	TQ1654771294	0.37	28/09/1999	Non- native broadleaved woodland Non- native broadleaved woodland Bare artificial habitat Neutral grassland (semi-improved) Neutral grassland (semi-improved) Bare artificial habitat Scattered trees	50 40 30 15 15 15 10	0.19 0.24 0.18 0.09 0.06 0.06ha) SCTR (10%, 0.06 0.04	Lon(P1)
St Albans and St Mary with St Alban Churchyards, St albans Church	GiGL_HAB_10967	TQ1662171255	0.18	28/09/1999	Non- native broadleaved woodland	100	0.16	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Normanfield Hospital	GiGL_HAB_10976	TQ1731770347	14.79	30/09/1999	Amenity grassland Bare artificial habitat Neutral grassland (semi-improved) Scattered trees Non- native broadleaved woodland	30 25 20 15 10	4.44 3.7 2.96 2.22 1.48	Lon(P1)
Normanfield Hospital, The Wilderness	GiGL_HAB_10977	TQ1746870140	0.52	20/08/1999	Non- native broadleaved woodland Neutral grassland (semi-improved)	90 10	0.47 0.05	Lon(P1)
Grotto Road Open Space	GiGL_HAB_10985	TQ1583672819	0.25	13/07/1999	Neutral grassland (semi-improved) Scattered trees tall herbs	85 10 5	0.21 0.03 0.01	Lon(P1)
River Thames	GiGL_HAB_11020	TQ1621772875	1.68	09/08/1999	Running water (rivers and streams) Wet marginal vegetation Scattered trees	90 6 4	1.54 0.1 0.07	Lon(P1)
River Thames	GiGL_HAB_11021	TQ1615572469	2.01	09/08/1999	Running water (rivers and streams) Wet marginal vegetation Non- native broadleaved woodland	90 5 5	1.88 0.1 0.1	Lon(P1)
River Thames	GiGL_HAB_11022	TQ1632371987	1.84	09/08/1999	Running water (rivers and streams) Native broadleaved woodland Wet marginal vegetation	90 7 3	1.75 0.14 0.06	Lon(P1)
River Thames	GiGL_HAB_11023	TQ1655671613	2.56	09/08/1999	Running water (rivers and streams) Bare artificial habitat Wet marginal vegetation Scattered trees Vegetated walls, tombstones etc.	90 5 2 2 1	2.29 0.13 0.05 0.05 0.03	Lon(P1)
River Thames	GiGL_HAB_11024	TQ1701671415	2.88	09/08/1999	Running water (rivers and streams) Vegetated walls, tombstones etc. Wet marginal vegetation Scattered trees	90 6 4 3	2.6 0.17 0.12 0.09	Lon(P1)
River Thames	GiGL_HAB_11033	TQ1626672960	2.94	05/08/1999	Running water (rivers and streams) Bare artificial habitat Vegetated walls, tombstones etc.	95 4 1	2.88 0.12 0.03	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
River Thames	GiGL_HAB_11034	TQ1606172470	2.37	06/08/1999	Running water (rivers and streams) Wet marginal vegetation Bare artificial habitat Scattered trees	90 6 3 1	1.95 0.13 0.07 0.02	Lon(P1)
River Thames	GiGL_HAB_11035	TQ1629171967	1.73	06/08/1999	Running water (rivers and streams) Bare artificial habitat	95 5	1.67 0.09	Lon(P1)
River Thames	GiGL_HAB_11036	TQ1652571583	1.59	06/08/1999	Running water (rivers and streams) Bare artificial habitat Wet marginal vegetation	95 4 1	1.56 0.07 0.02	Lon(P1)
River Thames	GiGL_HAB_11037	TQ1699871357	2.02	22/07/1999	Running water (rivers and streams) Bare artificial habitat	95 5	1.98 0.1	Lon(P1)
River Thames	GiGL_HAB_11038	TQ1725371099	2.46	06/08/1999	Running water (rivers and streams) Bare artificial habitat Wet marginal vegetation	95 4 1	2.37 0.1 0.02	Lon(P1)
River Thames,	GiGL_HAB_11039	TQ1767870761	2.45	06/08/1999	Running water (rivers and streams) Bare artificial habitat	95 5	2.39 0.13	Lon(P1)
River Thames	GiGL_HAB_11040	TQ1782170321	1.97	06/08/1999	Running water (rivers and streams) Bare artificial habitat	95 5	2.05 0.11	Lon(P1)
River Thames	GiGL_HAB_11041	TQ1772669849	1.97	06/08/1999	Running water (rivers and streams) Bare artificial habitat	95 5	1.93 0.1	Lon(P1)
River Thames	GiGL_HAB_11042	TQ1769969325	2.40	06/08/1999	Running water (rivers and streams) Bare artificial habitat Wet marginal vegetation	90 9 1	2.29 0.23 0.03	Lon(P1)
River Thames	GiGL_HAB_11043	TQ1770268827	2.06	06/08/1999	Running water (rivers and streams) Wet marginal vegetation Scrub	90 9 1	1.99 0.2 0.02	Lon(P1)
Wellesley Crescent Green	GiGL_HAB_11062	TQ1515472532	0.52	14/06/1999	Amenity grassland Scattered trees	90 10	0.47 0.05	Lon(P1)
Alpha Road Gardens	GiGL_HAB_11067	TQ1468871317	0.25	24/06/1999	Amenity grassland Planted shrubbery Scattered trees Bare artificial habitat	90 5 3 2	0.23 0.01 0.01 0.01	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Radnor Gardens	GiGL_HAB_11086	TQ1603272600	1.88	13/07/1999	Amenity grassland Scattered trees Planted shrubbery Bare soil and rock Bare artificial habitat Wet marginal vegetation	87 5 3 2 2 1	1.59 0.09 0.05 0.04 0.04 0.02	Lon(P1)
Shacklegate Lane Cemetery and Allotments, Shacklegate Lane Cemetery	GiGL_HAB_11087	TQ1536271801	5.50	13/07/1999	Neutral grassland (semi-improved) Scattered trees Vegetated walls, tombstones etc. Bare artificial habitat	55 20 15 10	3.02 1.1 0.83 0.55	Lon(P1)
Shacklegate Lane Cemetery and Allotments, Shacklegate Lane Allotments	GiGL_HAB_11088	TQ1525671694	0.42	13/07/1999	Allotments (active) Neutral grassland (semi-improved) Ruderal or ephemeral Native hedge	75 10 10 5	0.32 0.04 0.04 0.02	Lon(P1)
Grove Gardens	GiGL_HAB_11089	TQ1623071545	0.67	13/07/1999	Amenity grassland Scattered trees Planted shrubbery Ruderal or ephemeral	85 8 5 2	0.57 0.05 0.03 0.01	Lon(P1)
Broom Road Recreation Ground	GiGL_HAB_11090	TQ1765970597	5.96	13/07/1999	Amenity grassland Scattered trees	95 5	5.62 0.3	Lon(P1)
Lensbury Club, Lensbury Club Parkland	GiGL_HAB_11093	TQ1684771225	3.63	22/07/1999	Amenity grassland Scattered trees Bare artificial habitat tall herbs Native hedge	65 20 10 3 2	2.42 0.75 0.37 0.11 0.07	Lon(P1)
Lensbury Club, Lensbury Club Sports pitches	GiGL_HAB_11094	TQ1710571189	3.39	22/07/1999	Amenity grassland	100	3.29	Lon(P1)
Teddington Weir Island	GiGL_HAB_11101	TQ1675771508	0.36	06/08/1999	Non- native broadleaved woodland Native broadleaved woodland Wet marginal vegetation Intertidal mud, sand, shingle etc	40 40 10 10	0.18 0.18 0.05 0.05	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
St Richmonds with St Andrews Primary School	GiGL_HAB_11115	TQ1697772241	1.19	19/08/1999	Amenity grassland Neutral grassland (semi-improved) Scattered trees	80 10 10	0.95 0.12 0.12	Lon(P1)
Ham Close	GiGL_HAB_11116	TQ1725072406	1.28	19/08/1999	Amenity grassland Scattered trees	97 3	1.23 0.04	Lon(P1)
St Mary's Sports Ground	GiGL_HAB_11117	TQ1678371100	5.59	20/08/1999	Amenity grassland Scattered trees	95 5	5.32 0.28	Lon(P1)
Broom Park	GiGL_HAB_11118	TQ1767870269	1.01	20/08/1999	Amenity grassland Planted shrubbery Scattered trees	70 20 10	0.67 0.19 0.1	Lon(P1)
St John the Baptist Junior School	GiGL_HAB_11119	TQ1756770003	0.82	20/08/1999	Amenity grassland Non- native broadleaved woodland Scattered trees	75 23 2	0.6 0.18 0.02	Lon(P1)
Park Road Estate Grounds	GiGL_HAB_11120	TQ1732469717	0.44	20/08/1999	Amenity grassland Planted shrubbery Bare artificial habitat Scattered trees	50 20 20 10	0.22 0.09 0.09 0.04	Lon(P1)
Hampton Wick Railway Embankment	GiGL_HAB_11121	TQ1737469805	1.53	20/08/1999	Non- native broadleaved woodland Bare artificial habitat Neutral grassland (semi-improved)	40 40 20	0.56 0.56 0.28	Lon(P1)
Imperial College Sports Ground	GiGL_HAB_11122	TQ1647170849	4.96	20/08/1999	Amenity grassland Neutral grassland (semi-improved) Scattered trees	90 7 3	4.46 0.35 0.15	Lon(P1)
Teddington to Hampton Railsides	GiGL_HAB_11123	TQ1659370340	2.43	20/08/1999	Bare artificial habitat Native broadleaved woodland Non- native broadleaved woodland Neutral grassland (semi-improved) Scrub	50 20 15 10 5	1.18 0.47 0.35 0.24 0.12	Lon(P1)
Wades Lane Park	GiGL_HAB_11124	TQ1613871223	0.27	20/08/1999	Amenity grassland Bare artificial habitat Scattered trees Non-native hedge	70 20 5 5	0.2 0.06 0.01 0.01	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
St Mary's & St Peter's Primary School	GiGL_HAB_11125	TQ1555571258	0.57	20/08/1999	Amenity grassland Planted shrubbery Scattered trees	95 3 2	0.56 0.02 0.01	Lon(P1)
Teddington Railsides	GiGL_HAB_11126	TQ1573871276	2.11	20/08/1999	Bare artificial habitat Scrub Neutral grassland (semi-improved) Scattered trees	50 25 15 10	1.05 0.53 0.32 0.21	Lon(P1)
Blandford Road Woodland	GiGL_HAB_11127	TQ1513671063	0.17	20/08/1999	Non- native broadleaved woodland	100	0.17	Lon(P1)
Bushy Park Gardens	GiGL_HAB_11128	TQ1484171088	0.11	20/08/1999	Non- native broadleaved woodland Non-native hedge	100 10	0.11 0.01	Lon(P1)
Laurel Drive	GiGL_HAB_11129	TQ1460571191	0.99	20/08/1999	Amenity grassland Planted shrubbery Scattered trees Bare artificial habitat	45 25 20 10	0.48 0.27 0.21 0.11	Lon(P1)
Fulwell Station Cutting	GiGL_HAB_11130	TQ1484371832	1.21	20/08/1999	Bare artificial habitat Neutral grassland (semi-improved) Scrub Non- native broadleaved woodland	40 20 20 20	0.46 0.23 0.23 0.23	Lon(P1)
Stanley County Junior School	GiGL_HAB_11131	TQ1516471904	0.69	20/08/1999	Amenity grassland Scattered trees	95 5	0.65 0.03	Lon(P1)
Valley Mews Wood	GiGL_HAB_11132	TQ1596272948	0.09	23/08/1999	Non- native broadleaved woodland Scrub	60 40	0.05 0.04	Lon(P1)
Grotto Road Playing Field	GiGL_HAB_11133	TQ1596072790	0.39	23/08/1999	Amenity grassland Planted shrubbery Scattered trees	95 3 2	0.93 0.03 0.02	Lon(P1)
St Mary's College Strawberry Hill, Woodland strip	GiGL_HAB_11134	TQ1592872299	0.94	23/08/1999	Native broadleaved woodland Non- native broadleaved woodland	60 40	0.55 0.37	Lon(P1)
St Mary's College Strawberry Hill, Main grounds	GiGL_HAB_11135	TQ1588572159	7.53	23/08/1999	Amenity grassland Scattered trees Bare artificial habitat	80 10 10	5.92 0.74 0.74	Lon(P1)
Trowlock Island	GiGL_HAB_11154	TQ1750571039	0.58	26/08/1999	Non- native broadleaved woodland Neutral grassland (semi-improved)	80 20	0.47 0.12	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Eel Pie Island, Western End	GiGL_HAB_11155	TQ1631973023	0.19	26/08/1999	Non- native broadleaved woodland Wet marginal vegetation	90 10	0.16 0.02	Lon(P1)
Latchmere Close Green	GiGL_HAB_11158	TQ1848671382	0.18	26/08/1999	Amenity grassland	100	0.18	Lon(P1)
Mead Road Vacant Land	GiGL_HAB_11159	TQ1726872056	0.04	26/08/1999	Scrub	100	0.04	Lon(P1)
Meadlands County Primary School	GiGL_HAB_11160	TQ1721671993	1.36	26/08/1999	Amenity grassland Scattered trees	98 2	1.32 0.03	Lon(P1)
Strawberry Hill to Twickenham Railsides	GiGL_HAB_11164	TQ1554272856	1.82	27/08/1999	Bare artificial habitat Non- native broadleaved woodland Roughland (intimate mix of 9, 14 and 6)	50 40 10	0.94 0.75 0.19	Lon(P1)
Land at rear of Hampton Hill High Street	GiGL_HAB_11199	TQ1434071151	0.19	02/09/1999	Bare artificial habitat Amenity grassland	60 40	0.12 0.08	Lon(P1)
National Physical Laboratory Green	GiGL_HAB_11200	TQ1531470686	0.38	02/09/1999	Amenity grassland Scattered trees	90 10	0.33 0.04	Lon(P1)
Newland House School	GiGL_HAB_11201	TQ1589371761	0.30	02/09/1999	Amenity grassland Scattered trees	95 5	0.28 0.02	Lon(P1)
Broom Close Open Space & Boathouses	GiGL_HAB_11204	TQ1776570381	0.70	02/09/1999	Amenity grassland Scattered trees	90 10	0.62 0.07	Lon(P1)
Collis Primary School	GiGL_HAB_11205	TQ1663470557	2.27	02/09/1999	Amenity grassland	100	2.27	Lon(P1)
Collis Primary School, Nature Trail 24671	GiGL_HAB_11206	TQ1648270603	0.11	06/10/1999	Native broadleaved woodland Neutral grassland (semi-improved) Standing water (includes canals)	80 15 5	0.1 0.02 0.01	Lon(P1)
Teddington Lawn Tennis Club woodland	GiGL_HAB_11208	TQ1604871360	0.40	02/09/1999	Scrub Native broadleaved woodland Standing water (includes canals)	45 30 25	0.11 0.08 0.06	Lon(P1)
Teddington Lawn Tennis Club woodland	GiGL_HAB_11208	TQ1604871360	0.25	02/09/1999	Scrub Native broadleaved woodland Standing water (includes canals)	45 30 25	0.11 0.08 0.06	Lon(P1)
Martingales Close Convent	GiGL_HAB_11211	TQ1770172231	1.82	02/09/1999	Arable Amenity grassland Non- native broadleaved woodland Bare artificial habitat Orchard	30 25 20 15 10	0.55 0.46 0.37 0.27 0.18	Lon(P1)



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Survey Date	Habitat Type	Area (%)	Area (ha)	Survey Type
Craig House, Ham,	GiGL_HAB_11239	TQ1752071819	0.64	06/10/1999	Amenity grassland Bare artificial habitat Planted shrubbery Scattered trees Acid grassland	35 30 15 15 5	0.22 0.19 0.1 0.1 0.03	Lon(P1)
Manor Road Park,	GiGL_HAB_11240	TQ1655771487	0.46	06/10/1999	Amenity grassland Scattered trees Non-native hedge Bare artificial habitat	75 15 5 5	0.34 0.07 0.02 0.02	Lon(P1)
Elmfield House Park,	GiGL_HAB_11242	TQ1760670836	0.15	06/10/1999	Amenity grassland Planted shrubbery Bare artificial habitat Scattered trees	50 25 15 10	0.08 0.04 0.02 0.02	Lon(P1)
Elmfield House Park,	GiGL_HAB_11242	TQ1760670836	0.57	06/10/1999	Amenity grassland Planted shrubbery Bare artificial habitat Scattered trees	50 25 15 10	0.08 0.04 0.02 0.02	Lon(P1)
Spencer Road Triangle,	GiGL_HAB_11260	TQ1539472622	0.70	04/10/1999	Bare artificial habitat	100	0.70	Lon(P1)
South Road Park,	GiGL_HAB_11261	TQ1484471994	0.98	04/10/1999	Bare artificial habitat	100	1.02	Lon(P1)
Natural Weights & Measures Lab,	GiGL_HAB_11262	TQ1517271049	0.33	04/10/1999	Bare artificial habitat	100	0.33	Lon(P1)



5.2 BAP Condition Assessment & Habitat Suitability

The London Biodiversity Partnership (LBP) habitat suitability dataset was created to promote the preservation, restoration and re-creation of priority habitats. This is a modelled dataset which, if used to create one or more of the nine selected BAP priority habitats, should give the best benefit to biodiversity in London.

Launched in 2010, this dataset is based on methods developed with the London Biodiversity Partnership's Habitat Action Plan (HAP) groups. GiGL mapped Biodiversity Action Plan (BAP) habitat distribution using information from GLA habitat surveys, and assessed their condition using species records and other datasets. Further to this work, GiGL created a predictive model of areas suitable for either maintaining existing BAP habitat, expanding areas of BAP habitat or creating new BAP habitats. Again, the methodology was designed in partnership with the HAP groups, and includes factors such as soil type.

This dataset was a one-off project and is not updated.

Site Name	Polygon ID	Grid Ref	Site Area (ha)	Created Date	Habitat Condition	Area (ha)	Habitat Suitability	Area (ha)
Royal Park Gate Open Space	GiGL_HAB_10304	TQ1749571244	1.56	2006			Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	1.56 1.56 1.56
River Thames at Kingston, North Section	GiGL_HAB_10325	TQ1790670465	8.34	2006			Create new/restore relict reed	8.14
River Thames at Kingston, East bank of north section	GiGL_HAB_10326	TQ1794670466	0.90	2006			Create new/restore relict wood	0.90
River Thames at Kingston, Kingston Railway Bridge southwards	GiGL_HAB_10327	TQ1775668376	8.90	2006			Create new/restore relict reed	8.60
River Thames at Kingston, Steven's Eyot	GiGL_HAB_10329	TQ1788070346	0.17	2006			Create new/restore relict wood	0.16
Ham Lands - Kingston Section	GiGL_HAB_10331	TQ1736071320	0.88	2006			Create new/restore relict heath Create new/restore relict acid grass	0.88 0.88
YMCA Hawker Centre	GiGL_HAB_10332	TQ1768771077	3.30	2006			Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	3.29 3.29 3.29
Tiffin's Girls School	GiGL_HAB_10333	TQ1809270916	2.58	2006			Create new/restore relict heath Create new/restore relict acid grass	2.58 2.58
Fern Hill Primary School	GiGL_HAB_10334	TQ1816170773	2.85	2006			Create new/restore relict heath Create new/restore relict acid grass	2.84 2.84
Wolsey Drive Allotments	GiGL_HAB_10335	TQ1827971017	1.25	2006			Create new/restore relict heath Create new/restore relict acid grass	1.24 1.24
Tudor Drive Roadsides	GiGL_HAB_10336	TQ1832771184	3.06	2006			Create new/restore relict heath Create new/restore relict acid grass	3.05 3.05
Latchmere Lane Recreational Ground	GiGL_HAB_10340	TQ1863570793	3.61	2006			Create new/restore relict heath Create new/restore relict acid grass	3.6 3.6
Thames River Path between Lower Ham Road and Ham Lands	GiGL_HAB_10344	TQ1764971057	1.51	2006			Create new/restore relict wood	1.51
Canbury Gardens, Grassland east of Riverside Walk	GiGL_HAB_10345	TQ1785570033	3.57	2006			Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	3.56 3.56 3.56
Canbury Gardens, Recreation Area	GiGL_HAB_10346	TQ1793470073	2.37	2006			Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	2.36 2.36 2.36
Hogsmill River in Central Kingston, River Thames to Penrhyn Road	GiGL_HAB_10412	TQ1787069060	0.44	2006			Create new/restore relict reed	0.42
Railsides between Kingston station and River Thames on Kingston branch	GiGL_HAB_10485	TQ1798069600	1.23	2006			Create new/restore relict wood	1.22
Cassel Hospital	GiGL_HAB_10640	TQ1765171746	3.35	1999	Wood Unknown condition (management not known)	0.50	Create new/restore relict heath Create new/restore relict acid grass	3.34 3.34
Cassel Hospital	GiGL_HAB_10641	TQ1763071678	0.85	1999	Wood Unknown condition (management not known)	0.09	Create new/restore relict heath Create new/restore relict acid grass	0.84 0.84



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Created Date	Habitat Condition	Area (ha)	Habitat Suitability	Area (ha)
Bushy Park,	GiGL_HAB_10678	TQ1502470330	92.60	1984	Species Rich Acid grass CAT C Wood Unknown condition (management not known)	69.23 9.23	Create new/restore relict acid grass Create new/restore relict pond Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict reed	92.31 23.08 23.08 23.08 2.77
Bushy Park,	GiGL_HAB_10679	TQ1478669667	32.58	1984	Wood Unknown condition (management not known) Pond condition Good	6.5 1.62	Expand existing pond Create new/restore relict heath Create new/restore relict acid grass Create new/restore relict reed	30.86 30.86 30.86 1.62
Bushy Park,	GiGL_HAB_10680	TQ1575469630	66.44	1984	Species Rich Acid grass CAT C	6.62	Create new/restore relict acid grass Create new/restore relict pond Create new/restore relict heath Create new/restore relict floodplain GM	66.24 59.62 59.62 59.62
Bushy Park,	GiGL_HAB_10681	TQ1641469845	64.15	1984	Species Rich Acid grass CAT C Wood Unknown condition (management not known)	19.19 6.4	Create new/restore relict acid grass Create new/restore relict pond Create new/restore relict heath	63.95 44.76 44.76
Bushy Park,	GiGL_HAB_10682	TQ1650169388	56.94	1984	Species Rich Acid grass CAT C Wood Unknown condition (management not known)	25.54 2.84	Create new/restore relict acid grass Create new/restore relict pond Create new/restore relict heath	56.76 31.22 31.22
Bushy Park, The Royal Paddocks	GiGL_HAB_10683	TQ1667969094	32.33	1984			Create new/restore relict heath Create new/restore relict acid grass	32.24 32.24
Bushy Park, Diana Fountain	GiGL_HAB_10684	TQ1581469191	1.26	1984	Pond condition Poor	1.26	Create new/restore relict pond Create new/restore relict reed Create new/restore relict heath Create new/restore relict acid grass	1.26 1.26 0 0
Bushy Park,	GiGL_HAB_10685	TQ1629969544	2.14	1984			Create new/restore relict reed Create new/restore relict heath Create new/restore relict acid grass	2.14 2.14 2.14
Bushy Park,	GiGL_HAB_10686	TQ1667969733	1.11	1984	Pond condition Poor	1.11	Create new/restore relict pond Create new/restore relict reed Create new/restore relict heath Create new/restore relict acid grass	1.11 1.11 0 0
Bushy Park,	GiGL_HAB_10687	TQ1446970250	16.40	1999			Create new/restore relict pond Create new/restore relict heath Create new/restore relict acid grass	16.35 16.35 16.35
Bushy Park, South-west Paddock	GiGL_HAB_10688	TQ1451369714	19.53	1999	Pond condition Average	0.39	Expand existing pond Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass Create new/restore relict reed	19.08 19.08 19.08 19.08 0.37
Bushy Park - , Parcel 15	GiGL_HAB_10689	TQ1454771086	0.96	1999				
Bushy Park - , Parcel 16	GiGL_HAB_10690	TQ1437770827	3.45	1999			Create new/restore relict heath Create new/restore relict acid grass	3.44 3.44
Bushy Park - , Parcel 17	GiGL_HAB_10691	TQ1527270447	5.95	1999			Create new/restore relict heath Create new/restore relict acid grass	5.94 5.94
Bushy Park - , Parcel 19	GiGL_HAB_10692	TQ1551170214	3.33	1999			Create new/restore relict heath Create new/restore relict acid grass	3.32 3.32
Bushy Park - , Parcel 20	GiGL_HAB_10693	TQ1551570314	2.53	1999			Create new/restore relict heath Create new/restore relict acid grass	2.53 2.53
Bushy Park - , Parcel 21	GiGL_HAB_10694	TQ1571970144	3.54	1999			Create new/restore relict pond Create new/restore relict heath Create new/restore relict acid grass	3.53 3.53 3.53
Bushy Park - , Parcel 22	GiGL_HAB_10695	TQ1720369523	8.62	1999			Create new/restore relict heath Create new/restore relict acid grass	8.59 8.59



Site Name	Polygon ID	Grid Ref	Site Area (ha)	Created Date	Habitat Condition	Area (ha)	Habitat Suitability	Area (ha)
Bushy Park,	GiGL_HAB_10696	TQ1574470328	6.87	1999			Create new/restore relict heath Create new/restore relict acid grass	6.85 6.85
Bushy Park,	GiGL_HAB_10697	TQ1530868921	8.53	1999			Create new/restore relict pond Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	8.51 8.51 8.51 8.51
Bushy Park,	GiGL_HAB_10698	TQ1533269000	2.24	1999	Species Rich Acid grass CAT C Pond condition Poor	1.11 0.22	Create new/restore relict acid grass Create new/restore relict pond Create new/restore relict heath	2.01 1.12 0.9
Bushy Park, Western allotments	GiGL_HAB_10699	TQ1429970328	5.73	1999			Create new/restore relict pond	5.71
Bushy Park,	GiGL_HAB_10700	TQ1447670655	6.39	1999			Create new/restore relict pond Create new/restore relict floodplain GM	6.37 6.37
Bushy Park, Longford River - western section	GiGL_HAB_10701	TQ1436570553	2.63	1999	Pond condition Poor	0.26	Create new/restore relict pond Create new/restore relict heath Create new/restore relict acid grass Create new/restore relict reed	2.63 2.37 2.37 0.48
Bushy Park,	GiGL_HAB_10702	TQ1540970507	0.99	1999			Create new/restore relict heath Create new/restore relict acid grass	0.98 0.98
Sudbrook Park Golf Course, Main grasslands	GiGL_HAB_10743	TQ1835272451	35.45	1999	Species Rich Acid grass CAT B Wood Unknown condition (management not known)	7.07 3.53	Create new/restore relict pond Create new/restore relict heath Expand existing acid grass	28.27 28.27 28.27
Sudbrook Park Golf Course, Western woodland strip	GiGL_HAB_10744	TQ1799772588	1.68	1999	Wood Good condition (under active management) Species Rich Acid grass CAT C	1.5 0.17	Create new/restore relict acid grass Create new/restore relict heath	1.68 1.51
Ham Common, Western Grasslands	GiGL_HAB_10745	TQ1770471949	8.24	1999	Species Rich Acid grass CAT B	6.17	Create new/restore relict pond Create new/restore relict heath Expand existing acid grass	2.05 2.05 2.05
Ham Common, Pond	GiGL_HAB_10746	TQ1759572057	0.23	1999	Pond condition Average	0.22	Expand existing pond Create new/restore relict heath Create new/restore relict acid grass	0.01 0.01 0.01
Ham Common, Woodland north of Ham Gate Avenue	GiGL_HAB_10747	TQ1848971969	13.00	1999	Wood Good condition (under active management) Floodplain G M condition Poor	11.88 0.4	Create new/restore relict floodplain GM Create new/restore relict heath Create new/restore relict acid grass	12.96 12.56 12.56
Ham Common, Horse exercising area	GiGL_HAB_10748	TQ1821771911	1.34	1999	Species Rich Acid grass CAT A Wood Good condition (under active management)	1.01 0.03	Create new/restore relict heath Expand existing acid grass	0.33 0.33
Ham Common, Edges of wood - western end	GiGL_HAB_10749	TQ1788471964	3.19	1999	Species Rich Acid grass CAT A Wood Good condition (under active management)	0.8 0.62	Create new/restore relict heath Expand existing acid grass	2.38 2.38
Ham Common, Woodland south of Ham Gate Avenue	GiGL_HAB_10750	TQ1832071695	23.34	1999	Wood Good condition (under active management)	22.33	Create new/restore relict heath Create new/restore relict acid grass	23.27 23.27
Ham Common, St Andrews Churchyard	GiGL_HAB_10751	TQ1803171794	0.47	1999			Create new/restore relict heath Create new/restore relict acid grass	0.47 0.47
Trowlock Boathouse Garden	GiGL_HAB_10752	TQ1753870943	0.97	1999	Wood Unknown condition (management not known)	0.50	Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	0.97 0.97 0.97
Trowlock Boathouse Garden - , Parcel 2	GiGL_HAB_10753	TQ1758470922	0.01	1999			Create new/restore relict heath Create new/restore relict acid grass	0.01 0.01
Udney Hall Park	GiGL_HAB_10754	TQ1659371159	1.04	1999			Create new/restore relict heath Create new/restore relict acid grass	1.04 1.04



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Hampton Court Park, Hampton Court Palace Grounds	GiGL_HAB_10796	TQ1573968446	27.05	1984	Pond condition Poor	1.35	Create new/restore relict pond Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass Create new/restore relict reed	26.97 25.62 25.62 25.62 1.35
Hampton Court Park, Deer Paddocks	GiGL_HAB_10797	TQ1604768683	3.79	1984			Create new/restore relict pond Create new/restore relict heath Create new/restore relict acid grass	3.78 3.78 3.78
Hampton Court Park, Hampton Court Park Grounds	GiGL_HAB_10800	TQ1674868407	113.97	1984	Species Rich Acid grass CAT C	106.80	Create new/restore relict acid grass Create new/restore relict pond Create new/restore relict heath Create new/restore relict floodplain GM	113.62 6.82 6.82 6.82
Hampton Court Park, Hampton Wick Pond	GiGL_HAB_10802	TQ1716169135	1.62	1984	Pond condition Poor	1.54	Create new/restore relict pond Create new/restore relict reed Create new/restore relict heath Create new/restore relict acid grass	1.62 1.54 0.08 0.08
Hampton Court Park, Northern Pastures	GiGL_HAB_10803	TQ1755969064	7.57	1984			Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	7.55 7.55 7.55
Hampton Court Park, Barge Walk/towpath	GiGL_HAB_10808	TQ1767368272	11.51	1984	Wood Unknown condition (management not known)	2.64	Create new/restore relict pond Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	11.48 11.48 11.48 11.48
Ham Lands, Thames Mariners Buildings	GiGL_HAB_10827	TQ1640472275	1.45	1999			Create new/restore relict heath Create new/restore relict acid grass	1.44 1.44
Ham Lands, Northern playing field	GiGL_HAB_10828	TQ1683173010	4.41	1999			Create new/restore relict wood	4.39
Ham Lands, Grassland strip inside towpath along north	GiGL_HAB_10829	TQ1635572884	6.97	1999	Meadow condition Poor	4.40	Create new/restore relict meadow	6.94
Ham Lands, Land either side of towpath along north	GiGL_HAB_10830	TQ1619372762	2.86	1999	Wood Good condition (under active management)	2.31	Maintain existing wood	2.31
Ham Lands, Parcel 11	GiGL_HAB_10831	TQ1652272869	4.51	1999	Wood Good condition (under active management)	1.15	Expand existing wood	3.35
Ham Lands, Woodland strip along towpath - south	GiGL_HAB_10832	TQ1639271920	6.24	1999	Wood Good condition (under active management)	5.25	Expand existing wood	0.97
Ham Lands, Woodland north of lake	GiGL_HAB_10833	TQ1651672629	4.47	1999	Wood Good condition (under active management)	3.88	Create new/restore relict heath Create new/restore relict acid grass	4.46 4.46
Ham Lands, Open area west of Rifle Range	GiGL_HAB_10834	TQ1663472670	2.65	1999	Wood Good condition (under active management)	0.13	Create new/restore relict heath Create new/restore relict acid grass	2.64 2.64
Ham Lands, Woodland north and west of rifle range	GiGL_HAB_10835	TQ1667072746	1.22	1999	Wood Good condition (under active management)	1.06	Create new/restore relict heath Create new/restore relict acid grass	1.22 1.22
Ham Lands, Outgrown hedge along south of Kew Association Football Pitches	GiGL_HAB_10836	TQ1679272618	0.20	1999	Wood Unknown condition (management not known)	0.02	Create new/restore relict heath Create new/restore relict acid grass	0.2 0.2
Ham Lands, Open area north-west of lake	GiGL_HAB_10837	TQ1631672576	6.20	1999			Create new/restore relict heath Create new/restore relict acid grass	6.18 6.18
Ham Lands, Open area south of lake	GiGL_HAB_10838	TQ1683471849	32.20	1999			Create new/restore relict heath Create new/restore relict acid grass	32.1 32.1
Ham Lands, Riverside Drive Verges	GiGL_HAB_10839	TQ1705272760	1.40	1999			Create new/restore relict heath Create new/restore relict acid grass	1.4 1.4
Ham Lands, Playing field east of rifle range	GiGL_HAB_10840	TQ1695672904	4.27	1999			Create new/restore relict heath Create new/restore relict acid grass	4.25 4.25
Ham Lands, Allotments	GiGL_HAB_10841	TQ1702172800	1.41	1999			Create new/restore relict heath Create new/restore relict acid grass	1.41 1.41
Ham Lands, Rifle ranges	GiGL_HAB_10842	TQ1680372846	1.04	1999			Create new/restore relict heath Create new/restore relict acid grass	1.04 1.04



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Ham Lands, Horse Pastures	GiGL_HAB_10843	TQ1687572748	1.08	1999			Create new/restore relict heath Create new/restore relict acid grass	1.08 1.08
Ham Lands, Playing fields west of rifle range	GiGL_HAB_10844	TQ1676872737	3.56	1999			Create new/restore relict heath Create new/restore relict acid grass	3.55 3.55
Ham Lands, Thames Mariners Lake	GiGL_HAB_10845	TQ1646772409	3.57	1999			Create new/restore relict reed	3.65
Ham Lands, Thames Mariners grassland	GiGL_HAB_10846	TQ1642572376	0.84	1999			Create new/restore relict wood	0.84
Ham Lands, Thames mariners woodland	GiGL_HAB_10847	TQ1625772373	3.03	1999	Wood Unknown condition (management not known)	2.06	Create new/restore relict wood	3.02
Ham House Fields, The Copse Meadow	GiGL_HAB_10855	TQ1745472801	6.44	1999	Wood Good condition (under active management)	0.51	Create new/restore relict heath Create new/restore relict acid grass	6.42 6.42
Ham House Fields, Ham House Grounds	GiGL_HAB_10857	TQ1724372978	6.71	1999			Create new/restore relict heath Create new/restore relict acid grass	6.69 6.69
Ham House Fields, Sandy Lane Park - north	GiGL_HAB_10858	TQ1753272644	0.53	1999			Create new/restore relict heath Create new/restore relict acid grass	0.53 0.53
Ham House Fields, Manor House	GiGL_HAB_10859	TQ1736972672	2.62	1999			Create new/restore relict heath Create new/restore relict acid grass	2.61 2.61
Ham House Fields, Sandy Lane Park - south	GiGL_HAB_10860	TQ1757272472	1.76	1999			Create new/restore relict heath Create new/restore relict acid grass	1.75 1.75
Ham House Fields, Grey Court School	GiGL_HAB_10861	TQ1751972308	2.99	1999			Create new/restore relict heath Create new/restore relict acid grass	2.98 2.98
Ham House Fields, Horse Ride	GiGL_HAB_10862	TQ1757372361	0.93	1999			Create new/restore relict heath Create new/restore relict acid grass	0.92 0.92
Strawberry Hill Golf Course	GiGL_HAB_10863	TQ1523472144	11.37	1999	Species Rich Acid grass CAT A Wood Unknown condition (management not known)	0.57 0.34	Create new/restore relict heath Expand existing acid grass	10.76 10.76
Strawberry Hill Golf Course, Central woodland	GiGL_HAB_10864	TQ1520372084	0.60	1999	Wood Unknown condition (management not known) Species Rich Acid grass CAT B	0.57 0.03	Create new/restore relict heath Expand existing acid grass	0.57 0.57
Strawberry Hill Golf Course, Western Woodlands	GiGL_HAB_10865	TQ1500672035	0.52	1999	Wood Unknown condition (management not known)	0.64	Create new/restore relict heath Create new/restore relict acid grass	0.52 0.52
Strawberry Hill Golf Course, Strawberry Hill Railway Triangle	GiGL_HAB_10866	TQ1542172055	7.69	1999	Wood Unknown condition (management not known)	1.52	Create new/restore relict heath Create new/restore relict acid grass	7.67 7.67
Strawberry Hill Golf Course, St James School Playing Field	GiGL_HAB_10867	TQ1515872313	2.09	1999			Create new/restore relict heath Create new/restore relict acid grass	2.08 2.08
Fulwell and Twickenham Golf Course, Fulwell Golf Course Pond	GiGL_HAB_10899	TQ1461471921	0.17	1999	Pond condition Average Wood Unknown condition (management not known)	0.1 0.04	Expand existing pond	0.07
Fulwell and Twickenham Golf Course, Railway embankment E of Fulwell Golf Course	GiGL_HAB_10900	TQ1447071600	1.32	1999	Wood Unknown condition (management not known)	0.58	Create new/restore relict wood	1.32
Fulwell and Twickenham Golf Course, Main grassland of Fulwell Golf Course	GiGL_HAB_10911	TQ1409171875	47.53	1999	Species Rich Acid grass CAT A Wood Unknown condition (management not known)	4.74 2.37	Create new/restore relict pond Create new/restore relict floodplain GM Expand existing acid grass	42.64 42.64 4.74
St Albans and St Mary with St Alban Churchyards	GiGL_HAB_10966	TQ1654771294	0.37	1999	Wood Unknown condition (management not known)	0.19	Create new/restore relict heath Create new/restore relict acid grass	0.37 0.37
St Albans and St Mary with St Alban Churchyards, St albans Church	GiGL_HAB_10967	TQ1662171255	0.18	1999	Wood Unknown condition (management not known)	0.16	Create new/restore relict heath Create new/restore relict acid grass	0.18 0.18
Normanfield Hospital	GiGL_HAB_10976	TQ1731770347	14.79	1999	Wood Unknown condition (management not known)	1.48	Create new/restore relict heath Create new/restore relict acid grass	14.75 14.75
Normanfield Hospital, The Wilderness	GiGL_HAB_10977	TQ1746870140	0.52	1999	Wood Unknown condition (management not known)	0.47	Create new/restore relict heath Create new/restore relict acid grass	0.52 0.52
Grotto Road Open Space	GiGL_HAB_10985	TQ1583672819	0.25	1999			Create new/restore relict heath Create new/restore relict acid grass	0.25 0.25
River Thames	GiGL_HAB_11020	TQ1621772875	1.68	1999			Create new/restore relict reed	1.54



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River Thames	GiGL_HAB_11021	TQ1615572469	2.01	1999	Wood Unknown condition (management not known)	0.10	Create new/restore relict reed	1.88
River Thames	GiGL_HAB_11022	TQ1632371987	1.84	1999	Wood Unknown condition (management not known)	0.14	Create new/restore relict reed	1.75
River Thames	GiGL_HAB_11023	TQ1655671613	2.56	1999			Create new/restore relict reed	2.29
River Thames	GiGL_HAB_11024	TQ1701671415	2.88	1999			Create new/restore relict heath Create new/restore relict acid grass Create new/restore relict reed	2.87 2.87 2.6
River Thames	GiGL_HAB_11033	TQ1626672960	2.94	1999			Create new/restore relict reed	2.88
River Thames	GiGL_HAB_11034	TQ1606172470	2.37	1999			Create new/restore relict reed	1.95
River Thames	GiGL_HAB_11035	TQ1629171967	1.73	1999			Create new/restore relict reed	1.67
River Thames	GiGL_HAB_11036	TQ1652571583	1.59	1999			Create new/restore relict reed	1.56
River Thames	GiGL_HAB_11037	TQ1699871357	2.02	1999			Create new/restore relict heath Create new/restore relict acid grass Create new/restore relict reed	2.02 2.02 1.98
River Thames	GiGL_HAB_11038	TQ1725371099	2.46	1999			Create new/restore relict heath Create new/restore relict acid grass Create new/restore relict reed	2.46 2.46 2.37
River Thames,	GiGL_HAB_11039	TQ1767870761	2.45	1999			Create new/restore relict heath Create new/restore relict acid grass Create new/restore relict reed	2.45 2.45 2.39
River Thames	GiGL_HAB_11040	TQ1782170321	1.97	1999			Create new/restore relict reed Create new/restore relict heath Create new/restore relict acid grass	2.05 1.96 1.96
River Thames	GiGL_HAB_11041	TQ1772669849	1.97	1999			Create new/restore relict reed	1.93
River Thames	GiGL_HAB_11042	TQ1769969325	2.40	1999			Create new/restore relict reed	2.29
River Thames	GiGL_HAB_11043	TQ1770268827	2.06	1999			Create new/restore relict reed	1.99
Wellesley Crescent Green	GiGL_HAB_11062	TQ1515472532	0.52	1999			Create new/restore relict heath Create new/restore relict acid grass	0.51 0.51
Alpha Road Gardens	GiGL_HAB_11067	TQ1468871317	0.25	1999			Create new/restore relict wood	0.25
Radnor Gardens	GiGL_HAB_11086	TQ1603272600	1.88	1999			Create new/restore relict wood	1.87
Shacklegate Lane Cemetery and Allotments, Shacklegate Lane Cemetery	GiGL_HAB_11087	TQ1536271801	5.50	1999			Create new/restore relict heath Create new/restore relict acid grass	5.48 5.48
Shacklegate Lane Cemetery and Allotments, Shacklegate Lane Allotments	GiGL_HAB_11088	TQ1525671694	0.42	1999			Create new/restore relict heath Create new/restore relict acid grass	0.42 0.42
Grove Gardens	GiGL_HAB_11089	TQ1623071545	0.67	1999			Create new/restore relict heath Create new/restore relict acid grass	0.67 0.67
Broom Road Recreation Ground	GiGL_HAB_11090	TQ1765970597	5.96	1999			Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	5.94 5.94 5.94
Lensbury Club, Lensbury Club Parkland	GiGL_HAB_11093	TQ1684771225	3.63	1999			Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	3.62 3.62 3.62
Lensbury Club, Lensbury Club Sports pitches	GiGL_HAB_11094	TQ1710571189	3.39	1999			Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	3.38 3.38 3.38
Teddington Weir Island	GiGL_HAB_11101	TQ1675771508	0.36	1999	Wood Unknown condition (management not known)	0.36	Create new/restore relict wood	0.36
St Richmonds with St Andrews Primary School	GiGL_HAB_11115	TQ1697772241	1.19	1999			Create new/restore relict heath Create new/restore relict acid grass	1.19 1.19
Ham Close	GiGL_HAB_11116	TQ1725072406	1.28	1999			Create new/restore relict heath Create new/restore relict acid grass	1.28 1.28



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St Mary's Sports Ground	GiGL_HAB_11117	TQ1678371100	5.59	1999			Create new/restore relict heath Create new/restore relict acid grass	5.57 5.57
Broom Park	GiGL_HAB_11118	TQ1767870269	1.01	1999			Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	1.01 1.01 1.01
St John the Baptist Junior School	GiGL_HAB_11119	TQ1756770003	0.82	1999	Wood Unknown condition (management not known)	0.18	Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	0.82 0.82 0.82
Park Road Estate Grounds	GiGL_HAB_11120	TQ1732469717	0.44	1999			Create new/restore relict heath Create new/restore relict acid grass	0.44 0.44
Hampton Wick Railway Embankment	GiGL_HAB_11121	TQ1737469805	1.53	1999	Wood Unknown condition (management not known)	0.56	Create new/restore relict heath Create new/restore relict acid grass	1.53 1.53
Imperial College Sports Ground	GiGL_HAB_11122	TQ1647170849	4.96	1999			Create new/restore relict heath Create new/restore relict acid grass	4.94 4.94
Teddington to Hampton Railsides	GiGL_HAB_11123	TQ1659370340	2.43	1999	Wood Unknown condition (management not known)	0.82	Create new/restore relict heath Create new/restore relict acid grass	2.42 2.42
Wades Lane Park	GiGL_HAB_11124	TQ1613871223	0.27	1999			Create new/restore relict heath Create new/restore relict acid grass	0.27 0.27
St Mary's & St Peter's Primary School	GiGL_HAB_11125	TQ1555571258	0.57	1999			Create new/restore relict heath Create new/restore relict acid grass	0.57 0.57
Teddington Railsides	GiGL_HAB_11126	TQ1573871276	2.11	1999			Create new/restore relict heath Create new/restore relict acid grass	2.1 2.1
Blandford Road Woodland	GiGL_HAB_11127	TQ1513671063	0.17	1999	Wood Unknown condition (management not known)	0.17	Create new/restore relict wood	0.17
Bushy Park Gardens	GiGL_HAB_11128	TQ1484171088	0.11	1999	Wood Unknown condition (management not known)	0.11	Create new/restore relict wood	0.10
Laurel Drive	GiGL_HAB_11129	TQ1460571191	0.99	1999			Create new/restore relict wood	0.98
Fulwell Station Cutting	GiGL_HAB_11130	TQ1484371832	1.21	1999	Wood Unknown condition (management not known)	0.23	Create new/restore relict wood	1.21
Stanley County Junior School	GiGL_HAB_11131	TQ1516471904	0.69	1999			Create new/restore relict heath Create new/restore relict acid grass	0.68 0.68
Valley Mews Wood	GiGL_HAB_11132	TQ1596272948	0.09	1999	Wood Unknown condition (management not known)	0.05	Create new/restore relict heath Create new/restore relict acid grass	0.09 0.09
Grotto Road Playing Field	GiGL_HAB_11133	TQ1596072790	0.39	1999			Create new/restore relict heath Create new/restore relict acid grass	0.39 0.39
St Mary's College Strawberry Hill, Woodland strip	GiGL_HAB_11134	TQ1592872299	0.94	1999	Wood Unknown condition (management not known)	0.92	Create new/restore relict heath Create new/restore relict acid grass	0.94 0.94
St Mary's College Strawberry Hill, Main grounds	GiGL_HAB_11135	TQ1588572159	7.53	1999			Create new/restore relict heath Create new/restore relict acid grass	7.51 7.51
Trowlock Island	GiGL_HAB_11154	TQ1750571039	0.58	1999	Wood Unknown condition (management not known)	0.47	Create new/restore relict heath Create new/restore relict acid grass	0.58 0.58
Eel Pie Island, Western End	GiGL_HAB_11155	TQ1631973023	0.19	1999	Wood Unknown condition (management not known)	0.16	Create new/restore relict wood	0.19
Latchmere Close Green	GiGL_HAB_11158	TQ1848671382	0.18	1999			Create new/restore relict heath Create new/restore relict acid grass	0.18 0.18
Mead Road Vacant Land	GiGL_HAB_11159	TQ1726872056	0.04	1999			Create new/restore relict heath Create new/restore relict acid grass	0.04 0.04
Meadlands County Primary School	GiGL_HAB_11160	TQ1721671993	1.36	1999			Create new/restore relict heath Create new/restore relict acid grass	1.35 1.35
Strawberry Hill to Twickenham Railsides	GiGL_HAB_11164	TQ1554272856	1.82	1999	Wood Unknown condition (management not known)	0.75	Create new/restore relict heath Create new/restore relict acid grass	1.81 1.81
Land at rear of Hampton Hill High Street	GiGL_HAB_11199	TQ1434071151	0.19	1999			Create new/restore relict wood	0.19
National Physical Laboratory Green	GiGL_HAB_11200	TQ1531470686	0.38	1999			Create new/restore relict wood	0.38



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Newland House School	GiGL_HAB_11201	TQ1589371761	0.30	1999			Create new/restore relict heath Create new/restore relict acid grass	0.3 0.3
Broom Close Open Space & Boathouses	GiGL_HAB_11204	TQ1776570381	0.70	1999			Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	0.7 0.7 0.7
Collis Primary School	GiGL_HAB_11205	TQ1663470557	2.27	1999			Create new/restore relict heath Create new/restore relict acid grass	2.26 2.26
Collis Primary School, Nature Trail 24671	GiGL_HAB_11206	TQ1648270603	0.11	1999	Wood Unknown condition (management not known) Pond condition Poor	0.1 0.01	Create new/restore relict pond Create new/restore relict heath Create new/restore relict acid grass	0.1 0.09 0.09
Teddington Lawn Tennis Club woodland	GiGL_HAB_11208	TQ1604871360	0.25	1999	Pond condition Poor Wood Unknown condition (management not known)	0.1 0.08	Create new/restore relict pond Create new/restore relict heath Create new/restore relict acid grass	0.25 0.19 0.19
Teddington Lawn Tennis Club woodland	GiGL_HAB_11208	TQ1604871360	0.40	1999	Pond condition Poor Wood Unknown condition (management not known)	0.1 0.08	Create new/restore relict pond Create new/restore relict heath Create new/restore relict acid grass	0.25 0.19 0.19
Martingales Close Convent	GiGL_HAB_11211	TQ1770172231	1.82	1999	Wood Unknown condition (management not known)	0.55	Create new/restore relict heath Create new/restore relict acid grass	1.81 1.81
Craig House, Ham,	GiGL_HAB_11239	TQ1752071819	0.64	1999	Species Rich Acid grass CAT B	0.03	Create new/restore relict heath Expand existing acid grass	0.61 0.61
Manor Road Park,	GiGL_HAB_11240	TQ1655771487	0.46	1999			Create new/restore relict wood	0.46
Elmfield House Park,	GiGL_HAB_11242	TQ1760670836	0.15	1999			Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	0.57 0.57 0.57
Elmfield House Park,	GiGL_HAB_11242	TQ1760670836	0.57	1999			Create new/restore relict heath Create new/restore relict floodplain GM Create new/restore relict acid grass	0.57 0.57 0.57
Spencer Road Triangle,	GiGL_HAB_11260	TQ1539472622	0.70	1999			Create new/restore relict heath Create new/restore relict acid grass	0.7 0.7
South Road Park,	GiGL_HAB_11261	TQ1484471994	0.98	1999				
Natural Weights & Measures Lab,	GiGL_HAB_11262	TQ1517271049	0.33	1999				



6.0 Open Spaces

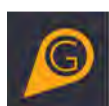
Open space information within the search area can be seen on the following pages.

The table can be cross-referenced with the Open Space Map.

This open space dataset is a combination of information collected during GLA surveys, information provided to GiGL by the London boroughs and data sourced through other means, e.g. volunteer surveys.

Note that GiGL does not currently hold open space data for all areas. Even where data is held, a lack of records in a defined geographical area does not necessarily mean that the open space features do not occur there the area may simply not have been surveyed.

GiGL uses the following open space definition: undeveloped land which has an amenity value, or has potential for an amenity value. The value could be visual, derive from a site's historical or cultural interest or from the enjoyment of facilities which it provides. It includes both public and private spaces, but excludes private gardens.



6.1 Open Space Data

The dataset documents the primary and secondary uses of open space (divided according to broad land use categories) along with other information such as public accessibility, facilities, and special designations which apply to the site. For further details of open space typology and designation categories please also refer to the Supporting Information section of the Annex.

Site Name	Site ID	Grid Ref	Site Area (ha)	Open Space Typology			Public Open Space Awards and Designations	Public Access	Facilities
				Land use category	Primary use	Secondary uses			
Alpha Road Open Space	OS_RT_0001	TQ1468571319	0.25	Parks and Gardens	Park		Small Open Space (Alpha Road Open Space)	Free	
Barge Walk/towpath	OS_RT_0302	TQ1701267964	11.51	Green Corridors	Walking/cycling route		SINC (M031 98%) Linear Open Space (Barge Walk/Towpath) English Heritage Parks and Gardens - Grade I (Hampton Court) Metropolitan Open Land (100%)	Free	
Beaufort Court Playground	OS_RT_0308	TQ1705271558	0.17	Children and Teenagers	Play space		SINC (M083 100%) Metropolitan Open Land (100%)	Free	
Bird, Bee and Butterfly Garden at Ham Library	OS_RT_0352	TQ1733272334	0.13	Allotments, Community Gardens and City Farms	Community garden	Landscaping around premises	Small Open Space (Bird, Bee And Butterfly Garden At Ham Library) Green Flag Award - Community Award (2012)		
Blandford Road Woodland	OS_RT_0013	TQ1515671073	0.17	Natural and Semi-natural Urban Greenspace	Private woodland			Restricted	
Broom Close Open Space & Boathouses	OS_RT_0016	TQ1776670381	0.70	Amenity	Amenity green space		Metropolitan Open Land (87%)	Restricted	
Broom Park	OS_RT_0017	TQ1774970262	1.00	Amenity	Landscaping around premises		Metropolitan Open Land (68%)	Free	
Broom Road Recreation Ground	OS_RT_0018	TQ1765970573	5.96	Parks and Gardens	Park		Local Park and Open Space (Broom Road Recreation Ground) Metropolitan Open Land (100%)	Free	
Bucklands Open Space	OS_RT_0317	TQ1745471041	0.15	Amenity	Amenity green space		Small Open Space (Bucklands Open Space) Metropolitan Open Land (100%)		
Burnell Avenue Open Space	OS_RT_0318	TQ1725171400	0.97	Amenity	Amenity green space		SINC (M083 99%) Metropolitan Open Land (100%)	Free	
Bushy Park	OS_RT_0023	TQ1550469849	392.78	Parks and Gardens	Park	Allotments; Playing fields; River	SSSI (91%) SINC (M084 92%) Metropolitan Park (Bushy Park) English Heritage Parks and Gardens - Grade I (Bushy Park) Green Flag Award (2016) Metropolitan Open Land (99%)	Free	Car parking Cricket pitch Cycle paths Fishing Horse riding Information Junior playing pitch Play for 7-13 Refreshments Water play area
Bushy Park Gardens	OS_RT_0024	TQ1484271088	0.11	Parks and Gardens	Formal garden			Free	
Bushy Park Western Allotments	OS_RT_0319	TQ1428370336	5.73	Allotments, Community Gardens and City Farms	Allotments		SINC (M084 16%) English Heritage Parks and Gardens - Grade I (Bushy Park) Metropolitan Open Land (100%)	Restricted	



Site Name	Site ID	Grid Ref	Site Area (ha)	Open Space Typology			Public Open Space Awards and Designations	Public Access	Facilities
				Land use category	Primary use	Secondary uses			
Canbury Gardens	OS_Ki_0025	TQ1791170060	5.94	Parks and Gardens	Park		Local Park and Open Space (Canbury Gardens) Green Flag Award (2016) Metropolitan Open Land (99%)	Free	Cycle paths Dog litter bins/area Litter bins Play for under 7s Seats Tennis court
Cassel Hospital	OS_RT_0029	TQ1766271732	3.94	Amenity	Hospital		SINC (RiL08 92%)	Restricted	
Church Road Play Area	OS_RT_0326	TQ1560671236	0.05	Children and Teenagers	Play space		Small Open Space (Church Road Play Area)		
Collis Primary School	OS_RT_0037	TQ1663970553	2.38	Amenity	Educational			Restricted	Nature trail
Copse Conservation Area	OS_RT_0328	TQ1759972868	9.65	Natural and Semi-natural Urban Greenspace	Nature reserve		SINC (RiBII10 99%) Local Park and Open Space (Copse Conservation Area) English Heritage Parks and Gardens - Grade II* (Ham House) Metropolitan Open Land (99%)	Free	
Craig House, Ham	OS_RT_0040	TQ1751371818	0.45	Amenity	Landscaping around premises			Restricted	
Eel Pie Island	OS_RT_0048	TQ1651373143	3.80				SINC (M031 27%) Metropolitan Open Land (25%)	De facto	
Elmfield House Park	OS_RT_0049	TQ1594071109	0.15	Parks and Gardens	Park	Road island/verge		Free	
Fern Hill Primary School	OS_Ki_0070	TQ1816070774	2.85	Amenity	Educational			Restricted	Car parking Play for 7-13 Tennis court
Fortescue Play Area	OS_RT_0334	TQ1523572350	0.11	Children and Teenagers	Play space		Small Open Space (Fortescue Play Area) Metropolitan Open Land (100%)	Free	
Fulwell and Twickenham Golf Course	OS_RT_0050	TQ1391071954	80.82	Outdoor Sports Facilities	Golf course	Allotments; Other; Railway cutting	SINC (RiBII03 100%) Metropolitan Open Land (98%)	Restricted	Golf course
Fulwell Station Cutting	OS_RT_0051	TQ1483771827	1.21	Green Corridors	Railway cutting			None	
Grey Court School	OS_RT_0336	TQ1752272294	2.86	Amenity	Educational		English Heritage Parks and Gardens - Grade II* (Ham House) Metropolitan Open Land (93%)	De facto	
Grey Court School Sports Ground	OS_RT_0435	TQ1757572477	1.76	Amenity	Educational	Recreation ground	Metropolitan Open Land (100%)	None	
Grotto Road Open Space	OS_RT_0058	TQ1583772821	0.25	Amenity	Amenity green space		English Heritage Parks and Gardens - Grade II (Pope's Garden)	Free	
Grotto Road Playing Field	OS_RT_0059	TQ1596172807	0.39	Outdoor Sports Facilities	Playing fields		English Heritage Parks and Gardens - Grade II (Pope's Garden)	Restricted	
Grove Gardens Park	OS_RT_0060	TQ1623071559	0.67	Parks and Gardens	Park		Small Open Space (Grove Gardens Park)	Free	Bowling green
Ham Avenues Horse Ride	OS_RT_0340	TQ1752772609	1.86	Green Corridors	Walking/cycling route		SINC (RiBII10 100%) Small Open Space (Ham Avenues Horse Ride) English Heritage Parks and Gardens - Grade II* (Ham House) Metropolitan Open Land (100%)	Free	



Site Name	Site ID	Grid Ref	Site Area (ha)	Open Space Typology			Public Open Space Awards and Designations	Public Access	Facilities
				Land use category	Primary use	Secondary uses			
Ham Common	OS_RT_0062	TQ1772272004	8.47	Natural and Semi-natural Urban Greenspace	Common		SINC (RiL13 100%) District Park (Ham Common) English Heritage Parks and Gardens - Grade II* (Ham House) London Common/Village Green Metropolitan Open Land (99%)	Free	
Ham Common Woods	OS_RT_0341	TQ1840771812	40.92	Natural and Semi-natural Urban Greenspace	Common		LNR (96%) SINC (M082 100%) District Park (Ham Common) Metropolitan Open Land (98%)	Free	
Ham Day Centre	OS_RT_0342	TQ1699872308	0.48	Amenity	Landscaping around premises				
Ham House Fields - Manor House	OS_RT_0343	TQ1735872654	2.62	Amenity	Landscaping around premises		English Heritage Parks and Gardens - Grade II* (Ham House) Metropolitan Open Land (100%)	None	
Ham House Grounds	OS_RT_0346	TQ1724072973	6.71	Parks and Gardens	Formal garden	Landscaping around premises	English Heritage Parks and Gardens - Grade II* (Ham House) Metropolitan Open Land (100%)	Restricted	
Ham Lands	OS_RT_0347	TQ1659672260	61.48	Natural and Semi-natural Urban Greenspace	Common		LNR (90%) SINC (M083 99%) Metropolitan Park (Ham Lands) Metropolitan Open Land (99%)	Free	
Ham Lands - Kingston Section	OS_Ki_0099	TQ1736171320	0.88	Amenity	Amenity green space		Small Open Space (Ham Lands - Kingston Section) Conservation Area Metropolitan Open Land (100%)	Free	Dog litter bins/area Litter bins
Ham Lands Allotments	OS_RT_0348	TQ1702172798	1.41	Allotments, Community Gardens and City Farms	Allotments		Metropolitan Open Land (100%)	Restricted	
Ham Lands Horse Pastures	OS_RT_0349	TQ1687672747	1.08	Other Urban Fringe	Agriculture		Metropolitan Open Land (100%)	None	
Ham Lands playing fields west of rifle range	OS_RT_0350	TQ1675072728	3.56	Outdoor Sports Facilities	Playing fields		Metropolitan Open Land (100%)	De facto	
Ham Lands Rifle ranges	OS_RT_0351	TQ1680372849	1.04	Outdoor Sports Facilities	Other recreational		Metropolitan Open Land (100%)	None	
Ham Riverside Pitches	OS_RT_0353	TQ1682173020	3.98	Outdoor Sports Facilities	Playing fields		Local Park and Open Space (Ham Riverside Pitches) Metropolitan Open Land (100%)	Free	
Ham Sports Frontage	OS_RT_0354	TQ1680272624	0.17	Green Corridors	Road island/verge		Metropolitan Open Land (96%)	Free	
Ham Village Green	OS_RT_0061	TQ1723972409	1.28	Amenity	Amenity green space		Small Open Space (Ham Village Green) Green Flag Award (2016)	Free	
Ham Village Hall	OS_RT_0355	TQ1718572340	0.17	Amenity	Landscaping around premises				
Hampton Court Green	OS_RT_0474	TQ1534068856	6.83	Amenity	Village green		Metropolitan Park (Bushy Park) London Common/Village Green Metropolitan Open Land (100%)	Restricted	
Hampton Court Palace Grounds Formal Gardens	OS_RT_0357	TQ1586068409	13.69	Parks and Gardens	Formal garden	Park	English Heritage Parks and Gardens - Grade I (Hampton Court) Metropolitan Open Land (100%)	Restricted	



Site Name	Site ID	Grid Ref	Site Area (ha)	Open Space Typology			Public Open Space Awards and Designations	Public Access	Facilities
				Land use category	Primary use	Secondary uses			
Hampton Court Park - Northern Pastures	OS_RT_0358	TQ1757069026	7.57	Other Urban Fringe	Agriculture	Park	SINC (M084 100%) English Heritage Parks and Gardens - Grade I (Hampton Court) Metropolitan Open Land (99%)	None	
Hampton Court Park / Home Park	OS_RT_0066	TQ1683468544	125.56	Parks and Gardens	Park	Formal garden	SSSI (82%) SINC (M084 100%) Metropolitan Park (Home Park (Hampton Court)) English Heritage Parks and Gardens - Grade I (Hampton Court) Metropolitan Open Land (100%)	Free	All weather playing pitch Car parking Horse riding Refreshments Water play area
Hampton Wick Library	OS_RT_0365	TQ1739669655	0.06	Amenity	Landscaping around premises		Small Open Space (Hampton Wick Library)		
Hampton Wick Railway Embankment	OS_RT_0072	TQ1739269798	1.53	Green Corridors	Railway embankment			None	
Hampton Wick War Memorial	OS_RT_0366	TQ1754869365	0.04	Amenity	Amenity green space		SINC (M084 99%) Small Open Space (Hampton Wick War Memorial) English Heritage Parks and Gardens - Grade I (Hampton Court) Metropolitan Open Land (100%)		
Hogsmill River in Central Kingston	OS_Ki_0104	TQ1886068647	4.13	Green Corridors	River		SINC (KiBI01 57%) SINC (KiL09 32%) Linear Open Space (Hogsmill River In Central Kingston) Metropolitan Open Land (42%)	Free	Litter bins Seats Waymarked walking route
Imperial College Sports Ground	OS_RT_0088	TQ1645170834	4.96	Outdoor Sports Facilities	Playing fields			Restricted	
King Georges Field (Richmond Upon Thames)	OS_RT_0380	TQ1696072903	4.16	Outdoor Sports Facilities	Playing fields		Local Park and Open Space (King Georges Field (Richmond Upon Thames)) Metropolitan Open Land (98%)	Free	
Land at rear of Hampton Hill High Street	OS_RT_0098	TQ1434171149	0.19						
Latchmere Close Green	OS_RT_0099	TQ1848571381	0.18	Amenity	Landscaping around premises			Free	
Latchmere Lane Recreational Ground	OS_Ki_0146	TQ1864970802	3.61	Outdoor Sports Facilities	Recreation ground		Local Park and Open Space (Latchmere Lane Recreational Ground)	Free	Dog litter bins/area Litter bins Play for under 7s Seats Toilets
Laurel Drive	OS_RT_0385	TQ1459671160	0.77	Amenity	Landscaping around premises			Free	
Lensbury Club	OS_RT_0104	TQ1705471230	7.02			Landscaping around premises; Playing fields	Metropolitan Open Land (100%)	Restricted	
Manor Road Recreation Ground	OS_RT_0113	TQ1655471489	0.46	Outdoor Sports Facilities	Recreation ground		Small Open Space (Manor Road Recreation Ground) Metropolitan Open Land (95%)	Free	
Martingales Close Convent	OS_RT_0117	TQ1770472239	1.70	Amenity	Landscaping around premises			None	
Mead Road Vacant Land	OS_RT_0118	TQ1726772056	0.04	Other	Vacant land			De facto	
Meadlands County Primary School	OS_RT_0119	TQ1721971999	1.36	Amenity	Educational			Restricted	
National Physical Laboratory Green	OS_RT_0128	TQ1530470680	0.38	Amenity	Amenity green space			Restricted	



Site Name	Site ID	Grid Ref	Site Area (ha)	Open Space Typology			Public Open Space Awards and Designations	Public Access	Facilities
				Land use category	Primary use	Secondary uses			
Natural Weights & Measures Lab	OS_RT_0129	TQ1517771048	0.13						
Newland House School	OS_RT_0131	TQ1589471765	0.30	Amenity	Educational		Restricted		
Normanfield Hospital	OS_RT_0132	TQ1733170361	10.61	Amenity	Hospital		Part free		
Normansfield Play Park	OS_RT_0395	TQ1735470475	0.04	Children and Teenagers	Play space		SINC (RiL16 100%) Metropolitan Open Land (100%)		
Park Road Estate Grounds	OS_RT_0152	TQ1732069714	0.44	Amenity	Landscaping around premises	Formal garden		Free	
Radnor Gardens	OS_RT_0163	TQ1602772590	1.88	Parks and Gardens	Park		Small Open Space (Radnor Gardens) Green Flag Award (2016) Metropolitan Open Land (100%)	Free All weather playing pitch Bowling green Open air performance area Play for under 7s	
Railsides between Kingston station and River Thames on Kingston branch	OS_Ki_0189	TQ1798469601	1.23	Green Corridors	Railway embankment		Green corridor	None	
Railway embankment E of Fulwell Golf Course	OS_RT_0423	TQ1449371613	1.32	Green Corridors	Railway cutting		Metropolitan Open Land (16%)	Restricted	
Richmond Park Eastern Allotments	OS_RT_0427	TQ1718569489	8.62	Allotments, Community Gardens and City Farms	Allotments		SINC (M084 5%) English Heritage Parks and Gardens - Grade I (Bushy Park) Metropolitan Open Land (100%)		
River Thames	OS_MB_0020	TQ3920978923	2129.49	Green Corridors	River		SINC (M031 99%) Linear Open Space (River Thames)	Free Cycle paths Information Litter bins Public art Seats Waymarked walking route	
Riverside Drive Playground	OS_RT_0430	TQ1705372758	1.07	Children and Teenagers	Play space		Small Open Space (Riverside Drive Playground) Metropolitan Open Land (100%)	Free	
Royal Park Gate Open Space	OS_Ki_0208	TQ1749371242	1.56	Parks and Gardens	Park		SINC (KiL10 99%) Small Open Space (Royal Park Gate Open Space) Conservation Area Metropolitan Open Land (98%)	Free Cycle paths Dog litter bins/area Litter bins Play for under 7s	
Sacred Hearts Primary School	OS_RT_0434	TQ1679070400	0.47	Amenity	Educational				
Sandy Lane Recreation Ground	OS_RT_0436	TQ1753172629	0.53	Outdoor Sports Facilities	Recreation ground		Small Open Space (Sandy Lane Recreation Ground) Metropolitan Open Land (100%)	Free	
School House Lane Orchard	OS_RT_0437	TQ1695170123	0.10	Parks and Gardens	Park		Green Flag Award - Community Award (2016)	Free	
Shacklegate Lane Allotments	OS_RT_0438	TQ1526871693	0.42	Allotments, Community Gardens and City Farms	Allotments			Restricted	
Shacklegate Lane Cemetery	OS_RT_0186	TQ1535171802	5.50	Cemeteries and Churchyards	Cemetery/churchyard		SINC (RiL24 100%) English Heritage Parks and Gardens - Grade II (Teddington Cemetery)	Free	
Spencer Road Triangle	OS_RT_0194	TQ1540072610	0.70						
St Albans and St Mary with St Alban Churchyards	OS_RT_0195	TQ1656271288	0.55	Cemeteries and Churchyards	Cemetery/churchyard		SINC (RiL15 96%)	Free	
St Andrews Churchyard (Richmond Upon Thames)	OS_RT_0444	TQ1802871796	0.47	Cemeteries and Churchyards	Cemetery/churchyard		Metropolitan Open Land (100%)	Free	
St James School Playing Field	OS_RT_0446	TQ1512672326	1.99	Amenity	Educational		Metropolitan Open Land (100%)	Restricted	
St John the Baptist Junior School	OS_RT_0199	TQ1757770000	0.76	Amenity	Educational			Restricted	



Site Name	Site ID	Grid Ref	Site Area (ha)	Open Space Typology			Public Open Space Awards and Designations	Public Access	Facilities
				Land use category	Primary use	Secondary uses			
St Mary's & St Peter's Primary School	OS_RT_0203	TQ1555471256	0.57	Amenity	Educational	Playing fields		Restricted	
St Mary's College Strawberry Hill	OS_RT_0204	TQ1590072136	8.47	Amenity	Educational	Landscaping around premises	English Heritage Parks and Gardens - Grade II* (Strawberry Hill) Metropolitan Open Land (86%)	Restricted	
St Mary's Sports Ground (Richmond Upon Thames)	OS_RT_0205	TQ1678071065	5.59	Outdoor Sports Facilities	Playing fields		Metropolitan Open Land (100%)	None	
St Richmonds with St Andrews Primary School	OS_RT_0207	TQ1698472243	1.19	Amenity	Educational			None	
Stanley County Junior School	OS_RT_0208	TQ1516471904	0.69	Amenity	Educational			Restricted	
Strawberry Hill Golf Course	OS_RT_0210	TQ1521672151	12.65	Outdoor Sports Facilities	Golf course	Educational	SINC (RiBII05 100%) Metropolitan Open Land (100%)	Restricted	
Strawberry Hill Railway Triangle	OS_RT_0451	TQ1541572026	7.69	Green Corridors	Railway embankment		SINC (RiBII05 100%)	None	
Strawberry Hill to Twickenham Railsides	OS_RT_0211	TQ1553872850	1.82	Green Corridors	Railway embankment			None	
Sudbrook Park Golf Course	OS_RT_0212	TQ1829572421	41.52	Outdoor Sports Facilities	Golf course		SINC (M082 100%) Metropolitan Open Land (100%)	Restricted	Golf course
Teddington Lawn Tennis Club	OS_RT_0215	TQ1604771294	0.54	Outdoor Sports Facilities	Other recreational			Restricted	
Teddington Library	OS_RT_0456	TQ1590671187	0.08	Amenity	Landscaping around premises		Small Open Space (Teddington Library)		
Teddington Railsides	OS_RT_0216	TQ1574271276	2.11	Green Corridors	Railway cutting			None	
Teddington School	OS_RT_0455	TQ1753570706	2.89	Amenity	Educational				
Teddington to Hampton Railsides	OS_RT_0217	TQ1660670332	2.43	Green Corridors	Railway embankment			None	
Teddington War Memorial	OS_RT_0457	TQ1545671011	0.04	Amenity	Amenity green space				
Teddington Weir Island	OS_RT_0218	TQ1676671508	0.36	Other	Other		SINC (M031 100%) Metropolitan Open Land (100%)	Free	
Thames Mariners	OS_RT_0459	TQ1645872391	8.88	Amenity	Reservoir		SINC (M083 100%) Metropolitan Open Land (100%)	Restricted	
Thames Towpath (Richmond)	OS_RT_0460	TQ1916575373	23.44	Green Corridors	Walking/cycling route		LNR (16%) SINC (M031 93%) SINC (M083 4%) Linear Open Space (Thames Towpath (Richmond)) London Common/Village Green Metropolitan Open Land (85%)	Free	Cycle paths Litter bins Seats Waymarked walking route
The King's Field	OS_RT_0381	TQ1723669301	4.84	Outdoor Sports Facilities	Recreation ground		SINC (M084 99%) Local Park and Open Space (Kings Field) English Heritage Parks and Gardens - Grade I (Bushy Park) Green Flag Award (2016) Metropolitan Open Land (100%)		
The Royal Paddocks (Bushy Park)	OS_RT_0463	TQ1649369047	27.48	Other Urban Fringe	Agriculture		SINC (M084 100%) English Heritage Parks and Gardens - Grade I (Bushy Park) Metropolitan Open Land (99%)	Restricted	



Site Name	Site ID	Grid Ref	Site Area (ha)	Open Space Typology			Public Open Space Awards and Designations	Public Access	Facilities
				Land use category	Primary use	Secondary uses			
Tiffin's Girls School	OS_Ki_0250	TQ1809270910	2.58	Amenity	Educational			Restricted	All weather playing pitch Car parking Floodlit playing pitch Full playing pitch Information Litter bins Play for over 13s Seats Tennis court
Trowlock Boathouse Garden	OS_RT_0226	TQ1756670901	1.54	Parks and Gardens	Formal garden		Metropolitan Open Land (100%)	None	
Trowlock Island	OS_RT_0227	TQ1751771038	0.58				SINC (M031 100%) Metropolitan Open Land (100%)	Restricted	
Tudor Drive Roadsides	OS_Ki_0257	TQ1839371172	3.06	Green Corridors	Road island/verge			Free	Litter bins
Udney Hall Gardens	OS_RT_0234	TQ1659871161	1.04	Parks and Gardens	Park		Small Open Space (Udney Hall Gardens) Metropolitan Open Land (100%)	Free	
Valley Mews Wood	OS_RT_0247	TQ1596172948	0.09	Other	Vacant land			None	
Vicarage Road	OS_RT_0250	TQ1614171218	0.22	Parks and Gardens	Park			Free	
Waldergrave Road	OS_RT_0467	TQ1590071151	0.01	Amenity	Landscaping around premises				
Wellesley Crescent Green	OS_RT_0253	TQ1515772536	0.52	Parks and Gardens	Park			Free	
Wolsey Drive Allotments	OS_Ki_0262	TQ1829270999	1.25	Allotments, Community Gardens and City Farms	Allotments			Restricted	
YMCA Hawker Centre	OS_Ki_0265	TQ1771471103	3.30	Outdoor Sports Facilities	Playing fields		Metropolitan Open Land (100%)	Restricted	Basketball hoops Car parking Full playing pitch Natural playing pitch Play for under 7s Recycling facilities Tennis court



7.0 Contacts

7.1 Borough Contacts

Further details of sites and species within the search area may be gathered from the following borough contacts:

Royal Borough of Kingston upon Thames

Nicola Smith
Planner

Email: nicola.smith@rbk.kingston.gov.uk

London Borough of Richmond upon Thames

Tasha Hunter
Environment Directorate
Room 213 (Parks and Open Spaces)
Civic Centre
44 York Street
Twickenham
TW1 3BZ

Tel: 020 8831 6125

Email: t.hunter@richmond.gov.uk



7.2 Further Contacts

The following contacts work closely with GiGL and are the best source for further advice or interpretation of the data provided by us. They are widely recognised in Greater London as the experts in their fields, and have provided the following information as the preferred method of contact.

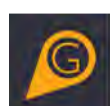
Areas of expertise	SINCs, open space and habitat survey data advice
<i>Organisation</i>	GiGL – Greenspace Information for Greater London
<i>Email</i>	enquiries@gigl.org.uk
<i>Website</i>	www.gigl.org.uk

Areas of expertise	Black redstarts, birds, brown and green roofs
<i>Name</i>	Dusty Gedge
<i>Organisation</i>	Livingroofs.org
<i>Email</i>	dustygedge@yahoo.co.uk
<i>Website</i>	www.livingroofs.org

Areas of expertise	Bats
<i>Organisation</i>	London Bat Group
<i>Email</i>	enquiries@londonbats.org.uk
<i>Website</i>	www.londonbats.org.uk

Areas of expertise	Regional biodiversity action plans
<i>Organisation</i>	London Biodiversity Partnership
<i>Website</i>	www.lbp.org.uk

Areas of expertise	Area recorders for birds (Inner London, Kent, Surrey, Buckinghamshire, Middlesex, and Essex)
<i>Organisation</i>	London Natural History Society
<i>Website</i>	www.lnhs.org.uk



Areas of expertise	Plant galls
<i>Name</i>	Ken Hill
<i>Organisation</i>	London Natural History Society
<i>Email</i>	Ken@kenneth17.fsnet.co.uk
<i>Website</i>	www.lnhs.org.uk

Areas of expertise	Odonata - Dragonflies and damselflies
<i>Name</i>	Neil Anderson
<i>Organisation</i>	London Natural History Society
<i>Email</i>	neil@anders42.freemove.co.uk
<i>Website</i>	www.lnhs.org.uk

Areas of expertise	Invertebrates
<i>Name</i>	Colin W Plant
<i>Organisation</i>	London Natural History Society
<i>Email</i>	cpauk1@ntlworld.com
<i>Website</i>	www.lnhs.org.uk

Areas of expertise	Lichens and Fungi
<i>Name</i>	Ted Tuddenham
<i>Organisation</i>	London Natural History Society
<i>Email</i>	mycorec@blueyonder.co.uk
<i>Website</i>	www.lnhs.org.uk

Areas of expertise	Butterflies
<i>Name</i>	Leslie Williams
<i>Organisation</i>	London Natural History Society
<i>Email</i>	leslie.williams1597@btinternet.com
<i>Website</i>	www.lnhs.org.uk

Areas of expertise	Vascular plants
<i>Name</i>	Mark Spencer
<i>Organisation</i>	London Natural History Society
<i>Email</i>	Lnhs_plant_recorder@hotmail.co.uk
<i>Website</i>	www.lnhs.org.uk

Areas of expertise	General conservation advice
<i>Name</i>	Conservation Programmes Manager
<i>Organisation</i>	London Wildlife Trust
<i>Email</i>	enquiries@wildlondon.org.uk
<i>Website</i>	www.wildlondon.org.uk

Areas of expertise	Statutory site advice
<i>Name</i>	Conservation Officer
<i>Organisation</i>	Natural England
<i>Email</i>	london@naturalengland.org.uk
<i>Website</i>	www.naturalengland.org.uk

Areas of expertise	London Invasive Species Initiative
<i>Name</i>	Joanna Heisse
<i>Organisation</i>	Environment Agency
<i>Email</i>	Joanna.heisse@environment-agency.gov.uk
<i>Website</i>	www.environment-agency.gov.uk

Areas of expertise	Geological Designations
<i>Organisation</i>	London Geodiversity Partnership
<i>Email</i>	info@londongeopartnership.org.uk
<i>Website</i>	www.londongeopartnership.org.uk

Annex A - MAPS

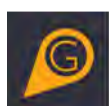
Statutory Sites Map

SINCs Map

Survey Parcels Map

Open Space Map

Bat site 6km Map



Statutory Site Designations

Ecological Data Search (1881) for Udney park playing fields trust
Teddington Udney Park, 5 March 2019

Crane Park Island (LNR)

-  Search Area
-  Local Nature Reserve
-  National Nature Reserve
-  Site of Special Scientific Interest
-  Special Protection Area
-  Special Area of Conservation
-  Ramsar

Hampton (LNR)

Natural England has the responsibility for identifying and protecting Special Protection Areas, Special Areas of Conservation, Ramsar Sites, National Nature Reserves, Sites of Special Scientific Interest and protected species. Local Authorities designate and manage Local Nature Reserves.



Ham Lands (LNR)

Ham Common, Richmond, London (LNR)

Richmond Park (NNR)

Richmond Park

Richmond Park (SAC)

Bushy Park and Home Park





KINGSTON UPON THAMES

Scale 1:20000 at A3

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Sites of Importance for Nature Conservation

Ecological Data Search (1881) for Udney park playing fields trust
Teddington Udney Park, 5 March 2019

-  Search Area
-  Metropolitan Importance
-  Borough Importance (Grade 1)
-  Borough Importance Grade 2
-  Local Importance
-  Areas of Deficiency

The Sites of Importance for Nature Conservation have been identified since 1986 and the categorisation of sites is related to their protected status in the land-use planning system. The boundaries and site grades reflect the most recent consideration of each site. Note that boundaries and grades may change as new information becomes available.





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Habitat Survey Parcels

Ecological Data Search (1881) for Udney park playing fields trust
Teddington Udney Park, 5 March 2019

-  Search Area
-  Survey Parcel

The London Survey Method is broadly similar to Phase I methodology, the differences in habitat classification are largely due to the urban setting for which the London survey specification is designed. The basic unit of survey is a piece of land termed a "parcel" and parcels are grouped into "sites".



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Open spaces

Ecological Data Search (1881) for Udney park playing fields trust
Teddington Udney Park, 5 March 2019

-  Search Area
-  Parks and Gardens
-  Natural and Semi-natural Urban Greenspace
-  Green Corridors
-  Outdoor Sports Facilities
-  Amenity
-  Children and Teenagers
-  Allotments, Community Gardens and City Farms
-  Cemeteries/Churchyards
-  Other Urban Fringe
-  Civic Spaces
-  Other
-  Unknown

Open Space is undeveloped land which has an amenity value, or has potential for an amenity value. The main site typologies are based upon previous Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation categories.







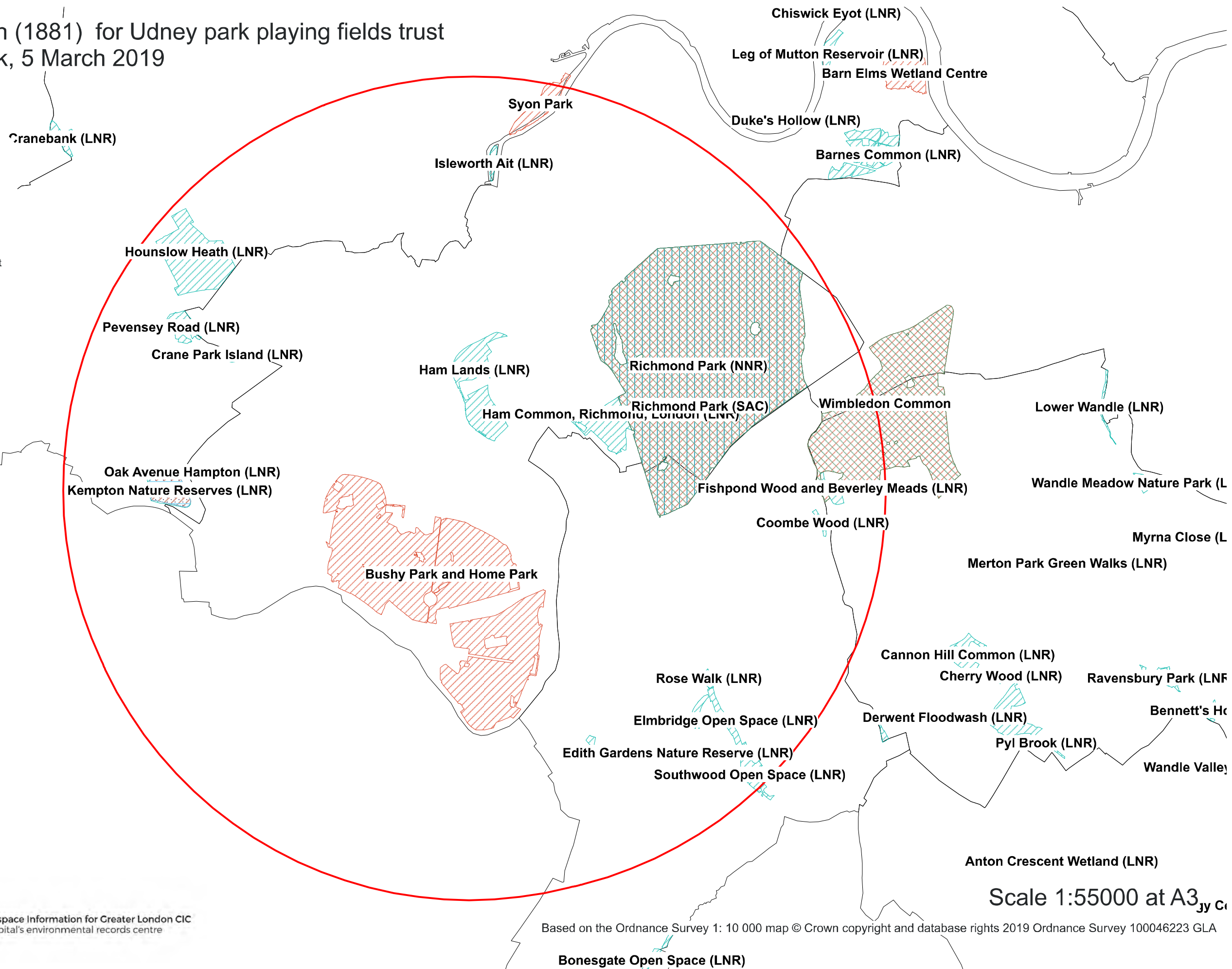
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6Km bat search radius

Ecological Data Search (1881) for Udney park playing fields trust
Teddington Udney Park, 5 March 2019

-  Search Area
-  Local Nature Reserve
-  National Nature Reserve
-  Site of Special Scientific Interest
-  Special Protection Area
-  Special Area of Conservation
-  Ramsar



Natural England has the responsibility for identifying and protecting Special Protection Areas, Special Areas of Conservation, Ramsar Sites, National Nature Reserves, Sites of Special Scientific Interest and protected species. Local Authorities designate and manage Local Nature Reserves.



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Statutory Site Designations

Local Nature Reserve (LNR)

Land owned, leased or managed by Local Authorities and designated under the National Parks and Access to the Countryside Act. A site of some nature conservation value managed for educational objectives — no need for SSSI status. In some cases it is managed by a non-statutory body (e.g. London Wildlife Trust). Local Authorities have the power to pass bylaws controlling (e.g.) access, special protection measures.

Site of Special Scientific Interest (SSSI)

Area notified under the Wildlife and Countryside Act, 1981, by English Nature, the Countryside Council for Wales or Scottish Heritage as being of special interest for nature conservation. Consultation and some form of agreement with the national statutory conservation agency is mandatory before any listed, potentially damaging development, change in land use, etc. can be carried out. SSSI notification forms the statutory bedrock for site protection, although experience has shown that even SSSIs are not sacrosanct.

Biological SSSIs form a national network of wildlife sites in which each site is a distinct discrete link. Sites are selected in such a way that the protection of each site, and hence the network, aims to conserve the minimum area of wildlife habitat necessary to maintain the natural diversity and distribution of Britain's native flora and fauna and the communities they comprise. Each site, therefore, is of national significance for its nature conservation value. The vast majority of SSSIs, and indeed most areas of semi-natural habitat, cannot be created within human time scales and are therefore considered irreplaceable.

Geological SSSIs—more correctly termed Earth Science SSSIs—are the best sites chosen for their research value, the criterion being that they are of national or international importance. Earth Science conservation is concerned with the maintenance of our geological and geomorphological heritage.

National Nature Reserve (NNR)

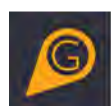
Statutory reserve established for the nation under the Wildlife and Countryside Act, 1981. NNRs may be owned by a relevant national body (e.g. English Nature in England) or by established agreement; a few are owned and managed by non-statutory bodies. NNRs cover a selection of the most important sites for nature conservation in the UK.

Special Area of Conservation (SAC) and Special Protection Area (SPA)

SACs and SPAs are areas designated under European law and are the most important sites for wildlife in the UK. SACs are designated under the European Habitats Directive (Council Directive 92/43/EEC) and SPAs under the European Birds Directive (Council Directive 79/409/EEC). Both the Habitats and Birds Directive provide for the creation of a network of protected wildlife areas across the EU, to be known as "Natura 2000". The designations aim to conserve important or threatened species and habitats and provide them with increased protection and management.

Ramsar sites

Ramsar sites are wetlands of international importance designated under the Ramsar Convention. The initial emphasis was on selecting sites of importance to waterbirds within the UK, and consequently many Ramsar sites are also Special Protection Areas (SPAs) classified under the Birds Directive. Non-bird features are now increasingly taken into account, both in the selection of new sites and when reviewing existing sites.



SINC Designations

Sites of Importance for Nature Conservation

1 The different kinds of sites and areas

- 1.1 There are three kinds of site, which are chosen on the basis of their importance to a particular defined geographic area. This use of search areas is an attempt, not only to protect the best sites in London, but also to provide each part of London with a nearby site, so that people are able to have access to enjoy nature.

Sites of Metropolitan Importance

- 1.2 Sites of Metropolitan Importance for Nature Conservation are those sites which contain the best examples of London's habitats, sites which contain particularly rare species, rare assemblages of species or important populations of species, or sites which are of particular significance within otherwise heavily built-up areas of London.
- 1.3 They are of the highest priority for protection. The identification and protection of Metropolitan Sites is necessary, not only to support a significant proportion of London's wildlife, but also to provide opportunities for people to have contact with the natural environment.
- 1.3.1 The best examples of London's habitats include the main variants of each major habitat type, for example hornbeam woodland, wet heathland, or chalk downland. Habitats typical of urban areas are also included, e.g. various types of abandoned land colonised by nature ('wasteland' or 'unofficial countryside'). Those habitats which are particularly rare in London may have all or most of their examples selected as Metropolitan Sites.
- 1.3.2 Sites of Metropolitan Importance include not only the best examples of each habitat type, but also areas which are outstanding because of their assemblage of habitats, for example the Crane corridor, which contains the River Crane, reservoirs, pasture, woodland and heathland.
- 1.3.3 Rare species include those that are nationally scarce or rare (including Red Data Book species) and species which are rare in London.
- 1.3.4 A small number of sites are selected which are of particular significance within heavily built up areas of London. Although these are of lesser intrinsic quality than those sites selected as the best examples of habitats on a London-wide basis they are outstanding oases and provide the opportunity for enjoyment of nature in extensive built environments. Examples include St James's Park, Nunhead Cemetery, Camley Street Natural Park and Sydenham Hill Woods. In some cases (e.g. inner London parks) this is the primary reason for their selection. For sites of higher intrinsic interest it may only be a contributory factor. Only those sites that provide a significant contribution to the ecology of an area are identified.
- 1.3.5 A small number of sites are selected which are of particular significance within heavily built up areas of London. Although these are of lesser intrinsic quality than those sites selected as the best examples of habitats on a Londonwide basis they are outstanding oases and provide the opportunity for enjoyment of nature in extensive built environments. Examples include St James's Park, Nunhead Cemetery, Camley Street Natural Park and



Sydenham Hill Woods. In some cases (e.g. inner London parks) this is the primary reason for their selection. For sites of higher intrinsic interest it may only be a contributory factor. Only those sites that provide a significant contribution to the ecology of an area are identified.

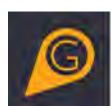
- 1.4 Should one of these sites be lost or damaged, something would be lost which exists in a very few other places in London. Management of these sites should as a first priority seek to maintain and enhance their interest, but use by the public for education and passive recreation should be encouraged unless these are inconsistent with nature conservation.

Sites of Borough Importance

- 1.5 These are sites which are important on a borough perspective in the same way as the Metropolitan sites are important to the whole of London. Although sites of similar quality may be found elsewhere in London, damage to these sites would mean a significant loss to the borough. As with Metropolitan sites, while protection is important, management of Borough sites should usually allow and encourage their enjoyment by people and their use for education.
- 1.6 In defining Sites of Borough Importance, the search is not confined rigidly to borough boundaries; these are used for convenience of defining areas substantially smaller than the whole of Greater London, and the needs of neighbouring boroughs should be taken into account. In the same way as for Sites of Metropolitan Importance, parts of some boroughs are more heavily built-up and some borough sites are chosen there as oases providing the opportunity for enjoyment of nature in extensive built environments.
- 1.7 Planning Policy Statement on Biodiversity and Geological Conservation (2005), in paragraph 5 (i), states that local development frameworks should indicate the location of designate sites for biodiversity and geodiversity, including locally designated sites..
- 1.8 Since essentially a comparison within a given borough is made when choosing Sites of Borough Importance, there is considerable variation in quality between those for different boroughs; for example, those designated in Barnet will frequently be of higher intrinsic quality than those in Hammersmith and Fulham, a borough comparatively deficient in wildlife habitat. Only those sites that provide a significant contribution to the ecology of an area are identified.

Sites of Local Importance

- 1.9 A Site of Local Importance is one which is, or may be, of particular value to people nearby (such as residents or schools). These sites may already be used for nature study or be run by management committees mainly composed of local people. Where a Site of Metropolitan or Borough Importance may be so enjoyed it acts as a Local site, but further sites are given this designation in recognition of their role. This local importance means that these sites are also deserving protection in planning.
- 1.10 Local sites are particularly important in areas otherwise deficient in nearby wildlife sites. To aid the choice of these further local sites, Areas of Deficiency (see below) are identified. Further Local sites are chosen as the best available to alleviate this deficiency; such sites need not lie in the Area of Deficiency, but should be as near to it as possible. Where no such sites are available, opportunities should be taken to provide them by habitat enhancement or creation, by negotiating access and management agreements, or by direct acquisition. Only those sites that provide a significant contribution to the ecology of an area are identified.



Areas of Deficiency

Areas of Deficiency are defined as built-up areas more than one kilometre actual walking distance from an accessible Metropolitan or Borough site. These aid the choice of Sites of Local Importance (see above).



Habitat Classifications

The habitat data includes the most recent habitat survey information for a given area. The data includes information collected using different habitat surveying methodologies.

London habitat surveys

The Greater London Authority conducted a series of rolling habitat surveys between the mid-1980s and 2009. It used the habitat typologies developed specifically for Greater London.

1 Survey information

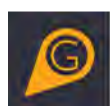
- 1.1 In order to choose sites for protection it is necessary to have good survey information on the habitats and species of all candidate areas.

The London Wildlife Habitat Survey

- 1.2 Information on wildlife habitats can be collected in a standardised, comprehensive survey. We are fortunate in London in having such a survey, first carried out by the London Wildlife Trust for the Greater London Council in 1984/85, and updated and extended in various surveys since, including re-examination of sites to be described in the handbook series or in relation to proposed developments or management. In a number of London boroughs a systematic survey has been carried out using the London Ecology Unit's specification since 1985. The specification was updated in 2000, when the GLA was established, to collect additional data required for open space planning. The format of the survey is similar to those usually described as 'Phase I' or 'Field by Field', but is enhanced by the extensive use of standardised written notes. The Authority holds this survey information.
- 1.3 The initial survey documented areas with semi-natural habitats (more natural than well-gardened allotments or heavily mown urban playing fields) and was also confined to large areas (above 0.5 ha for inner boroughs and 1 ha for outer boroughs). Much subsequent survey work has documented open spaces regardless of their natural quality and has used a much lower area threshold, to provide a more comprehensive coverage.
- 1.4 The wildlife habitat survey helps to ensure that candidate sites are not overlooked and that the same essential minimum of information is available for each. There is usually little other information available on the quality of the wildlife habitats, but any information provided is taken into account.

Information on species

- 1.5 Information on species, which has been obtained in a consistent and standardised manner as part of the systematic survey of habitats may be used by the Authority in reaching decisions on site quality. Other information on species, relating to individual sites, is frequently available but has rarely been collected in a systematic way so as to allow straightforward comparisons with other sites.
- 1.6 Information on species is often available from local naturalists, who are able to observe sites throughout seasons and years to provide an accurate and quite comprehensive listing of these and who may publish accounts of particular species or sites. Valuable though this information is, it often proves difficult to use it to compare candidate sites, as the recording effort put into each site may differ greatly and so may the completeness of the list. The length of the species list and the detection of rare species



therefore depends upon the searching effort. For these reasons, such information on species is used only together with knowledge of how the information was obtained and of the way in which the ecology of individual species affects their apparent status.

- 1.7 The policy of the Authority is to take considerable care in interpreting site-based species data to ensure that fully professional standards are maintained.

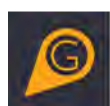
Habitat Types

A list of habitats for open space survey in London

<u>Code</u>	<u>Name</u>	<u>Definition</u>
01/02/03	Woodland	Stands of trees forming at least 75% cover, including coppice and trees of shrub size, but excluding fen carr (19). Includes stands of willow except <i>Salix cinerea</i> , <i>caprea</i> and <i>viminalis</i> , but excludes hawthorn, hazel (except hazel coppice with standards), elder, juniper and the three willow species listed above, which are always scrub (06) regardless of height. Where the species composition does not fulfil any of 01, 02 or 03 below, code as a mixture. Always record % shrub layer under the qualifiers.
01	Native broadleaved woodland	Woodland (see above) with native broadleaved species (i.e. excluding sycamore and sweet chestnut) comprising at least 75% of the canopy.
02	Non-native broadleaved woodland	Woodland (see above) with non-native broadleaved species (including sycamore and sweet chestnut) comprising 75% of the canopy.
03	Coniferous woodland	Woodland (see above) with coniferous species (including yew) comprising 75% of the canopy.
37	Scattered trees	Trees forming less than 75% canopy cover over another habitat (excluding coppice with standards, which is coded as woodland). Record percentage tree cover here, and the rest of the area under the appropriate habitat.
05	Recently felled woodland	Does not include coppice, which is coded as woodland.
06	Scrub	Dominated (at least 75% cover) by shrubs (usually less than 5 metres tall), excluding fen carr (19), heathland (15), young woodland, coppice, hedges (25, 34) and planted shrubberies (38). Includes stands of hawthorn, hazel (except coppice with standards), elder and <i>Salix cinerea</i> , <i>caprea</i> and <i>viminalis</i> regardless of height.
38	Planted shrubbery	Dominated (at least 75% cover) by shrubs, usually non-native species, the majority of which have clearly been planted. Excludes hedges (25, 34).
25	Native hedge	Line of shrubs, with or without treeline, one or two mature shrubs wide (wider belts should be coded as scrub or woodland), with native species comprising at least 75% of the shrubs.
34	Non-native hedge	As above but with non-native species comprising at least 75% of the shrubs. If neither 25 nor 34 apply, code as a mixture.
31	Orchard	Planted fruit or nut trees forming at least 50% canopy cover.



Code	Name	Definition
36	Vegetated walls, tombstones. etc	Includes ruins, fences and other artificial structures with an appreciable amount of vegetation (including mosses and lichens) but excluding artificial water margins, which should be coded as wet marginal vegetation (18) if vegetated.
26	Bare soil and rock	Includes active quarries, fresh road workings, spoil or tipping and earth banks of water habitats, where these are minimally vegetated. Excludes arable land (28).
27	Bare artificial habitat	Includes tarmac, concrete, railway ballast, gravel paths, buildings and artificial margins to aquatic habitats, where these are minimally vegetated.
08	Acid grassland	Un- or semi-improved grassland on acidic soils, with less than 25% cover of heather or dwarf gorse. Excludes reedswamp (17). Usually with one or more of <i>Deschampsia flexuosa</i> , <i>Molinia caerulea</i> , <i>Nardus stricta</i> , <i>Juncus squarrosus</i> , <i>Galium saxatile</i> , <i>Potentilla erecta</i> or <i>Rumex acetosella</i> in abundance.
09	Neutral grassland (semi-improved)	Mesotrophic grassland usually with one or more of <i>Arrhenatherum elatius</i> , <i>Deschampsia cespitosa</i> , <i>Alopecurus pratensis</i> , <i>Cynosurus cristatus</i> , <i>Dactylis glomerata</i> , <i>Festuca arundinacea</i> or <i>F.pratensis</i> . Contains more than just <i>Lolium perenne</i> , <i>Trifolium repens</i> , <i>Rumex acetosa</i> , <i>Taraxacum</i> , <i>Bellis perennis</i> and <i>Ranunculus</i> species (see 07 and 11), but lacks the characteristic forbs of 35. Excludes reedswamp (17).
35	Neutral grassland (herb-rich)	Mesotrophic grassland with more forbs typical of old grassland than 09. Likely to contain one or more of <i>Primula veris</i> , <i>Lychnis flos-cuculi</i> , <i>Achillea ptarmica</i> , <i>Silvaum silaus</i> , <i>Succisa pratensis</i> , <i>Stachys officinalis</i> , <i>Serratula tinctoria</i> , <i>Ophioglossum</i> , <i>Gensita tinctoria</i> , <i>Sanguisorba officinalis</i> or <i>Caltha palustris</i> , or an abundance of <i>Carex ovalis</i> , <i>Pimpinella saxifraga</i> , <i>Conopodium majus</i> , <i>Cardamine pratensis</i> , <i>Knautia</i> or <i>Filipendula ulmaria</i> .
10	Basic grassland	Un- or semi-improved grassland containing calcicoles. Usually with some of <i>Brachypodium pinnatum</i> , <i>Bromopsis erecta</i> , <i>Helictotrichon pratense</i> , <i>Thymus polytrichus</i> , <i>Sanguisorba minor</i> , <i>Centaurea scabiosa</i> or <i>Origanum vulgare</i> in some abundance.
11	Improved or re-seeded agricultural grassland	Species-poor mesotrophic grassland containing little but <i>Lolium perenne</i> , <i>Trifolium repens</i> , <i>Agrostis</i> species, <i>Bellis perennis</i> , <i>Taraxacum</i> and <i>Ranunculus</i> species. Distinguished from 07 by its agricultural use and hence usually less frequent mowing.
07	Amenity grassland	Usually frequently mown, species-poor mesotrophic grassland characteristic of parks and sports pitches, containing similar species to 11. Scattered trees and shrubberies in parks should be coded separately.
12	Ruderal or ephemeral	Communities composed of pioneer species such as occur in early succession of heavily modified substrates. Typical species include <i>Senecio squalidus</i> , <i>S.vulgaris</i> , <i>Sinapis arvensis</i> , <i>Poa annua</i> , <i>Hirschfeldia incana</i> and species of <i>Polygonum</i> , <i>Persicaria</i> , <i>Melilotus</i> , <i>Atriplex</i> , <i>Chenopodium</i> , <i>Medicago</i> , <i>Vulpia</i> , <i>Picris</i> , <i>Lactuca</i> , <i>Diplotaxis</i> , <i>Conyza</i> and <i>Reseda</i> .



Code	Name	Definition
13	Bracken	Stands where bracken is dominant. Also used with other habitat codes to indicate scattered bracken.
14	Tall herbs	Stands of tall non-grass herbaceous species, often rhizomatous perennials, such as <i>Fallopia japonica</i> , <i>Conium maculatum</i> , <i>Chamerion angustifolium</i> , <i>Anthriscus sylvestris</i> , <i>Urtica dioica</i> , <i>Epilobium hirsutum</i> , <i>Solidago canadensis</i> and species of <i>Aster</i> and <i>Heracleum</i> . Excludes herbaceous fen vegetation 32).
33	Roughland	An intimate mix of semi-improved neutral grassland (09), tall herbs (14) and scrub (06). If these occur in large enough patches they should be coded separately. Usually the next successional stage after 12.
15	Heathland	Dwarf-shrub cover greater than 25% of species such as heathers and <i>Ulex minor</i> , with less than 50% cover of <i>Sphagnum</i> . May include a large amount of acid grassland (06) in a close mosaic, but code as a mixture if grassland areas are large.
39	Allotments (active)	Communal allotment gardens which are under cultivation. Code disused plots under other habitats as appropriate.
28	Arable	Cropland, horticultural land (excluding allotments), freshly ploughed land and livestock paddocks stocked so heavily as to have little vegetation.
16	Bog	Dominated by <i>Sphagnum</i> mosses (greater than 50% cover) with water table at or just below the surface.
17	Reedswamp	Stands of <i>Phragmites australis</i> with at least 75% cover of reeds. Includes dry and tidal stands.
40	Typha, etc swamp	Stands of <i>Glyceria maxima</i> , <i>Typha</i> species or <i>Phalaris arundinacea</i> where these species form at least 75% cover.
18	Wet marginal vegetation	Emergent vegetation with a permanently high water table in strips less than five metres wide on the margins of water bodies. Contains species such as <i>Iris pseudacorus</i> , <i>Apium nodiflorum</i> , <i>Acorus calamus</i> and species of <i>Rorippa</i> , <i>Alisma</i> and <i>Juncus</i> . May include <i>Phragmites</i> , <i>Typha</i> and <i>Glyceria maxima</i> , but where these form single-species stands code as 17 or 40 respectively. Usually too small to map but must always be coded if present.
19	Fen carr	Woodland or scrub over herbaceous vegetation with the water table above ground for most of the year.



Code	Name	Definition
20	Standing water (includes canals)	Lakes, reservoirs, pools, wet gravel pits, ponds, canals, docks and brackish lagoons beyond the limit of swamp or wet marginal vegetation. Always code vegetated margins separately and note trophic status and whether saline or tidal.
21	Ditches (water filled)	Distinguished from 20 and 22 by their (often agricultural) drainage role. Always code vegetated margins separately and note trophic status and whether saline or tidal.
22	Running water	Rivers and streams. Always code vegetated margins separately and note trophic status and whether saline or tidal.
23	Intertidal mud, sand, shingle, etc	Intertidal areas without significant vegetation of higher plants. Try to record the extent at low tide.
24	Saltmarsh	Intertidal areas appreciably vegetated with higher plants, excluding reedswamp (17).
30	Habitat information not available	Areas which cannot be observed due to restricted access, etc.
29	Other	To be avoided if possible. Must be specified if used.
32	Species-rich herbaceous fen	Stands of herbaceous vegetation where the water table is above ground for most of the year, with less than 75% dominance of <i>Phragmites</i> , <i>Typha</i> , <i>Glyceria</i> and <i>Phalaris arundinacea</i> . Distinguished by width from 18. So rare in London that it is not on the survey form; write in under "Other" if required.

Other habitat classifications

For further information on the recognised habitat classification systems and survey methods that may be represented within the GiGL data, please visit the following links:

National Vegetation Classification (NVC) - <http://jncc.defra.gov.uk/page-4259>

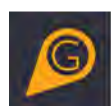
The National Vegetation Classification (NVC) is one of the key common standards developed for the country nature conservation agencies. The original project aimed to produce a comprehensive classification and description of the plant communities of Britain, each systematically named and arranged and with standardised descriptions for each.

Phase I and Extended Phase I Habitat Assessment - <http://jncc.defra.gov.uk/page-4258>

The Phase 1 Habitat Classification and associated field survey technique provide a standardised system to record semi-natural vegetation and other wildlife habitats. Each habitat type/feature is identified by way of a brief description of its defining features.

Biodiversity Action Plan Broad Habitat classification - <http://jncc.defra.gov.uk/page-4261>

This classification was developed as part of the UK Biodiversity Action Plan. The Broad Habitats are the framework through which the Government is committed to meet its obligations for monitoring in the wider countryside.



Open Space Designations

Open Space: undeveloped land which has an amenity value, or has potential for an amenity value. The value could be visual, derive from a site's historical or cultural interest or from the enjoyment of facilities which it provides. It includes both public and private spaces, but excludes private gardens.

English Heritage Registered Parks and Gardens: The English Heritage 'Register of Historic Parks and Gardens of special historic interest in England', established 1983, currently identifies over 1,600 sites assessed to be of national importance. The emphasis of the Register is on 'designed' landscapes, rather than on planting or botanical importance. The majority of sites are, or started life as, the grounds of private houses, but public parks and cemeteries form important categories. Sites are divided into three grade bands to give added guidance on their significance.

- Grade I sites are of exceptional interest
- Grade II* sites are particularly important, or more than special interest
- Grade II sites are of special interest, warranting every effort to preserve them.

More information at: www.english-heritage.org.uk

Green Flag Awards: The Green Flag Award Scheme recognises and rewards the best green spaces in the country. There are three different awards:

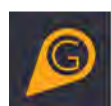
- Green Flag Award: The benchmark national standard for parks and green spaces in the UK.
- Green Flag Community Award: Recognises high quality spaces in England and Wales managed by voluntary and community groups.
- Green Heritage Sites: Awarded to parks and green spaces with local or national historic importance.

London Square: These are spaces protected by the London Squares Preservation Act (1931); a unique piece of legislation designed to prevent the loss of London's squares to development. 461 squares are protected under this act.

Common: The Commons Registration Act 1965 initiated a formal inventory of commons and green in England and Wales. It defines common land as 'land subject to rights of common (as defined in this Act) whether those rights are exercisable at all times or only during limited periods' and 'waste land of a manor not subject to rights of common' (Section 22).

The Commons Act 2006 provided another chance for common land to be registered. This new law aims to protect these areas, in a sustainable manner delivering benefits for farming, public access and biodiversity.

Data is obtained from Defra (2012). This database is believed to contain records for nearly all parcels of registered common land in England, with various associated data including location, area, extent of rights etc. The information for Greater London was assembled in 1985 as part of the biological survey of common land. The data are not kept up-to-date with subsequent new registrations of common land, or amendments to existing registrations. These data must be seen as a snapshot of the registers of common land at the time of the survey. Although deregistration of land registered as common land occurs very infrequently, the entries in this database cannot be guaranteed, and reliance should be placed on an inspection of the relevant register held by the commons registration authority for confirmation.



Village Green: is an area which has been allocated by an Act of Parliament for the exercise or recreation of the inhabitants of any locality, or on which the inhabitants of any locality have a customary right to indulge in lawful sports and pastimes.

Data are taken from information collected by the Greater London Council in 1965.

Metropolitan Open Land: is land designated to strategically protect important open spaces within the built environment. It provides a clear break in the urban fabric and contributes to the capital's green character, often hosting outdoor facilities for Londoners away from their local area and boasting nationally or regionally significant features of landscape of historic, recreational or biodiversity value.

Green Belt: is land which has been specifically designated as such, either by legislation or through the preparation of development plans, with the aim to protect the open character of the countryside next to urban areas.



Public Open Spaces and Areas of Deficiency in Access to Public Open Space

Public Open Spaces are categorised according to a site hierarchy documented in The London Plan (Table 7.2).

Public Open Space Category	Description	Size guideline	Distances from homes
Regional Parks	Large areas, corridors or networks of open space, the majority of which will be publicly accessible and provide a range of facilities and features offering recreational, ecological, landscape, cultural or green infrastructure benefits. Offer a combination of facilities and features that are unique within London, are readily accessible by public transport and are managed to meet best practice quality standards.	400 hectares	3.2 to 8 km
Metropolitan Parks	Large areas of open space that provide a similar range of benefits to Regional Parks and offer a combination of facilities at a sub-regional level, are readily accessible by public transport and are managed to meet best practice quality standards.	60 hectares	3.2 km
District Parks	Large areas of open space that provide a landscape setting with a variety of natural features providing a wide range of activities, including outdoor sports facilities and playing fields, children's play for different age groups and informal recreation pursuits.	20 hectares	1.2 km
Local Parks and Open Spaces	Providing for court games, children's play, sitting out areas and nature conservation areas.	2 hectares	400 m
Small Open Spaces	Gardens, sitting out areas, children's play spaces or other areas of a specialist nature, including nature conservation areas.	Under 2 hectares	Less than 400 m
Pocket Parks	Small areas of open space that provide natural surfaces and shaded areas for informal play and passive recreation that sometimes have seating and play equipment.	Under 0.4 hectares	Less than 400 m
Linear Open Spaces	Open spaces and towpaths alongside the Thames, canals and other waterways; paths, disused railways; nature conservation areas; and other routes that provide opportunities for informal recreation. Often characterised by features or attractive areas which are not fully accessible to the public but contribute to the enjoyment of the space.	Variable	Wherever feasible

Open Space Categories

The main site typologies are based upon previous *Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation* categories. Sub-categories are based on classifications used in the GLA open space surveys.

i. Parks and Gardens

Park refers to traditional public open spaces laid out formally for leisure and recreation. They usually include a mixture of lakes, ponds, lidos, woodland, flower beds, shrubs, ornamental trees, play spaces, formal and informal pitches, bowling greens, tennis courts, golf pitch & put, footpaths, bandstands, toilets, cafes and car parks - but not necessarily all of these. Parts of some parks might be managed as so-called natural areas. Examples of parks include the Royal Parks, municipal parks such as Battersea and Victoria, and wilder places such as Hampstead Heath which, although having distinctly informal qualities, are maintained predominantly for the same purpose, and include the usual swings and roundabouts and playing pitches. Many parks are enclosed by walls or railings, although some parks that began as common land may not be enclosed.

Formal garden refers to spaces with well defined boundaries that display high standards of horticulture with intricate and detailed landscaping. It includes the London squares common to central London, which are typically square areas of grass with some shrub borders, bounded by railings, and surrounded by buildings. Examples include Belgrave Square and Soho Square.

ii. Natural and Semi Natural

Common refers to publicly accessible open space that has few if any 'facilities'. It will typically be mainly open rough grassland (not mown playing field or recreation ground type grass) and/or woodland, and may have a limited provision of facilities. In typology terms, commons are much less formal than parks or parkland. Examples include Wimbledon Common, Wanstead Flats, and parts of Epping Forest.

Country Parks are large areas set aside for informal countryside recreation near or within towns and cities. A list of sites that call themselves Country Parks is available on the Natural England website.

Private woodland refers to woodland which is not accessible for recreational use, nor managed for nature conservation. Record this under "other" until the survey form is revised to accommodate it.

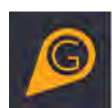
Public woodland refers to woodland which is accessible for recreational use, but not managed for nature conservation.

Nature reserve is a category reserved for an open space that is managed primarily for nature conservation. Do not tick this box just because the site has a nature conservation designation. Many parks, etc. have such designations. An SSSI is likely to have park, common or agriculture as its type. Designated Local Nature Reserves, however, are recorded here. Also do not tick this box where you find small areas set aside for nature within parks, commons and other open spaces.

iii. Green Corridors

River should only be used for rivers and streams that do not form part of another land use, such as park, common or nature reserve.

Canal implies an artificial waterway which is navigable. Include docks in this category.



Railway cutting and **railway embankment** are self-explanatory.

Disused railway trackbed is usually obvious, with some traces of its former use. Where disused trackbeds are specifically managed for nature conservation, such as Parkland Walk, record as nature reserve.

Road island/verge is self-explanatory. Record as nature reserve if specifically managed for nature conservation.

Walking / cycling route is a designated footpath / cycleway through informal open space often along former railways or canals but record these examples as Disused railway trackbed or Canal.

iv. Outdoor Sports Facilities

Recreation ground is an area of mown grass used primarily for informal, unorganised ball games and similar activities (including dog walking). Not to be confused with playing fields, below.

Playing field is a site comprising playing pitches, usually for football, but also for rugby and hockey and, in the summer, for cricket. Playing pitches may not always be laid out in the summer, so look out for notice boards or changing rooms and pavilions for evidence. Include sites here even if they appear disused. Include school playing fields. Almost always, playing fields consist only of pitches; but they will sometimes have other bits of open land around the edges. Do not include sites that partly contain playing pitches but are more properly categorised as parks or commons. Pitches are often to be found in parks and commons, but the type here is concerned with sites that are exclusively or predominantly reserved for organised team sports.

Golf course: do not include golf courses that are part of parks, commons etc. This type does not include golf driving ranges, pitch & putt or crazy golf.

Other recreational is to be used for sites that are used exclusively or predominantly for other organised sports such as bowls, tennis and golf driving ranges (but not golf courses, see below).

v. Amenity

Village green is usually an expanse of grass in the centre of old villages, often used in the summer for cricket.

Hospital includes the grounds of any clinic or health centre.

Educational refers to school or college grounds and field study centres where school education is the primary function. Nature sites which cater for schools and for the general public should be recorded under nature reserves. School playing fields should be recorded under playing fields.

Back garden land is self-explanatory. While most surveys exclude private gardens, backlands are often surveyed for planning casework.

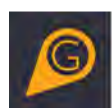
Landscaping around premises includes communal amenity space around housing estates and community centres, and also landscaping around industrial premises.

Reservoir includes covered reservoirs unless these form part of a park.

vi. Children and Teenagers

Play space is a site set aside mainly for children. It will contain the usual paraphernalia of swings, slides and roundabouts. Do not record play spaces here if they form part of parks, commons and other open spaces.

Adventure playground is a defined play area for children in a supervised environment. Boundaries and entrances are secure.



Youth area is a defined area for teenagers including skateboard parks, outdoor basketball hoops and other more informal areas such as ‘hanging out’ areas and teenage shelters.

vii Allotments, Community Gardens and City Farms

Allotments should be obvious. Include them even if they appear or are disused.

Community garden includes an area that is generally managed and maintained by the local population as a garden and/or for food growing and normally restricted in their access. For examples Pheonix Garden in Holborn.

City farm includes areas that are generally managed and maintained as a small farm by the local population, containing livestock and planting and normally restricted in their access. For example Freightliners Farm in Islington.

viii. Cemeteries and Churchyards

Churchyard/cemetery includes burial grounds, graveyards, crematorium grounds and memorial gardens, and gardens or grounds of non-Christian places of worship. Some former or burial grounds that have become full have been converted to informal leisure or recreation spaces; where the gravestones have been removed, these should be recorded as parks.

ix. Other Urban Fringe

Equestrian centre includes any land used for intensive horse keeping and riding, but not extensive horse grazing, which should be recorded as agriculture.

Agriculture includes arable and grazing land, including horse grazing, and market gardening (such as vegetables, often grown under cloches, etc.).

Nursery/horticulture does not include commercial retail nurseries (although these might legitimately form a part of a park or common, etc.). Horticulture includes areas of permanent glasshouses.

x. Civic Spaces

Civic/market square includes tarmac areas or paved open spaces, which may or may not include planting. However, they do not necessarily have seats and may just be a plaza area, with some planting (usually trees) and public art. Often provide a setting for civic buildings and opportunities for open air markets, demonstrations and civic events. Examples include the area in front of the jubilee line station at Canary Wharf, and the plaza in front of Westminster Cathedral.

Other hard surfaced areas include other areas designed for pedestrians. These typically are used as ‘sitting out’ areas, where workers can enjoy the sun and eat their sandwiches, and as such usually have seats or benches. For example, Emma Cons Gardens opposite the Old Vic Theatre. This category excludes pedestrianised streets, car parks, servicing areas to buildings, and housing amenity space such as communal courtyards.

xi. Other

Sewage/water works includes extensive sludge drying areas, filter beds, etc.

Disused quarry/gravel pit may be water-filled, but is not necessarily so.

Vacant land is land with no formal land use. This includes many “urban commons” which are used by people for informal recreation and which may be very valuable for nature conservation. If sites have formalised access and management for nature conservation, record as commons or nature reserves as appropriate.



Land reclamation is land recently decontaminated or reclaimed from disuse, which has not yet been redeveloped.

Others could be anything that does not fit any of the above categories, such as airfields or forestry (not wooded commons or woodland nature reserves)



Date: 8/09/2017

Richmond Local Plan – Publication Version for Consultation & Proposals Map Changes (Jan-Feb 2017)

Further Statements and confirmation of participation in the Examination Hearings

Sport England representations

Thank you for inviting Sport England to submit a further statement regarding the above.

Sport England confirms that it will appear at the inquiry.

Policy – Response to Planning Inspector's questions

5. Is the approach to public open space, play space, sport and recreation justified by a sufficiently robust evidence base?

- *How have current open space provision and needs been assessed? What up to date evidence supports the approach and is it consistent with national planning policy?*
- *Are the requirements of criteria B justified and have they been assessed for their effect on development viability?*
- *Is Sport England satisfied with the approach of the Plan towards sport and recreation?*

In making representations on development plans Sport England's Policy states that we will seek development plan policies that achieve the following;

- 1) To prevent the loss of sports facilities and land along with access to natural resources used for sport.
- 2) To ensure that the best use is made of existing facilities in order to maintain and provide greater opportunities for participation and to ensure that facilities are sustainable.
- 3) To ensure that new sports facilities are planned for and provided in a positive and integrated way and that opportunities for new facilities are identified to meet current and future demands for sporting participation.

Sport England comments - Policy LP31 and supporting text

The Council has prepared and adopted a Playing Pitch Strategy, following Sport England's guidance to provide an evidence base for the Local Plan. It is understood that the Council intends to update this shortly, as recommended within our guidance. The Council has also prepared an assessment for indoor sport. Sport England confirms that the Council has prepared an adequate evidence base to inform the development plan and that this supports the Council's intention to protect existing sports facilities.

The Playing Pitch Strategy contains several policy recommendations including;

- Ensure, through the use of the Playing Pitch Strategy, that sports facilities are protected through the implementation of local policy
- Secure developer contributions
- Rectify quantitative shortfalls in the current pitch stock
- Identify opportunities to add to the overall stock of pitches to accommodate both current and future demand

Sport England supports the Council's statement in section 'A' of the policy that playing field land will be protected from development and where possible enhanced.

Sport England further welcomes the references within the supporting text to paragraph 75 and paragraph 8.4.17 and 8.4.18.

However, Sport England would prefer the Council to have additional text within Policy LP31 that specifically protects playing field and sport and recreation uses from development, where they are located on site allocations.

Sport England is concerned that where there are existing playing field and built sports facilities on some major development sites (including site allocations SA24, SA8, SA9 and SA14) it should be made clear in the plan's policies that any existing facilities and playing fields will be protected, as a need to retain these facilities is evidenced by the assessments prepared for the Borough's evidence base (the Playing Pitch Strategy and the Indoor Sports Facility Needs Assessment). I have also suggested in my comments on site allocations below changes to the policy that could help protect these existing facilities and provide further clarity for applicants.

Where there are new development sites which do not include existing facilities, there is also a need to provide contributions that will help meet the sporting needs identified within the Playing Pitch Strategy and the Indoor Sports Facility Needs Assessment

Suggested additional text for section B;

***'Playing fields and sport facilities:** Where on-site provision of new playing fields and ancillary facilities cannot be provided to support new development on site then a contribution towards off-site provision should be made to help meet the needs identified in the Council's playing pitch strategy.*

Sport England further supports the Council's acknowledgement in paragraph 8.4.19 that private sports facilities are important to help meet the Borough's wider sporting needs. National Planning Policy seeks to protect existing sports facilities whether they are in public or private ownership.

8.1 Social and Community Infrastructure – Policy LP28 and supporting text

Sport England considers that further changes are required to Policy LP28 to protect indoor sports facilities from development and ensure that any

development proposals contribute towards meeting the needs identified in the Council's evidence base for indoor sports facilities.

Paragraph 74 sets out specific criteria for the protection of all sports facilities. These are;

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

The criteria set out in 'C' and 'D' of the Council's policy are therefore not appropriate for the loss of built sports facilities, which have additional protection in National Policy in comparison to other community facilities. It is therefore recommended that an addition to Policy LP28 is made to cover this such as;

New policy text;

Loss of built sports facilities

The loss of sports and recreational buildings, in particular, will be resisted. The Council's Indoor Sports Facility Needs Assessment (2015) highlights the need for new facilities within the Borough and does not indicate that any existing facilities are surplus to requirements. Existing indoor sports facilities in the Borough should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

With regard to new development, it is suggested that the following text is added to 'E';

'Where possible, new sports facilities should be provided on site to meet demand arising from new development. If provision cannot be made on site, an off-site contribution towards existing or new off-site provision will be made to meet the needs identified within the Borough's Indoor Sports Facility Needs Assessment.'

Sport England welcomes those commitments within the site allocations (such as SA22) towards improving sports facilities but we would also like the Council to reference its evidence base documents within the plan and provide a commitment to delivering the improvements identified within these strategies to meet the needs of existing and future residents.

Site Allocations – Response to Planning Inspector’s questions

Q1. Stag Brewery

SA24 – is the allocation justified by the evidence base with due regard to alternatives and in particular:

- *The accessibility of the site;*
- *The need for a secondary school;*
- *The capacity of the site for mixed use development including housing;*
- *The presence and use of the sports field;*
- *The presence of heritage assets;*
- *The deliverability of the redevelopment.*

Sport England supports the policy text that includes the retention and/or re-provision and upgrading of the playing field.

It would be helpful to the developer of this site if the Council would confirm in the text that the playing field on site will be re-provided in accordance with paragraph 74 of the NPPF. This should mean that all of the existing playing field area and any ancillary changing provision is protected from development or replaced within the site.

Q4. Pools on the Park and surroundings, Old Deer Park, Richmond

SA22 – is the allocation justified by the evidence base?

Are the heritage assets and presence of MoL recognised adequately?

Sport England supports the Council’s intention to improve the sports facilities at this important community asset, which is supported by the outcomes of the Indoor Sports Facility Needs Assessment.

Q5. Richmond Athletic Association Ground, Old Deer Park, Richmond

SA23 – is the allocation justified by the evidence base with due regard to the presence of MoL and the consideration of alternatives?

Sport England supports the Council’s intention to continue the use of this site for sports uses, including improvements and upgrading of existing facilities.

Other site allocations

Sport England has the following further comments regarding the objections we have submitted regarding the other site allocations/designations;

Local Green Space Designation – 2.2

Sport England supports this Local Greenspace designation. The NPPF states that playing fields can be identified as local greenspace, where they are identified as important by the community and the Council. This site is also listed as an Asset of Community Value and the additional designation will provide further support to help this site to come back to the community.

The Council's Playing Pitch Strategy recommends the retention of this site and the Football Association and the England & Wales Cricket Board have confirmed that they support the retention of this playing field for the community.

SA 8 St Mary's University, Strawberry Hill

Sport England has objected to allocation SA8 of the development plan as there are playing fields and sports facilities present on the St Mary's site and it has not been made explicitly clear that these will be protected from development.

Sport England would withdraw its objection to this allocation if the following text is added to the bullet points accompanying the policy.

- The existing playing fields and athletics track and ancillary facilities on the site will not be built upon and retained within the site.
- OR the hatching over the playing fields, athletics track and ancillary facilities is removed from the site allocations plan.
- OR the Council identifies a site to accommodate replacement facilities for any sports facilities that are proposed.

SA 9 Richmond upon Thames College, Twickenham

Sport England objected to planning application 16/4747/RES which resulted in the loss of the playing field in the northern section of the site. Sport England therefore withdraws its objection to this part of the policy on the basis that a planning decision to lose the playing field to the north has already been made. Albeit, Sport England objected to this application and it is not clear whether or not this application was subsequently referred to the Secretary of State. Until this matter is resolved, Sport England upholds its objection to the loss of playing field to the north of the site.

Sport England supports the upgrading of the playing field to the south of the college site. However, Sport England would not wish any further playing field land to be lost from the site. To ensure this Sport England requests the following bullet point or similar is added to the text;

- The existing grass playing fields to the south of the site will be retained for sports use and will accommodate a new artificial sports pitch.

SA 10 The Stoop (Harlequins Rugby Football Club), Twickenham

Sport England has reviewed its representation and wishes to remove its objection to this policy.

SA 11 Twickenham Stadium, Twickenham

Sport England has reviewed its representation and wishes to remove its objection to this policy.

SA 14 Kneller Hall, Whitton

Sport England's previous representations incorrectly refer to Policy SA15.

Sport England supports the Council's intention to retain the playing fields in this location. Sport England requests that the following bullet point is amended to ensure that the playing field is retained and ancillary facilities are provided;

- ~~• It is expected that the existing playing field will be retained and where possible upgraded, provided that any existing ecological benefits and the openness and character of the Metropolitan Open Land is retained and, where possible enhanced.~~
- The existing playing field should be retained and upgraded with ancillary facilities, such as changing provided to support the use of the playing fields.

It is not clear what the 'existing ecological benefits' could be and whether or not this would prevent the continued use of the playing field. If an area is required to be set aside for nature conservation, then this should be made clear in the policy.

SA16 Cassel Hospital, Ham Common, Ham

Paragraph 74 of the NPPF states that existing sports facilities should be protected. It is recommended that the tennis courts on sites are retained for the new users or replaced with a Multi-Use Games Area for community use.

Other sites of Nature Importance

Designation of the Rifle Range, Twickenham as OSNI.

Sport England notes that the Council intends to designate the rifle range as an OSNI. It is not clear if the rifle range is still in use by a local rifle club. If the site is still used as a rifle range Sport England would query whether the designation of this site is appropriate or if the designation of this site would prevent continued sporting use on the site?

Supporting Content:

2. Detailed Case for LGS for Udney Park to be retained
3. Bats: Evidence Base
 - 3A. Overview of Bat Species at Udney Park and their Protections
 - 3B. Overview of Behavioural Data
 - 3C. Detailed data on Roosting assessments
 - 3D. Species Earliest time recordings
 - 3E: Additional Roost Assessment
 - 3F: Bat Impact Assessment: General Guidelines
 - 3G: Bat Impact Assessment of Development at Udney Park (Quantum's Proposal)
 - 3H: Bat Impact Assessment of Development: Floodlights
 - 3I: Bats: Local Planning Policy Context
4. Birds: Evidence Base
 - 4A. Protected and Notable Species Designations
 - 4B. Overview of Notable and Protected Birds and their Protections (NB: incomplete data – see notes)
5. Data Omissions
 - 5A: Data Omissions
6. Surveying Failures
 - 6A. Species Earliest time recordings

Appendices:

App 1: Rebuttal of claims that Ecology report suggests "UP does not demonstrate a richness of wildlife".

2. Detailed Case for the Local Green Space designation for Udney Park to be retained

This section **details the clear case (key arguments) that Udney Park meets the LGS criterion (NPPF parag. 77)** that it is **demonstrably special and holds a particular local significance** due to its **richness of wildlife**.

Further detailed evidence which backs up all these points is provided in the sections that follow.

2.1. Udney Park supports an unquestionable richness of wildlife.

Bats

Based on its **Bat biodiversity and abundance** alone, the site **objectively qualifies as rich in wildlife**.

Surveying has found **at least 8-9¹¹ species of Bat** at Udney Park including **rare and scarce species**.

All these bat species are **European Protected Species**, London BAP¹² priority species and LBRuT SAP¹³ species.

Birds

Neighbours and locals attest that **Udney Park supports a diverse, thriving Bird fauna**.

110¹⁴ protected and notable Bird species are recorded within 2km of the site.

As noted by the Developer's ecologist: *"these records in the vicinity of the site increase the likelihood of them being present onsite where suitable habitat is identified"*¹⁵. **Hedgerows and trees within the site providing both suitable foraging and nesting habitat for birds have been identified** in the LC Phase 1 Ecological survey¹⁶. *(I observe: bat surveying confirmed that at least 8 of the 9 bat species recorded within 2km of the site are actually found on the site ie. 89%¹⁷).*

Birds fly: this means that all the birds found in the vicinity have easy access to Udney Park.

Taken together: the observations of birds onsite; records in the vicinity; behavioural context; and suitable habitat; indicate a high probability of a large number of **Protected and Notable Bird** species using Udney Park.

*Under Natural England Standing Advice, **surveying of wild birds is required** due to the plans for **floodlighting green space within 50m of hedgerows**: this has not been done. By using 2 different Ecologists (not Good Practice) – and limiting the scope of each – neither ecologist appears to have been obliged¹⁸ to flag this discrepancy: this does not take away the **obligation to survey for wild birds**.*

Other wildlife

Other protected and notable species recorded within 2 km of the site include an impressive array of **mammals (5 excl. bats), reptiles (2), amphibians (3) and invertebrates (336)^{19,20}**.

¹¹ Peachecology Ph 2 Bat survey report; July 2017, arrives at a count of "at least 8 species" by grouping "Myotis species" as one. However, the survey data suggests **both Brandts and Daubentons, ie. 9 species. 10 bat species** are recorded in the vicinity. (Detailed evidence and references are provided in section 3 of this report)

¹² Biodiversity Action Plan

¹³ Species Action Plan

¹⁴ GiGL Data Search for Udney Park Playing Fields Trust, report ref 1881, 5/3/19, p 43-47 & p68-69

¹⁵ Lindsey Carrington Ecological services report, March 2016, p28.

¹⁶ LC Phase 1 Ecology report, p34 note on Hedgerows under table 10; p34 target note 11, p35 note under table 11 on scrub, p36 note under table 12 on treeline

¹⁷ Excluding Brandts for a like-for-like comparison, as not reported within 2km (it is in fact recorded ~3km from the site); source: GiGL for UPPFT; p 65

¹⁸ Although I suggest this leaves the Phase 2 ecologist compromised, which may explain the extensive disclaimer on the Phase 2 report; which does not appear to be standard practice for ecology reports.

¹⁹ GiGL Data Search for Udney Park Playing Fields Trust, report ref 1881, 5/3/19, p 30-42, p47 & p69

²⁰ The LC Ph1 ecology report reports only 3 mammals, 1 amphibian, 7 invertebrates; see further detail on ecology reports data omissions (section5).

Species records in the vicinity of the site increase the likelihood of them being found onsite – particularly where suitable habitat exists and dispersal barriers are low (eg. for those that fly²¹).

Notable and Protected mammals in the vicinity include the European hedgehog, European Water Vole, Eurasian Common shrew, Hazel Dormouse and Badger. **European Hedgehogs have high numbers of records** (n=436) and are recorded **within 157m**, so their **potential presence on site must be considered likely**. (Hedgehogs are UK BAP / NERC s.41 and London BAP species).

Notable and Protected reptiles in the vicinity are Slow Worm and Grass Snake. As above, these records in the vicinity of the site increase the likelihood of them being present onsite where suitable habitat is identified²².

Udney Park has been assessed to have suitable habitat²³ to support reptiles, in particular **slow worms**. Whilst the Developer's surveying onsite failed to find any reptiles, these are notoriously difficult to survey, so failure to find reptiles **does not confirm their absence**. Lizards are certainly found bordering the site²⁴.

Notable and Protected amphibians in the vicinity include the **Common Frog**, the **Common Toad** and the **Great Crested Newt**:

Frogs & Toads

Our next door neighbours (bordering Udney Park) have **3 ponds, and report having "lots of frogs and toads"**. We also have toads. Both Frogs and Toads are recorded by GiGL²⁵, in large numbers in the near vicinity of the site (Common Frog n=394, as close as 157m so bordering; Common Toad n=63), and **both are protected, so I query why these records have been excluded from the Phase 1 Ecology report (Table 4) list of protected and notable species within 2km of the site**.

Great Crested Newt

The omission of Frog and Toad records is material not just because these species themselves have protection – but I suggest that their **presence & large numbers of records indicate a pond/ ponds nearby**.

The Phase 1 Ecology Report confirms that there is **suitable terrestrial habitat for Great Crested Newts²⁶** at Udney Park. The Phase 1 report states that *"no ponds were identified within 500m of the site... therefore due to the isolation of the site and the lack of breeding ponds in the area it is considered highly unlikely that great crested newts are present on site"*.

The Phase 1 report assessment that there are no ponds within 500m is incorrect: our **neighbours, bordering Udney Park have 3 ponds** and they have confirmed **"we have many newts"**. (Species of newts unknown). I thus understand that, due to the **combination of records in the vicinity, confirmed suitable terrestrial habitat and a pond within 500m**, there is a **significant possibility of Great Crested Newts**, and **surveying for Great Crested Newts is required**.

I observe that Great Crested newts have the following designations: Hab&Spp Dir Anx 2np & Anx 4; Cons Regs 2010 Sch2; W&CA Sch 5 sec 9.4b & 9.4c; NERC sec 41, UK BAP, London BAP and local spp of Cons Conc.

Invertebrates

Udney Park must be considered an **important invertebrate habitat**, by virtue of the Bat and Bird populations that the site is able to sustain.

Insects are known to be declining at alarming rates. This has been shown in several recent studies including a 2017 German study²⁷ of flying insects, which showed a **75% decline in flying insect biomass over 27 years**.

²¹ Unless alternative barriers exist (eg. for bats light becomes equivalent to a physical barrier).

²² LC Phase 1 report, p28

²³ LC Phase 1 report, p39 - Reptiles

²⁴ Personal observations.

²⁵ GiGL Data Search for Udney Park Playing Fields Trust, report ref 1881, 5/3/19, p.42

²⁶ LC Phase 1 report, p39 – Great Crested Newts

²⁷ <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0185809>

Given insects' integral ecological role as pollinators, prey, predators, pest-controllers and decomposers, there have been severe warnings about the profound impacts of insect losses and urgent calls for action to preserve our insects. The invertebrate populations at Udney Park would be **directly and dramatically impacted by any loss of green space**.

There are **336 notable and protected invertebrate species** in the vicinity of Udney Park.

These include 27 UK BAP species of Moth, 4 UK BAP species of Butterfly, 6 Red Data list species of Beetle (4 endangered/ vulnerable/ regionally extinct; 2 lower risk/near threatened) and 3 UK BAP Beetles, 1 Red Data list (vulnerable) Dragonfly, and 1 Red Data list (vulnerable) Mayfly.

It is **unclear to me why most of the protected / notable invertebrate species have been omitted from the LC Phase 1 Ecology report** (only 7 are listed). In light of the implications of the omissions in the amphibian data this necessarily raises concerns.

In the absence of clarity on this, I observe: a **large biodiversity** (n=336) of protected invertebrates in the vicinity, would appear to be an indicator of **good invertebrate habitat**, and also, would indicate a **rich invertebrate biodiversity overall** (as only a small proportion of total invertebrates will be protected). The bulk of the types of invertebrates listed fly²⁸. An **ecosystem rich in flying insects**, would appear to provide **rich foraging habitat for Bats** (unless contrary factors – such as artificial lighting – are present). This appears to contradict the conclusion in the LC Phase 1 report that the *“site was considered to hold low ecological value”*²⁹.

Stag Beetles

Stag beetles are known to thrive right on the border with Udney Park. We find exoskeletons in our garden³⁰.

Our neighbour has noted *“Yes, **we get the larvae of stag beetles and we do see a few adults but they keep to the back of garden, by the fence to the [Udney Park] field**”*³¹.

GiGL reports **763**³² **Stag Beetle records** in the vicinity of the field, with the closest at 120m - presumably right on the border.

I observe that the Phase 1 ecology report's presentation of the Stag Beetle data is highly unorthodox: the GiGL **records for Stag Beetles have been omitted**³³; the report simultaneously states that *“stag beetles are considered unlikely to be on site”* and *“stag beetles are **not likely to be absent from the site**”*³⁴; and the Stag Beetle is described as a *“locally important species”* when it is actually: **Red listed in many European countries** having undergone decline across Europe – and is now extinct in Denmark and Latvia; **extremely rare or extinct** in Britain outside its main Southern England/ South-West range*; a **UK BAP species**; a WCA sch5 'protected species'. I also question the finding of no suitable habitat at all onsite (ie that there would be no dead wood within the hedgerows, for example)³⁵.

The **People's Trust for Endangered Species** highlights **loss of habitat**, due to the **development of London's surviving open spaces***, as the **major threat to Stag Beetles** (in addition to 'tidying up' dead or decaying wood habitats). Humans are a direct threat to Stag Beetles, particularly in combination with warm hard surfaces (such as tarmac and pavements) making them particularly vulnerable to being crushed*. I.e. any potential loss of green space at Udney Park must be seen as a particular threat for Stag Beetles.

²⁸ NB: many Beetles fly – but not all;

²⁹ NB: the Udney Park “site” (ie inside the boundary) cannot validly be considered in isolation of the ecosystem as a whole.

³⁰ I acknowledge that these could be dropped by eg. feeding birds, but that still places the beetles in the vicinity.

³¹ Unprompted response from our neighbour to the question: *“Do you have Stag Beetles?”*.

³² GiGL Data Search for Udney Park Playing Fields Trust, report ref 1881, 5/3/19, p33

³³ LC Phase 1 report, p. 28, table 4 – invertebrates.

³⁴ LC Phase 1 report, p.40, Stag Beetles – parag.1 vs parag.2.

* People's trust for endangered species; <https://ptes.org/campaigns/stag-beetles/stag-beetle-facts/>

³⁵ I am unable to provide data on this, however.

Hedgerows

The **hedgerows** at Udney Park are more than 20m long and contain 80% native species and are therefore considered **UK BAP habitat**³⁶.

Bluebells

Bluebells are confirmed on site³⁷. These are protected under schedule 8 of the Wildlife and Countryside Act.

2.2. Udney Park's wildlife includes species under Threat or Near Threat of Extinction in the UK.

Under **IUCN Red List Criteria**³⁸, animal species are allocated to categories relating to **imminent risk of extinction**. Udney Park's 8-9³⁹ bats are all Vespertilionidae (Typical Bats)

Of the **16 Vespertilionidae species in the UK**:

- 4 are UK: Threatened:

- they have an **"appreciable risk of [UK] extinction in the near future (generally within the next decade, or 3 generations – whichever is longer)"**;
- for **one species** [NB: not at Udney Park], **only 1 solitary male** is known in the UK;
- 1 threatened species, **Serotine, is found at Udney Park.**

- 2 are UK: Near Threatened:

- they are **"close to qualifying as Threatened, or likely to qualify as such in the near future"**;
- both these species (**Nathusius and Leisters**) **are found at Udney Park**

- 3 are UK: Data Deficient:

- there is insufficient data to assess status;
- 1 DD species is found at Udney Park (Brandts)

2.3. Udney Park's richness of wildlife is particularly significant given its context as a relatively small, urban site.

The LBRuT Planning Officer observed⁴⁰ that:

"[the number of species of bats found at Udney Park] is a significant number of species considering that the Barnes Wetland Centre has 7 regular species and is a Site of Special Scientific Interest (SSSI) and Site of Metropolitan Importance for Nature Conservation (SMINC) for its habitat mosaic and species assemblage"

The Richmond Park Assistant Park Manager (and Bat specialist) has confirmed that Richmond Park has 9 species (ie the same number as Udney Park) – it should be noted that Richmond Park is >160 times⁴¹ as big as Udney Park.

I further refer to the richness in wildlife considered previously.

2.4. Udney Park's context as a relatively small, urban site also makes its wildlife particularly vulnerable. Even relatively small changes would be expected to have a disproportionate impact on the ecosystem and the wildlife it supports. This is why Udney Park needs to retain its LGS protection.

³⁶ Lindsey Carrington Ecological services report, March 2016 – target notes 7-10; note following table 10 (p.34)

³⁷ LC Ph 1 report, p.34, table 11 & p.36, Table 12.

³⁸Natural England Joint Publication JP025; a review of the Population and Conservation Status of British Mammals: Technical Summary; June 2018 p.3 and p48-65

³⁹ Peachecology Ph 2 Bat survey report; July 2017, arrives at a count of "at least 8 species" by grouping "Myotis species" as one. However, the survey data suggests **both Brandts and Daubentons, ie. 9 species. 10 bat species** are recorded in the vicinity. (Detailed evidence and references are provided in section3 of this report)

⁴⁰ LBRuT Council's Planning Officer's report on the Planning Application for Udney Park: Public Document Pack, Planning Committee meeting 26/9/18: p108: Biodiversity, item 153

⁴¹ Richmond Park is 846.43Hectares; Udney Park is just under 12.8 acres = 5.2Hectares

2.5. Udney Park is demonstrably special and holds a particular local significance in terms of its wildlife and its ecology.

The LBRuT Council's Planning Officer notes [in respect of its Bats in particular]⁴² that:

"This site is unique in the local environment, due to a number of factors, its sheer size, the lack of public disturbance and its position as a stepping stone and corridor contribution between the River Thames, St Marys University and Bushy Park, in an area with a network of connecting back gardens and also houses which due to their age and design have many bat roosting features".

Bat Surveying⁴³ at Udney Park shows:

- it is a **roosting site for at least 4 bat species**
- it is a **mating AND breeding site for multiple bat species**
- it is an important **foraging ground** and **commuting juncture** for bats
- levels of Bat social activity are high

Udney Park is clearly **demonstrably special and holds a particular local significance in being a Roosting site** for several Bat species (all European Protected Species).

Maternity roosts (suspected at Udney Park) are particularly significant as Bats will congregate from large ranges. Bats are particularly loyal to their roosts, coming back to the same roosts year after year. Disturbance of roosts may cause these (as well as any pups inside) to be abandoned.

*(In the Developer's plans for Udney Park, bat-boxes have been cited as mitigation for roost destruction – however, this contradicts Bat Conservation Trust guidance/ advice⁴⁴ that: "...it may take a long time for bats to make use of them and in some cases they may never be used. Therefore bat boxes have limited relevance in mitigation schemes and should not be considered in this context as they are **rarely able to replicate the roost conditions that have been lost**".)*

Furthermore, **any wildlife site which is a mating site and a breeding site** must be considered **special and as holding high local (and in likelihood, regional) significance**.

As a foraging ground, Udney Park must hold a particular significance for the local Bat populations. The loss (and disturbance by Development) of feeding habitat would have a dramatic, direct impact on the ability of the local area to sustain Bats.

Finally, as local wildlife habitats do not exist as silos, but form part of large intricately-linked ecosystems; as a **commuting juncture, Udney Park must also hold a particular significance** for Bats far beyond the borders of the site.

2.6. The fact that Udney Park supports such impressive levels of wildlife *despite* the assessment in the Phase 1 report that it is "considered to be low quality for foraging and commuting bats", either means that that assessment was wrong – or is proof that Udney Park must be particularly special.

The Phase 1 ecology report⁴⁵ comments that *"the habitat is considered to be low quality for foraging and commuting bats due to the surrounding area being heavily urbanised"*, whilst noting that on such a site situated in an urban area *"the sports fields and hedgerows on the site may provide important foraging habitat for bats in the local area"*.

⁴² LBRuT Council's Planning Officer's report on the Planning Application for Udney Park: Public Document Pack, Planning Committee meeting 26/9/18: p108: Biodiversity, item #153

⁴³ Phase 2 Peachecology report; individual paragraph references detailed in Bat section of this report (see tables)

⁴⁴ Bat Conservation Trust: Landscape and urban design for bats and biodiversity; P17: Bat boxes

⁴⁵ LC Ph1 report: p38, final lines (and over page)

I observe that Ecology is complicated, and the intricate dependencies on, and interdependencies between, a range of factors can be difficult to assess. **If an ecosystem contains a rich fauna (such as that at Udney Park), that, in itself, demonstrates that there is something special or unique about that site...**

- there may be a very specific combination of factors that allow that fauna to thrive;
- or it may be a unique feature of the site which makes it particularly attractive;
- or the site may simply be special in being particularly attractive versus the alternatives available.

I query the assessment that 'the habitat is considered low quality for foraging' (see 2.1 on invertebrates). Either way, the Bat Biodiversity and abundance at Udney Park, as well as the range of behaviour noted, highlights the fact that the site plays a massively more significant role than simply as foraging habitat.

2.7. Light pollution is increasingly a major and growing problem for wildlife almost everywhere. Dark habitat is particularly rare and valuable for wildlife in urban settings. Thus the dark habitat that Udney Park provides must be considered to hold particular local significance and to contribute to Udney Park's richness of wildlife.

Artificial lighting is known to exert a range of negative impacts on many different kinds of animal wildlife including significant behavioural modification, disorientation and disruption of the diurnal and seasonal rhythms of bats⁴⁶.

Light levels at Udney Park have been measured⁴⁷ to be **0.00 lux – 0.01 lux** at the centre of the fields, and **0.01 lux – 0.03 lux** north of the Developer's proposed artificial pitch.

This habitat must be considered to hold particular local significance and support Udney Park's richness of wildlife. (See further detail: section 3F & 3H)

I observe that the LBRuT Council (in their Nature Conservation Policy Statement 2019)⁴⁸: "*recognises the importance and value of corridors of **dark interconnecting spaces to provide movement and habitat for light intolerant species***". Retaining LGS for Udney Park due to its local significance as providing dark habitat must therefore be fully in line with local nature conservation policy.

2.8. Wildlife does not distinguish legal boundaries. In making the assessment that Udney Park is demonstrably special and holds a particular local significance due to its richness of wildlife, the entire local ecosystem must be taken into consideration – not just the portion of it that falls within the boundaries of the site.

Both the Ecology surveys carried out **exclusively consider the area within the boundary** of the site. This is a **fundamentally flawed approach, which would not be considered acceptable by an objective independent ecologist**, as the local ecosystem will also include all the trees just outside the boundary, the surrounding houses (many of which are of an age and type to have high Bat roost potential) and site connectivity through gardens etc.

I observe that there is at least one significant Bat roost (likely a maternity roost) bordering the site along Udney Park Road⁴⁹; Udney Park makes up the foraging habitat for these bats.

Given that many of the houses surrounding the site are of a suitable age and build type to contain roosts, it seems likely (*on the balance of probabilities given the Bat activity onsite*) that there are further roosts that form part of the Udney Park ecosystem.

⁴⁶ Research is continuing but includes: Jones (2000), Hewlett (20010), Rich & Longcore (2004, 2006) Fure (2006), The Royal Commission on Environmental Pollution (2009) and Bruce-White & Shardlow (2011).

⁴⁷ Hodkinson Consultancy Light Pollution Report (August 2017), publically available under LBRuT Planning Application 18/0151/FUL

⁴⁸ https://www.richmond.gov.uk/media/16895/lbrut_nature_conservation_policy.pdf

⁴⁹ See Detail in section 3E

I observe that the Developer's ecologists **only assessed trees within the site** for signs of Bats / bat roosting potential. (These were "assessed as holding negligible potential for roosting bats due to being immature and lacking suitable features such as holes, cracks and crevices")⁵⁰.

However, this methodology is fundamentally flawed, as the **larger trees on the perimeter but just outside the site clearly form part of the Udney Park ecosystem** – and ought to be included in any assessment. (*The failure to survey all the relevant trees should particularly concerning as the Developer's plans include the removal of a number of these trees*).

*(I suggest that it should be considered **grossly unethical** that **surveying that is legally required in order to protect European Protected Species** can be carried out in this manner. I suggest that this shows a blatant disregard for protected wildlife, and provides further evidence why the site needs Local Green Space protection in order to preserve its special wildlife).*

2.9. The requirement to preserve biodiversity (ie. wildlife) is a fundamental part of International, National, Regional and Local Planning Policy – and legislation.

Retaining the LGS designation for Udney Park, on the basis of its Protected, BAP and SAP species & habitat is in line with all policy and legislation on preserving biodiversity.

National, London and LBRuT Planning Policies all incorporate requirements to ensure that Biodiversity generally, and legally protected species specifically, should be protected, maintained, enhanced, restored and added to.

Biodiversity Action Plans (BAPs) and **Species Action Plans (SAPs)** set out priority species and habitats for protection and restoration. These reflect the UK's response as signatories to the Convention on Biological Diversity. The requirement to consider and contribute to BAP targets was strengthened in the Countryside and Rights of Way Act 2000.

See tables 3A & 4B for legal protections and various priority species for conservation designations, for Udney Park's wildlife.

2.10. It would be appropriate for Udney Park to be protected as a Site of Metropolitan Importance for Nature Conservation (SMINC). In the absence of such a designation, LGS protection for Udney Park must be considered highly pertinent.

Udney Park objectively meets the criteria for SMINC protection. LBRuT has noted⁵¹:

*"The application site [Udney Park] could be **designated as a SMINC for its bat interest, size and connectivity.**"*

It appears, however, that SMINC/SINC protection cannot rapidly be put in place, due to procedural requirements (which means that the site cannot be considered until the next round of planning).

The National Planning Practice Guidance on the LGS, Paragraph 011, notes that:

"if land is already protected by designation (such as Site of Special Scientific Interest or National Park), then consideration should be given to whether any additional local benefit would be gained by LGS designation".

This would appear to indicate that **the LGS designation would be particularly appropriate for a site such as Udney Park** – which does is not yet protected by designation – but merits such protection.

⁵⁰ LC Ph1: p38 'Trees'

⁵¹ LBRuT Council's Planning Officer's report on the Planning Application for Udney Park: Public Document Pack, Planning Committee meeting 26/9/18: p108: Biodiversity, item #153
Biodiversity, item #153)

2.11. It is objectively apparent that LGS protection is required for Udney Park’s special wildlife to be protected, and this valuable ecosystem to be saved.

It must be recognised that development at Udney Park would have a devastating impact on all its wildlife – and particularly on its Bat fauna.

I observe that the Planning Application (18/0151/FUL; appeal ref APP/L5810/W/18/3205616) currently being pursued by Developers would impact more or less the entire Bat Habitat at Udney Park:

- the **extensive new buildings, car-parks and artificial surfaces** - spread out across the site – **would dramatically cut Green Space, destroying both Bat feeding habitat, and the invertebrate habitat which supports the lower trophic levels** of the Bats’ food chain.
- new buildings and artificial surfaces would impact **layout**, and the **microenvironment** (humidity and temperature levels etc) which cause **disturbance and disruption to Bat flight paths**.
- **building works in and around the pavilion (including the roof(?)⁵²)** – where surveying indicates that bats are roosting⁵³ – and the proposed **removal of trees** on the boundary must be expected to **damage/ destroy roosts**.
- the proposed massively **increased levels of light** - particularly from the artificial floodlighting of the artificial sports surfaces – would **not be tolerated by bats**. Floodlighting would create a **barrier** for Bats, **destroying flight-paths, feeding habitat, and potentially destroying roosts**. Additionally, artificial light would damage food chains by **changing the make-up of the lower trophic levels**, and will create a **dearth of insects across large distances** around the site. It would also impact **Bat behaviour, delaying emergence** - and decreasing the feeding time available during the optimal period of high insect activity.

Every factor which decreases the Bats’ ability to feed and/or increases the energy they are required to expend (eg flying round a light barrier, or having to resort using a less favourable roost) **will impact their ability to survive** and reproduce successfully.

Furthermore, ecosystems and the **interdependencies between species** are highly complex and difficult to predict. Whereas all Bat species would be expected to be negatively impacted by Development at Udney Park, you would expect some species to be impacted harder than others. Additionally you might expect increased interspecies competition for scarcer resources (eg suitable food). Both these pressures would be likely to lead to **lower Bat biodiversity**.

2.12. It must objectively be apparent that the best way to support Biodiversity at Udney Park is by protecting the ecosystem that has built up and achieved balance naturally.

Supporting Biodiversity is NOT about maximising the number of species per se, or about applying a ‘strategic planting plan’ incorporating ‘rare’ species, to be able to tick a box on biodiversity, and implying that the habitat will be “improved”. This might be appropriate for a site which contains little wildlife of note. It is NOT appropriate for a **thriving ecosystem such as that found at Udney Park**: human intervention risks impacting the ecosystem’s current delicate level of balance, with unintended consequences. Hence a valuable ecosystem such as Udney Park is most appropriately simply **protected so it can continue thriving as currently: hence the importance of retaining its LGS designation**.

⁵² Plans appear vague and contradictory

⁵³ See detailed evidence of Bat roosting in/in immediate vicinity of pavilion; following in section on Bats

2.13. Any suggestion that Udney Park “does not demonstrate a richness of wildlife” is clearly invalid.

The Lindsay Carrington Phase 1 Ecology report, the Peachecology Phase 2 Bat & Reptile survey report, the GiGL for UPPFT, and observations from neighbours and locals, provide **a clear body of evidence demonstrating Udney Park’s richness of wildlife**. (See earlier points and detailed back-up).

In case the Ecology reports are misrepresented to suggest that they demonstrate that there is not a richness of wildlife at Udney Park, or that they “*identify*” that there are no protected species on site, please see Appendix 1.

2.14. The strong body of evidence on Udney Park’s wildlife exists despite the clear efforts by the Developer to avoid appropriate Ecological surveying, as well as the clear shortcomings in the surveying carried out. It must be considered *beyond reasonable doubt* that Best Practice surveying would have shown an even stronger case for the wildlife at Udney Park.

It should be noted that the Council requested an **Environmental Impact Assessment** for Udney Park. The Developer went to lengths to **appeal against** having to carry this out.

It should be noted that the **Phase 1 Lindsay Carrington Ecological Appraisal** completed in **March 2016** was carried out in the context of supporting “a planning application to redevelop the land for **commercial and/or residential purposes**” noting that “**no proposals are available** at this stage”⁵⁴. However, Quantum’s Investor Prospectus (dated 6/8/2105)⁵⁵ clarifies that in order to pursue planning consent, the plan would be underpinned by “*delivering improved/increased sports & leisure facilities*”. (I observe that in the context of decreasing the space available for sport this **requires artificial surfaces/ floodlighting**). Furthermore, Quantum’s Design & Access statement⁵⁶ notes that Community Engagement and Consultation on Quantum’s plans started in Jan 2016/ March 2016⁵⁷.

Context is extremely important in Ecology, and it is **beyond reasonable doubt** that the **non-disclosure of the broad sports plans** would not have **materially impacted the Phase 1 survey conclusions**. For example, the Phase 1 survey would have had to note the **requirement to survey for wild birds** due to floodlighting within 50m of hedgerows.

It should further be noted that by using a different Ecologist for Phase 2 – and limiting the scope of that Ecology survey to the specific recommendations from Phase 1, the **ecological surveying does NOT cover the full scope of surveying required for the proposed development**.

I observe that the Phase 2 survey carries an **extensive disclaimer** about the content of that report; this does not appear to be standard practice.

I observe further that the **clear body of evidence demonstrating Udney Park’s richness of wildlife** exists **despite the clear shortcomings (eg failures to follow Good / Best Practice and Standing Advice) of both the Lindsay Carrington Phase 1 Ecology report and the Peachecology Phase 2 Bat & Reptile survey report**. It must be considered **beyond reasonable doubt** that the body of evidence for wildlife at Udney Park would have been far stronger if Best Practices had been diligently applied.

(See earlier comments and additional specific detail: section 6).

⁵⁴ LC Ph1 Ecology rpt – p.4: summary point 2.

⁵⁵ Quantum Developments Information Memorandum, released under FOI following ICO decision notice 17/8/17; available from FUPPF at www.saveudneypark.org.uk or on request

⁵⁶ Design&Access statement dated Jan 2018 submitted in support of planning application 18/0151/FUL, publically available on LBRuT planning portal: p14

⁵⁷ “*January 2016 – ongoing One to one meetings with over 1,500 stakeholders, residents, businesses, local groups, schools and associations. March-May 2016 Public Consultation started with the opening of the Community Hub*”

2.15. In case it is raised in the current consultation, I observe that any assessment expressing ‘low ecological value’ (or similar) can be highly misleading and must be carefully considered in full context. For clarity, I observe that a small, urban site (such as Udney Park) which is able to support a Biodiversity which includes 9 European Protected Species cannot validly be considered to hold ‘low ecological value’.

For further clarity, I observe that the **only specific features** at Udney Park which the Phase 1 Ecology report actually describes as being of ‘low ecological value’ are the two areas of ‘hardstanding’ ie the **current tennis court and an area of concrete**. The report notes⁵⁸ that **“No species are present within these areas. This area has low ecological value and no further action is required”**. Ie. context is provided here, and the assessment appears reasonable.

It should be highlighted that **these surface areas - noted as devoid of species** - and hence assessed as “low ecological value” are the types of surfaces that the Developer proposes to **impose on large areas of what is currently green space (ie 5 car-parks/drives; full sized artificial pitch; artificial MUGA; buildings and related artificial hard surfaces)**.

There is one further specific mention of ‘low ecological value’ in the report⁵⁹ in the conclusions. I observe, that it is not repeated in the main Summary. I further observe that it is not given any basis. Instead it is noted together with the potential for nesting birds in the hedgerows, roosting bats and suitable habitat for reptiles etc.:

“The site was considered to hold low ecological value and issues relating to the following are present:

- *The site is in close proximity to Churchyard of St. Mary with St. Alban, Teddington SINC.*
- *Potential for nesting birds within the hedgerows, ornamental and scattered trees.*
- *High potential for roosting bats within the main pavilion building and low quality foraging and commuting habitat on site.*
- *Potentially suitable foraging habitat and hibernacula for widespread reptiles within the hedgerows, scrub, brash pile and tall ruderal vegetation”.*

Nevertheless, as already discussed above, **ecological value must be considered on the basis of the wildlife that the site is able to support. Ie Udney Park cannot rationally be considered to be of “low ecological value”.**

2.16. Ethics: these are Our Elephants

Most of us feel that it is wrong when loggers decimate the world’s rainforests; or Orangutans lose their habitat to palm oil plantations; or elephants are killed for profit by poachers. **Protected wildlife and their habitats should rightly be protected** – and we want to know that they will still be here for our grandchildren and their children.

The **Bats at Udney Park are our community’s elephants**. They are special.

This is all the more so due to our community’s urban setting which limits our access to nature.

Udney Park makes it possible to go on a Bat walk in the centre of Teddington and come across 9 European Protected Species.

Under Plan B (the community plan to retain 100% of Udney Park as Green Space for community sport) educational panels about Bats could be incorporated into the Pavilion to allow it to be used for wildlife education.

⁵⁸ LC Ph1 Ecology rpt – p.30: target note 15: Hardstanding

⁵⁹ LC Ph1 Ecology rpt – p.41: section 5.0: Conclusions and recommendations.

There are 26 terrestrial European Protected Species in the UK, 8-9 of which we find at Udney Park. They are **protected by law – and our local community has a right to ensure Our Bats - and the habitat** they need **to survive - are protected and can continue to thrive** at the heart of our community.

I suggest that anyone with doubts about whether our local wildlife is special to the community visits some of our schools to ask whether our children would be OK about losing *their* Bats.

(On ethics: the housing crisis and the need for new homes must be acknowledged. However, per the **CPRE ‘Space to Build: why we don’t need to build on green spaces to solve the housing crisis’ report**⁶⁰: at current build rates **there is sufficient brownfield land in London to build on for the next 40 years**. Until there is a shortage of brownfield land, **all Green Space should be protected from development**).

2.17. Public access is NOT a requirement for a site to be designated as LGS (Local Green Space)

National Planning Practice guidance on LGS, Paragraph 017 states that: some areas that may be considered for designation as LGS may already have largely unrestricted public access, however **land could be considered for LGS designation if there is no public access (e.g. if valued for biodiversity, historic significance and/or beauty)**.

ie. I observe that **in the context of Wildlife / biodiversity** as a criterion upon which to designate LGS, **public access to the site is not required**. (This also applies for historic significance which is clearly also relevant at Udney Park⁶¹).

2.18. Concerns over the LGS process

The way the Local Green Space assessment was reviewed previously appears to be self-conflicting. I understand that the LGS designation was rejected - not because Udney Park did not meet the required criteria - but on the **basis that the methodology of assessment was unclear**. It strikes me that if the method of assessment is considered insufficient, then it cannot be possible to determine the case either way (ie. it would be equally impossible to determine whether the LGS criteria had or had not been met, so logically, LGS might not be confirmed, but it could not be revoked either). The appropriate way to resolve such a matter would presumably be to establish the appropriate criteria for assessment? I raise this matter, because it is not clear whether the LGS criteria have now been established – in which case it **seems odd that this case would be considered again on the same basis as before**.

In addition to the above, I observe that the **Government’s planning guidelines**⁶² **do NOT give strict criteria that have to be applied**, and **specifically state**, for example:

paragraph 013 “Whether to designate land is **a matter for local discretion**”

Paragraph 014 “proximity... will **depend on local circumstances**”

Paragraph 015 “**there are no hard and fast rules** about how big a LGS can be”

Thus, I fail to understand how LGS could have been revoked on the basis that the “decision to designate land is more one of assertive opinion rather than evidential analysis and consequently is insufficiently robust”⁶³.

I further observe, that it is possible to be robustly objective and evidentially analytical without having a specific threshold or benchmark in place.

For example: there is no definition of how fast you have to run to “run fast”; but it is still objective to say that Usain Bolt is a fast runner...

⁶⁰ www.cprelondon.org.uk

⁶¹ I observe that the same applies for beauty – which I would also apply to Udney Park; however beauty is subjective which makes this criterion more complicated.

⁶² www.gov.uk; Guidance Open space, sports and recreation facilities, public rights of way and local green space;

⁶³ LBRUT Local Plan, Inspector’s report April 2018 parag. 68.

It must be considered that **Udney Park Objectively qualifies for LGS status based on its wildlife:**

- There are only **26 terrestrial European Protected Species**^{64,65} in the UK: **8-9* are found at Udney Park**
- **3 of Udney Park's Bats are UK Threatened (at risk of extinction within 10 years/ 3 generations) or UK Near Threatened (close to qualifying as Threatened, or likely to qualify in the near future).**
- Udney Park is a **Roosting, Breeding, Mating and Foraging habitat for Bats**, and an important **commuting juncture** with important **habitat connectivity** to other sites. Considered together – and in the context of **Bat behavioural data** – any **disturbance from Development at Udney Park must be expected to severely impact the viability of Bat populations, not only at Udney Park – but far beyond.**
 - if a 6km⁶⁶ range is applied, bats across much of LBRuT could be impacted, including those at Richmond Park (NNR), Kew Gardens, Old Deer Park, Ham Lands (LNR), Petersham Lodge Woods, Crane Park Island (LNR), Oak Avenue (LNR), Stain Hill Reservoir, Bushy Park and Home Park; as well as areas beyond. (see GiGL report for UPPFT, map p.122).
- In addition to Bats, Udney Park:
 - supports an impressive **bird fauna**; and **110 protected & notable species** are recorded in the vicinity.
 - has suitable habitat (and context) to support **hedgehogs, reptiles, and great crested newts.**
 - must be considered an important **invertebrate habitat**; with **336 notable and listed species** in the vicinity; and **Stag Beetles** almost certainly on site.

Addendum on wildlife:

*From the perspective of an ecologist, or in the context of Planning Regulations, we inevitably focus on Protected and Notable species. However, for the broader community, and in the context of the criteria for LGS designation, I observe that **wildlife does not need to be rare, or notable, or protected to be “highly valued and special” to the local community.** This was brought home to me yesterday by a number of people (independently) noting their concerns about the implications of the development on the foxes at Udney Park. I observe that most people intrinsically feel good about having wildlife around – and most will enjoy seeing a robin as much as a particularly rare species.*

2.19. According to Paragraph 005 of the Planning Guidance for Local Green Space:

“Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities”.

Udney Park is critical habitat for our community's special local wildlife, which includes Bat species under Threat / Near Threat of Extinction.

That ought to be sufficiently compelling rationale to justify why Local Green Space protection should be retained for Udney Park.

⁶⁴ Conservation of Habitats and Species Regulations 2010, schedule 2

⁶⁵ 18 of these are Bats

⁶⁶ The appropriate range to apply will vary by species and context eg. foraging range or range between feeding grounds and roost. Foraging range varies by species; eg. Brown Long-Eared will normally forage within 1km of the roost, whilst noctules have been recorded flying >26km to feeding areas (source: JNCC Habitat Management for Bats report p.10). Similarly some species will hibernate near their summer roost or foraging ground, whilst others migrate some distance to hibernation sites.

3. Bats

The Phase 2 Bat survey has demonstrated that **the Udney Park Playing Fields support an impressive Bat biodiversity – including rare and scarce species**. It notes that in the context of an urban London site, the **quantity** of bats is significant.

The **Udney Park Playing fields** have been demonstrated to support (see table 3A below) :

- **3 rare and scarce species**
- a further **3 UK BAP (biodiversity action plan) species**
- **3 species noted to be in ‘particular’ population decline** in Greater London (**all Bat species are noted to be in significant decline**).
- **all 9 species are European Protected Species (EPS)**, and are **priority conservation species** across London (**all are London BAP**) and for the **LBRuT** within the **borough SAP (Species Action Plans)**.

Name	At Udney Park (1)	National status (2)	National distribution (2)	UK BAP (3)	London BAP	LBRuT Status (3)	LBRuT SAP (3)	Notes (3)
Common pipistrelle	✓	common	widespread		London BAP	widespread	SAP	Significant decline in London’s bat populations since 1980s. National population decline of 70% from 1978-1993.(4)
Soprano pipistrelle	✓	common	widespread	UK BAP	London BAP	widespread	SAP	Significant decline in London’s bat populations since 1980s. National population decline of 70% from 1978-1993.(4)
Nathusius pipistrelle	✓	rare	restricted		London BAP	regular	SAP	Significant decline in London’s bat populations since 1980s
Serotine	✓	frequent	restricted		London BAP	occasional	SAP	Particular population decline in Greater London (5)
Noctule	✓	frequent	widespread	UK BAP	London BAP	regular, localised	SAP	Particular population decline in Greater London (5)
Leister’s	✓	rare	widespread		London BAP	regular	SAP	Particular population decline in Greater London (5)
Brown long-eared	✓	common	widespread	UK BAP	London BAP	regular (in Royal Parks), localised	SAP	Significant decline in London’s bat populations since 1980s
Daubenton’s	✓	common	widespread		London BAP	Regular, localised	SAP	Significant decline in London’s bat populations since 1980s
Brandt’s	✓	scarce	widespread		London BAP	suspected	SAP	Significant decline in London’s bat populations since 1980s
Whiskered		scarce	widespread		London BAP	suspected	SAP	Significant decline in London’s bat populations since 1980s
Natterer’s	? *	frequent	widespread		London BAP	occasional	SAP	Significant decline in London’s bat populations since 1980s

Source: (1) Phase 2 Bat Survey; (2) Habitat management for Bats, JNCC 2001; (3) Richmond upon Thames Species Action Plan; (4) Harris et al., 1995.; (5) Guest et al. 2000; (6) GiGL report

*GiGL records within 2km (LC Phase 1 ecology report); Natterer’s bat appears to be relatively difficult to detect: number of surveys to achieve 95% certainty of detection on walked transect surveys in woodland is 1 for Pipistrelle, 2 for Brandt’s, 5 for Natterer’s (Scott and Altringham, 2014).

Number of Bat species found at Udney Park

The Phase 2 Bat survey report **Summary** states that “*The bat activity survey recorded at least 8 different species of bats within the site boundaries or high above*”; however, this **groups “Myotis species”** to get to the **count of 8**.

The **report itself differentiates** between “*possible Brandts*” (ref. 4.18, 4.19, 4.20) and “*possible Daubentons*” (ref. 4.20) and summarises “*myotis species (possibly Brandts and Daubentons)*” in the text (ref. 4.36).

Generally, you would only **expect identification to the level at which the surveyor has a high confidence**;

- the fact that the surveyor has differentiated for some records, but not others indicates that he/she has been sufficiently certain to differentiate in the cases where the specific species has been suggested (Note: .refs. 4.5, 4.12, 4.27, 4.28, have been identified only as “a myotis species”)
- The context shows that the differentiated recordings were those based on the **static recordings**: you would expect these to give **better acoustic quality improving the ability to differentiate calls**.
- The report questions the Brandts identification on the basis of lack of contextual information (ie GiGL records not found within 2km).
However, GiGL report expanded data does confirm the contextual data: ie records Brandts within ~3km. In the context of bat behavioural data (bats fly, and commute), the record within 3km would appear sufficiently close to be valid as contextual data.

In the context of the above – on the balance of probabilities – the data supports the finding of at least 9 species at Udney Park.

GiGL data additionally records **Natterers** within 2km of Udney Park.

Natterers appear to be relatively difficult to detect:

the number of surveys required to achieve 95% certainty of detection on walked transect surveys in woodland is:

- 1 for Pipistrelle;
- 2 for Brandts;
- 5 for Natterers

(Scott and Altringham, 2014).

In the context of the above – on the balance of probabilities – it is not unreasonable to suggest that there may actually be at least 10 species of Bat at Udney Park.

The Phase 2 Bat survey, demonstrates the Udney Park Playing Fields site’s importance (see table 3B below), as:

- a **foraging ground** for many species
- having **high levels of social activity** (several species)
- commuting juncture
- **roosting site** – both in the pavilion and in boundary trees; for multiple species
- **mating site** for multiple species
- **breeding site**

It should be stressed, that the **behaviour noted** can only be considered as **the minimum / base case** for this site, **due to incomplete disclosure of data from the surveys** (see note1 below), **inadequate surveying** (see section 5: ‘Surveying Failures’) and **limitations of surveying** (see note2 below).

ie this is **only an indication of the importance** of the site.

Common pipistrelle	Soprano pipistrelle	Nathusius	Serotine	Noctule	Leisters	Brown Long-eared	Myotis sp (Brandt’s /Daubenton’s)
LBRuT SAP, EPS	UK BAP, LBRuT SAP, EPS	UK rare & restricted, LBRuT SAP, EPS	High GL decline, LBRuT SAP, EPS	UK BAP, High GL decline, LBRuT SAP, EPS	UK rare, High GL decline, LBRuT SAP, EPS	UK BAP, LBRuT SAP, EPS	UK scarce (Brandt’s), LBRuT SAP, EPS
Foraging (4.12, 4.13, 4.14, 4.18, 4.19, 4.20, 4.22)	Foraging (4.5, 4.12, 4.13, 4.14)	Hunting / foraging (4.7, 4.23, 4.25)			Foraging (4.23)	Foraging (4.18)	
				Commuting (4.5, 4.12, 4.19)			Commuting (4.18, 4.19)
Social (4.9, 4.13, 4.18, 4.19, 4.20, 4.22)	Social (4.19, 4.20, 4.31)	Social (4.24, 4.25, 4.28, 4.30, 4.31, 4.32)		Social (4.19, 4.21)	Social (4.19, 4.23)		
Roosting: in pavilion* (4.17); in boundary tree (4.6);	Roosting: in pavilion (4.6)	Roosting: in pavilion?* (4.25)		Roosting: in tree – or pavilion?* (4.19)			
		Mating: Advertising male type D calls (4.24)		Mating (4.21)	Mating (4.23)		
Rearing young: Maternity roost?* (4.17)	Rearing young: Type B&C calls & close flight (4.21)						

* see further notes on roosting data (table 3C)

Note1: Incomplete disclosure includes:

- The **full data from the survey are not included** in the phase 2 bat survey report:
eg: 4.25 (7/10/16 static): missing data on other species; 4.29 (4/5/17 static): missing data on 4 species.
NB: Furthermore, because of the **qualitative review of the data in the Phase 2 Bat survey report**, it is largely **NOT possible to identify where or how much data may be missing**.
- Most of the data in the report is only summarised as ‘calls’, ‘recordings’ or ‘passes’; **behaviour can only be noted where the author has specifically, noted/interpreted call type**.

Note2: Inherent limitations in bat surveying include:

- Complexity due to broad range of factors impacting bat behaviour. For example, *“The time of emergence from a roost depends on the species’ ecology, the amount of protective cover around the roost, the reproductive status of the bats in question, and the ambient weather conditions on the night in question and on previous nights”**
- Unpredictable behaviour. For example, the BCT* notes: *“Ecologists should be aware that bats may emerge in unexpected places”*
- Physical difficulties. For example, for emergence surveying: *“Ecologists should concentrate and maintain visual contact with the relevant access points throughout... because single or small numbers of bats can emerge very quickly and are difficult to observe, particularly as light levels decrease at dusk (and they do not always echolocate). Some species are only detectable to a few metres and emerge in darkness (a torch should not be use)” **

* BCT Bat Surveys for Professional Ecologists. Good Practice Guidelines -3rd Ed.

- Some bat species have **echolocation call characteristics which create a low likelihood of detection**.
For example, the Brown long-eared bat: low-amplitude and fm calls are often used. Foraging bats often make no sound and use eyes or ears to hunt by gleaning⁶⁷
Longer sampling periods, and use of static detectors may increase the likelihood of detecting these species acoustically.
- Difficulties of hibernation roost surveying. Etc.

Table 3C

Detailed data on Roosting assessments:

(a) Common pipistrelle.

The Phase 2 Bat survey Author notes 11/8/16 (4.17) (within maternity season): ***“175 recordings of common pipistrelle were recorded the type of calls are similar to calls just before they roost so it is possible common pipistrelle are roosting in the Pavilion to the eastern side although there is no visual recording of roosting”.***

I observe: the roosting calls by the bats were recorded **00.46-00.54** (4.17); the surveyors finished the building survey at **22.00**; ie. **there could not be a visual recording of roosting, as there were no surveyors present**. (I further note that bat emergence may also have been missed, **due to surveying finishing before emergence**. The 14/8/16 static data shows the Common pipistrelle recordings from the vicinity of the pavilion **first recorded at 22.06**, so emergence on 11/8/16 may well have been after the surveying finished (NB: the emergence times for 11/8/16 have not been disclosed, which appears odd given that this would be particularly relevant data).

I observe more generally that: ***“The time of emergence from a roost depends on the species’ ecology, the amount of protective cover around the roost, the reproductive status of the bats in question, and the ambient weather conditions on the night in question and on previous nights”*** (BCT Bat Surveys for Professional Ecologists. Good Practice Guidelines -3rd Ed). Furthermore, the BCT (same report) notes: ***“ecologists should be aware that bats may emerge in unexpected places” and “Ecologists should concentrate and maintain visual contact with the relevant access points throughout... because single or small numbers of bats can emerge very quickly and are difficult to observe, particularly as light levels decrease at dusk (and they do not always echolocate)”. “Some species are only detectable to a few metres and emerge in darkness (a torch should not be used)”. “Dawn surveys may be more effective in this situation... because when bats return to the roost they often fly around outside, and may repeatedly land on roost access points prior to entering...”***

ie. **In general: visual observation of roosting is challenging, and the failure to observe bats does not confirm that they are not present**.

I note furthermore that the BCT (BCT Bat Surveys for Professional Ecologists. Good Practice Guidelines -3rd Ed) notes that ***“survey design should be iterative, each survey informed by the previous one”***. It is thus unclear **why, once there was strong evidence** indicating when and where these bats might be roosting, **follow-up surveying was not designed – and carried out – to validate this**.

It should be flagged that the BCT (same report) notes that ***“it is often harder and thus may require more survey effort to show that bats are, on the balance of probability, absent from structures rather than present”***.

The Single dusk survey on 25/8/16 **finished even earlier (21.30)** ie high risk of missing emerging bats (considering data from static – see table 3D).

The dawn survey on 26/8/16 **disqualifies** as a re-entry survey as there was only one, apparently mobile, surveyor. (Furthermore, surveying starting at 4.30 would in any case appear to be too late to witness roosting bats (the common pipistrelle roosting recordings are from 00.45-00.54; data on latest bat recordings from May static, with similar sunrise/sunset profile (NB: data for August not shared) shows the very last bat activity (across ALL species) at around 04.30 (ie. 04.32, 04.34, 04.38, 04.51) ie. surveying appears to be too late (assuming the data sets are comparable).

The 23/9/16 and 4/10/16 **disqualify** have been done too late in the season. (4/10/16 further **disqualifies** as single surveyor).

Given the evidence from the static surveying – and lack of qualifying building surveys – it must be assumed likely that common pipistrelle are roosting in the pavilion, and that this is likely a maternity roost.

Further surveying is thus required – under Standing Advice, and good practice.

⁶⁷ Swift and Racey, 2002.

(b) Soprano pipistrelle: observed roosting in pavilion (4.6).

The same short-comings of surveying as noted for Common pipistrelle apply to Soprano pipistrelle. It must therefore be considered that roosting activity by Soprano pipistrelle in the pavilion may be **much more significant than apparent from the surveying carried out.**

(c) Nathusius pipistrelle:

There is strong evidence from the Phase 2 Bat survey (4.25) that Nathusius pipistrelle roost in, or in the vicinity, of the pavilion.

The author notes *“17 of these [calls] were from Nathusius pipistrelle, some of these included social calls... 16 of these calls were over the space of 14 minutes approximately 2 hours after sunset. It is not possible to conclude that Nathusius pipistrelle are roosting in the building but it is likely it is roosting nearby and the results do show that Nathusius pipistrelle forages to the east of the pavilion”.*

The author states that *“it is not possible to conclude”* that the Nathusius roost in the building.

I observe that the surveyor appears **confused about where the burden of proof lies.** BCT (BCT Bat Surveys for Professional Ecologists. Good Practice Guidelines -3rd Ed) notes that *“it is often harder and thus may require more survey effort to show that bats are, on the balance of probability, absent from structures rather than present”.*

I observe that the author has specifically NOT concluded that the Nathusius are NOT roosting in the building.

Furthermore, no data – and no behavioural context – is provided to allow the conclusion that they do not roost in the building.

I observe that, there are multiple data-points showing the Nathusius as very active in the vicinity of the pavilion on the E. side: hunting/foraging (4.7, 4.12, 4.23, 4.25) as well as significant social activity (social calls 4.30, 4.31, 4.32). Furthermore (4.24) notes one Nathusius recording being **so close to the building that there is a reflection of the sound noted in the recording.**

As behavioural context, I observe that the **roosting preferences data** from BCT (BCT Bat Surveys for Professional Ecologists. Good Practice Guidelines -3rd Ed) for Nathusius pipistrelle note: *“The very few known British nursery roosts are in buildings (Altringham, 2003). One study recorded males roosting under lead flashing and roof tiles (Hargreaves, 2012)”.*

This data must be considered to indicate that the **Nathusius might very well be roosting in the pavilion.**

As above (see common pipistrelle), it must be considered that surveying has been insufficient – and inappropriately carried out. I observe that there has been **no follow-up surveying at all to attempt to validate where the Nathusius are roosting.**

Given the evidence from the static surveying – and a complete absence of subsequent building surveys – it must be assumed highly possible that Nathusius pipistrelle are roosting in the pavilion.

Further surveying is thus required – under Standing Advice, and good practice.

(d) Noctule:

The static surveying picked up a Noctule trill of a type made whilst roosting (4.19).

The author interprets this as a Noctule which may be roosting in a tree nearby, but without providing any contextual data on why.

As behavioural context, I observe that the roosting preferences data from BCT (BCT Bat Surveys for Professional Ecologists. Good Practice Guidelines -3rd Ed) for Noctule note: *“Roosts almost exclusively in tree holes, but sometimes found in bat boxes or buildings (Altringham, 2003).*

This behavioural context implies that the Noctule recorded may likely have been roosting in a tree nearby.

I observe, however, that it would appear **insufficient to rule out roosting in the Pavilion.**

The surveying to date does not determine the location of the Noctule roost.

Further surveying is thus required – under Standing Advice, and good practice.

Table 3D										
Mid- August building surveys ending at 21.30/22.00 and manual surveys ending at 22.21, would NOT be expected to pick up the majority of the Bat species at Udney Park*.										
Time each species was first recorded - from August Static survey:										
Static Survey Date	Data ref.	Common pipistrelle	Soprano pipistrelle	Nathusius	Serotine: NS	Noctule	Leisters	Brown Long-eared	Daubenton's	Brandt's
12-Aug-16	4.18	21.16	22.03?			21.18		01.04		04.05
13-Aug-16	4.19	21.18	21.07	03.38		NS	NS			01.34
14-Aug-16	4.20	22.06	21.12	22.46		21.07	02.34	00.35	04.46	02.11
15-Aug-16	4.21	21.17	21.20			21.23	22.32			

Black: before 22.00; Blue: before 22.30; Red: after 22.30; NS= Not specified

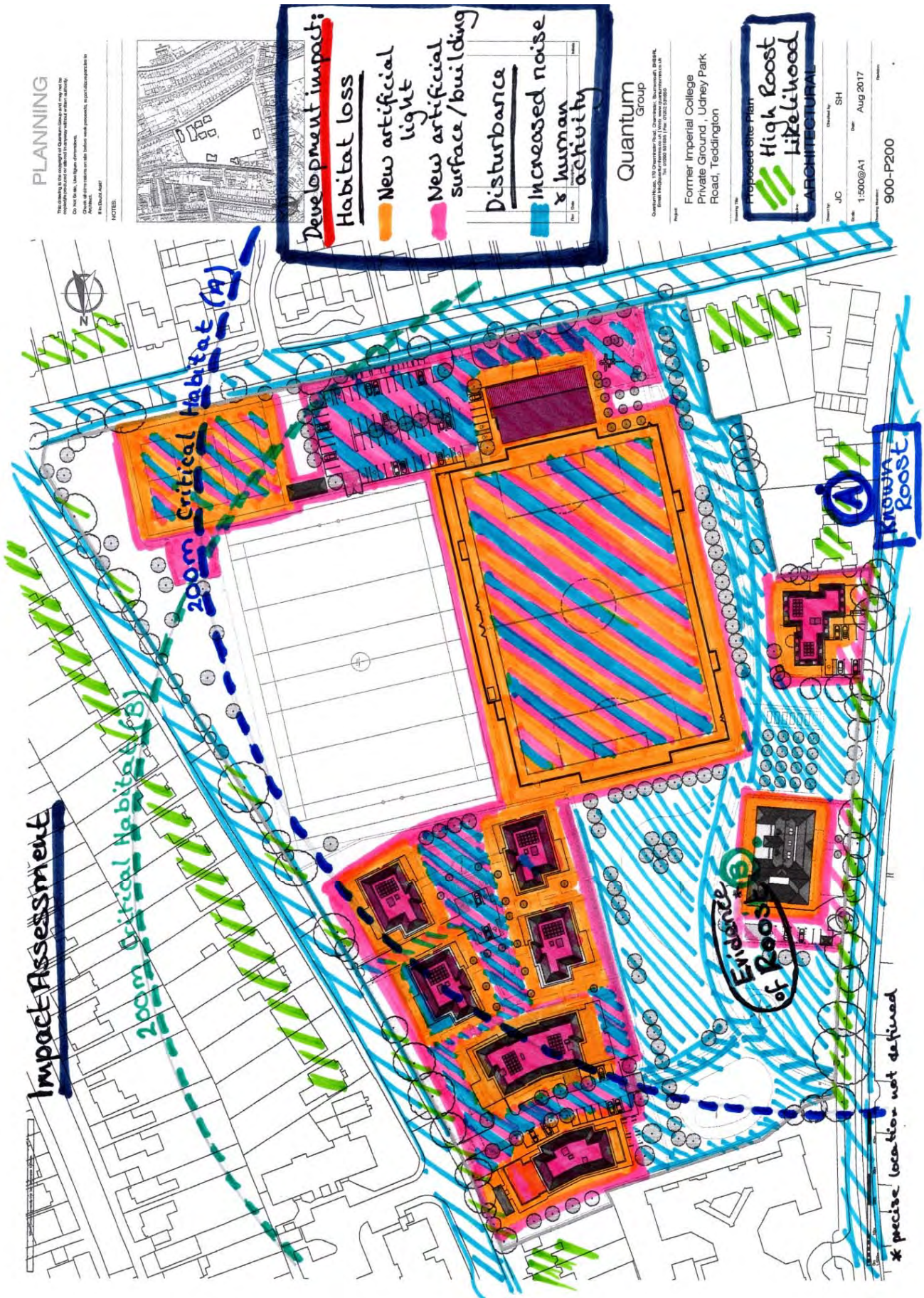
*Assuming the limited data points are representative: in the absence of larger data sets (requires more surveying), and considering the context of surveying EPS, it is appropriate to work on the hypothesis that they are representative.

Source: Phase 2 Bat survey static surveying (4.18, 4.19, 4.20, 4.21);

Table 3E
Assessment of Bat Roost neighbouring Udney Park
<p><u>Species of Bat:</u> not identified</p> <p><u>Assessment:</u> An emergence count was carried out on 3 July 2017. As this was carried out purely on an 'out of interest' basis, the count only spanned peak emergence time, so figures may be incomplete. Emerging bats only were recorded (no returns during the count period).</p> <p><u>Observations:</u> 62 bats were counted. The time of year would indicate that this may be a Maternity Roost.</p>

Table 3F
Bat Impact Assessment: General Guidance
<p>General guidance by Furesten Environmental Consultancy (publically available):</p> <ul style="list-style-type: none"> • All bat species are adversely affected by the lighting of roost access • Most bat species are adversely affected by the lighting of foraging areas (Myotis species of bat cannot easily tolerate light levels above 1 lux (moonlight); most routine feeding of this species takes place at less than 0.4 lux) • New areas of artificial lighting should be considered habitat loss • Light levels around a development should not exceed 'that which went before' as it may have an impact on a bat corridor or flyway at seasonally sensitive time of the year • Bat behaviour patterns are changing with the changing climate and hibernation times are being reduced, with bats being forced out to feed there is a duty to strengthen wildlife corridors.
<p>General guidance by Natural England notes other disturbance which will significantly impact bats includes:</p> <ul style="list-style-type: none"> • increased human presence/ activity at the site; • increased noise; • changes to the area's layout, temperature or humidity (which can impact commuting routes); • reduced roosting space/ loss of roosting space, changed entrance positions and sizes.

3G: Bats: Impact Assessment of Development at Udney Park (Quantum's Proposal)



3H: Bats: Impact Assessment of Development at Udney Park (Quantum's Proposal):

Floodlight Impact

Comparison of Current and Proposed light levels* vs Bat light sensitivity			
	Current light levels	Bats: light sensitivity**	
Centre of fields	0.00 lux – 0.01 lux	All bats are adversely affected by lighting of roost areas; Most bats are adversely affected by lighting of foraging areas. Light sensitive species such as Myotis: cannot easily tolerate light levels above 1 lux (moonlight); routine feeding takes place at <0.4 lux Other sources note that Bats will modify behaviour at light levels of 0.25 lux***	
North of proposed AGP	0.01 lux – 0.03 lux		
	Planned light levels		
Artificial pitch	250 lux (up to >690 lux)		
Along 'wildlife corridor' vegetation line	100 lux / 50 lux / 25 lux		
	ILP Obtrusive Light Limitations (at windows of surrounding dwellings)		
Env. zone	Pre Curfew		Post Curfew
E1	2 lux		0 lux
E2	5 lux		1 lux
E3	10 lux		2 lux
* from Hodkinson Consultancy Light Pollution Report incl table 1: see notes in HC LPR report Planned light levels from HC LPR appendix 2: Abacus: pitch average of 250 Lux per RHS text, light spill contours illustrated. (report publically available – LBRUT planning application 18/0151/FUL) **Furesfen Environmental Consultancy – General Guidance (publicly available)			

***Artificial lighting, including floodlighting of sports pitches, is known to exert a range of negative impacts on many different kinds of animal wildlife including significant behavioural modification, disorientation and disruption of the diurnal and seasonal rhythms of bats. These negative effects are the subject of continuing research but have been reviewed by a number of authors including: Jones (2000), Hewlett (2001), Rich & Longcore (2004, 2006), Fure (2006), The Royal Commission on Environmental Pollution (2009) and Bruce-White & Shardlow (2011).

Source: Friends of Pinn Meadows, Planning App 2414/APP/2012/2812

Table 3G:

Bats at Udney Park: Local Planning Policy Context

1. Local Species Action Plans must be given material consideration in any Planning decisions made.
2. **LBRuT Species Action Plan for Bats, states as an Aim:**
“To reverse the current population declines of bats in London Borough of Richmond upon Thames”.
 It notes that there have been a significant declines in Greater London’s bat populations from the mid-1980s, particularly for noctule and serotine.
3. The Action Plan notes Specific Factors Affecting the Species include:
 - a. Loss of maternity roost sites in buildings or trees
 - b. Loss of and disturbance to other roost sites
 - c. Loss of feeding habitats
 - d. Disturbance of commuting routes

Any development at the Udney Park Playing Fields will result in negative species impacts across ALL 4 of these areas. The obvious way to protect the Bat populations at Udney Park is through retaining Udney Park’s Local Green Space designation

4. Wild Birds

Neighbours and locals attest that Udney Park supports a diverse, thriving bird fauna.

I am regularly astonished over the vast numbers of gulls spread right across the sports fields.

The site is also clearly a stop-off point for groups of birds that appear to be passing through the area.

And, the hedgerows and trees have constant bird activity.

110*⁶⁸ protected and notable species of wild birds are recorded within 2km of Udney Park, per the 2019 GiGL report prepared for the Friends of Udney Park.

As noted by the Developer's ecologist: *"these [protected and notable species] records in the vicinity of the site increase the likelihood of them being present onsite where suitable habitat is identified"*⁶⁹. **Hedgerows and trees within the site providing both suitable foraging and nesting habitat for birds have been identified** in the Phase 1 Ecological survey⁷⁰.

As **birds fly, they have easy access** to and from Udney Park. Hence, whilst surveying of birds has not been carried out at Udney Park (see below), it must be considered beyond reasonable doubt that a significant number of protected and notable species make use of the site – for foraging/ breeding/ nesting/ commuting.

*(I observe that bat surveying confirmed that at least 8 of the 9 bat **species recorded within 2km of the site are actually found on the site ie. 89%⁷¹**).*

Note on surveying:

*Under Natural England Standing Advice **surveying of wild birds at Udney Park should have been carried out** by the Developer due to the plans for floodlighting green space within 50m of hedgerows: this has not been done.*

*I observe the **absence of survey data** on the occurrence of wild bird species at Udney Park, **is not evidence** that they are not there. In the absence of survey data from Udney Park itself, the contextual evidence from the vicinity of the site (records within 2km) must be considered to be the most appropriate substitute for consideration.*

Note on data omissions:

*Whereas the GiGL report for UPPFT lists **110 notable and protected species of Birds** within 2km, the LC Phase 1 ecology report **only includes 60⁷²**. (See discussion, section5).*

***Table 4B of this report also only includes data on the 60**, as I was working off the LC report, and only realised very late that there were discrepancies between the 2 reports.*

ie. 50 records – ie 45% of the relevant species are NOT included in table 4B – but details on these species and their status can be found in the GiGL for UPPFT report*

I observe that I have not been able review missing data to assess if the missing data indicates any bigger picture issues (as for the amphibians and invertebrates) other than the missing records themselves.

* GiGL Data Search for Udney Park Playing Fields Trust, report ref 1881, 5/3/19, p 43-47 & p68-69

⁶⁸ The LC Ph1 ecology report reports only 60species; see further detail on ecology reports data omissions (section 5).

⁶⁹ Lindsey Carrington Ecological services report, March 2016, p28.

⁷⁰ LC Phase 1 Ecology report, p34 note on Hedgerows under table 10; p34 target note 11, p35 note under table 11 on scrub, p36 note under table 12 on treeline

⁷¹ Excluding Brandts for a like-for-like comparison, as not reported within 2km (it is in fact recorded ~3km from the site); source:GiGL for UPPFT; p 65

⁷² Table 4 starting at p.24

Birds: Protected Species Designations

The Designations in **table 4A** apply to the **Protected and Notable species** in the vicinity of Udney Park.

The 60 species included in the Phase 1 report are listed (with designations) in **Table 4B**.

NB 50 species are missing from this list (see note on previous page); the relevant designation data on these is available in the UPPFT GiGL report*.

*I observe that **the definitions** of each of the categories should be carefully considered: many of these are extremely severe – ie many of these are birds that are **highly threatened / in danger of extinction**.*

Table 4A: Protected and Notable Species Designations	
International Legislation	
Threatened Birds Directive - Annex 1 ⁷³	<p>Bird Species:</p> <ul style="list-style-type: none"> • in danger of extinction; • vulnerable to specific changes in their habitat; • considered rare because of small populations or restricted local distribution; • requiring particular attention for reasons of the specific nature of habitat. <p>For these species Member States must conserve their most suitable territories in number and size as Special Protection Areas.</p>
National Legislation	
Wildlife & Countryside Act 1981 Schedule 1 ⁷⁴	Birds which are protected by special penalties at all times
Birds of Conservation Concern ⁷⁵	<p>Red: the highest conservation priority, with species needing urgent action.</p> <p>Red list criteria includes:</p> <ul style="list-style-type: none"> • Species is globally threatened. • Historical population decline in UK during 1800–1995. • Severe (at least 50%) decline in UK breeding population over last 25 years, or longer-term period • Severe (at least 50%) contraction of UK breeding range over last 25 years, or the longer-term period. <p>Amber: is the next most critical group.</p> <p>Amber list birds will be subject to at least one of the relevant factors listed below:</p> <ul style="list-style-type: none"> • Species with unfavourable conservation status in Europe (SPEC = Species of European Conservation Concern). • Historical population decline, but recovering • Moderate (25-50% decline) in UK breeding population over last 25 years, or the longer-term period. • Moderate (25-50% contraction) of UK breeding range over last 25 years, or the longer-term period. • Moderate (25-50%) decline in UK non-breeding population over last 25 years, or the longer-term period. • Rare breeder; 1–300 breeding pairs in UK.
UK Biodiversity Action Plan ⁷⁶	Most threatened and requiring conservation action under UK BAP

* p44-48, p68-69

⁷³ http://ec.europa.eu/environment/nature/conservation/wildbirds/threatened/index_en.htm

⁷⁴ GiGL; National designations

⁷⁵ <https://www.rspb.org.uk/birds-and-wildlife/wildlife-guides/uk-conservation-status-explained/>

Table 4B: Protected and Notable species of Birds within 2km of Udney Park (per LC Phase 1 report):

NB: this table is missing 50 species

Common Name	Scientific name	Wildlife & Countryside Act 1981 Schedule 1	Threatened Birds Directive species	Birds of Conservation Concern	UK Biodiversity Action Plan
Skylark	<i>Alauda arvensis</i>			Red List	UK BAP
Kingfisher	<i>Alcedo atthis</i>	Sch 1 WCA	Annex 1	Amber list	
Pintail	<i>Anas acuta</i>			Amber list	
Shoveler	<i>Anas clypeata</i>			Amber list	
Teal	<i>Anas crecca</i>			Amber list	
Wigeon	<i>Anas penelope</i>			Amber list	
Gadwall	<i>Anas strepera</i>			Amber list	
Meadow pipit	<i>Anthus pratensis</i>			Amber list	
Tree pipit	<i>Anthus trivialis</i>			Red list	UK BAP
Swift	<i>Apus apus</i>			Amber list	
Barnacle Goose	<i>Branta leucopsis</i>		Annex 1		
Goldeneye	<i>Bucephala clangula</i>			Amber list	
Lesser redpoll	<i>Carduelis cabaret</i>			Red List	UK BAP
Linnet	<i>Carduelis cannabina</i>			Red List	UK BAP
Stock dove	<i>Columba oenas</i>			Amber list	
Cuckoo	<i>Cuculus canorus</i>			Red list	UK BAP
Mute swan	<i>Cygnus olor</i>			Amber list	
House martin	<i>Delichon urbica</i>			Amber List	
Lesser spotted woodpecker	<i>Dendrocopos minor</i>			Red List	UK BAP
Little egret	<i>Egretta garzetta</i>		Annex 1		
Yellowhammer	<i>Emberiza citronella</i>			Red List	UK BAP
Reed bunting	<i>Emberiza schoeniclus</i>			Amber list	UK BAP
Merlin	<i>Falco columbarius</i>	Sch 1 WCA	Annex 1	Red List	
Kestrel	<i>Falco tinnunculus</i>			Amber List	
Brambling	<i>Fringilla montifringilla</i>	Sch 1 WCA			
Snipe	<i>Gallinago gallinago</i>			Amber List	
Wryneck	<i>Jynx torquilla</i>	Sch 1 WCA			UK BAP
Red-backed Shrike	<i>Lanius collurio</i>	Sch 1 WCA	Annex 1	Red List	UK BAP
Herring gull	<i>Larus argentatus</i>			Red List	UK BAP
Lesser blackbacked gull	<i>Larus fuscus</i>			Amber List	
Mediterranean gull	<i>Larus melanocephalus</i>	Sch 1 WCA	Annex 1	Amber List	
Common crossbill	<i>Loxia curvirostra</i>	Sch 1 WCA			
Red Kite	<i>Milvus milvus</i>	Sch 1 WCA	Annex 1	Amber List	
Grey wagtail	<i>Motacilla cinerea</i>			Red List	
Yellow wagtail	<i>Motacilla flava</i>			Red List	UK BAP
Spotted flycatcher	<i>Muscicapa striata</i>			Red List	UK BAP
Whimbrel	<i>Numenius phaeopus</i>	Sch 1 WCA		Red List	

House sparrow	<i>Passer domesticus</i>			Red List	UK BAP
Honey buzzard	<i>Pernis apivorus</i>	Sch 1 WCA	Annex 1	Amber List	
Wood warbler	<i>Phylloscopus sibilatrix</i>			Red List	
Willow warbler	<i>Phylloscopus trochilus</i>			Amber List	
Marsh tit	<i>Poecile palustris</i>			Red List	UK BAP
Dunnock	<i>Prunella modularis</i>			Amber List	UK BAP
Bullfinch	<i>Pyrrhula pyrrhula</i>			Amber List	UK BAP
Woodcock	<i>Scolopax rusticola</i>			Red List	
Common tern	<i>Sterna hirundo</i>		Annex 1	Amber List	
Sandwich tern	<i>Sterna sandvicensis</i>		Annex 1	Amber List	
Turtle dove	<i>Streptopelia turtur</i>			Red List	UK BAP
Tawny owl	<i>Strix aluco</i>			Amber List	
Starling	<i>Sturnus vulgaris</i>			Red List	UK BAP
Shelduck	<i>Tadorna tadorna</i>			Amber list	
Greenshank	<i>Tringa nebularia</i>	Sch 1 WCA		Amber List	
Green sandpiper	<i>Tringa ochropus</i>	Sch 1 WCA		Amber list	
Redshank	<i>Tringa totanus</i>			Amber list	
Redwing	<i>Turdus iliacus</i>	Sch 1 WCA		Red list	
Song thrush	<i>Turdus philomelos</i>			Red list	UK BAP
Fieldfare	<i>Turdus pilaris</i>	Sch 1 WCA		Red list	
Ring ouzel	<i>Turdus torquatus</i>			Red list	UK BAP
Mistle thrush	<i>Turdus viscivorus</i>			Red list	
Lapwing	<i>Vanellus vanellus</i>			Red list	UK BAP

NB: this table is missing 50 species

5. Data Omissions

I observe that there are large discrepancies between the data provided in the Phase 1 Ecology report and the GiGL for UPPFT report.

Some of the difference can be explained by :

- the GiGL report being much more recent (ie the two data sets are NOT directly comparable)
- possibly the use of a different point to centre the search on(?)

Further discrepancies appear to be based on filtering; eg. excluding older records(?):

- whereas some filtering may be acceptable / appropriate to adjust the data set, the **absence of context** (ie clarification of what data has been removed, and why) is **not**.

I further observe that the discrepancies are very large, and for the amphibian and invertebrate data in particular, there does not appear to be justification why records are missing (ie these fall within the timeframe, and close enough to the search point not to lead to a mismatch) etc.

- I observe that there may be a perfectly reasonable reason why data has been filtered out / or is absent, however **in the absence of context the discrepancies between the 2 sources appear extremely large.**

Table 5A: Discrepancies between LC Ecology report data and GiGL report for UPPFT				
	Number of Species	Number of Species	Difference <u>Species missing</u> from LC Ph 1 Ecology report	
	LC Phase 1 Ecology report dated March 2016	GiGL Data Search dated March 2019	Count	%
Terrestrial mammals	3	5	2	40%
Reptiles & Amphibians	3	5	2	40%
Birds	60	110	50	45%
Invertebrates	7	336	331	99%

6. Surveying Failures (NB: The following is an extract of concerns only; further concerns are raised in my submissions to the Planning Application 18/0151/FUL; I would be happy to provide copies if it would be useful).

Nature England Standard Advice highlights the need for **adequate Bat Surveying**.

Whilst the surveying that has been undertaken **demonstrates the significance of the site as a unique Bat ecosystem** (see section 3); much of the surveying **does not pass a 'fit for purpose' test** (based on BCT good practice) – and **surveying must be deemed inadequate** – particularly in relation to the **extent of the development proposed**.

Failures in surveying include:

(1) **The majority of the site** has effectively **not been surveyed at all**:

- (a) Other than the area around the pavilion, only **manual surveying** has been carried out.

BCT guidelines note this type of surveying as **inappropriate for surveying across a large site**:

"One or two ecologists walking around a large site are unlikely to pick up individual bats or small roosts and could even miss larger roosts". (BCT Bat Surveys for Professional Ecologists. Good Practice Guidelines -3rd Ed)

This has been proven to be the case, as the surveying failed to pick up the significant roost known to exist bordering the site (see my earlier submission).

- (b) Furthermore, the **amount** of manual surveying done is **negligible**:

During the 'active bat season', and appropriate conditions (16/8/16, manual survey), the **entire site was surveyed once**, by **one lone surveyor** for a **total of 2 hours and 7 minutes**.

By default, the amount of surveying on any part of the site will be negligible.

As an illustration, if you consider the **SW quarter**, which will be **dramatically impacted by the proposed floodlit artificial pitch**: if the surveyor was assumed to cover the full space evenly – spending 25% time in this quarter: there would have been **<32 minutes total surveying** during the active bat season, in this area.

(2) The manual and building surveys **ended before the earliest emergence time** of several of the bat species at Udney Park; this means that **most of the site has NOT been surveyed at all during these species' active period**. (See table 6A)

The Phase 2 Bat survey August **Static** survey data from the Pavilion (4.18, 4.19, 4.20, 4.21) details the time that each species was first recorded. Although the data is very limited (and you would expect to see fluctuations depending on weather etc) this indicates that August surveying finishing at 21.30/22.00 (building surveys (4.5, 4.6)) and 22.21 (manual surveys (4.12)) might be expected to pick up Common pipistrelle, Soprano pipistrelle and Noctule bats; and might be **expected not to pick up Nathusius, Leisters, Brown Long-eared, Daubentons, and Brandt's bats**. (Data for Serotine was not specified).

Indeed, the August **static surveying** (at the pavilion) **consistently picks up a lot of bat diversity, whereas the manual does not**.

(3) **No surveys at all** have been carried out during **late May, June, July or first weeks of August**, when you would expect **bat activity to be highest**.

(4) Much of the surveying **fails to meet basic BCT good practice** guidelines, and must be considered '**not fit for purpose**'. For example:

- (a) For 2 /5 building surveys: there was only a **single surveyor** for building surveys of pavilion, and he appears to have been **moving around** (activity is noted to have been recorded at different locations around the pavilion (4.9)(4.7)). A single surveyor **cannot watch all 4 sides** of the pavilion simultaneously (as required); furthermore, **for a valid emergence/ re-entry survey each surveyor must be stationary, observing one point for the full survey** (else activity may simply be missed).

BCT Bat Surveys for Professional Ecologists: Good Practice Guidelines -3rd Ed, notes: ***"Sufficient surveyor coverage of a structure is required and it is important that enough ecologists are used to thoroughly observe all potential access points. Generally, one ecologist can only observe two sides of a simple structure, from the corner, and their ability to do so reduces as the complexity and size of the structure increases or where observation is obscured"***. ***"Surveyors should be stationary to avoid bats being missed."***

- (b) Further surveying, particularly the emergence survey of the pavilion 23/9/16, were carried out when conditions **too cold**, so there was (effectively) **no bat activity**. This was the only date across all the surveys when only one single bat was detected (4.8): ie. **not appropriate conditions for any surveying** (least of all for emergence/re-entry surveying – given the importance of accurately identifying bat roosts).

(c) Surveying when the **floodlights were on**.

This is **highly inappropriate for Bat surveying**, unless done as a study to assess the impact of the floodlighting.

Furthermore it should have been highlighted clearly, and likely impact on survey results should have been discussed.

(5) Surveying has **not been designed to validate evidence of Bats** – particularly roosting bats.

The BCT (BCT Bat Surveys for Professional Ecologists: Good Practice Guidelines -3rd Ed) notes that **“survey design should be iterative, each survey informed by the previous one”**. Furthermore, the BCT (same report) notes that **“it is often harder and thus may require more survey effort to show that bats are, on the balance of probability, absent from structures rather than present”**. It is thus unclear why, once there was strong evidence (from the static recordings) indicating bat roosting in / in the vicinity of the pavilion, the follow-up building surveys **did not reflect this**. (See table 3C)

(6) Overall, too little surveying done, and insufficient use of static methods.

(a) Given the **complexities of bat behaviour and surveying**, the **amount of surveying carried out is insufficient** to be confident of having a comprehensive understanding of bat usage across the site.

(b) Manual surveying produces little data relative to the static. **Static surveying more broadly across the full site (as the full site will be impacted by the development proposals) would ensure a more comprehensive data set.**

Overall, it must be considered **severely flawed** and **failing to meet Standing Advice**, that **surveying has not been carried out: across the full site, using a suitable method, matched to the time at which the Bats being surveyed are active, during the best season for surveying, and, applying appropriate diligence.**

Table 6A										
Mid- August building surveys ending at 21.30/22.00 and manual surveys ending at 22.21, would NOT be expected to pick up the majority of the Bat species at Udney Park*.										
Time each species was first recorded - from August Static survey:										
Static Survey Date	Data ref.	Common pipistrelle	Soprano pipistrelle	Nathusius	Serotine: NS	Noctule	Leisters	Brown Long-eared	Daubenton's	Brandt's
12-Aug-16	4.18	21.16	22.03?			21.18		01.04		04.05
13-Aug-16	4.19	21.18	21.07	03.38		NS	NS			01.34
14-Aug-16	4.20	22.06	21.12	22.46		21.07	02.34	00.35	04.46	02.11
15-Aug-16	4.21	21.17	21.20			21.23	22.32			

Black: before 22.00; Blue: before 22.30; Red: after 22.30; NS= Not specified

*Assuming the limited data points are representative: in the absence of larger data sets (requires more surveying), and considering the context of surveying EPS, it is appropriate to work on the hypothesis that they are representative.

Source: Phase 2 Bat survey static surveying (4.18, 4.19, 4.20, 4.21);

Appendix 1:

The Developer has argued in their 'Statement of Case' for the Planning Appeal on the Planning Application for Udney Park that the site: ... *"(h) does not demonstrate a richness of wildlife, as supported by the Phase 1 Ecology Report, which identifies that there are no protected species on Site..."*

In case they present the same statement to the Consultation on LGS for Udney Park, I observe that the Phase 1 Ecology report **clearly does NOT identify – or in any way imply - that there are “no protected species on site”**.

- The report clearly notes p4 summary - item (5) a high potential for roosting bats; (based on a scale of high/ medium/ low used in the report)
- p10 (section 3.2.2) notes that an absence of signs indicating bats cannot be treated as conclusive evidence that bats are not present;
- p22, table 4 - protected species records within 2 km of the site, with a note on the records on p28 flagging that *"these records... in the vicinity of the site increase the likelihood of them being present when suitable habitat is identified in the field survey"*;
- p37&38 – field study does not identify evidence of bats, however high potential to support bats is noted.

Furthermore, this search was undertaken 1st March 2016 which would in likelihood⁷⁷ still be considered hibernating season; thus the search would presumably only be valid for potential hibernation roosts. Since bats leave little evidence in roosts, it would seem improbable to expect any evidence in place after months have passed since leaving the (active season) roost.

- p38&39 – foraging and commuting habitat – is noted as *"may provide important foraging habitat for bats in the local area"*;
- p41&42 detail requirements for further surveying due to *"high potential to support roosting bats"* and *"may provide important commuting routes and foraging areas for bats"*.

le the report clearly does **NOT** "identify" – or in any way imply - that there are *"no protected species on Site"*.

Furthermore, the Developer has the Phase 2 Bat and Reptile Survey report (Peachecology, July 2017) which ***clarifies*** that there are at least 8-9 species of Bat (all European Protected Species) on the site. It further ***clarifies*** that the site is an important for Bat foraging, commuting, social interaction, multiple identified and suspected roosting sites, rearing young / maternity site, and a mating site.

⁷⁷ Exact timeframe would be expected to depend on weather, temperatures etc.

Former Imperial College Private Ground,
Teddington, Richmond Upon Thames

Representations to Main Modification to London
Borough of Richmond upon Thames Local Plan
Policy LP13: Local Green Space
Paragraph 5.2.8

Prepared on behalf of Quantum Group Ltd

April 2019

Former Imperial College Private Ground,
Teddington, Richmond Upon Thames

Representations on Main Modifications to London
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ILLUSTRATIVE MATERIAL

Figure 1: Site Appraisal Plan

Figure 2: Landscape and Visual Context Plan

APPENDICES

Appendix 1: Site Appraisal Photographs A-D

Site Context Photographs 1-4

Appendix 2: LBRuT Local Plan EiP Written Statement, Hearing 5: Character and Design;

Green Infrastructure; Climate Change – Council Responses to Questions 8-15, on Green Infrastructure Document version 8/9/17

1.0 INTRODUCTION

- 1.1 Barton Willmore Landscape Planning and Design were commissioned by the Quantum Group Ltd in January 2017 to undertake a preliminary Landscape and Visual Appraisal in support of the representations promoted through the emerging London Borough of Richmond Upon Thames (LBRuT) Local Plan for the Former Imperial College Private Ground ('The Site'), at Udney Park Road, Teddington, Richmond Upon Thames.
- 1.2 At that time, the commission was to undertake a review of the potential designation of the Site as Local Green Space, as proposed in LBRuT Local Plan Proposals Map Changes Local Plan, Publication Version for statutory consultation which ran between 4th January 2017 – 15th February 2017. Representations were submitted by Barton Willmore and evidence was provided at the Local Plan Review Examination in Public Hearings in September 2017.
- 1.3 The Inspector published his report on the Examination of the LBRuT Local Plan on 26 April 2018 in which he asserts that he is "*unable to conclude that the designation [of the Udney Park Playing Fields as Local Green Space] is justified*". The proposed designation was subsequently removed from the replacement Local Plan following LBRuT's consultation on Main Modifications to incorporate recommendations made by the Inspector into the Plan.
- 1.4 Mr Jopling, a member of the Friends of Udney Park Playing Fields (FUPPF) then filed a statutory review claim, pursuant to Section 113 of the Planning and Compulsory Purchase Act 2004, in the High Court to challenge the adoption by LBRuT of this revised Local Plan on 3 July 2018. Mr Jopling wrote to LBRuT serving the claim and explaining that he sought a review of the Council's decision to adopt the revised Local Plan, incorporating the amendments suggested by the Inspector, and thus the removal of the Local Green Space designation of the Site.
- 1.5 This statutory challenge was heard in the High Court on 16 and 17 January 2019 and Mr Justice Waksman concluded that Mr Jopling was substantially prejudiced as a result of the procedural defects in the consultation process on the proposed modifications to the Local Plan, i.e. the de-designation of the site as Local Green Space. As a result of this, a Court Order dated 8 February 2019 has quashed paragraph 5.2.8 in the Local Plan, which relates to the designation of land as Local Green Space. The Court Order requires LBRuT to publish the proposed change to 5.2.8 as a proposed Main Modification to the submitted version of the Local Plan for public consultation and representations are invited until 5 April 2019. This document sets out our representations in relation to the removal of the Local Green Space allocation, made on behalf of Quantum Group Ltd.
- 1.6 Since September 2015, the Quantum Group Ltd have been the freehold owners of the Site. From the 1920s, up until its acquisition in 2015, the Site has been in private playing field use

for various educational institutions, with access granted to a small number of specific groups occasionally and only on a temporary basis.

- 1.7 The Quantum Group Ltd acquired the Site because it was substantially underutilised by the local community as a sports facility and presented an opportunity for proposals to be brought forward that would materially benefit residents of Teddington and beyond, whilst preserving the openness of the Site and its townscape importance.
- 1.8 The following illustrative material supports the Landscape and Visual Appraisal Statement:

Figure 1: Landscape and Visual Context Plan

Figure 2: Site Appraisal Plan

Appendix 1: Site Appraisal Photographs A-D

Site Context Photographs 1-4

Appendix 2: LBRuT Local Plan EiP Written Statement, Hearing 5: Character and Design; Green Infrastructure; Climate Change – Council Responses to Questions 8-15, on Green Infrastructure Document version 8/9/17

2.0 LANDSCAPE AND VISUAL CONTEXT

Site Context

- 2.1 The Site is located within Teddington in the London Borough of Richmond Upon Thames. Teddington is situated on the northern bank of the River Thames and extends along its High Street from the River Thames in the east to Bushey Park in the west, as illustrated on Figure 1: Landscape and Visual Context Plan. The Borough of Richmond Upon Thames is one of the “greenest” in London, with substantial public access to parks, gardens and squares.
- 2.2 The Site is bounded by residential development on all sides. The Site immediately adjoins Kingston Lane on its eastern boundary and Cromwell Road on its southern boundary, with large residential villas fronting on to both Kingston Lane and Commercial Road. The Site adjoins Udney Park Road for the majority of its western boundary, with smaller residential dwellings fronting onto Udney Park Road, and a cluster of residential dwellings backing onto the Site between Cromwell Road and Udney Road. Fullerton Court, a complex of over 55’s retirement apartments abuts the northern boundary of the Site.
- 2.3 Teddington High Street is located some 170 metres to the north of the Site; Teddington Railway Station is located some 250 metres to the west of the Site, on Station Road, which is a continuation of Cromwell Road.

Topography and Hydrology

- 2.4 Teddington and the Site are located in the valley floor of the River Thames. The River Thames is located some 515 metres to the east of the Site. The surrounding landform is predominantly flat, at approximately 9.0 metres AOD, as characteristic of the river valley floor, and as shown on Figure 1: Landscape and Visual Context Plan.

Settlement, Open Space and Vegetation

- 2.5 Teddington forms part of the extensive conurbation of south-west London, surrounded by and contiguous with Strawberry Hill, Ham, Hampton Hill and Hampton, in the immediate locality. Teddington is predominantly residential, with its character defined by Victorian terraces, Edwardian detached and semi-detached houses, and mid-rise modern residential development; and few tall buildings.
- 2.6 The extensive swathe of south west London is punctuated by substantial tracts of parkland and open space, such as Richmond Park; Ham House Gardens and Grounds; Bushy Park; Hampton Court and Hampton Court Park; and that associated with the River Thames and River Crane; as well as numerous golf courses.

2.7 Substantial vegetation, both formal and naturalistic in character occurs within the parklands, open space and golf courses. Within the settlement, vegetation comprises predominantly street trees and within gardens.

Public Access

2.8 The Site comprises private land with no public access.

Landscape Planning Context

2.9 The relevant Landscape Planning Policy Context, for the Site includes landscape and visual related policies set out in:

- National Planning Policy Framework (February 2019) (NPPF)
- The London Plan (2016)
- London Borough of Richmond upon Thames (LBRuT) Local Plan (adopted July 2018)

National Planning Policy Framework

2.10 In summary, national planning policy, as set out in the National Planning Framework (NPPF), promotes sustainable development, including the consideration of the economic, social and environmental role proposed development would contribute, both in terms of potential benefits and harm. The Site does not currently fall within any areas covered by policies within the NPPF, as set out in Footnote 3 of Paragraph 14, that would restrict the presumption in favour of sustainable development, subject to complying with and meeting the criteria of Paragraph 14.

2.11 Paragraphs 99 and 100 of the NPPF address Local Green Space, with Paragraph 100 setting out that:

"The Local Green Space designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife;*
and
- c) **local in character and is not an extensive tract of land**".*

2.12 Paragraph 101 also notes that:

"Policies for managing development within a Local Green Space should be consistent with those for Green Belts."

- 2.13 National planning policy also seeks to provide protection for the intrinsic character and beauty of the countryside and the natural environment; and the protection and enhancement of valued landscapes. Policy also seeks to ensure that new development is of high quality design; responds to local character and history, and local distinctiveness; includes for the provision of Green Infrastructure; and that it establishes a strong sense of place to create attractive and comfortable places in which to live, work and visit.

London Borough of Richmond Upon Thames Local Plan (adopted July 2018)

- 2.14 The adopted LBRuT Local Plan at Paragraph 5.2, sets out the policy for Green Belt, Metropolitan Open Land and Local Green Space, under Policy LP 13, which states that, with specific reference to Local Green Space:

"Policy LP 13

Local Green Space

D. Local Green Space, which has been demonstrated to be special to a local community and which holds a particular local significance, will be protected from inappropriate development that could cause harm to its qualities."

- 2.15 Paragraphs 5.2.8 to 5.2.10 provide supporting text with regard to Policy LP13, with specific regard to Local Green Space, as set out below:

"5.2.8 *Local Green Space, as identified on the Policies Map, is green or open space which has been demonstrated to have special qualities and hold particular significance and value to the local community which it serves.*

5.2.9 In line with the NPPF, managing development within a Local Green Space should be consistent with policy for Green Belt. Development, which would cause harm to the qualities of the Local Green Space, will be considered inappropriate and will only be acceptable in very special circumstances where benefits can be demonstrated to significantly outweigh the harm.

5.2.10 The following criteria are taken into account when defining Local Green Space:

- **"The site is submitted by the local community;**
- *There is no current planning permission which once implemented would undermine the merit of a Local Green Space designation;*
- *The site is not land allocated for development within the Local Plan;*
- *The site is local in character and is not an extensive tract of **land**".*

2.16 The adopted Local Plan, retains a policy for designating Other Open Land of Townscape Importance, in the form of Policy LP 14, which sets out that:

"Other Open Land of Townscape Importance

Other open areas that are of townscape importance will be protected in open use, and enhanced where possible.

It will be recognised that there may be exceptional cases where appropriate development is acceptable. The following criteria will be taken into account when assessing whether development is appropriate:

a. it must be linked to the functional use of the Other Open Land of Townscape Importance;

or

b. it can only be a replacement of, or minor extension to, existing built facilities; and

c. it does not harm the character or openness of the open land.

Improvement and enhancement of the openness or character of other open land and measures to open up views into and out of designated other open land will be encouraged.

*When considering developments on sites outside designated other open land, any possible visual impacts on the character and openness of the designated other open land will be taken into **account.**"*

2.17 Paragraphs 5.3.1 to 5.3.7 provide the supporting text to Policy LP14, setting out that:

"5.3.1 *The purpose of this policy is to safeguard open land of local importance and ensure that it is not lost to other uses without good cause. Areas designated as Other Open Land of Townscape Importance (OOLTI) form an important part of the multi-functional network of Green Infrastructure and they can include public and private sports grounds, school playing fields, cemeteries, allotments, private gardens, areas of vegetation such as street verges and mature trees. The designated areas are shown on the Policies Map.*

5.3.2 In some parts of the borough, open areas, including larger blocks of back gardens, act as pockets of greenery of local rather than strategic significance. Many of these are of townscape importance, contributing to the local character and are valued by residents as open spaces in the built up area. Green oases are particularly important in areas of higher density development including in the borough's centres.

5.3.4 OOLTI should be predominantly open or natural in character. The following criteria are taken into account when defining OOLTI (note that the criteria are qualitative and not all need to be met):

- Contribution to the local character and/or street scene, by virtue of its size, position and quality.
- Value to local people for its presence and openness.
- Immediate or longer views into and out of the site, including from surrounding properties.
- Contribution to a network of green spaces and green infrastructure as set out in policy LP12 in 5.1 'Green Infrastructure'.
- Value for biodiversity and nature conservation.

5.3.6 Where a comprehensive approach to redevelopment can be taken, such as on major schemes or regeneration proposals, or for community and social infrastructure including educational uses, it may be acceptable to re-distribute the designated open land within the site, provided that the new open area is equivalent or improved in terms of quantum, quality and openness.

5.3.7 Protecting and opening up views into and out of designated OOLTI is encouraged because of the contribution they can make **to the distinctive character of an area and the benefits to all.**"

London Borough of Richmond Upon Thames Supplementary Planning Document: Design Quality (Adopted February 2006)

2.18 The London Borough of Richmond Upon Thames Supplementary Planning Document: Design Quality provides the overall context for design guidance in the London Borough of Richmond. It notes that this guidance should be **"taken into account when designing individual buildings, groups of buildings, redevelopment and infill schemes, extensions and even minor building works"**. The guidance is intended to guide quality and provides an assessment of the character of the Borough, to assist in defining the broader setting and environmental qualities of a site. The guidance sets out objectives for the delivery of highquality design and development, covering:

- Character
- Continuity and Enclosure
- Public Realm
- Ease of Movement
- Legibility
- Adaptability; and
- Diversity.

3.0 TOWNSCAPE CHARACTER

3.1 The assessment of landscape or townscape character involves a descriptive approach that seeks to identify and define the distinct character of landscapes and townscapes that make up the country. In accordance with the European Landscape Convention this approach recognises the intrinsic value of all landscapes, not just 'special' landscapes, as contributing factors in people's quality of life. It also ensures that account is taken of the different roles and character of different areas, in accordance with the NPPF Core Principles.

3.2 The description of each landscape or townscape character area is used as a basis for evaluation to make judgements to guide, for example, development or landscape management.

3.3 The Site is set entirely within the immediately surrounding townscape context and is surrounded by and contained by residential development on all sides. The relevant published townscape character assessment is:

- London Borough of Richmond Supplementary Planning Document: Design Quality (Adopted 2006)

London Borough of Richmond Supplementary Planning Document: Design Quality (Adopted 2006)

3.4 With regard to the urban form and Character Areas of the Borough, the guidance notes that:

"The environmental Character of the Borough since its nineteenth century expansion has resulted in a group of urbanised areas, connecting former villages, divided by open space, linked by roads and interwoven by railways." (p.35)

3.5 Twelve distinctive character areas have been identified, ***"defined by their cohesive identity, or location of both natural and manmade barriers such as the river, open space and the railways"*** (p.35).

3.6 The Site falls on the southern edge of the Strawberry Hill and Teddington East Character Area, and immediately adjoins the Hampton Wick and South Teddington Character Area, as illustrated on Figure 1: Landscape and Visual Context Plan, with the Hampton Hill and Teddington West Character Area located to the west of the Site.

3.7 The Strawberry Hill and Teddington East Character Area, which includes the Site and extends east to the River Thames, is described as:

"A suburban character area less tightly developed than Twickenham with small pockets of open space and large gardens"

*with a significant number of trees. Teddington High Street Retains a mix of attractive Victorian and Edwardian shopping parades (some with original shop fronts) and Artisan Cottages in small side streets. Strawberry Hill House and Grounds exhibit an exuberant Gothic style. The Strawberry Hill residential area is leafy and contains a mix of large older homes and twentieth century infill **houses and flats.**" (p.39)*

- 3.8 The Hampton Wick and South Teddington Character Area extends south from the Site, south of Cromwell Road and east to the River Thames, and is described as follows:

"The old village centre of Hampton Wick has a strong village character through uniform building styles and narrow winding streets. South of the railway line development is mostly Georgian, Victorian and Edwardian and small in scale with a tree lined backdrop relating to Hampton Court. North of the railway line there is more variation in style and age of residential development. Houses to Lower Teddington Road and the River [Thames] are more substantial in scale and there are a number of modern residential apartment blocks." (p.38).

- 3.9 The Hampton Hill and Teddington West Character Area is located to the west of the Site, adjoining the rear gardens of residential properties on the west side of Udney Park Road which adjoins the Site, with a clear change in pattern of residential development. The Hampton Hill and Teddington West Character Area is described as:

"Hampton Hill High Street maintains its village character, composed of Victorian shops (converted from cottages), some listed houses, a picturesque backdrop of trees from Bushy Park and a pleasant arrangement of neighbouring residential streets. Most of the area is residential with a predominantly Victorian and Edwardian character of uniform semi-detached homes in avenues of mature trees. There are also many pockets of modern designed terraced housing and flats arranged in courts and parklands with a high standard of landscape quality." (p.37)

4.0 LANDSCAPE AND VISUAL APPRAISAL OF THE SITE

Site Appraisal

- 4.1 The Site is illustrated on Figure 2: Site Appraisal Plan, and in Site Appraisal Photographs A, B, C and D.
- 4.2 The Site is 12.8 acres in size and of regular shape and is bounded by roads and residential development on all sides.
- 4.3 The Site comprises formal playing fields and tennis courts, with a club house and several ancillary structures such as viewing seating, two vehicular accesses, associated parking and one designated pedestrian entrance.
- 4.4 All vegetation, with the exception of the amenity playing field grassland, is limited to intermittent tree and hedge or shrub planting along the perimeter of the Site and around the parking area. The Site is otherwise devoid of any noteworthy natural features.

Visual Appraisal

- 4.5 The visual context of the Site and its surroundings is illustrated by Site Context Photographs 1 - 4, the locations of which are shown on Figure 1: Landscape and Visual Context Plan.
- 4.6 A visual appraisal of the Site and its environs was undertaken in February 2017, June 2018 and March 2019 to determine the relationship of the Site with its surroundings, and the visibility of the Site within the wider landscape and townscape during different times of the year.
- 4.7 The visibility of any site is predominantly influenced by its landform and the extent and type of vegetation cover and built elements within a site and its surrounding landscape or townscape. The combination of the flat topography and immediately surrounding existing residential built form results in the Site being visible from only the immediate vicinity. The visual appraisal has therefore been undertaken from publicly accessible viewpoints from the pavement, roads and public open spaces immediately surrounding the Site, to determine the approximate extent from which the Site is visible from the eye of a person standing on the ground. There is, in most visual appraisals, a continuum of degrees of visibility ranging from no view of a site to full, open views. To indicate the degree of visibility of the Site from the surrounding locality, three categories of visibility have been used in this assessment:
- a) Open view: A clear view of a significant proportion of the Site within the wider landscape or townscape.

- b) Partial view: A view of part of the Site or a filtered view of the Site, or a distant view in which the Site is perceived as a small part of the view; and
- c) Truncated / No view: Views towards the Site are curtailed by visual barriers, such as intervening topography, vegetation or built forms.

4.8 Site Context Photographs Nos. 1 – 4 illustrate representative views of the Site from the immediate surrounding area.

4.9 Much of the boundary of the Site is enclosed by close board timber fencing or built form (71% of the length of the boundary), such that views into the Site from ground level are extremely limited, being predominantly truncated, and are limited to partial views or glimpses through lengths of the boundary with railings and hedging, or railing and trees, even in winter, when the vegetation is devoid of foliage.

4.10 Site Context Photographs 1 and 2 demonstrate the enclosure provided by the boundary fencing and, in some locations, adjoining residential development, resulting in limited (truncated) views and limited appreciation of the playing fields, from the immediately surrounding roads and footways as experienced by pedestrians and motorists.

4.11 Site Context Photographs 3 and 4 demonstrate the brief lengths of more open boundary treatment, of railings and boundary vegetation. Where the boundary treatment is more open, there are partial views of the playing fields seen through the railings and boundary vegetation.

4.12 With the exception of views obtained from the first and upper floors of immediately surrounding residential development, there are no open views into the playing fields, and no available views of the whole Site.

5.0 CONSIDERATION OF POTENTIAL ALLOCATION AS LOCAL GREEN SPACE

Historic Background to LBRuT Local Plan EiP (2017)

- 5.1 As part of LBRuT Local Plan EiP process, the Inspector submitted a document containing a list of main issues and questions, included was a question as to whether the evidence base supporting policies LP12, LP13 and Local Green Space were robust. This question (Question 8) was to be considered in Hearing 5 of the EiP and both Quantum Group Ltd and LBRuT submitted responses in advance of Hearing 5 for the Inspector to consider.

Quantum Group Ltd response dated September 2017

- 5.2 Barton Willmore LLP submitted representations in response to Question 8 on behalf of Quantum Group Ltd. and these are set out at paragraphs 5.3 to 5.22 below:

8. Is the evidence base supporting Policy LP12 and Local Green Space (LGS) robust?

Policy LP12: Green Infrastructure

- 5.3 We support the intention of Policy LP12: Green Infrastructure in identifying a variety of assets within the Borough to form the overall green infrastructure network range. However, the supporting policy text in paragraph 5.1.1 states that:

"there are many smaller pieces of open land, including land designated as Other Open Land of Townscape Importance, as well as non-designated land, all of which are of value to the local area and provide green oases for the local communities."

- 5.4 Clearly this cannot be justified given that the Site (designated as OOLTI), is not publicly accessible and therefore cannot currently provide the same 'value' to the local area as other publicly accessible OOLTI within the Borough. This is reflected by the LBRuT's Open Space Assessment Report (April 2015) and Playing Pitch Strategy (August 2015), both of which stated the Site is 'under used' and 'not in use'.

- 5.5 Moreover, paragraph 5.1.9 states:

"It is important to recognise that the borough's parks and open spaces provide not only recreational opportunities for those that live and work in this borough..."

- 5.6 This cannot be justified if the Site is not publicly accessible.

5.7 The supporting text for Policy LP12 therefore makes unjustified assumptions regarding the accessibility and 'value' of the OOLTI within the Borough and is not a robust basis to inform Policy LP12.

5.8 Policy LP12 should be amended to acknowledge that OOLTI are of 'varying value' given the differing land uses of these spaces across the Borough.

Policy LP13: Green Belt, Metropolitan Open Land and Local Green Space

5.9 We have included reference to Policy LP13 in the response to question 8 as Policy LP12 does not make reference to Local Green Space (LGS).

5.10 Policy LP13 is relevant to land which has:

"been demonstrated to be special to a local community and which holds a particular local significance..."

5.11 Paragraph 5.2.8 of the supporting text for Policy LP13 notes that LGS:

"has been demonstrated to have special qualities and hold particular significance and value to the local community which it serves."

5.12 Paragraph 5.2.10 of the supporting text for Policy LP13 outlines the criteria which are taken into account when defining LGS. The first three of these criteria are:

- *"The site is submitted by the local community;*
- *There is no current planning permission which once implemented would undermine the merit of a Local Green Space designation; and*
- *The site is not land allocated for development within the Local Plan."*

5.13 These first three criteria are additional to the criteria for LGS as set out in the NPPF, and are not specific to the character, use and function of LGS, which is the focus of the NPPF criteria. The supporting text for Policy LP13 is therefore considered not to be positively prepared.

5.14 The fourth, fifth and sixth criteria of Policy LP13 paragraph 5.2.10 are:

- *"The site is local in character and is not an extensive tract of land;*
- *Where the site is publicly accessible, it is within walking distance of the community; OR where the site is not publicly accessible, it is within reasonably close proximity to the community it serves; and*
- *The Local Green Space is demonstrably special to a local community and holds a particular local significance, for example, because of its beauty, historic significance,*

recreational value (including as a playing field), tranquillity or richness of its wildlife."

5.15 The fourth, fifth and sixth criteria therefore reflect the criteria for LGS designation as set out in NPPF paragraph 77. As established in Chapter 2, the Site, as an example of an area proposed as LGS, is not publicly accessible, is not of local significance because of its lack of beauty, historic significance, recreational value, tranquillity or richness of wildlife.

5.16 The LGS designation is therefore not objectively assessed and not positively prepared. The Local Plan can be made sound by omitting the Site as a potential LGS.

Is LP12 clear in its intention/wording and means of delivery? How is the approach to LGS designed to work in practice? What evidence underpins the policy formulation in this regard?

Policy LP12: Green Infrastructure

5.17 We consider that the intention/wording of LP12 is unclear. This is because the wording of LP12 alternates between the use of 'green spaces', 'assets', 'green infrastructure assets' and 'green infrastructure network', when no clear definition of any of these are provided.

5.18 In the context of Policy LP12 being about Green Infrastructure, we consider that it would be more effective to simply refer consistently to 'green infrastructure' within the wording of LP12.

5.19 Policy LP13: Green Belt, Metropolitan Open Land and Local Green Space

5.20 As noted, LP12 does not make reference to LGS and therefore we have included a response within this answer to Question 8.

5.21 We consider that the approach to LGS is not effective as it has not been informed by a robust evidence base and merely duplicates existing policies, such as OOLTI, which are considered to be adequate for the protection of the relevant green spaces within the Borough which adequately meet the OOLTI criteria.

5.22 The Plan can be made sound by the omission of the Site from the proposed designation of LGS.

[LBRuT Response to Question 8 dated 8/9/17](#)

5.23 LBRuT submitted its response to Question 8 in advance of Hearing 5 of the EiP, in its document dated 8/9/17, which sets out the main points that it considered in relation to the designation of the Site as Local Green Space, a copy of which is attached in full (see Appendix 1 of that document for the evidence LBRuT considered for designating Udney Park playing Fields and how this was assessed against NPPF and LP13 criteria) at Appendix 2 of these representations

for ease of reference. The LBRuT response on Question 8 dealing with Local Green Space is set out below:

"8. Is the evidence base supporting Policy LP 12, LP 13 and Local Green Space (LGS) robust?

Are Policies LP 12 and 13 clear in their intention/wording and means of delivery?

(...) In relation to Policy LP 13 (Green Belt, MOL and LGS), the national and regional policy and guidance set out the evidence base in terms of how development proposals within such designated land should be dealt with. In line with higher level policies and guidance, there is a presumption against the loss of, or building on, greenfield sites as well as MOL/Green Belt in this borough, unless very special circumstances and/or an exception to relevant policies can be demonstrated. The Council did not carry out a Green Belt or MOL review because the Plan and its spatial strategy demonstrate that the borough can meet its housing target, set by the London Plan, without releasing open land that is protected by designations such as Green Belt or MOL.

Policies LP 12 and 13 clear in their intention/wording as well as their means of delivery. The policies set out for developers and applicants what should be protected, i.e. Green Infrastructure as well as Green Belt, MOL and LGS, and where possible their schemes should enhance elements of Green Infrastructure. The criteria for assessment are set out in LP 12 A (criteria a to c) and LP 13 B (criteria 1 to 3) respectively. In addition, all developments will be assessed as to whether they incorporate appropriate elements of open space that make a positive contribution to the wider network (this also links with Policy LP 31 where applicable) and LP 13 in particular encourages improvements and enhancements to the openness and character of Green Belt or MOL.

How is the approach to LGS designed to work in practice? What evidence underpins the policy formulation in this regard?

In line with paragraphs 76 to 78 of the NPPF, Local Green Space (LGS) is green or open space, which has been demonstrated to have special qualities and hold particular significance and value to the local community which it serves. It should be noted that in line with NPPF, it is not a criterion for LGS to be publicly accessible, and for this reason it is also not included within the POS Hierarchy set out in LP 12. A LGS designation and corresponding policy guidance has been included following the Regulation 18 consultation, because a local community had identified an area (i.e. Udney Park Playing Fields) for special protection. At that stage, the Council considered the proposed LGS against the requirements set out in paragraphs 76 and 77 of the NPPF, and it was considered that it met the NPPF criteria. In line with regulations, every designation on a Proposals Map requires a corresponding policy, and therefore guidance on LGS

has been included within policy LP 13 (Green Belt and MOL). The reason for this is because the NPPF states that local policy for managing development within a LGS should be consistent with policy for Green Belts. In addition, the Council has developed additional criteria to be taken into account when assessing applications for LGS, and these are set out in paragraph 5.2.10 (...)” (pp. 3-5).

Statutory Challenge to LBRuT Local Plan Policy LP13: Local Green Space

- 5.24 Mr Jopling, a member of the Friends of Udney Park Playing Fields (FUPPF) filed a statutory review claim, pursuant to Section 113 of the Planning and Compulsory Purchase Act 2004, in the High Court to challenge the adoption by LBRuT of the revised LBRuT Local Plan on 3 July 2018. Mr Jopling wrote to LBRuT serving the claim and explaining that he sought a review of the Council’s decision to adopt the revised Local Plan, incorporating the amendments suggested by the Inspector, and thus the removal of the Local Green Space designation of the Site.
- 5.25 This statutory challenge was heard in the High Court on 16 and 17 January 2019 and Mr Justice Waksman concluded that Mr Jopling was substantially prejudiced as a result of the procedural defects in the consultation process on the proposed modifications to the Local Plan.
- 5.26 The following points were raised in the statutory challenge hearing in terms of additional materials that were not before the Inspector and which were set out as paragraphs 70 and 71 of the Judgement as stated below:

"70. *Mr Jopling points to the following as additional material not before the Inspector:*

(1) The original application for the LGS designation made in September 2016 which contained details of the prior use of the playing fields and noting the fact that the Site had been designated by the Council as strategic for the purposes of its own Playing Pitch Strategy in June 2015; this document also highlights the particular local significance of the Site (see paragraphs 7.1-8.2) and its particular use for playing sport - see paragraph 9.2. It also makes reference to the restrictive covenants which had attached to the Site. While it is not clear whether and to what extent such covenants now bind Quantum, they do make plain the intended limitation on the use of the Site to sporting activities because the limit is to amateur rugby unless some other activity had been approved by the Rugby Football Union. The document also annexes letters from Teddington Cricket club, Heart of Teddlothian FC, London Playing Fields Foundation and London Sport. The fact that (obviously) the Council had seen this document before does not affect the point that the Inspector had not;

(2) Albeit brief, the 2007 document from Imperial Sport detailing the various sporting facilities then being used at the Site; it is not an answer to say that this document should have been

submitted as part of the original application. The question is what could have been submitted to the Inspector;

(3) A detailed summary of the prior use of the Site, from the England and Wales Cricket Board. This was provided in the context of Sport England objections to Quantum's planning application, but had it been clear what the MMs entailed, there is no reason to suppose that Mr Jopling could not have elicited that information for the purpose of the consultation; I do not accept that because this deals with earlier use, it is irrelevant to the question of the designation;

(4) The latter document itself formed part of the detailed submissions made by Mr Jopling on 17 May 2018 referred to above, following publication of the Report where he tackles directly the points made by the Inspector. He makes particular reference to the use for sporting and athletic activities since 1919 - see pages 678-684; that submission includes the submission made by Teddington because of the reference to the history of activities;

(5) The Council itself might (and probably would, given its present objection to the planning application) have said more on the subject had it been aware that it was up for discussion;

(6) Moreover, it is ironic that under the new criteria for LGS it might be thought to be easier now to show that the Site satisfied them;

(7) A further dimension is ecology. Quantum had in its possession two ecology reports from 2017 although these only became available to Mr Jopling in early 2018 in connection with the planning application. The Phase I Report indicated a high likelihood of bat roosting at the Site and the Phase II Report stated that there was a number of protected species on the site. It is true that the Phase I Report also said that the Site had "low ecological value" but it remains the case that both reports make clear that Quantum was wrong to say, as it did to the Inspector, that there were no protected species at the Site. The importance of the bat population here was emphasised in the Councils Planning Officers Report of 28 September 2018 which recommended that the Site should be assessed as a Site of Metropolitan Importance for Nature Conservation.

71. As against all that, Quantum says that what the Inspector did have before him were the Councils written submissions for H5 and in particular, Appendix 1 which I have referred to above. I see that, but in my view it is no substitute for the variety of information and arguments which Mr Jopling says could have been deployed as well, set out above. It is not an answer here, where the consultation process was so defective, to say that

somehow "all the essential points" were before the Inspector one way or the other. I do not think that they were".¹

Consideration of Policy Context

5.27 In assessing the Site against the policy requirements for a Local Green Space as set out in the NPPF, the NPPF states that the designation should only be used where the green space:

- *"is in reasonably close proximity to the community it serves;*
- *is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- ***is local in character and is not an extensive tract of land."***

Proximity to the Community it Serves

5.28 With regard to the proximity to the community it serves, firstly, the Site is not publicly accessible, and is used by sports clubs with the express consent of the landowner and on a temporary basis. The Site is therefore used by only a relatively small sector of the local community, for limited periods of time on a temporary basis. As result, whilst surrounded by local residents, it currently only serves, and is accessible to, a very small part of the local community and not permanently, and is therefore limited in the extent to which it "serves" the community.

Demonstrably Special

5.29 With regard to being "demonstrably special", it is only valued insofar as it is an open space within the suburban context of the surrounding settlement, nothing more. However, as demonstrated by the Landscape and Visual Appraisal, the appreciation of that openness is very restricted, both by the lack of public accessibility, and by the enclosed nature of much of the boundary treatment.

Local Significance

5.30 In terms of its local significance, recreational value and amenity is very restricted.

¹ Source: [2019] EWHC 190 [http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWHC/Admin/2019/190.html&query=\(title:\(+jopling+\)\)#disp27](http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWHC/Admin/2019/190.html&query=(title:(+jopling+))#disp27), Accessed 04/04/19

Beauty

- 5.31 Furthermore, comprising featureless amenity grassland, with no noteworthy landscape features, the Site has no attributes that contribute to "beauty".

Historical Significance

- 5.32 Whilst it has been in private recreational use for many decades, this has always been in private, related use, which does not expressly constitute 'historical significance', particularly when compared with other parks and open spaces in the locality, such as the likes of Bushey Park, Hampton Court, Ham House and Richmond Park which demonstrate "historical significance" (although knowledgably these are of too greater extent to be 'Local Green Space'). There are several buildings of Townscape Merit on Udney Park Road and Teddington High Street, however these are not directly related to the Site.
- 5.33 It is understood that the pavilion building previously accommodated a war memorial listing the names of old boys and staff of Old Merchant Taylor's School who died as a result of service in WW1. These panels have not been on site for a number of years and it is understood that they were relocated elsewhere prior to Quantum purchasing the site.
- 5.34 In terms of the historical significance of the existing Pavilion Building the heritage report states; ***"the heritage significance of the pavilion building is negligible, with any limited contribution that it might make to the surrounding townscape not linked to its specific form and as readily achievable by any building in the same location"***² (p.10, para.3.13). Therefore, it is apparent that the Site exhibits limited 'historical significance'.

Tranquillity

- 5.35 The Site also exhibits no recognised aspects of tranquillity, being surrounding by roads and development on all sides, with no sense of remoteness, and influenced by suburban development on all sides, including noise associated with frequent vehicle activity, and lighting. It does provide some sense of relief from the density of the surrounding suburban development, but this is not readily appreciated from much of the surrounding area. It is not utilised for informal recreation, as use is limited to those sports clubs that have the express consent by the landowner for use on a temporary basis, such that it would be not be readily experienced as a green space providing relief from the suburban environment.

² Asset Heritage Consulting, Heritage Assessment, Teddington Pavilion, Udney Park Road, Teddington, May 2016.

Richness of Wildlife

5.36 With regard to richness of its wildlife, the Site exhibits limited habitat diversity comprising predominantly uniform amenity playing field grassland with narrow intermittent margins of boundary hedgerow and trees. With the exception of one, all trees on the southern boundary sit outside of the site, on the eastern boundary all trees are within the site and on the western boundary along Udney Park Road, nearly all sit outside of the site with the exception of four. There are no Category A trees within the site. In terms of wildlife, an updated Phase 2 ecology survey was undertaken by Peach Ecology in 2018³, which identified no evidence of reptiles. Bats were recorded utilising the narrow margin of boundary vegetation for foraging and commuting with levels of use of the grass playing fields noted to be lower. The Phase 2 ecology survey report in relation to the value of the grassland to bat habitat states; **"(...) the open space does not provide high value habitat (...)"** (p.17), para.4.35). The Phase 2 ecology report goes on to state that; **"The majority of bat activity was along the western and eastern boundaries where greater levels of cover are present with mature trees forming dark corridors"** (p.17, para.4.36). As identified within the Tree Protection Plan produced by Barrell Tree Consultancy (16050-BT4)⁴, nearly all of trees along the western boundary fall outside of the Site, within land under control of LBRuT, thus do not form part of the consideration for Local Green Space relating to the Site.

Conclusion

5.37 Therefore, the Site in its current condition and use, with its current level of accessibility, and limited beauty, historic significance, tranquillity and richness in wildlife only partially meets the NPPF requirements for the designation of Local Green Space as identified in paragraph 5.1 of this statement.

5.38 In considering the Site against the policy requirements for Local Green Space Designation, as set out in the adopted London Borough of Richmond Upon Thames Local Plan, the criteria to be taken into account when defining Local Green Space are set out in Paragraph 5.2.10, and states that:

- *"The site is submitted by the local community;*
- *There is no current planning permission which once implemented would undermine the merit of a Local Green Space designation;*
- *The site is not land allocated for development within the Local Plan;*

³ Peach Ecology, Updated Phase 2 Bat and Reptile Survey Report, Imperial College London Private Ground on Udney Park Road, Teddington, London, TW11 9BB, December 2018.

⁴ Barrell Tree Consultancy, Tree Protection Plan, Ref. 16050-BT4

- *The site is local in character and is not an extensive tract of **land**".*

5.39 Notably, the first three criteria are additional to the criteria set out in the NPPF, and are not specific to the character, use and function of Local Green Space, which is the general focus of the NPPF criteria. As set out in the first criterion, whilst the Site may have been submitted by two local groups (which may be considered as not representative of the wider community, as evidenced by the creation of the CIC which is supportive of the proposals for the site) for a Local Green Space designation, this is not necessarily a commendation per se for the designation of the Site as Local Green Space, as the NPPF sets out the type of characteristics that demonstrate being of local significance or special to a local community, for example because of its beauty, historic significance, recreational value (to that community), tranquillity or richness in its wildlife. It is more to do with seeking to stop any development of the Site from occurring.

5.40 With regard to the second and third criteria, whilst there is no current planning permission which once implemented would undermine the merit of a Local Green Space designation, and the land is not presently allocated for development, this does not relate to the merits of the Site in terms of its suitability for Local Green Space, with again regard to character, use and function.

5.41 With regard to the final criterion, the Site is currently shown as "Other Open Land of Townscape Importance" as detailed in Policy LP14: Other Open Land of Townscape Importance, as the LBRuT Policies Map (previously Proposals Map) has not yet been updated to reflect the adopted Local Plan. This policy provides protection for the spatial character of the townscape of the borough, in particular to maintain predominantly open or natural areas, including areas that are of "value to local people for its presence and openness". Considering the current character, function and use of the Site, not what is proposed by the Quantum Group Ltd and the Teddington Sports Ground CIC in their representations to the Local Plan, this is an appropriate policy to afford protection of important open land within areas of dense suburban development, and when considering the Site in the context of the criteria for Other Open Land of Townscape Importance, and the supporting text of the policy. Paragraph 5.3.4 of the adopted Local Plan sets out the criteria for Other Open Land of Townscape Importance as:

- **"Contribution to the local character and/or street scene, by virtue of its size, position and quality.**
- *Value to local people for its presence and openness.*
- *Immediate or longer views into and out of the site, including from surrounding properties.*
- *Contribution to a network of green spaces and green **infrastructure as set out in policy LP12 in 5.1 'Green Infrastructure'**.*
- *Value for biodiversity and nature conservation.*

*Note that the criteria are qualitative and not all **need to be met.***

- 5.42 Importantly, to be designated Other Open Land of Townscape Importance, public access and recreational value are not required qualities, and therefore the Site is more compliant with the overall criteria for Other Open Land of Townscape Importance, as set out in both the adopted and the emerging Local Plan, than that for the designation of Local Green Space.
- 5.43 Of note is supporting text which sets out the purpose of Policy 14, and ways that such Other Open Land of Townscape Importance can be enhanced:

"5.3.1 The purpose of this policy is to safeguard open land of local importance and ensure that it is not lost to other uses without good cause. Areas designated as Other Open Land of Townscape Importance (OOLTI) form an important part of the multi-functional network of Green Infrastructure and they can include public and private sports grounds, school playing fields, cemeteries, allotments, private gardens, areas of vegetation such as street verges and mature trees. New areas for OOLTI designation can only be identified when a plan is being prepared or reviewed. The existing designated areas are shown on the Policies Map."

- 5.44 Likewise, similar supporting text is set out at paragraphs 5.3.6 and 5.3.7, which states that:

"5.3.6 Where a comprehensive approach to redevelopment can be taken, such as on major schemes or regeneration proposals, or for community and social infrastructure including educational uses, it may be acceptable to re-distribute the designated open land within the site, provided that the new open area is equivalent or improved in terms of quantum, quality and openness.

*5.3.7 Protecting and opening up views into and out of designated OOLTI is encouraged because of the contribution they can make to the distinctive character **of an area and the benefits to all.***

- 5.45 With regard to the final criteria for Local Green Space, the existing character of the Site can be adequately and reasonably protected by Policy LP14 with regard to Other Open Land of Townscape Importance. Furthermore, as set out in Policy LP13, Paragraph 5.2.10, to be designated as Local Green Space, it must be demonstrated that a green or open space has special qualities and holds a particular significance and value to the community it serves. However, as set out above, the Site has limited special qualities, more aligned with its designation as Other Open Land of Townscape Importance and is very limited in the extent to which it "serves" the community, and therefore the additional protection of a Local Green Space designation is neither appropriate nor necessary.

6.0 CONSIDERATION OF POTENTIAL ENHANCEMENTS TO THE SITE

6.1 As set out in the Representations to the Local Plan for the Site, made by Quantum Group Ltd and the Teddington Community Sports Ground CIC, the aspirations for the Site are to deliver enhanced sporting and community facilities, new public open space, and care-led accommodation for the elderly with publicly accessible healthcare services. The key benefits of which would be:

- Significant new public open space (gifted to the CIC as custodians of the Community) to enrich the life, health and wellbeing of residents and visitors;
- Enhanced play and sporting opportunities for all ages and abilities, including provision of a 3G pitch;
- Space for local groups and community activities;
- Modern, multi-use facilities to meet the needs of local clubs;
- Affordable housing solutions for the elderly population;
- Employment opportunities;
- Enhanced biodiversity and habitat creation;
- New primary healthcare facilities; and
- A sustainable legacy for future generations.

6.2 In addition, the proposals would increase the appreciation of the openness of the Site, with increased views into and out of the Site, achieved through the replacement of much of the close board fencing with open railings, to increase the visual permeability of the Site. The increase of availability of views from within the Site would be delivered through the provision of public access.

Contribution to Other Open Land of Townscape Importance

6.3 As demonstrated, the existing character of the Site can be adequately and reasonably protected by Policy LP 14, with regard to Other Open Land of Townscape Importance, and that additional protection of a Local Green Space designation is neither appropriate nor necessary.

6.4 In this context, on consideration of the proposals for the Site, as promoted by the Quantum Group Ltd and the Teddington Sports Ground CIC, as illustrated on the attached plans, the proposals offer real enhancements to the Other Open Land of Townscape Importance, in accordance with the policy objectives set out in Policy LP14.

6.5 Whilst the proposals would result in a small reduction in overall open space, the comprehensive approach to the redevelopment of the Site would result in an acceptable re-distribution of open

land within the Site, such that there would be a significant increase in publicly accessible open land, in terms of publicly accessible informal and formal open space and sports pitch provision, to be enjoyed by immediately adjoining residents and visitors from the wider community. Additionally, the provision of publicly accessible healthcare facilities as part of the Proposed Development strongly contributes to the; **"community and social infrastructure"** as set out in para. 5.3.6 of Policy LP14, designed to benefit the local area and community.

- 6.6 The accessible open space would also be of an improved quality; through the range of function and use, that is through the provision of informal public open space, a Multi-Use Games Area (MUGA), children's play area and higher quality pitch provision allowing for greater flexibility and intensity of use; through creation of more natural areas associated with the informal public open space with enhanced biodiversity and nature conservation value; and with an improvement to the landscape and visual character, through tree planting and landscape proposals to introduce variety and interest.
- 6.7 The proposals for the Site would result in the Site making a greater positive contribution to the surrounding townscape; providing an enhancement to the local character and street scene through the increased visibility of the Site, and greater diversity in character across the Site; and continuing to perform its function as a valued open space within the built up area, with a greater appreciation of the open nature of the Site from surrounding residents.
- 6.8 The proposals for the Site would also result in the Site making a greater contribution to the multi-functional network of surrounding Green Infrastructure, with increased access and permeability across the Site creating linkages with the surrounding area. This includes substantial ecological enhancements to support biodiversity in line with recommendations made under the 2018 Phase 2 Peach Ecology report.
- 6.9 The proposals for the Site would therefore result in an "enhancement of the openness and character of the open land" and would "open up views into and out of the open land", as encouraged by Policy LP14.
- 6.10 The proposals for the Site would increase the attributes of the Site that contribute to its designation as Other Open Land of Townscape Importance in terms of the criteria set out in Paragraph 5.3.4 of Policy LP14, as follows:
- **"Contribution to the local character and/or street scene, by virtue of its size, position and quality.**
 - *Value to local people for its presence and openness. Immediate or longer views into and out of the site, including from surrounding properties.*
 - *Contribution to a network of green spaces and green infrastructure as set out in **policy LP12 in 5.1 'Green Infrastructure'**.*

- ***Value for biodiversity and nature conservation***.

6.11 The proposals for the Site would therefore “not harm the character and openness of the open land”, in accordance with the requirements set out in Policy LP14 (Point C), but would enhance the character and openness of the open land, resulting in the Site making a greater contribution to the function and objectives of designated Other Open Land of Townscape Importance.

Contribution to Local Green Space

6.12 As demonstrated, the Site in its current condition and use, with its current level of accessibility, and lack of “beauty, historic significance, tranquillity and any richness in wildlife” only partially meets the NPPF Paragraph 100 requirements for the designation of Local Green Space, as set out below:

- *where the green space is in reasonably close proximity to the community it serves;*
- *where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- *where the green area concerned is local in character and is **not an extensive tract of land.***

6.13 The Site has limited special qualities, more aligned with its designation as Other Open Land of Townscape Importance, and is very limited in the extent to which it “serves” the community, and therefore the additional protection of a Local Green Space designation is neither appropriate nor necessary.

6.14 The proposals for the Site would provide significant benefits, such that the Site would provide a wide range of accessible informal and formal public open space, immediately adjoining the local community that it would then serve; with an increase in local significance by creating an attractive accessible green space of greater beauty, recreational value, richness of wildlife and local community benefit than exists at present.

6.15 Therefore, the proposals for the Site, as promoted by the Quantum Group Ltd and the Teddington Community Sports Ground CIC, would not conflict with the second criteria of Paragraph 5.2.10 of Policy LP13. The proposals for the Site would therefore contribute to the “very special circumstances where benefits can be demonstrated to significantly outweigh the harm”, as set out in Paragraph 5.2.9 of Policy LP13 of the adopted Local Plan.

Appendix 1: Site Appraisal Photographs A-D
 Site Context Photographs 1-4



SITE APPRAISAL PHOTOGRAPH A



SITE APPRAISAL PHOTOGRAPH B

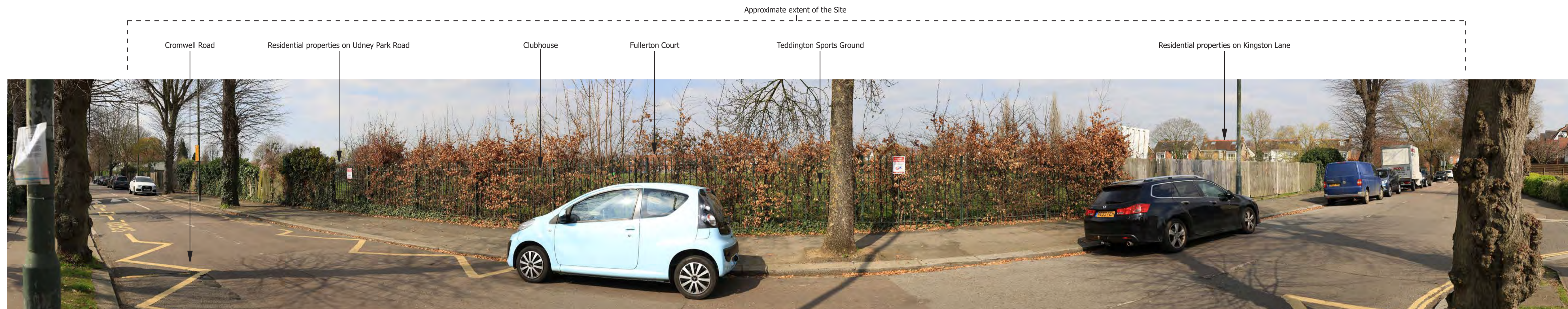


SITE APPRAISAL PHOTOGRAPH C



SITE APPRAISAL PHOTOGRAPH D

TEDDINGTON
ATHLETIC GROUND
SITE APPRAISAL
PHOTOGRAPHS: A - D
RECOMMENDED VIEWING
DISTANCE: 20CM @A1
DATE TAKEN: APRIL 2019
PROJECT NUMBER: 25615



SITE CONTEXT PHOTOGRAPH 1: VIEW FROM CROMWELL ROAD, LOOKING NORTH



SITE CONTEXT PHOTOGRAPH 2: VIEW FROM UDNEY PARK ROAD, LOOKING EAST

FORMER ICL PRIVATE
GROUND, TEDDINGTON

SITE CONTEXT
PHOTOGRAPHS: 1 - 2

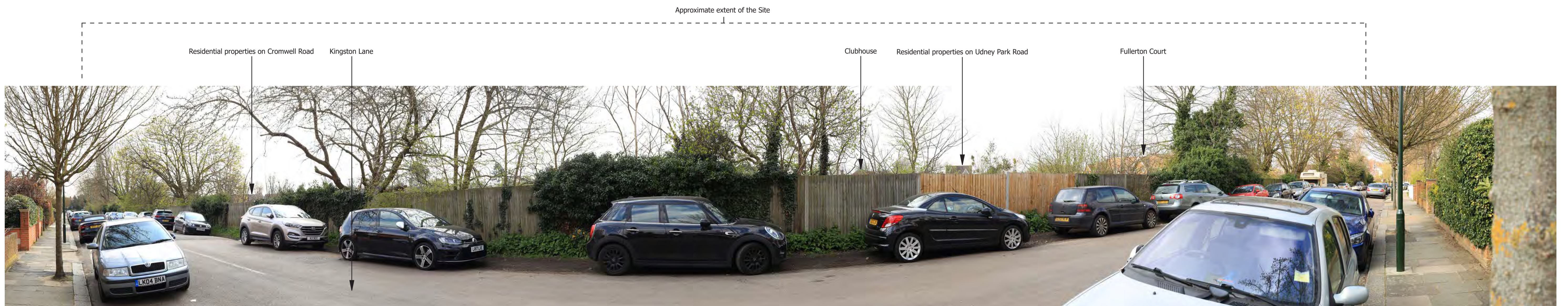
RECOMMENDED VIEWING
DISTANCE: 20CM @A1

DATE TAKEN: MAR 2019

PROJECT NUMBER: 25615



SITE CONTEXT PHOTOGRAPH 3: VIEW FROM UDNEY PARK ROAD, LOOKING EAST



SITE CONTEXT PHOTOGRAPH 4: VIEW FROM KINGSTON LANE, LOOKING WEST

FORMER ICL PRIVATE
GROUND, TEDDINGTON

SITE CONTEXT
PHOTOGRAPHS: 3 - 4

RECOMMENDED VIEWING
DISTANCE: 20CM @A1

DATE TAKEN: MAR 2019

PROJECT NUMBER: 25615

Appendix 2: LBRuT Local Plan EIP Written Statement, Hearing 5:
Character and Design;
Green Infrastructure; Climate Change – Council Responses
to Questions 8-15, on Green Infrastructure Document
version 8/9/17

LONDON BOROUGH OF RICHMOND UPON THAMES

LOCAL PLAN INDEPENDENT EXAMINATION IN PUBLIC

WRITTEN STATEMENT

**HEARING 5: CHARACTER AND DESIGN; GREEN INFRASTRUCTURE; CLIMATE
CHANGE**

MONDAY 9 OCTOBER

COUNCIL RESPONSES TO QUESTIONS 8-15, ON GREEN INFRASTRUCTURE

Document version: 8/9/17

Does the Plan take a justified and suitably evidenced based approach towards Green Infrastructure? Is the Plan consistent with national policy in such regards and will it be effective in implementation?

Yes, the Plan takes a justified and evidence based approach towards Green Infrastructure, as set out below within the Council's responses to questions 8 to 15 within this Statement.

The Plan is consistent with national policy with regard to Green Infrastructure and it is considered to be effective in its implementation. See the Council's responses to questions 8 to 15 within this Statement below.

8. Is the evidence base supporting Policy LP 12, LP 13¹ and Local Green Space (LGS) robust?

Are Policies LP 12 and 13 clear in their intention/wording and means of delivery?

Policies LP 12 and LP 13 are informed by a robust set of studies which provide evidence in relation to green infrastructure. This includes the Council's Open Space Assessment (SD-047), which analysed over 200 sites of varying typologies, and the Infrastructure Delivery Plan (SD-021), which specifically analysed the current provision and future requirements.

In the context of Green Infrastructure, it is important to note that this includes a wide variety of spaces, including parks of varying sizes (as set out in the Public Open Space Hierarchy of policy LP 12) as well as others such as play areas, allotments and the borough's rivers. National guidance, which is reflected within the supporting text of LP 12, stresses that planning should contribute to conserving and enhancing the natural and local environment and reducing pollution (paragraphs 109-125).

There is relevant regional policy (set out in the London Plan) as well as guidance and evidence produced by the Mayor of London, including the Mayor's All London Green Grid (ALGG) SPG (PS-076). The SPG identifies two Framework Areas relevant for Richmond borough (i.e. [The Arcadian Thames](#) (PS-077) and the [River Colne and Crane](#) (PS-078)), and there are numerous parks, open spaces and the River Thames and Crane corridors within the borough that contribute to green infrastructure networks that perform a wide range of functions for residents, visitors, biodiversity and the economy. As a component of sustainable development, Green Infrastructure should be considered at an early stage of a planning proposal. Policy LP 12 also sets out the hierarchy and uses of the Public Open Spaces that planning proposals should protect and enhance, which is in line with the London Plan categorisation of open space (Policy 7.18).

The evidence (SD-021) demonstrates that the borough has over 2,000 ha of open space; about one quarter of this is managed by the Council. Richmond Park (1,000 ha) and Bushy Park (450 ha) are the largest and second largest open spaces in London; the Old Deer Park (147 ha) and the River Thames towpath (27 km) provide a regional recreational function. Overall, the borough is very well provided with public open space in relation to its population, having 13 ha per 1000 compared to the Sport England's recommended 2.48 ha (6 acres) per 1000. With a resident population of 194,700 (ONS 2015 Mid-Year Estimates), this provides almost 12 ha per 1,000 population, comparing extremely favourably to the traditional 2.43 hectares per 1,000 population. This shows that this borough is not deficient in open space

¹ A reference to LP 13 has been inserted to provide clarity to the question.

on a borough-wide basis. Notwithstanding, the IDP recognises that demand on Green Infrastructure is likely to increase rather than decrease, from both local residents and from visitors from inner London boroughs, particularly as London's population grows; this is also recognised within the Plan, which states that the borough's parks and open spaces provide a green lung for south/west London. As an example, the Council recently created a new Public Open Space / woodland play area called 'Strawberry Woods' at Stanley Road, Twickenham ([Map](#)), where the Council has transformed an area of overgrown wasteland into an innovative play area.

Overall, there are few areas in the borough, which are outside the 400m catchment for local parks, and most of these are within easy reach of a District Park. If the River Crane Park and Kneller Gardens are treated together as a District Park, there are few areas outside the 1.2 km catchment for a District Park. There are few areas outside the 500m catchment for sites of nature interest. Most of the borough is within 1.2km of at least one of the three strategic walking routes. Therefore, overall the evidence demonstrates that apart from the areas of deficiency in Public Open Space provision (as set out within the existing Proposals Map, SD-020), where there is no alternative open space, it is considered that no new open space is required, but that the emphasis should be on the protection and enhancement of existing open space, including areas of nature importance.

In relation to Policy LP 13 (Green Belt, MOL and LGS), the national and regional policy and guidance set out the evidence base in terms of how development proposals within such designated land should be dealt with. In line with higher level policies and guidance, there is a presumption against the loss of, or building on, greenfield sites as well as MOL/Green Belt in this borough, unless very special circumstances and/or an exception to relevant policies can be demonstrated. The Council did not carry out a Green Belt or MOL review because the Plan and its spatial strategy demonstrate that the borough can meet its housing target, set by the London Plan, without releasing open land that is protected by designations such as Green Belt or MOL.

Policies LP 12 and 13 clear in their intention/wording as well as their means of delivery. The policies set out for developers and applicants what should be protected, i.e. Green Infrastructure as well as Green Belt, MOL and LGS, and where possible their schemes should enhance elements of Green Infrastructure. The criteria for assessment are set out in LP 12 A (criteria a to c) and LP 13 B (criteria 1 to 3) respectively. In addition, all developments will be assessed as to whether they incorporate appropriate elements of open space that make a positive contribution to the wider network (this also links with Policy LP 31

where applicable) and LP 13 in particular encourages improvements and enhancements to the openness and character of Green Belt or MOL.

How is the approach to LGS designed to work in practice? What evidence underpins the policy formulation in this regard?

In line with paragraphs 76 to 78 of the NPPF, Local Green Space (LGS) is green or open space, which has been demonstrated to have special qualities and hold particular significance and value to the local community which it serves. It should be noted that in line with NPPF, it is not a criterion for LGS to be publicly accessible, and for this reason it is also not included within the POS Hierarchy set out in LP 12. A LGS designation and corresponding policy guidance has been included following the Regulation 18 consultation, because a local community had identified an area (i.e. Udney Park Playing Fields) for special protection. At that stage, the Council considered the proposed LGS against the requirements set out in paragraphs 76 and 77 of the NPPF, and it was considered that it met the NPPF criteria. In line with regulations, every designation on a Proposals Map requires a corresponding policy, and therefore guidance on LGS has been included within policy LP 13 (Green Belt and MOL). The reason for this is because the NPPF states that local policy for managing development within a LGS should be consistent with policy for Green Belts. In addition, the Council has developed additional criteria to be taken into account when assessing applications for LGS, and these are set out in paragraph 5.2.10.

Therefore, in practice, should the Council receive further applications for LGS as part of subsequent Local Plan reviews, these will be assessed against the criteria in the NPPF, the guidance contained within the PPG (paragraphs 005 to 022 of 'Open space, sports and recreation facilities') as well as the criteria in policy LP 13. Should a proposal for development come forward on designated LGS, then this will be assessed against the NPPF and the criteria set out in policy LP 13, whereby development that could cause harm to the qualities of the LGS would be considered inappropriate and would only be acceptable in very special circumstances where benefits can be demonstrated to significantly outweigh the harm.

In relation to the evidence for designating Udney Park Playing Fields and how this has been assessed against NPPF and LP 13 criteria for designation, please refer to Appendix 1 for further details. This demonstrates that the application for a LGS designation of Udney Park Playing Fields meets all of the criteria as set out in LP 13 of the Plan policy as well as the policy and guidance set out within the NPPF and PPG.

Furthermore, Appendix 2 sets out the detailed assessment of the application by the Mortlake Brewery Community Group' and Mortlake residents' to designate the sports field at Lower Richmond Road, Mortlake as LGS, and why the Council concluded that this site does not meet all criteria for designation in line with the NPPF, PPG and LP 13.

Does the plan contain adequate reference to the River Crane?

Yes. The River Crane corridor is an important element of the Blue Ribbon Network, and regional policy and guidance applies as part of the statutory development plan, i.e. London Plan policy 7.24 as well as the ALGG (PS-076) and the [River Colne and Crane Area Framework \(PS-078\)](#). Policy LP 12 contains a general reference to watercourses within paragraph 5.1.2, and a specific reference to the ALGG and the River Colne and Crane Area Framework within paragraph 5.1.6. In addition, Policy LP 18 deals specifically with river corridors and recognises that the borough's rivers, including the Crane, are important components of the wider Green Infrastructure network. This policy provides general guidance to applicants and developers in relation to the borough's rivers. Paragraph 5.7.4 of LP 18 deals specifically with the River Crane, and highlights why it is important and what developments alongside and adjacent should contribute in terms of the overarching aim of creating a new continuous metropolitan park. Therefore, it is considered that the Plan contains adequate and sufficient references to the River Crane.

9. Is the Local Plan's approach to Green Belt justified, consistent with national policy and in conformity with the London Plan?

National and regional policy and guidance set out the approach in terms of how development proposals within land designated as Green Belt or MOL should be dealt with. In line with London Plan policy 7.17, MOL is given the same level of protection as Green Belt and therefore paragraphs 79-92 of the NPPF on Green Belts applies equally.

Government and the Mayor of London give great importance to the protection of Green Belt (which applies equally to MOL within London). In line with NPPF the aim of Green Belt as set out within the supporting text to LP 13 is to prevent urban sprawl by keeping land permanently open. MOL is of strategic and London-wide importance, and policy 7.17 of the London Plan states that the strongest protection should be given to London's MOL and inappropriate development refused, except in very special circumstances.

Consistent with the national policy, 'inappropriate development' is by definition harmful to Green Belt / MOL and should be refused unless 'very special circumstances' can be demonstrated that clearly outweigh the harm.

Policy 7.17 of the London Plan states that appropriate development should be limited to small scale structures to support outdoor open space uses and minimise any adverse impact on the openness of MOL. This guidance is reflected and reiterated within policy LP 13 to ensure general conformity with the London Plan.

Therefore, the Plan's approach to Green Belt and MOL is justified and consistent with national policy; reference to the relevant guidance within the NPPF and paragraphs 79-92 is included within the supporting text of LP 13. In addition, the Policy is in conformity with the London Plan as the Mayor of London has not raised any issues in this regard during the Regulation 19 consultation.

Are alterations to the Policies Map necessary?

Changes to the currently adopted 2015 Local Plan Proposals Map (SD-020) have been collated and set out within the Proposals Map Changes document (SD-002). The changes are considered to be clear and comprehensive, and have been subject to public consultation at the Regulation 19 stage.

In relation to Green Belt, MOL and LGS, SD-002 sets out the removal of a small parcel of land at Harrodian School, which has been agreed with the School as well as the Mayor of

London. The only other change to the Proposals Map is the designation of the Udney Park Playing Fields as LGS. No further alterations are necessary.

The Inspector should note the Council's / officer responses to the Regulation 19 Publication responses (LBR-LP-002 and LBRLP-003) for the detailed responses to Representors who are seeking changes to Green Belt / MOL designations.

10. What is the justification for LP 14 and the designation of Other Open Land of Townscape Importance? Is the policy consistent with national policy?

The Council considers the policy to be justified and in line with national policy. The purpose of this policy is to safeguard open land of local importance. In parts of the borough, open areas, including larger blocks of private gardens, which are not extensive enough to be defined as Green Belt or MOL, act as pockets of greenery of local rather than London-wide significance. Many of these are of townscape importance, contributing to the local character and are valued by residents as open spaces in the built-up area. These Other Open Land of Townscape Importance (OOLTI) areas can include public and private sports grounds, some school playing fields, cemeteries, some large private gardens and some allotments. The designated areas are shown on the Proposals Map.

It should be noted that the OOLTI policy and designation is a long-standing policy approach within Richmond borough. It has first appeared in the 1985 Local Plan and in all subsequent plans, each of which were subject to public examination. The wording of the policy and its supporting text has changed little over the years. The principle and details of such a policy were accepted by the relevant Inspectors. Most notably, at the DMP (SD-016) examination in 2011, the Inspector fully considered the criteria that should be taken into account when defining OOLTI (see the Inspector's report, PS-079). These are now set out within paragraph 5.3.4. The policy has been successfully applied for many years.

Overall, the protection of open spaces that are of local importance is considered to be fundamental for achieving sustainable development within this borough. They contribute significantly to the local character and are valued by residents and local communities due to the multiple benefits they provide, such as in relation to the character and setting of the borough's historic areas, buildings and townscape; providing visual amenity and attractive settings and outlook for surrounding properties; contributing to the wider Green Infrastructure Network and their value to biodiversity and nature conservation. They are therefore an intrinsic part of the Plan's vision and spatial strategy. Furthermore, open spaces contribute to the quality of place, which is a key factor in attracting investment, jobs and growth to an area. Therefore, the borough's land designated as OOLTI form an important part of the wider Green Infrastructure network, which is considered to have economic value to the surrounding area, in addition to creating community-wellbeing.

The Mayor of London, as part of its London Plan policy 7.18, states that the loss of protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Specifically, the London Plan states that boroughs should include appropriate designations and policies for the protection open space to address deficiencies.

The supporting text to 7.18 confirms that local open spaces are key to many issues, such as health and biodiversity. The policy is therefore consistent with the London Plan in terms of having clear planning policies on the designation of local open spaces and the identification of areas of local deficiency (based on benchmarks set out in the London Plan).

The NPPF (paragraph 73) states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision (see the Council's evidence and research set out within SD-044, SD-045, SD-046 and SD-047). In addition, paragraph 74 states that existing open spaces should not be built on unless certain criteria can be complied with.

It should be noted that this Local Plan review is not proposing any changes to the OOLTI designations other than in relation to SA 17 St Michaels Convent (see the Council's statement on question 9, Hearing 4).

11. What evidence supports the approach of LP 15 and is Natural England satisfied fully with its content?

All public authorities in England and Wales have a duty to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. The NPPF is clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution (see Paragraph 17 of NPPF).

The London Plan (policy 7.19) requires local policies to protect priority species and habitats and clearly identify European and nationally important sites. There is a need to identify, protect and enhance the borough's biodiversity, and great emphasis should be given to connectivity of habitats and features to the wider ecological and Green Infrastructure networks, as set out in the ALGG SPG (PS-076).

Natural England, in their response to the Publication Local Plan consultation, have confirmed that there are no issues to highlight regarding the four tests of soundness, and that therefore they will not want to attending or speak at the examination.

The Inspector should also note that during the Regulation 18 consultation, Natural England set out within their response (SD-004, Appendix 3, Reference Nos. 12 & 169) their support for the overall vision of the plan, including its strategic objectives. At this stage, they also set out their full support for policy LP 15 and that this accords with paragraph 109 of the NPPF.

12. Is LP 16 B (3) justified, consistent with national policy and will it be effective in delivery?

The borough has a significant amount of tree cover and the abundance is a great asset to the borough's unique environment. Trees are considered to contribute significantly to the special environment of the borough due to their multiple benefits. The Council has adopted its own Tree Policy (PS-080), which recognises the benefits of trees and outlines a responsible management approach towards trees in the borough.

Policy LP 16 is consistent with the NPPF protection of ancient woodland and veteran trees, and London Plan policy 7.21, which states that trees of value should be maintained, any loss as a result of development should be replaced, and new trees should be included in new developments. This is consistent with the Council's approach to local character, assets, features, and design quality through the borough's village planning process.

The specific policy criterion in relation to a financial contribution to the provision for an off-site tree in case a tree is felled is considered to be appropriate. The policy states that this only applies 'where practicable', and that the monetary value of the existing tree will be required in line with the CAVAT methodology. This particular policy criterion is considered to be effective in delivery and has already been applied by the Council on certain specific planning applications, where a financial contribution for a tree replacement was considered to be a site-specific requirement as part of the planning permission. The average price for a replacement street tree and landscaping is £500. In terms of the practical arrangements, the Council's Arboricultural officer will be notified and a tree bond entered into as part of a Section 106 agreement. As part of this, the Council fully complies with the S106 pooling restrictions as this policy approach does not seek to pool contributions such as for public realm, but is specifically to compensate for a loss of a tree that has to be felled as part of a development, and to allow the Council to provide an appropriate off-site replacement tree.

13. What is the justification for LP 17? Has it been considered adequately for its effect upon development viability?

Green roofs and/or brown roofs, due to their multiple benefits, are considered to be important within an urban environment, particularly as they help to adapt to climate change by absorbing rainfall, reducing surface water flooding, improving the thermal performance of buildings and reducing air temperatures through evapotranspiration. Green roofs and walls also assist in the greening of development and add to the wider network of Green Infrastructure as well as enhance biodiversity and visual amenity.

The policy approach is in line with London Plan policy 5.11, which considers green roofs as an essential sustainable design consideration, and therefore advocates boroughs to promote the use of green roofs. Policy LP 17 will also help to contribute to the Mayor of London's target to make the city "50% green" by 2050, as set out in the draft London Environment Strategy (PS-081).

Policy LP 17 adopts a proportionate approach to green roofs in the borough, with a requirement for applications for new major developments with roof areas over 100sqm to incorporate a green roof, subject to feasibility and considerations of visual impacts. This is not a new policy and a significant number of green roofs have been permitted since this policy was first introduced as part of the DMP (SD-016) in 2011. Within the evidence base for this policy, the Council has considered the detailed costs of differing kinds of green and/or brown roofs and the impact of this on the development. The consideration of practicability is further clarified by the explanatory text for the policy, wherein viability information is a consideration, i.e. paragraph 5.6.4 states that the Council will take into account relevant viability information. It should also be noted that this policy only applies to major developments, of which the borough only receives very few per annum (see Appendix 1 to the Council's Statement for Hearing 2).

In addition, the Inspector should note the Whole Plan Viability Assessment (SD-024), which allowed for a cost in relation to LP 17. This assessed flats, as should a major development scheme contain houses rather than flats, it is most likely that green roofs are technically not feasible due to pitched roofs proposed as part of houses. In addition, flats would be sold leasehold, wherein it is easier to control the ongoing maintenance and management of green roofs. It is therefore considered that the impact of LP 17 has been adequately assessed for the effect on development viability.

14. Is LP 18 justified and flexible in operation? Are criterion C and D warranted and capable of implementation?

There is a need to protect and enhance the natural and built environment and unique historic landscape of the borough's corridor and take account of the relevant strategies relating to the rivers. The policy is in conformity with the London Plan Blue Ribbon Network policies 7.24 - 7.30, in particular, Policy 7.29 relating to the River Thames and the Thames Policy Area as well as the Arcadian Thames Framework, which is part of the Mayor's ALGG SPG (PS-077).

Part of the Arcadian Thames Framework's objectives is to increase and improve pedestrian connections and promote recreational riverside improvements along the rivers corridors and through Royal Parks and Commons. The Framework contains a rolling list of projects, which sets out the relevant partners, such as the Thames Landscape Strategy, the Boroughs of Kingston, Richmond and Hounslow, the Historic Royal Palaces, landowners and other key stakeholders such as Historic England / English Heritage, Environment Agency, PLA; it also includes sources of funding where known.

Policy 7.27 of the London Plan specifically states that proposals should "protect and improve existing access points to (including from land into water such as slipways and steps) or alongside the Blue Ribbon Network (including paths)". In addition, it clearly states that new access infrastructure into and alongside the Blue Ribbon Network should be sought. Furthermore, the supporting text of Policy of 7.29 at paragraph 7.96 states that as part of major development proposals for sites with a Thames frontage, consideration should be given to the need and desirability of having facilities to enable access to and from the river, both for boats and for pedestrians. This may include the retention, refurbishment or reinstatement of existing or former access points or the provision of new facilities.

In terms of provision of new public access, Part C of the policy clearly states 'where possible'. In addition, as set out in Part D of the policy, it is the Council's view that the onus should be on the developer to work with adjoining landowners, where necessary, to gain public access to the riverside, where this is not yet available, and ensure that proposals provide wider public benefits, especially benefits to the local community. The Council will take into account site specific characteristics and circumstances, which will be assessed on a case by case basis.

Therefore, the policy overall, including Criterion C and D, is considered to be justified, flexible in operation, warranted and capable of implementation. It is in conformity with the London Plan; the Mayor of London and the Environment Agency support this policy.

It is acknowledged that the PLA raised some concerns with regard to LP 18 and therefore a positive Statement of Common Ground has been agreed with the PLA, which sets out some minor changes to LP 18 (see SoCG with PLA, LBR-LP-007).

15. Is LP 19 justified as a whole and are the criteria warranted and capable of implementation?

The River Thames is designated as MOL and therefore the openness and character of the river will be safeguarded from inappropriate uses. The policy sets out a presumption against new or extensions to existing houseboats whereas Part B seeks to safeguard the character, openness and views of the river.

This policy is in conformity with London Plan Blue Ribbon Network policies 7.24 - 7.30, in particular Policy 7.27 point c., which states that proposals should protect and enhance waterway support infrastructure such as boatyards, moorings, jetties and safety equipment etc. It also states that new mooring facilities should normally be off line from main navigation routes, i.e. in basins or docks. The supporting text goes on to say consents for and the use of new moorings should be managed in a way that respects the character of the waterways and the needs of its users. Importantly, it also states that the rivers should not be used as an extension of the developable land in London nor should parts of it be a continuous line of moored craft.

It is of utmost importance in this borough to protect the River Thames, its special reaches, character areas and its openness, in line with the Thames Landscape Strategy, the ALGG SPG (PS-076) and the Arcadian Thames Framework (PS-077). Richmond borough is the only London borough to span both sides of the River Thames. Whilst it is acknowledged that existing houseboats, moorings and other floating structures are an established part of the river scene, without this Policy there would be a concern that there could be an increase in planning applications for residential and private permanent moorings, whilst the main aim of the Council is to ensure that the river is accessible to all, for pleasure and recreation as well as navigational purposes, and as such of wider benefit to the community and residents that it serves.

The Inspector should note that this policy has been taken forward from the DMP Policy DM OS 3 (SD-016). Whilst it has been streamlined to some extent, the emphasis of the policy approach has remained unchanged. DM OS 3 has been successfully implemented over the years.

Therefore, the Council is of the view that all criteria set out within this policy are justified, based on the local evidence as well as the character and nature of the borough. In addition, the policy ensures compliance with the relevant London Plan policies. In particular, criterion 4 is of importance as it is necessary to ensure moorings and other floating structures are of

wider benefit to the local community, such as for example providing mooring for pleasure craft and enjoyment of the river.

The London Borough of Richmond upon Thames has introduced a Moorings Byelaw (see [www.richmond.gov.uk/byelaws and local legislation](http://www.richmond.gov.uk/byelaws_and_local_legislation) for further information) that came into effect on 13 March 2015. As such, it is a criminal offence to moor a vessel longer than permitted without the written consent of the Council. In addition, the EA and PLA have licencing powers over houseboats.

The Inspector should also refer to the positive Statement of Common Ground that has been agreed with the PLA (LBR-LP-007).

Overall, based on the above, the policy is warranted and capable of implementation.

Appendix 1 – Evidence to support the designation of Udney Park Playing Fields as LGS designation

The application of the Teddington Society and the Friends of Udney Park Playing Fields received as part of the Regulation 18 consultation on the Plan has been considered and assessed against the Policy LP 13 criteria (in paragraph 5.2.10 of the Plan), the NPPF and PPG. The following sets out a detailed assessment of this site against *each criterion of LP 13 (set out in italics)*, which incorporates an assessment of the relevant NPPF criteria and guidance within the PPG on Local Green Space (paragraphs 005 to 022 of ‘Open space, sports and recreation facilities’):

- *The site is submitted by the local community:* this criterion is considered to be met as the application has been submitted on behalf of both the Teddington Society as well as the Friends of Udney Park Playing Fields. The Council notes that the Friends of Udney Park Playing Fields, at the time of the application, has circa 300 households as registered supporters, whereas the Teddington Society, whose purpose is to preserve and enhance the quality of life for everyone living and working in Teddington, is by far the largest community group in the locality with very high membership levels. This is a long-established, well organised and respected society, which was formed in 1973 and has been going for over 40 years. In addition, it should be noted that in March 2016 the Udney Park Playing Fields have been designated as “Asset of Community Value”, following careful consideration of the criteria and relevant legislation.
- *There is no current planning permission which once implemented would undermine the merit of a Local Green Space designation:* whilst this criterion is an additional one to those set out in the NPPF, the Council considered that it was important for this to be added to Policy LP 13 as otherwise it could undermine a development for which permission was already granted. It is the case that there is no current planning permission for development on this site. Indeed, the playing fields are designated Other Open Land of Townscape Importance (OOLTI), and the associated OOLTI policy states that these areas will be protected in open use, and enhanced where possible.
It is noted that the Quantum Group (representor ID 228) has carried out pre-application consultations with the local community. However, it is not the purpose of the plan-making process to assess potential future developments on designated open land (whether OOLTI and/or LGS) against planning policies.
- *The site is not land allocated for development within the Local Plan:* this criterion is considered to be met as there is no site allocation for development within an existing or emerging Local Plan.
- *The site is local in character and is not an extensive tract of land (this corresponds with the third bullet point of the NPPF criteria):* this criterion is considered to be met as Udney Park Playing Fields are existing playing fields and the site is approximately 13 acres in size, which in an urban setting is a substantial piece of recreational space though within the 5 acres to 50 acres Policy Guidance for Local Green Space.
- *Where the site is publicly accessible, it is within walking distance of the community; OR where the site is not publicly accessible, it is within reasonably close proximity to the community it serves (the latter part of this criterion corresponds with the first bullet point of the NPPF criteria):* the Playing Fields are situated in the heart of Teddington, easily accessed on foot or public transport by the community; therefore, this criterion is considered to be met. It is noted that the playing fields are not publicly accessible; however, they are reasonably close to the community it serves.

- *The Local Green Space is demonstrably special to a local community and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife* (this corresponds with the second bullet point of the NPPF criteria): the site is overlooked by local property on all four sides and is very much sited in the heart of the Teddington community. The green space of Udney Park provides a healthy break in the built-up area of Central Teddington. The playing fields are part of the local as well as part of the wider Green Infrastructure network, and they play, and have the future potential to play, a significant role in the community. It is noted that the Quantum Group has granted a temporary licence to local sports teams, which is encouraged by local planning policies, such as LP 31.
- *The Local Green Space designation would provide protection additional to any existing protective policies, and its special characteristics could not be protected through any other reasonable and more adequate means:* the playing fields are designated Other Open Land of Townscape Importance (OOLTI), and the associated OOLTI policy states that these areas will be protected in open use, and enhanced where possible. It is acknowledged that the OOLTI policy is a local policy concerned with the protection of open spaces that contribute to the importance of townscape and local character. Many of these are valued by residents as open spaces in the built up area. The OOLTI Policy LP 14 requires the protection of land designated as OOLTI in open use, and the policy only allows for minor extensions or replacement facilities provided that it would not harm the character or openness of the open land. In the case of Udney Park Playing Fields, a LGS designation would provide some additional protection at a level that is similar to Green Belt and/or Metropolitan Open Land, for which there is both national and regional policy and guidance.

Based on the above, it can be concluded that the application for a LGS designation on this site meets all of the criteria as set out in LP 13 of the Plan as well as in the NPPF and PPG.

In addition, the Udney Park Playing Fields have been considered and assessed within the Borough's Playing Pitch Strategy Assessment Report (SD-044), within which they are referred to as 'Imperial College (Teddington Sports Ground)'. This report, together with the Playing Pitch Strategy (SD-045) recognise that that the playing pitches at Udney Park are not widely used by the community currently (due to private ownership and use by Imperial College and Newland House School at that time) but the assessments confirm the need to protect and enhance the facility as without this space there would be a shortage of playing pitches in the borough to satisfy future needs and demand.

Furthermore, it should be noted that the Council has duly considered and discussed the merits of the LGS designation of this site at the Cabinet meeting on 13 December 2016, where the Publication Local Plan was agreed for public consultation by the Council; the minutes of this meeting, published on the [Council's website](#), provide further details.

Appendix 2 – Assessment of sports field at Lower Richmond Road, Mortlake as LGS

The application of the Mortlake Brewery Community Group' and Mortlake residents' submission for designation of the sports field at Lower Richmond Road, Mortlake as Local Green Space has been considered and assessed against the Policy LP 13 criteria (in paragraph 5.2.10 of the Local Plan) and the NPPF. The following sets out a detailed assessment of this site against *each criterion of LP 13 (set out in italics)*, which incorporates an assessment of the relevant NPPF criteria and guidance within the PPG on Local Green Space (paragraphs 005 to 022 of 'Open space, sports and recreation facilities'):

- *The site is submitted by the local community:* this criterion is considered to be partially met as the application has been submitted on behalf of the Mortlake Brewery Community Group. However, it is not clear as to the extent of how the application represents the views of the "Mortlake residents", including how these views have been gathered, and whether this refers to a particular community group or the wider residents as a whole.
- *There is no current planning permission which once implemented would undermine the merit of a Local Green Space designation:* this criterion is considered to be met as it is the case that there is no current planning permission for development on this site. The playing field is designated Other Open Land of Townscape Importance (OOLTI), and the associated OOLTI policy states that these areas will be protected in open use, and enhanced where possible. It is noted that the landowner has carried out pre-application consultations with the local community. Also see the Council's written statement to question 1, Hearing 8.
- *The site is not land allocated for development within the Local Plan:* this criterion is not met as the Local Plan allocates the site as part of SA 24 for wider comprehensive development. It is therefore considered that this proposed LGS designation is not consistent with the National Planning Practice Guidance as it is used in a way that undermines the aims of this Plan, particularly in relation to achieving site allocation policy SA 24 Stag Brewery.
- *The site is local in character and is not an extensive tract of land (this corresponds with the third bullet point of the NPPF criteria):* this criterion is considered to be met as the sport fields are existing playing fields within an urban setting. The site is 2.1 hectares and its boundaries are fenced or walled and formed by Williams Lane on two sides with a mixture of new housing and former brewery employee's dwellings, by the old brewery on the third side and the Lower Richmond Road on the fourth.
- *Where the site is publicly accessible, it is within walking distance of the community; OR where the site is not publicly accessible, it is within reasonably close proximity to the community it serves (the latter part of this criterion corresponds with the first bullet point of the NPPF criteria):* the playing field is situated in the heart of Mortlake abutting the Lower Richmond Road, easily accessed on foot or public transport by the community. It is currently accessible to local sports clubs and schools with the owner's permission. Therefore, this criterion is considered to be met.
- *The Local Green Space is demonstrably special to a local community and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife (this corresponds with the second bullet point of the NPPF criteria):* whilst the application for the LGS designation mentions that the playing field has a rich and varied history and is the only remaining common field in Mortlake that has never been

built on, there does not appear to be demonstrable evidence setting out why this playing field in particular is special to the local community, e.g. for example because of its recreational value or beauty. It therefore appears that the main reason for the proposed LGS designation is to prevent any built development on this part in respect of the wider redevelopment proposal set out at SA 24 of the Plan.

- *The Local Green Space designation would provide protection additional to any existing protective policies, and its special characteristics could not be protected through any other reasonable and more adequate means:* the playing field is designated OOLTI and the associated OOLTI policy states that these areas will be protected in open use, and enhanced where possible. It is acknowledged that the OOLTI policy is a local policy concerned with the protection of open spaces that contribute to the importance of townscape and local character. The OOLTI Policy LP 14 requires the protection of land designated as OOLTI in open use, and the policy only allows for minor extensions or replacement facilities provided that it would not harm the character or openness of the open land. Therefore, this policy is considered to be a strong and robust policy. The OOLTI policy recognises however that where a comprehensive approach to redevelopment can be taken, such as on major schemes or regeneration proposals, such as the Stag Brewery redevelopment (SA 24), it may be acceptable to re-distribute the designated open land within the site, provided that the new area is equivalent to or is an improvement in terms of quantum, quality and openness. Consequently, whilst any encroachment on or loss of the OOLTI at the Stag Brewery site will not be encouraged, the policy does allow for re-provision in certain instances (however, re-provision would have to be on site within SA 24 and not elsewhere in the Mortlake area). It is therefore acknowledged that the designation would provide some additional protection at a level that is similar to Green Belt and/or Metropolitan Open Land; however, this is contrary to the aims of policy SA 24 and could undermine the delivery of the Local Plan's Spatial Strategy, vision and objectives.

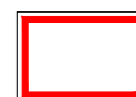
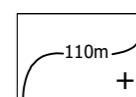

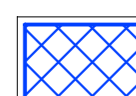
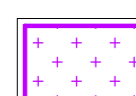
Based on the above, it can be concluded that the application for a LGS designation does not meet all of the criteria as set out in Policy LP 13. In particular, it is of concern that the proposed designation is contrary to the aims of SA 24, and in this instance, the OOLTI designation is considered to be sufficient.

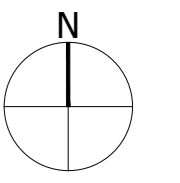


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Revision _____ Date _____ Drn _____ Ckd _____

LEGEND

-  Site Boundary
-  Contours/Spot Heights (Metres AOD) ^
-  Listed Buildings ~
-  Tree Preservation Order
-  Other Open Land of Townscape Importance **
-  Area poorly provided with Public Open Space **



Sources:
 ^ OS Mapping
 ~ Historic England National Monument Record GIS Data Set
 ** London Borough of Richmond Upon Thames Local Plan - Proposals Map, Adopted July 2015

Data collated for constraints and analysis mapping is based on publicly available sources at the time of preparation inserted using the British National Grid and may itself not be accurate. Barton Willmore shall not be liable for the accuracy of data derived from external sources.

FIGURE 2

Project
 Former ICL Private Ground,
 Teddington
 Drawing Title
 Site Appraisal Plan

Date 05.04.2019	Scale 1:2,000 @A2	Drawn by SS	Check by DM
Project No 25615	Drawing No LN-LP-02	Revision -	



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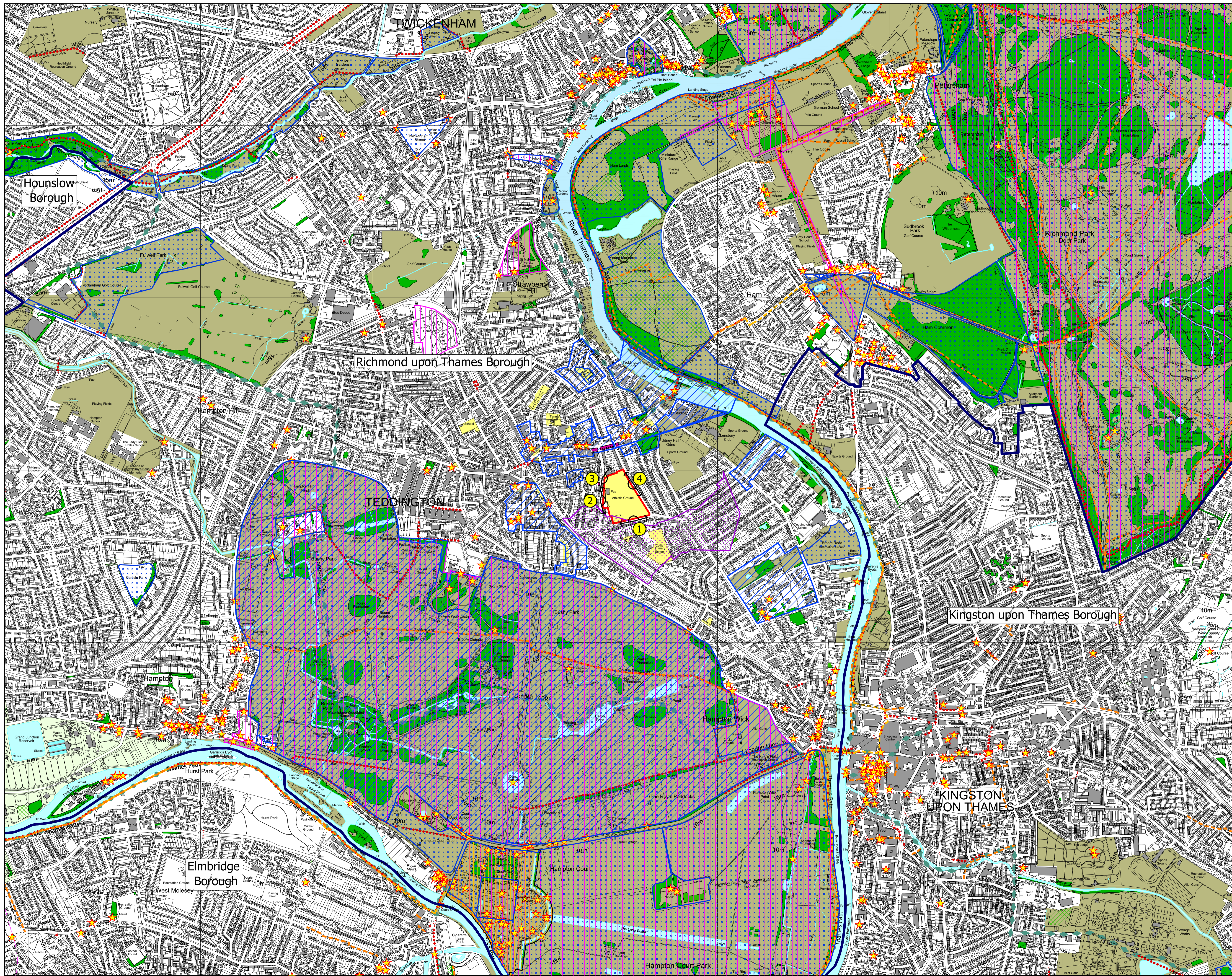
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Aerial photograph captured on July 2018

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The scaling of this drawing cannot be assured
 Revision _____ Date _____ Dm Ckd _____

- ### LEGEND
- Site Boundary
 - Existing Woodlands, Copses and Tree Belts ^
 - Existing Scrub ^
 - Existing Water Courses and Features ^
 - Contours/Spot Heights (Metres AOD) ^
 - Local Planning Authority Boundary ^
 - Public Rights of Way #/##
 - Sustrans Cycle Route +
 - Cycle Route ++
 - National Trail/Long Distance Walk #/##
 - Listed Buildings ~
 - Registered Parks and Gardens ~
 - Scheduled Monument ~
 - Conservation Area ** (within 1k radius of the Site)
 - Green Belt ^^
 - Metropolitan Open Land **
 - Public Open Space **
 - Other Open Land of Townscape Importance ** (within 1k radius of the Site)
 - Area Poorly Provided with Public Open Space ** (within 1k radius of the Site)
 - Buildings of Townscape Merit
 - Location of Photographic Viewpoints (Site Context Photographs 1-4)

Sources:
 OS Mapping
 Natural England OS Data Set
 Surrey County Council OS Data Set
 Surrey County Council OS Data Set
 Surrey County Council OS Data Set
 Department of Communities and Local Government OS Data
 OS Mapping
 London Borough of Richmond upon Thames Local Plan - Pre-Submission, August 2015

FIGURE 1
 Project
Former ICL Private Ground, Teddington
 Drawing Title
Landscape and Visual Context Plan

Date 05.04.2019 Scale 1:10,000 @A1 1:20,000 @A3
 Project No 25615 Drawing No LN-LP-07
 Drawn by SS/ML
 Checked by DM
 Revision -

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25615/A3/DO

2 February 2018

BY EMAIL: localplan@richmond.gov.uk

Dear Sir/Madam

Local Plan – Consultation on Proposed Main Modifications
Response on behalf of Quantum Group

We write on behalf of our client, Quantum Group, in response to the current consultation on the Proposed Main Modifications to the Local Plan, following its Examination in Public during autumn 2018.

We provide comments on the modifications in relation to the planning policies that affect the proposed development at the former Imperial College Private Ground, Udney Park Road, Teddington. A planning application was submitted to the Council on 16 February 2018 for the following:

"Erection of a new extra-care community, with new public open space and improved sports facilities, comprising: 107 extra-care apartments (Class C2 use), visitor suites, and associated car parking; 12 GP surgery (Class D1 use) and associated car parking; new public open space including a public park, and a community orchard; improved sports facilities (Class D2 use) comprising a 3G pitch, turf pitch, MUGA, playground, pavilion and community space, and associated parking (68 spaces); paddock for horses; and a new pedestrian crossing at Cromwell Road; and all other associated works."

Our proposed development, together with the representations submitted to the Local Plan consultations (enclosed), should be reviewed in the context of the additional specific comments set out below.

Green Infrastructure – P.56, Paragraph 5.2.10

We note that the Inspector proposes to delete the last three bullet points of paragraph 5.2.10 of the draft Local Plan. Quantum Group supports this modification, as it aligns with representations prepared by Barton Willmore (Landscape and Visual Statement, February 2017 (enclosed)) and



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submitted on behalf of us to the previous Local Plan Consultation stage. The Statement concluded:

"As demonstrated, the existing character of the Site can be adequately and reasonably protected by both the existing adopted Policy DM OS 3 and the emerging Policy LP 14, with regard to Other Open Land of Townscape Importance, and that additional protection of a Local Green Space designation is neither appropriate nor necessary.

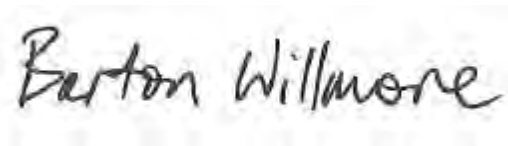
In this context, on consideration of the proposals for the Site, as promoted by the Quantum Group and the Teddington Sports Ground CIC...the proposals offer real enhancements to the Other Open Land of Townscape Importance, in accordance with the policy objectives set out in both the existing adopted Policy DM OS3 and the emerging Policy LP 14."

We therefore recognise the proposed modifications to this policy, for the reasons set out above and the comments provided by the Inspector, to ensure clarity and effectiveness consistent with national policy. As you will be aware from the Barton Willmore evidence and appearances at the Local Plan Review Examination, the Council's proposed changes do not address the major and fundamental concerns raised about the soundness of policies in respect of open space and Local Green Space and the suitability of the application of Local Green Space to any site in the Borough and specifically the former Imperial College Private Ground.

We are of the view that there was no evidential basis for the inclusion of the policy tests in relation to local green space designations and therefore we agree that the previously drafted text was unsound and may have unduly influenced the decision to propose a Local Green Space designation at the former Imperial College Private Ground.

We look forward to receiving confirmation that our representations have been duly made. Should you wish to discuss any of the points raised above, please contact Daniel Osborne at this office.

Yours sincerely



Barton Willmore

Encl.

Former ICL Private Ground, Teddington:
Representations to the Richmond upon Thames
Local Plan Examination 2017:
Hearing 5, Questions 8, 10 and 12

Prepared on behalf of Quantum Group

September 2017

Former ICL Private Ground, Teddington: Representations to the Richmond upon Thames Local Plan Examination 2017: Hearing 5, Questions 8, 10 and 12

Prepared on behalf of Quantum Group

Project Ref:	25615/A5
Status:	Final
Issue/ Rev:	-
Date:	September 2017
Prepared by:	RH
Checked by:	HL
Authorised by:	RM

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Ref: 25615/A5
Date: September 2017
Status: Final

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ILLUSTRATIVE MATERIAL

Figure 1: Site Context Plan

APPENDICES

Appendix 1: August 2016 Representations

Appendix 2: February 2017 Representations

1.0 INTRODUCTION

- 1.1 Barton Willmore Landscape Planning and Design (BWLPD) have been commissioned by Quantum Group to provide representations to the examination of the London Borough of Richmond upon Thames (LBRuT) Local Plan ('the Local Plan'); specifically Hearing 5: Character and Design, Green Infrastructure and Climate Change.
- 1.2 Hearing 5 forms one of a number of matters being addressed by the Inspector to ascertain whether the submitted Local Plan is sound in accordance with National Planning Policy Framework (NPPF) paragraph 182, whereby the Local Plan must be:
- ***"Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;***
 - ***Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;***
 - ***Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and***
 - ***Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework."***
- 1.3 With reference to Figure 1: Site Context Plan, the Quantum Group own the former Imperial College London Private Ground, on Udney Park Road, Teddington ('the Site') and a number of the Inspectors questions raised in Hearing 5 are relevant to the Site, specifically with regards to its existing Other Open Land of Townscape Importance (OOLTI) designation and proposed Local Green Space (LGS) designation.
- 1.4 Quantum Group have previously submitted representations to the emerging Local Plan. Firstly in August 2016, Quantum Group submitted representations to LBRuT in relation to the Pre-Publication Consultation draft of the Local Plan. These representations are enclosed at Appendix 1 for ease of reference. The representation proposed, amongst other things, an amended form of wording for Policy LP14 in respect of OOLTI. We submitted further representations on behalf of Quantum Group in February 2017 in response to the proposed LGS designation. We note from the Local Plan Guidance notes (ID/5) section 2 that the Inspector has been supplied with previous representations and that the Inspector will have equal regard to these, as well as the actual Hearing. The February 2017 Representations are included in Appendix 2 for ease of reference for the Inspector.

- 1.5 For transparency, Quantum Group will be submitting a detailed Planning Application for the Site, and the relevant aspects of this are outlined in Chapter 2 of these representations.
- 1.6 These representations identify that the Local Plan is not sound, as the evidence base is neither justified nor effective.

2.0 SUMMARY OF INTENDED PLANNING APPLICATION

- 2.1 To aid the Inspector's understanding of the intended detailed Planning Application and the existing Site context, Figure 1 demonstrates that the Site is situated within Teddington's residential settlement pattern, being bounded by built form on Kingston Lane, Cromwell Lane and Udney Park Road. The Site is not in public use and consists of 2 grassed sports pitches, hard surfaced tennis courts, clubhouse, and seating area. There are mature trees along the western and eastern edges of the Site, including TPOs on Kingston Lane and Udney Park Road. The visual envelope of the Site is very localised to the surrounding streets of Udney Park Road, Kingston Lane and Cromwell Road as a result of the surrounding built form.
- 2.2 The south-west part of the Site and wider townscape to the south of the Site are designated as an 'Area poorly provided with Public Open Space'. This is reflected in the LBRuT Open Space Assessment Report (April 2015) and LBRuT's Playing Pitch Strategy (August 2015), which both state the Site is 'under used' and 'not in use'.
- 2.3 The Site is considered to provide the opportunity for development as it is:
- not covered by any national landscape designations;
 - not within a Conservation Area, nor contains Listed Buildings or Scheduled Monuments;
 - visually well contained in relation to the wider townscape;
 - already characterised by playing fields which as a landscape/townscape feature are not rare or distinctive, and are not representative of 'beauty' in landscape/townscape terms;
 - not of historic significance;
 - does not exhibit any tranquillity due to the proximity to existing built form and road networks;
 - not publicly accessible and therefore a void in terms of recreational opportunities and connection to Green Infrastructure; and
 - does not demonstrate a richness of wildlife, as supported by the Phase 1 Ecology Report that will accompany the Planning Application, which identifies that there are no protected species on Site and that the hedgerows do not qualify as 'important' under the 1997 Hedgerow Regulations. A copy of the Phase 1 Ecology Report can be provided should the Inspector require it.
- 2.4 The Proposed Development will see the Site regenerated for a mixed-use development that will deliver high-quality sports and community facilities, alongside new public open space, affordable care led accommodation for Older People and a new GP surgery. This triple approach secures a sustainable, inclusive future for the Site, the benefits of which underpin the aims of national and local planning policy.

2.5 With the creation of a Community Interest Company (CIC), to which the sports and community facilities will be transferred in perpetuity for the use of the community, three areas will be established:

- Assisted living, extra care community, and new GP surgery;
- Open parkland with community Orchard and outdoor gym/trim trail, and paddock area; and
- Community sports facilities.

2.6 The proposed community sports facilities will comprise of the following:

- A full-size Third Generation artificial grass pitch (3G AGP);
- Natural grass playing pitch provision;
- Tennis Courts / MUGA; and
- Community pavilion containing changing rooms, kitchen, bar and server, flexible-use community rooms and crèche.

3.0 RESPONSE TO HEARING 5

Green Infrastructure

8. Is the evidence base supporting Policy LP12 and Local Green Space (LGS) robust?

Policy LP12: Green Infrastructure

3.1 We support the intention of Policy LP12: Green Infrastructure in identifying a variety of assets within the Borough to form the overall green infrastructure network range. However, the supporting policy text in paragraph 5.1.1 states that:

"there are many smaller pieces of open land, including land designated as Other Open Land of Townscape Importance, as well as non-designated land, all of which are of value to the local area and provide green oases for the local communities."

3.2 Clearly this cannot be justified given that the Site (designated as OOLTI), is not publicly accessible and therefore cannot currently provide the same 'value' to the local area as other publicly accessible OOLTI within the Borough. This is reflected by the LBRuT's Open Space Assessment Report (April 2015) and Playing Pitch Strategy (August 2015), both of which stated the Site is 'under used' and 'not in use'.

3.3 Moreover, paragraph 5.1.9 states:

"It is important to recognise that the borough's parks and open spaces provide not only recreational opportunities for those that live and work in this borough..."

3.4 This cannot be justified if the Site is not publicly accessible.

3.5 The supporting text for Policy LP12 therefore makes unjustified assumptions regarding the accessibility and 'value' of the OOLTI within the Borough and is not a robust basis to inform Policy LP12.

3.6 Policy LP12 should be amended to acknowledge that OOLTI are of 'varying value' given the differing land uses of these spaces across the Borough.

Policy LP13: Green Belt, Metropolitan Open Land and Local Green Space

3.7 We have included reference to Policy LP13 in the response to question 8 as Policy LP12 does not make reference to Local Green Space (LGS).

3.8 Policy LP13 is relevant to land which has:

"been demonstrated to be special to a local community and which holds a particular local significance..."

3.9 Paragraph 5.2.8 of the supporting text for Policy LP13 notes that LGS:

"has been demonstrated to have special qualities and hold particular significance and value to the local community which it serves."

3.10 Paragraph 5.2.10 of the supporting text for Policy LP13 outlines the criteria which are taken into account when defining LGS. The first three of these criteria are:

- ***"The site is submitted by the local community;***
- ***There is no current planning permission which once implemented would undermine the merit of a Local Green Space designation; and***
- ***The site is not land allocated for development within the Local Plan."***

3.11 These first three criteria are additional to the criteria for LGS as set out in the NPPF, and are not specific to the character, use and function of LGS, which is the focus of the NPPF criteria. The supporting text for Policy LP13 is therefore considered not to be positively prepared.

3.12 The fourth, fifth and sixth criteria of Policy LP13 paragraph 5.2.10 are:

- ***"The site is local in character and is not an extensive tract of land;***
- ***Where the site is publicly accessible, it is within walking distance of the community; OR where the site is not publicly accessible, it is within reasonably close proximity to the community it serves; and***
- ***The Local Green Space is demonstrably special to a local community and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife."***

3.13 The fourth, fifth and sixth criteria therefore reflect the criteria for LGS designation as set out in NPPF paragraph 77. As established in Chapter 2, the Site, as an example of an area proposed as LGS, is not publicly accessible, is not of local significance because of its lack of beauty, historic significance, recreational value, tranquillity or richness of wildlife.

3.14 The LGS designation is therefore not objectively assessed and not positively prepared. The Local Plan can be made sound by omitting the Site as a potential LGS.

Is LP12 clear in its intention/wording and means of delivery? How is the approach to LGS designed to work in practice? What evidence underpins the policy formulation in this regard?

Policy LP12: Green Infrastructure

- 3.15 We consider that the intention/wording of LP12 is unclear. This is because the wording of LP12 alternates between the use of 'green spaces', 'assets', 'green infrastructure assets' and 'green infrastructure network', when no clear definition of any of these are provided.
- 3.16 In the context of Policy LP12 being about Green Infrastructure, we consider that it would be more effective to simply refer consistently to 'green infrastructure' within the wording of LP12.

Policy LP13: Green Belt, Metropolitan Open Land and Local Green Space

- 3.17 As noted, LP12 does not make reference to LGS and therefore we have included a response within this answer to Question 8.
- 3.18 We consider that the approach to LGS is not effective as it has not been informed by a robust evidence base and merely duplicates existing policies, such as OOLTI, which are considered to be adequate for the protection of the relevant green spaces within the Borough which adequately meet the OOLTI criteria.
- 3.19 The Plan can be made sound by the omission of the Site from the proposed designation of LGS.

10. What is the justification for LP14 and the designation of Other Open Land of Townscape Importance? Is the policy consistent with national policy?

- 3.20 We support the fact that the OOLTI designation does not preclude development.
- 3.21 However, the OOLTI designation covers too wide a variety of land uses, ranging from designated land to non designated land, private gardens to cemeteries, as well as areas of local value.
- 3.22 For an open area to be of townscape importance, it must be based upon a robust evidence base, in contrast to the proposed qualitative criteria for the OOLTI designation (set out in paragraph 5.3.4 of the supporting text for LP14: OOLTI).
- 3.23 Neither is the OOLTI a designation by which all of the criteria of paragraph 5.3.34 need to be met robustly, or with any effective means of understanding which aspects of the criteria carry more weight than others.

- 3.24 The OOLTI is therefore too broad and subjective an approach to identify areas of townscape importance, which should be based upon a strategy which seeks to objectively assess development and infrastructure requirements, such that it is positively prepared, rather than subjectively prepared.
- 3.25 Moreover NPPF paragraph 73 states in relation to high quality open spaces (which should include those of townscape importance) that planning policies should be based on robust and up-to-date assessments. The OOLTI criteria is neither up to date nor robust.
- 3.26 This is particularly pertinent to the Site, for which the LBRuT Open Space Assessment Report (April 2015) and LBRuT's Playing Pitch Strategy (August 2015), state the Site is 'under used' and 'not in use', yet is still proposed as OOLTI.
- 3.27 Policy LP14 is therefore not considered to be consistent with national policy.
- 3.28 Should the Inspector decide, having considered the case set out above, that it is not appropriate to remove the site from OOLTI, we would refer him to the representations previously made by the Quantum Group in August 2016 (as enclosed at Appendix 1). We proposed a rewording of Policy LP14, as set out in our representation form, which would enable proposals that create a materially better outcome for the provision, access and useability of community facilities, sport and open space, to be permitted as in accordance with LP14. It is our view that such a proposed rewording of Policy LP14 would result in a positive improvement. The proposed changes would not, in our view, weaken LBRuT's position in defending themselves against proposals that result in the loss of open space to development. On the contrary, it would allow LBRuT to support proposals that might result in some change to open space, including a small amount of loss, but which might result in a significant overall betterment to the local community and Borough as a whole.
12. Is LP16 B(3) justified, consistent with national policy and will it be effective in delivery?
- 3.29 We support new tree planting both as part of new schemes and as part of the mitigation for the loss of existing trees. However Policy LP16 B(3) is not considered to be an effective approach, for example in the potential replacement of a mature tree with another mature tree, it is very unlikely to be successful in reality. Replacement of a mature tree is more appropriately dealt with via a younger tree being planted and enabled to grow and establish.
- 3.30 NPPF paragraph 118 is clear on the need to protect aged or veteran trees unless the development clearly outweighs the loss, but does not advocate CAVAT. Policy LP16 B(3) is therefore not effective, nor supported by national policy and is unlikely to be effective in delivery.

3.31 Policy LP16 B(4) is considered to be effective and would enable the removal of B(3) from the policy wording, whilst still ensuring new tree planting within developments.

ILLUSTRATIVE MATERIAL


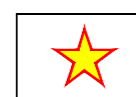

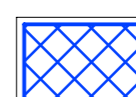
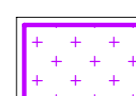
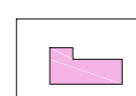
Figure 1: Site Context Plan

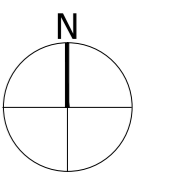


The scaling of this drawing cannot be assured

Revision _____ Date _____ Drn _____ Ckd _____

LEGEND

-  Site Boundary
-  Listed Buildings ~
-  Tree Preservation Order
-  Other Open Land of Townscape Importance **
-  Area poorly provided with Public Open Space **
-  Buildings of Townscape Merit



Sources:
 ~ Historic England National Monument Record GIS Data Set
 ** London Borough of Richmond Upon Thames Local Plan - Proposals Map, Adopted July 2015

Data collated for constraints and analysis mapping is based on publicly available sources at the time of preparation inserted using the British National Grid and may itself not be accurate. Barton Willmore shall not be liable for the accuracy of data derived from external sources.

FIGURE 1

Project
 Former ICL Private Ground,
 Teddington
 Drawing Title
 Site Appraisal Plan

Date 06.09.2017	Scale 1:2,000 @A2	Drawn by MK	Check by RH
Project No 25615	Drawing No L201	Revision -	



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Offices at Birmingham Bristol Cambridge Cardiff Ebbw Vale Edinburgh
 Leeds London Manchester Newcastle Reading Southampton

Aerial photograph captured 2015

Appendices

Appendix 1: August 2016 Representations



QUANTUM GROUP

Exceptional Development Investments

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Dorset BH8 9RL

Tel 01202 531635

Fax 01202 531650

Email info@quantumgroup.org.uk

www.quantumgroup.org.uk

Policy & Design
LB Richmond Upon Thames
Civic Centre
44 York Street
Twickenham
TW1 3BZ

By email: localplan@richmond.gov.uk

18th August 2016

Dear Sir

Pre-Public Consultation - Local Plan

Response by Quantum Group

Please find enclosed representations to the above Local Plan consultation. We are making two separate submissions that whilst linked can also be taken independently. The responses are to Policy LP 14 and a proposed new site allocation for the former Imperial College Private Ground, Udney Park Road, Teddington.

We look forward to confirmation that our representations have been received and validated. Should you wish to discuss our proposals then please contact me.

Yours sincerely

Sam Hobson



Local Plan Review Pre-Publication Consultation

From 8 July to 19 August 2016

RESPONSE FORM

The Council is inviting comments over a six week period on the first draft of the Local Plan.

The draft Local Plan sets out a 15-year strategic vision, objectives and the spatial strategy for the borough as well as the planning policies that will guide future development in the borough. It looks ahead to 2033 and identifies where the main developments will take place, and how places within the borough will change, or be protected from change, over that period. In addition, the draft Local Plan sets out the site allocations that are considered to assist with the delivery of the vision and strategy of the Plan. This is of particular importance for ensuring there is sufficient land for employment, retail, housing and social infrastructure. We would like to hear the views from our local communities, businesses and other key organisations on the draft Plan.

How to respond

Please read the consultation documents and other background information made available on the Local Plan website. To view the draft Local Plan and take part in the consultation, visit **www.richmond.gov.uk/pre-publication**

You can respond on the consultation documents in the following ways:

- Online at **www.richmond.gov.uk/pre-publication**, where you can find a link to our **online consultation portal** and online representation form (you can also review the documents online);
- Email to **LocalPlan@richmond.gov.uk** this response form (a PDF and Word version of the form can be found on the Council's website at www.richmond.gov.uk/pre-publication). In the form in 'Word' format you can type in your response and return it as an email attachment.
- Send the form to Policy and Design, LB Richmond upon Thames, Civic Centre, 44 York Street, Twickenham, TW1 3BZ; or hand-deliver your completed form to the ground floor reception in the Civic Centre.

All responses must be received by Friday **19 August 2016**.

This form has three parts:

- Part A – Personal details and about you
- Part B – Your general views
- Part B – Your detailed response

Part A: Personal Details

	1. Personal Details *	2. Agent's Details (if applicable)
Title	Mr	
First name	Sam	
Last name	Hobson	
Job title (where relevant)		
Organisation (where relevant)	Quantum Group	
Address	Quantum House, 170 Charminster Road, Bournemouth, BH8 9RL	
Postcode	BH8 9RL	
Telephone	01202 531 635	
Fax		
E-mail address	samh@quatumgroup.org.uk	

*If an agent is appointed, please complete only the title, name and organisation boxes but complete the full contact details of the agent.

Part A: About You...

3. Please tell us about yourself or who you are responding on behalf of... (tick all which apply)

Do you live in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you work in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you run a business in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Are you a student in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Are you a visitor to the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Data protection

Information provided in this form will be used fairly and lawfully and the Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

All responses will be held by the London Borough of Richmond upon Thames. They will be handled in accordance with the Data Protection Act 1998. Responses will not be treated as confidential and will be

published on our website and in any subsequent statements; however, personal details like address, phone number or email address will be removed.

For further details regarding your privacy please see the Council's information published at: www.richmond.gov.uk/data_protection

Part B: Your General Views

4. Do you agree or disagree with the Strategic Vision? (section 2.2)

Strongly Agree Agree Neither Agree/Disagree Disagree Strongly Disagree

Any comments:

It is agreed that the Plan needs to strike an acceptable balance between meeting the future needs of its residents (such as elder residential accommodation and care, and access to open space and sports a facilities), businesses and visitors, whilst maintaining the character of the Borough. Therefore, the "Golden Thread", referred to in paragraph 2.2 and set out in the "Strategic Vision", is supported.

It should be recognised that the "Strategic Vision" is a high level statement and so should be treated as such. The high level "Vision" cannot sufficiently address the complexities of meeting the needs of society over the plan period without providing further detail, which is what the rest of the Local Plan seeks to do. As we have set out, not all of this detail is supported (see below).

It should be noted that in many situations there will be opposing pros and cons and so flexibility and judgement will be required in order to meet the high level vision. Maximising the potential of sites, including maximising underutilised sites and making them work as hard as they can, is important to meeting its needs whilst protecting the character of the Borough. This may mean that flexibility is required so that whilst some aspects of development proposals may be positive and some negative, if the overall outcome is positive then proposals should be supported.

In the application of the Plan over the plan period, the Council needs to ensure that it continues to make an acceptable contribution to meeting wider London and South East issues, beyond those of just its borough.

5. Do you agree or disagree with the Strategic Objectives? (section 2.3)

Strongly Agree Agree Neither Agree/Disagree Disagree Strongly Disagree

Any comments:

It is considered that the Strategic Objectives do not provide sufficient and specific emphasis on identifying and then prioritising to meet the accommodation and social and infrastructure needs of the elderly sector of the Borough's population. The remainder of the Strategic Objectives are supported.

It is noted that the Council is yet to publish data on the housing needs of the elderly and to therefore create a Local Plan policy and allocations strategy for meeting this need. We have undertaken our own research, which concludes the following.

The London Plan sets a minimum yearly housing provision target for LBR of 315dpa. Within in that, the Plan establishes an annualised need for LBR to deliver 105 private and 30 intermediate sale homes for the elderly. Over the Plan Period LBR is expected to experience a continued increase in the population of older people (above 55). LBR already has a higher than average older resident population. The Borough's existing elderly care accommodation is in the form of conventional sheltered housing, which is already over capacity with a shortfall of circa 1,000 units. This shortfall, unless specific accommodation is developed, will increase to over 1,500 units by 2019.

Based on the above, we consider that the Local Plan needs to consider the housing needs of the elderly population more specifically and will need to identify sites for allocation and planning policy to ensure the plan is sound. The next version of the emerging Local Plan must specifically address these issues. As it stands, the emerging plan fails in this.

6. Do you agree or disagree with the Spatial Strategy? (section 3.1)

Strongly Agree Agree Neither Agree/Disagree Disagree Strongly Disagree

Any comments:

In particular paragraphs 3.1.4, 3.1.13, 3.1.22 and 3.1.24 as specifically supported. These paragraphs set out clearly the desire of the Council to ensure that the needs of the community are being considered when specific planning proposals are being assessed. The policies of the plan need to ensure that they

mirror the objectives set out. As we note below, not all of the policies achieve this in their current written form and we propose amendments that we consider will help the plan achieve its objectives.

As an example, a lot of focus is given to the protection of open spaces and community facilities in the borough for both meeting the needs of the borough population but also in giving the borough its character and desirability. In principle, this approach is supported. However, the situation whereby such assets are not being best utilised to provide the maximum benefit to the local community is not fully contemplated. Such circumstances might exist whereby some “enabling” or “facilitating” development can result in great gains being made to the strategic vision and objectives of the Council for the borough and for the benefit of the wider community. This might mean proposals may have some perceived isolated negative consequences but the overall effect of the proposal might be overwhelmingly positive.

It is considered that this complexity needs to be acknowledged in the Spatial Strategy section and then specific policies and the supporting text of the Local Plan needs to reflect this.

Part C: Your Detailed Response

7. To which parts of the Local Plan Review does your response relate to?

Please indicate the documents **and** the specific paragraph numbers, policy or site allocation numbers and names, maps or tables you are commenting on.

Documents		Sections	
Draft Local Plan	<input checked="" type="checkbox"/>	Page number(s)	70 - 72
		Paragraph number(s)	5.3.1 - 5.3.7
		Policy no./name	LP14 - Other Open Land of Townscape Importance
		Site Allocation(s) no./ name	
		Maps	
		Tables	
Sustainability Appraisal Report	<input type="checkbox"/>	Page number(s)	
		Paragraph number(s)	
Other (for example an omission or alternative approach)	<input type="checkbox"/>		

8. Please give details below to set out your representation.

Please make it very clear to which document your comments relate to by indicating policy/site reference, name and number, and/or paragraph number.

As set out in our response to Questions 4, 5, and 6 (above), we are conscious of the need for specific policies of the Plan to ensure that they are flexible enough to accommodate, rather than frustrate, development proposals that will achieve the Strategic Vision and Objectives of the plan (as set out in Sections 2.2, 2.3, 3.1, and paragraphs 3.1.1-3.1.41).

We propose changes to the wording of Policy LP14 to reflect our comments (set out above) and also to better mirror the supporting text to the policy at paragraph 5.3.6. Policy LP14 is reproduced below with the changes sought:

“New Policy LP 14

Other Open Land of Townscape Importance

Other open areas that are of townscape importance will be protected in open use, and enhanced where possible. It will be recognised that there may be exceptional cases where appropriate development is acceptable. The following criteria will be taken into account when assessing whether development is

appropriate:

- a. it must be linked to the functional use of the Other Open Land of Townscape Importance; or
- b. it can only be a replacement of, or minor extension to, existing built facilities; or
- c. it forms part of comprehensive proposals for community and social infrastructure that results in new, or improved provision of and quality of facilities, and improves on the usability and accessibility of the open land and its facilities by the general public, and;
- d. it does not materially harm the overall character or overall openness of the open land.

Improvement and enhancement of the openness or character of other open land and measures to open up views into and out of designated other open land will be encouraged.

For criterion d. evidence of “material harm” will be considered where more than 12.5% of the designated open land is proposed to be lost to development.

When considering developments on sites outside designated other open land, any possible visual impacts on the character and openness of the designated other open land will be taken into account.”

The proposed amendments would enable proposals that overall create a materially better outcome for the provision, access and usability of community facilities, sport and open space, to be permitted as in accordance with Policy LP14. The proposed changes are written in such a way that it does not, in our view, weaken the Council’s position in defending against proposals that result in the loss of open space to development, but allows the Council to support proposals that might result in some change to open space, including a small amount of loss, but which overall results in a significant overall betterment to the local community and borough as a whole. On this basis, we consider that with our wording changes, Policy LP14 better reflects the Council’s own intentions, as set out particularly in paragraph 5.3.6 and in section 2.3, and so represents a positive proposal.

The reason why these changes are put forward can be explained as below.

- We are the owners of the former Imperial College Private Ground at Udney Park Road in Teddington. We completed the acquisition of the site in September 2015. Whilst we took part in the Consultation on Scope of Review of Policy and draft Site Allocations (January 2016 – February 2016), having only just acquired the site we advised the Council that we would be in a better position to set out our plans for the site at the time of the Pre-Publication Consultation. Our plans are broadly as follows.

- We acquired the site because it was substantially underutilised and an opportunity existed to propose something that would be materially beneficially for residents of Teddington and beyond, whilst preserving the openness of the site and its townscape importance.

- The former Imperial College Private Ground (which extends to some 5.2ha) has been in private

ownership since the 1950s. The site has been used privately with only limited and occasional third party use. The whole site was enclosed by a close-boarded fence up until 1989. Fullerton Court (a 38-unit retirement block) was developed on part of the site during the 1990s.

- The site was designated as an Asset of Community Value in March 2016, something that we support and wish to strengthen further. Our aims for the site are twofold:

1. Our first aim is to open up the majority of the site for public access to be used for sport and recreation. As noted above, this will be a substantial improvement for the community over how the site has been used to date and it reflects the objectives the Local Plan is seeking, as set out in section 3.1. To make the most of the sporting and recreational opportunities the site presents for the community, we intend to invest significantly in the development of new sport and recreation facilities, provide a structure for the in-perpetuity operation and maintenance of the land and gift this to the community/LPA. There has been an approach by local interested parties to establish a "Community Interest Company" to potentially take over ownership and run the site in the community interest. This is being actively explored.

2. The second aim for the site is to develop approximately one third of the land as a Continuing Care Retirement Community (retirement/extra care/care home accommodation) that may include health care and other community uses for the wider community and help meet Richmond's pressing requirement for specialist accommodation. We are owners and operators of care-led communities for the elderly and care homes and intend to develop and then run this site as our own facility. This element of development will not only meet an important growing community need but will also enable the funding for the first aim for the site (as above).

Therefore our objective is to bring forward proposals for the site that will benefit the community and be progressive. We are confident that we can bring forward proposals that will preserve the overall townscape character of the site for residents and the borough, open up the majority of the site for public ownership and use, substantially increase the sports and recreation facilities of the borough, deliver much needed specialist elderly care accommodation, provide new community health facilities, and create meaningful employment opportunities to further improve social infrastructure.

The changes that we propose to Policy LP14 will enable planning policy to better respond to opportunities, such as ours, that might come forward over the plan period and provide a policy context to control and judge them.

Please continue on a separate sheet / expand box if necessary.

9. Please set out what change(s) you consider necessary, why these changes should be made and what your supporting evidence is.

"New Policy LP 14

Other Open Land of Townscape Importance

Other open areas that are of townscape importance will be protected in open use, and enhanced where possible. It will be recognised that there may be exceptional cases where appropriate development is acceptable. The following criteria will be taken into account when assessing whether development is appropriate:

- a. it must be linked to the functional use of the Other Open Land of Townscape Importance; or
- b. it can only be a replacement of, or minor extension to, existing built facilities; or
- c. it forms part of comprehensive proposals for community and social infrastructure that results in new, or improved provision of and quality of facilities, and improves on the usability and accessibility of the open land and its facilities by the general public, and;
- d. it does not materially harm the overall character or overall openness of the open land.

Improvement and enhancement of the openness or character of other open land and measures to open up views into and out of designated other open land will be encouraged.

For criterion d. evidence of "material harm" will be considered where more than 12.5% of the designated open land is proposed to be lost to development.

When considering developments on sites outside designated other open land, any possible visual impacts on the character and openness of the designated other open land will be taken into account."

--

Please continue on a separate sheet / expand box if necessary.

Please note your detailed response should cover succinctly all the information, evidence and supporting information necessary to support / justify the response and the suggested change.

Following the consultation on the draft Local Plan this summer, we will consider and take account of all responses received. There will be a further opportunity to view and comment on the final draft version of the Local Plan later this year, before it will be submitted in 2017 to the Secretary of State for examination in public by an independent planning inspector.

10. If you are not on our consultation database and you respond to this consultation, your details will be added to the database. This allows us to contact you with updates on the progression of the Local Plan and other planning policy documents.

If you do not wish to be added to our database or you would like your details to be removed, then please tick this box, complete Part A: Personal Details of this form and return it to us as appropriate.

Signature: <i>For electronic responses a typed signature is acceptable.</i>	Sam Hobson	Date:	18/08/2016
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Local Plan Review Pre-Publication Consultation

From 8 July to 19 August 2016

RESPONSE FORM

The Council is inviting comments over a six week period on the first draft of the Local Plan.

The draft Local Plan sets out a 15-year strategic vision, objectives and the spatial strategy for the borough as well as the planning policies that will guide future development in the borough. It looks ahead to 2033 and identifies where the main developments will take place, and how places within the borough will change, or be protected from change, over that period. In addition, the draft Local Plan sets out the site allocations that are considered to assist with the delivery of the vision and strategy of the Plan. This is of particular importance for ensuring there is sufficient land for employment, retail, housing and social infrastructure. We would like to hear the views from our local communities, businesses and other key organisations on the draft Plan.

How to respond

Please read the consultation documents and other background information made available on the Local Plan website. To view the draft Local Plan and take part in the consultation, visit **www.richmond.gov.uk/pre-publication**

You can respond on the consultation documents in the following ways:

- Online at **www.richmond.gov.uk/pre-publication**, where you can find a link to our **online consultation portal** and online representation form (you can also review the documents online);
- Email to **LocalPlan@richmond.gov.uk** this response form (a PDF and Word version of the form can be found on the Council's website at www.richmond.gov.uk/pre-publication). In the form in 'Word' format you can type in your response and return it as an email attachment.
- Send the form to Policy and Design, LB Richmond upon Thames, Civic Centre, 44 York Street, Twickenham, TW1 3BZ; or hand-deliver your completed form to the ground floor reception in the Civic Centre.

All responses must be received by Friday **19 August 2016**.

This form has three parts:

- Part A – Personal details and about you
- Part B – Your general views
- Part B – Your detailed response

Part A: Personal Details		
	1. Personal Details *	2. Agent's Details (if applicable)
Title	Mr	
First name	Sam	
Last name	Hobson	
Job title (where relevant)		
Organisation (where relevant)	Quantum Group	
Address	170 Charminster Road Bournemouth BH8 9RL	
Postcode	BH8 9 RL	
Telephone	01202 531 635	
Fax		
E-mail address	samh@quantumgroup.org.uk	

*If an agent is appointed, please complete only the title, name and organisation boxes but complete the full contact details of the agent.

Part A: About You...		
3. Please tell us about yourself or who you are responding on behalf of...(tick all which apply)		
Do you live in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you work in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you run a business in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Are you a student in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Are you a visitor to the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Data protection

Information provided in this form will be used fairly and lawfully and the Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

All responses will be held by the London Borough of Richmond upon Thames. They will be handled in accordance with the Data Protection Act 1998. Responses will not be treated as confidential and will be published on our website and in any subsequent statements; however, personal details like address, phone number or email address will be removed.

For further details regarding your privacy please see the Council's information published at:
www.richmond.gov.uk/data_protection

Part B: Your General Views

4. Do you agree or disagree with the Strategic Vision? (section 2.2)

Strongly Agree Agree Neither Agree/Disagree Disagree Strongly Disagree

Any comments:

5. Do you agree or disagree with the Strategic Objectives? (section 2.3)

Strongly Agree Agree Neither Agree/Disagree Disagree Strongly Disagree

Any comments:

It is considered that the Strategic Objectives do not provide sufficient and specific emphasis on identifying and then prioritising to meet the accommodation and social and infrastructure needs of the elderly sector of the Borough's population. The remainder of the Strategic Objectives are supported.

It is noted that the Council is yet to publish data on the housing needs of the elderly and to therefore create a Local Plan policy and allocations strategy for meeting this need. We have undertaken our own research, which concludes the following.

The London Plan sets a minimum yearly housing provision target for LBR of 315 dpa. Within that, the Plan establishes an annualised need for LBR to deliver 105 private and 30 intermediate sale homes for the elderly. Over the Plan Period LBR is expected to experience a continued increase in the population of older people (above 55). LBR already has a higher than average older resident population. The Borough's existing elderly care accommodation is in the form of conventional sheltered housing, which is already over capacity with a shortfall of circa 1,000 units. This shortfall, unless specific accommodation is developed, will increase to over 1,500 units by 2019.

Based on the above, we consider that the Local Plan needs to consider the housing needs of the elderly population more specifically and will need to identify sites for allocation and planning policy to ensure the plan is sound. The next version of the emerging Local Plan must specifically address these issues. As it stands, the emerging plan fails in this. Our response to question 8 (see below) proposes a new site allocation to help meet this need.

6. Do you agree or disagree with the Spatial Strategy? (section 3.1)

Strongly Agree <input type="checkbox"/>	Agree <input type="checkbox"/>	Neither Agree/Disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Strongly Disagree <input type="checkbox"/>
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Any comments:

Part C: Your Detailed Response

7. To which parts of the Local Plan Review does your response relate to?

Please indicate the documents **and** the specific paragraph numbers, policy or site allocation numbers and names, maps or tables you are commenting on.

Documents		Sections	
Draft Local Plan	<input type="checkbox"/>	Page number(s)	
	<input type="checkbox"/>	Paragraph number(s)	
	<input type="checkbox"/>	Policy no./name	
	<input type="checkbox"/>	Site Allocation(s) no./ name	
	<input type="checkbox"/>	Maps	
	<input type="checkbox"/>	Tables	
Sustainability Appraisal Report	<input type="checkbox"/>	Page number(s)	
	<input type="checkbox"/>	Paragraph number(s)	
Other (for example an omission or alternative approach)	<input checked="" type="checkbox"/>	Insert New Site Allocation to Local Plan at Chapter 12 - Site Allocation, page 203 onwards.	

8. Please give details below to set out your representation.

Please make it very clear to which document your comments relate to by indicating policy/site reference, name and number, and/or paragraph number.

We propose the allocation of a new site as follows.

“SA28: FORMER IMPERIAL COLLEGE PRIVATE GROUND, UDNEY PARK ROAD, TEDDINGTON

The Council supports the continued use of the fields for sports purposes. As part of comprehensive development proposals the council may support the partial development of a maximum of 2 ha for Class C2 extra care accomodation, care home accommodation and community and health facilities if this leads to least 3.2ha of the site being made available in perpetuity to the local community for open sports and recreational purposes. The sport and recreational facilities will be required to be substantially upgraded and improved and a long-term ownership, management and maintenance plan prepared that will ensure on-going financial stability and community access or ownership for any proposals to be supported by the Council.

The Council recognises that the site’s openness and scale means it provides an important townscape benefit to establishing and reinforcing the local area’s character. However, as the site is private open land and is in private ownership with up to 90% of the perimeter boundary enclosed by development, close boarded fence or thick hedge this means the site is not maximising its potential to enhance the

areas open character. The Council recognises that it does not presently meet its full potential in terms of accessible community use and contribution to openness and views into the site, which is a lost opportunity, particularly as the general area is identified as an area poorly provided by public open space in the present adopted proposals map (see Policy DMOS6), and in the background papers – Open Land Review and Sport, Open Space and Recreation Needs Assessment.

The Council recognises that in order to realise the benefits the site could bring to the community, an element of “enabling” development is needed. The Council recognises that the Borough needs to meet the housing requirements of all sections of society, particularly the elderly and extra care, as detailed in our response to Question 5 |(above), including in LBRs Wellbeing and Independence Framework for Prevention 2015-2018, and LBRs Intermediate Housing Policy, which seeks to work in partnership to provide and market sustainable intermediate housing and provide tailored housing products which offer a local home ownership solutions, such as elderly (or over 55s) shared ownership.

The Council considers that if carefully and comprehensively planned, the overall site could provide material benefit to the community on a wide range of areas whilst protecting its contribution to the townscape and character of Teddington. The Council will therefore support a comprehensive package of proposals that will collectively deliver:

- 1- At least 3.2 ha of publicly accessible open space for sport and recreation in perpetuity, in the broad area identified on the attached plan.
- 2- A combination of sports pitches to meet the needs of the community in the form of 1 international standard 3G rugby pitch, a cricket square with 4 wickets, 1 national standard grass football pitches, 1 MUGA/tennis court, youth pitches, a new pavilion, changing rooms and car parking, or another arrangement as agreed with the Council and other relevant stakeholders, in the broad area identified on the attached plan.
- 3- A management and maintenance plan, developed with the Council and local groups, covering the land shown to the south on the attached plan that secures the long-term financial security of this site, and transfers the land to the Council or local community ownership.
- 4- Continuing Care Retirement Accommodation (including a mix of Class C2 extra care accommodation and care homes) and one or more complimentary social, educational, and health facilities that will also be available to the wider community.
- 5- The protection of the general openness and character of the area. It is acknowledged that there will be some impact as a result of proposals but the outcome should be to protect the overall feeling of openness the site presently provides.”

The basis for this new allocation proposal is as follows:

We are the owners of the former Imperial College Private Ground at Udney Park Road in Teddington. We completed the acquisition of the site in September 2015. Whilst we took part in the Consultation on Scope of Review of Policy and draft Site Allocations (January 2016 – February 2016), having only just acquired the site we advised that we would be in a better position to set out our plans for the site at the time of the Pre-Publication Consultation. Our plans are broadly as follows.

We acquired the site because it was substantially underutilised and an opportunity existed to propose something that would be materially beneficial for residents of Teddington and beyond, whilst preserving the openness of the site and its townscape importance.

The former Imperial College Private Ground (which extends to some 5.2ha) has been in private ownership since the 1950s. The site has been used privately with only limited and occasional third party use. The whole site was enclosed by a close-boarded fence up until 1989. Fullerton Court (a 38-unit retirement block) was developed on part of the site during the 1990s.

The site was designated as an Asset of Community Value in March 2016, something that we support and wish to strengthen further. Our aims for the site are twofold:

1. Our first aim is to open up the majority of the site for public access to be used for sport and recreation. As noted above, this will be a substantial improvement for the community over how the site has been used to date and it reflects the objectives the Local Plan is seeking, as set out in section 3.1. To make the most of the sporting and recreational opportunities the site presents for the community, we intend to invest significantly in the development of new sport and recreation facilities, provide a structure for the in-perpetuity operation and maintenance of the land and gift this to the community/LPA. There has been an approach by local interested parties to establish a "Community Interest Company" to potentially take over ownership and run the site in the community interest. This is being actively explored.
2. The second aim for the site is to develop approximately one third of the land as a Continuing Care Retirement Community (retirement/extra care/care home accommodation) that may include health care and other community uses for the wider community and help meet Richmond's pressing requirement for specialist accommodation. We are owners and operators of care-led communities for the elderly and care homes and intend to develop and then run this site as our own facility. This element of development will not only meet an important growing community need but will also enable the funding for the first aim for the site (as above).

Therefore our objective is to bring forward proposals for the site that will benefit the community and be progressive. We are confident that we can bring forward proposals that will preserve the overall townscape character of the site for residents and the borough, open up the majority of the site for public ownership and use, substantially increase the sports and recreation facilities of the borough, deliver much needed specialist elderly care accommodation, provide new community health facilities, and create meaningful employment opportunities to further improve social infrastructure.

The introduction of a new specific site allocation for the former Imperial College Private Ground is so that the Council can efficiently control the development of the site and to provide the site owner and community with clarity and certainty of the future. The proposed new allocation is considered to deliver exactly the sort of development that the Strategic Vision and Objectives of Plan (as set out in sections 2.2, 2.3, 3.1, and paragraphs 3.1.1 - 3.1.24 and 5.3.6) are promoting. It is on this basis that the new allocation is put forward.

Please continue on a separate sheet / expand box if necessary.

9. Please set out what change(s) you consider necessary, why these changes should be made and what your supporting evidence is.

As set out in answer to question 8 above, a new site allocations policy is needed. A site plan is also included.

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Please continue on a separate sheet / expand box if necessary.

Please note your detailed response should cover succinctly all the information, evidence and supporting information necessary to support / justify the response and the suggested change.

Following the consultation on the draft Local Plan this summer, we will consider and take account of all responses received. There will be a further opportunity to view and comment on the final draft version of the Local Plan later this year, before it will be submitted in 2017 to the Secretary of State for examination in public by an independent planning inspector.

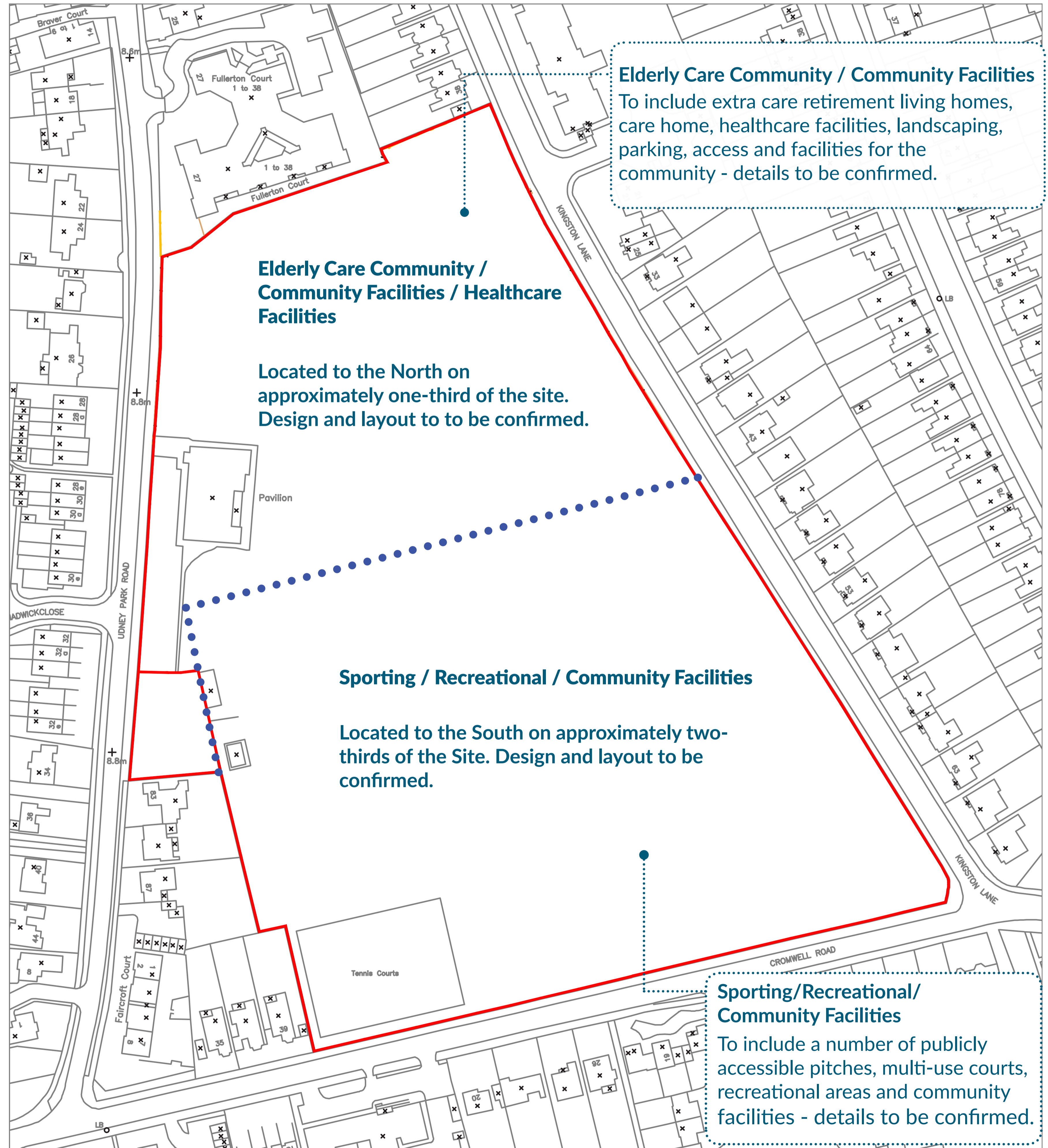
10. If you are not on our consultation database and you respond to this consultation, your details will be added to the database. This allows us to contact you with updates on the progression of the Local Plan and other planning policy documents.

If you do not wish to be added to our database or you would like your details to be removed, then please tick this box, complete Part A: Personal Details of this form and return it to us as appropriate.

Signature: <i>For electronic responses a typed signature is acceptable.</i>	Sam Hobson	Date:	18/08/2016
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Site plan showing ownership boundary and indicative use zones to accompany Quantum Group's pre-publication consultation response form.

18th August 2016



Appendices

Appendix 2: February 2017 Representations

Local Plan Publication Consultation

From 4 January to 15 February 2017

REPRESENTATION FORM

The Publication Local Plan ('the Plan') sets out a 15-year strategic vision, objectives and the spatial strategy for the borough as well as the planning policies that will guide future development in the borough. It looks ahead to 2033 and identifies where the main developments will take place, and how places within the borough will change, or be protected from change. The Plan also allocates and designates sites/areas that are considered to assist with the delivery of the vision and strategy of the Plan.

This is the final representations stage before the documents are submitted to the Secretary of State for independent Examination in Public. **At this stage your comments should relate to issues of legal and procedural compliance, the "soundness" of the Plan and the "Duty to Co-operate"**. There are accompanying guidance notes which can be downloaded from the [Council's website](http://www.richmond.gov.uk/councils-website) at www.richmond.gov.uk/local_plan/local_plan_review

How to respond

Please read the consultation documents, which include the Publication Local Plan, the Proposals Map changes and the Sustainability Appraisal, as well as other background information on the [Local Plan website](http://www.richmond.gov.uk/local_plan/local_plan_review) at www.richmond.gov.uk/local_plan/local_plan_review

You can respond to the consultation documents in the following ways:

- **Online** at www.richmond.gov.uk/local_plan/local_plan_review, where you can find a link to our **online consultation portal** and online representation form.
- **Email** your completed representation form to LocalPlan@richmond.gov.uk (A PDF and a Word version of the form can be found on the website via the above link). The 'Word' version allows you to type in your response, which can then be emailed.
- **Send** the form to Local Plan Team, LB Richmond upon Thames, Civic Centre, 44 York Street, Twickenham, TW1 3BZ; or **hand-deliver** it to the ground floor reception in the Civic Centre.

We would prefer all comments to be made electronically, ideally through the online consultation portal. This is also the quickest and easiest way of responding.

All representations, which will be made publicly available, must be received **by 5pm on 15 February 2017**.

This form has two parts:

- Part A – Personal details and about you
- Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A: Personal Details

	1. Personal Details	2. Agent's Details (if applicable)
Title	Mr	Mr
First name	Sam	Robin
Last name	Hobson	Meakins
Job title (where relevant)		Partner
Organisation (where relevant)	Quantum Group	Barton Willmore LLP
Address	Quantum House 170 Charminster Road Bournemouth	7 Soho Square London
Postcode	BH8 9RL	W1D 3QB
Telephone	01202-531635	020-7446-6888
Fax	-	-
E-mail address	samh@quantumgroup.org.uk	robin.meakins@bartonwillmore.co.uk

Data protection

Information provided in this form will be used fairly and lawfully and the Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

All responses will be held by the London Borough of Richmond upon Thames. They will be handled in accordance with the Data Protection Act 1998. Responses will not be treated as confidential and will be published on our website and in any subsequent statements; however, personal details like address, phone number or email address will be removed.

For further details regarding your privacy please see the Council's information published at: www.richmond.gov.uk/data_protection

Part B: Your Representation(s)

Name or Organisation:

3. To which part of the Local Plan does your representation relate to?

Please indicate the document(s) **and** the specific paragraph numbers, policy or site allocation numbers and names, maps or tables you are commenting on.

Documents	Sections		
Publication Local Plan	<input checked="" type="checkbox"/>	Page number(s)	54-58
		Paragraph number(s)	5.2 and 5.3 (and their sub-paragraphs)
		Policy no./name	LP13, and LP14
		Site Allocation no./ name	Udney Park Playing Fields, Teddington
		Map(s)	-
		Table(s)	-
Local Plan Proposals Map Changes	<input checked="" type="checkbox"/>	Page number(s)	3-4 (Section 2.2)
		Site name	Udney Park Playing Fields, Teddington
		Map(s)	Page 3, paragraph 2.2.1
		Table(s)	-
Sustainability Appraisal Report	<input type="checkbox"/>	Page number(s)	
		Paragraph number(s)	
		Table(s)	
Other (for example an omission or alternative approach)	<input checked="" type="checkbox"/>	Previous Quantum Group representations, REF: 475 and REF: 166	

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.(2) Sound	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4.(3) Complies with the Duty to Co-operate	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you have entered 'No' to 4.(2), please continue with Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan is unsound because it is not:

5.1 Positively Prepared	<input checked="" type="checkbox"/>
5.2 Justified	<input checked="" type="checkbox"/>
5.3 Effective	<input checked="" type="checkbox"/>

5.4 Consistent with national policy



6. Please give details of why you consider the Local Plan is or is not legally compliant, unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

Having had the opportunity to review the Publication Version of the Local Plan (consultation period 4th January to 15th February 2017), and the accompanying Proposals Map Changes, we are disappointed that further to the representations made in August 2016 by the Quantum Group (REF:475 and REF:166), the Council has not adopted the proposals contained within those representations in respect of the Former Imperial College Private Grounds in Teddington. Instead, the Council has applied a new proposed policy (LP13) to the site. It is proposed by the Council that the site be designated as "Local Green Space".

We consider that application of the new policy designation to the site is at odds with the advice in NPPF, and it is our view that the Council has not fully assessed the suitability of the site for designation as Local Green Space. We do not consider the Council has demonstrated how/why the site meets the criteria set out at paragraph 5.2.10 of the Publication version of the Local Plan (PVLPA), paragraph 2.2.3 of the Proposals Map Changes for the Local Plan (PMCLP), and NPPF guidance. The Council's approach is also at odds with the views expressed by those members of the local community who attended the public consultation event organised on 8th/9th/10th December 2016, held at the Clubhouse on the Udney Park site. It was clear from the feedback gathered at that event that there is an understanding between many local people that careful and sensitive development of a small part of the site could deliver substantial and long-lasting benefits to the local community.

It is our view that the sections of the Plan that we have highlighted in Section 3 of this response form are unsound. We attach as part of our representations a report prepared by Barton Willmore titled " Former Imperial College Private Ground, Teddington, Richmond Upon Thames, Landscape and Visual Statement, February 2017", which provides a technical assessment of whether the Local Green Space proposed designation is appropriate. The conclusions of the report are clear and infatic. There is no basis on which to propose the designation of the site as Local Green Space. In summary:

1) Sustainability

Paragraph 76 of the National Planning Policy Framework (NPPF) makes clear that the identification of any land as LGS should be 'consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services'. It is our view that the identification of the Former Imperial College Private Grounds as LGS is not consistent with the local planning of sustainable development, and is as such unsound.

2) Criteria for Designation

Paragraph 77 of the NPPF states that the designation of LGS should only be used:

- 'where the green space is in reasonably close proximity to the community it serves;
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and

- where the green area concerned is local in character and is not an extensive tract of land.'

Paragraph 2.2.3 of the PMCLP states that the Former Imperial College Private Grounds meets all of the following criteria for its designation as LGS:

- 'The site is submitted by the local community;
- There is no current planning permission which once implemented would undermine the merit of a Local Green Space designation;
- The site is not land allocated for development within the Local Plan;
- The site is local in character and is not an extensive tract of land;
- Where the site is publicly accessible, it is within walking distance of the community; OR where the site is not publicly accessible, it is within reasonably close proximity to the community it serves;
- The Local Green Space is demonstrably special to a local community and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife;
- The Local Green Space designation would provide protection additional to any existing protective policies, and its special characteristics could not be protected through any other reasonable and more adequate means.'

It is our view that the Former Imperial College Private Grounds do not meet all of the criteria for designation as listed at paragraph 77 of the NPPF (as set out in our attached report), and that its proposed designation by LBR is therefore unsound. This includes, for example, the fact that the proposed designation of the site as Local Green Space by the Teddington Society and the Friends of Udney Park Playing Fields is not representative of the views of the whole of the local community. We are aware that many of those with a local interest within the community are opposed to this designation, suggesting that the local support for the designation comes only from these two local associations that represent a small group of residents with a narrow objective in mind.

The list at paragraph 2.2.3 of the PMCLP does not correspond with the criteria for LGS designation within the NPPF, and again it is our view that the Former Imperial College Private Grounds do not meet all of the criteria, as claimed.

3) Evidence

Paragraph 5.2.8 of the PVLP states that a LGS 'is green or open space which has been demonstrated to have special qualities and hold particular significance and value to the local community which it serves'. Paragraph 2.2.3 of the PMCLP states that LBR considers that the Former Imperial College Private Grounds has been assessed, and that it fully meets the criteria for designating a LGS as listed at that same paragraph (and referred to above).

It is our view that LBR has not produced any evidence to substantiate their claim that the Former Imperial College Private Grounds meet all of these criteria, and the definition of what a LGS should be. In addition we do not believe that LBR has justified why the site requires the additional protection offered by LGS status, and why such protection is not currently afforded through the existing OOLTI and ACV designations.

Policy 7.18 of the London Plan deals with protecting open space and addressing deficiencies. The policy states, at 'D', that Boroughs should undertake audits of all forms of open space, along with assessments of need, and that these should be qualitative and quantitative. It is therefore interesting to note that the site that LBR refers to as the Udney Park Playing Fields has not been included, or

assessed within either the Open Space Assessment Report (April 2015), or the Playing Pitch Strategy Assessment Report (May 2015).

LBR published a Summary of Responses to the Pre-Publication Local Plan consultation, to which we contributed representations in August 2016, as referred to above. In response to our representation REF No. 475, relating to our proposal that a new site allocation be made for the site referred to by LBR as Udney Park Playing Fields, LBR responded that 'The Council will not allocate this site for residential/extra care accommodation or any other built development. However, the Council will designate the land as Local Green Space.' No justification or reasoning is provided to back-up LBR's decision not to allocate the site in its own right.

Please continue on a separate sheet / expand box if necessary.

7. Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test that you have identified at Q5 above. (Note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to demonstrate how and why your change(s) will make the Local Plan legally compliant or sound. Please put forward your suggested revised wording of any policy or text or any changes to the Proposals Map. Please be as precise as possible.

It is our view that the representations made by the Quantum Group in August 2016 (REF: 475 &166) address the concerns raised above in respect of the apparent 'unsound' nature of the PVLP. Within those representations, two proposals were put forward. The first was to specifically allocated the site for development (a new site specific policy SA28 (REF:475)). The second was if the first option was not acceptable, to amend the wording of draft policy LP14 (Other Open Land of Townscape Importance (REF:166)).

Rather than repeat the full wording of the representations previously made, of which the Council is already has a record, we can summarise them as follows:

- The PVLP needs to strike an acceptable balance between meeting the future needs of its residents, including the elderly and affordable provision, and access to open space and sports and recreation facilities, whilst maintaining the character of the Borough;
- That the fundamental test in respect of any development proposals within open areas, including those on areas designated as OOLTI should be the question of whether or not the proposal will 'materially harm' the overall character or overall openness of the open land;
- That the Council should recognise the benefits of bringing forward a development scheme for the Former Imperial College Private Grounds, a site in a sustainable location, which preserves the overall townscape character for residents whilst delivering retirement/extra care accomodation to meet an important and increasing need within the community, and delivering sport and recreation facilities on

private land for the community 'in perpetuity'; and

- The Strategic Objectives of the PVLP should identify and prioritise the need to meet the accommodation and social infrastructure needs of the elderly sector of the Borough's population, particularly in relation to affordable provision. As set out in our representations (and in the attached report: Care Needs Assessment, March 2016 (Barton Willmore)), our own assessment indicates that there is a shortfall of around 986 units in the elderly care sector (see Table on p.15 of BW Report and shortfall for conventional sheltered housing (leasehold) and extra care sheltered housing).

It is our view that the Former Imperial College Private Grounds should not be designated as Local Green Space (under draft Policy LP13), for the reasons given above (and in the attached report), and that the proposed amendment to the PMCLP relating to the 'Udney Park Playing Fields' should be removed from the draft Local Plan. We continue to support the identification of the site either as a specific site allocation for development (REF: 475) or as OOLTI (with the proposed amendments highlighted above and in our August 2016 representations (REF:166)).

As stated above, the representations made to the Council in August 2016 remain relevant (REFS: 166 & 475). The public consultation undertaken during December 2016, and the formation and active engagement with the TCSGCIC has, however, informed our thinking for the site. We propose to replace the original plan submitted in association with our August 2016 site allocation proposal (REF:475) with an updated plan, as attached. The wording of the proposed policy and supporting text remains unaltered, as set out in our REF:475. We understand the TCSGCIC is likely to make separate representations to the Local Plan.

Please continue on a separate sheet / expand box if necessary.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested change(s), as there will not normally be a subsequent opportunity to make further representations.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

It is our view that the matters for discussion in respect of the Former Imperial College Private Grounds are significant enough, and of a complexity which can only be explored further and debated around a table - with supporting written evidence. It is also our view that there is sufficient local interest in the site to warrant an open debate regarding its future.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

10. If you are not on our consultation database and you respond to this consultation, your details will be added to the database. This allows us to contact you with updates on the progression of the Local Plan and other planning policy documents. Your contact details will be shared with the Programme Officer and Inspector for the purposes of the public examination.

If you do not wish to be added to our database or you would like your details to be removed, then please tick this box, complete Part A: Personal Details of this form and return it to us as appropriate.

Signature:

For electronic responses a typed signature is acceptable.

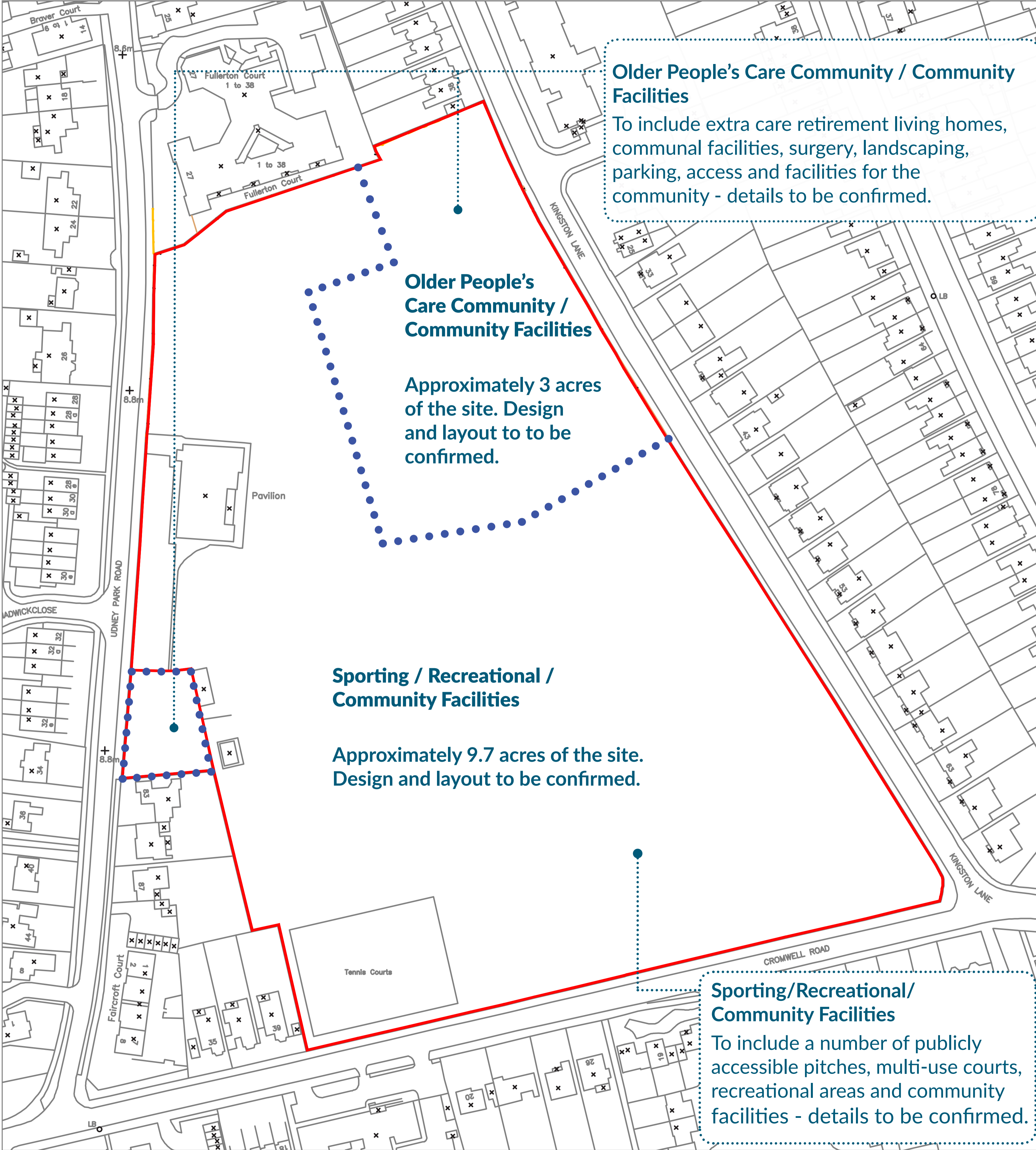
Mr Robin Meakins,
Barton Willmore LLP
(on behalf of the Quantum Group)

Date:

15th February 2017

Site plan showing ownership boundary and indicative use zones to accompany Quantum Group's Publication Consultation representation form

15th February 2017



Former Imperial College Private Ground, Teddington, Richmond Upon Thames Landscape and Visual Statement

Prepared on behalf of Quantum Group

February 2017

Former Imperial College Private Ground, Teddington, Richmond Upon Thames

Landscape and Visual Statement

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- Appendix 1: Site Appraisal Photographs
Site Context Photographs

1.0 INTRODUCTION

- 1.1 Barton Willmore Landscape Planning and Design were commissioned by the Quantum Group in January 2017 to undertake a preliminary Landscape and Visual Appraisal in support of the representations promoted through the emerging London Borough of Richmond Upon Thames Local Plan for the Former Imperial College Private Ground ('The Site'), at Udney Park Road, Teddington, Richmond Upon Thames and the commission is to undertake a review of the potential designation of the Site as Local Green Space, as proposed in the London Borough of Richmond Upon Thames Local Plan Proposals Map Changes Local Plan, Publication Version for consultation 4th January 2017 – 15th February 2017.
- 1.2 As of September 2015, the Quantum Group are the freehold owners of the Site. From 1920s, up until its acquisition in 2015, the Site has been in private playing field use for various educational institutions, with access granted to a small number of specific groups occasionally and on a temporary basis.
- 1.3 The Quantum Group acquired the Site because it was substantially underutilised and presented an opportunity for proposals to be brought forward that would materially benefit residents of Teddington and beyond, whilst preserving the openness of the Site and its townscape importance.
- 1.4 The following material supports the Landscape and Visual; Appraisal:
 - Figure 1: Landscape and Visual Context Plan
 - Figure 2: Site Appraisal Plan
 - Figure 3: Site plan showing ownership boundary and indicative use zones to accompany Quantum Group's Publication Consultation representation form
 - Figure 4: Illustrative Proposals

Appendix 1: Site Appraisal Photographs
Site Context Photographs

2.0 LANDSCAPE AND VISUAL CONTEXT

Site Context

- 2.1 The Site is located within Teddington in the London Borough of Richmond Upon Thames. Teddington is situated on the northern bank of the River Thames, and extends along its High Street from the River Thames in the east to Bushey Park in the west, as illustrated on Figure 1: Landscape and Visual Context Plan. The Borough of Richmond Upon Thames is one of the “greenest” in London, with substantial public access to parks, gardens and squares.
- 2.2 The Site is bounded by residential development on all sides. The Site immediately adjoins Kingston Lane on its eastern boundary and Cromwell Road on its southern boundary, with large residential villas fronting on to both Kingston Lane and Commercial Road. The Site adjoins Udney Park Road for the majority of its western boundary, with smaller residential dwellings fronting onto Udney Park Road, and a cluster of residential dwellings backing onto the Site between Cromwell Road and Udney Road. Fullerton Court, a complex of over 55’s retirement apartments abuts the northern boundary of the Site.
- 2.3 Teddington High Street is located some 170 metres to the north of the Site; Teddington Railway Station is located some 250 metres to the west of the Site, on Station Road, which is a continuation of Cromwell Road.

Topography and Hydrology

- 2.4 Teddington and the Site are located in the valley floor of the River Thames. The River Thames is located some 515 metres to the east of the Site. The surrounding landform is predominantly flat, at approximately 9.0 metres AOD, as characteristic of the river valley floor, and as shown on Figure 1: Landscape and Visual Context Plan.

Settlement, Open Space and Vegetation

- 2.5 Teddington forms part of the extensive conurbation of south-west London, surrounded by and contiguous with Strawberry Hill, Ham, Hampton Hill and Hampton, in the immediate locality. Teddington is predominantly residential, with its character defined by Victorian terraces, Edwardian detached and semi-detached houses, and mid-rise modern residential development; and few tall buildings.
- 2.6 The extensive swathe of south west London is punctuated by substantial tracts of parkland and open space, such as Richmond Park; Ham House Gardens and Grounds; Bushy Park; Hampton Court and Hampton Court Park; and that associated with the River Thames and River Crane; as well as numerous golf courses.

2.7 Substantial vegetation, both formal and naturalistic in character occurs within the parklands, open space and golf courses. Within the settlement, vegetation is predominantly street trees and within gardens.

Public Access

2.8 The Site is private land with no public access.

Landscape Planning Context

2.9 The relevant Landscape Planning Policy Context, for the Site includes landscape and visual related policies set out in:

- National Planning Policy Framework (March 2012) (NPPF)
- The London Plan (2016)

2.10 London Borough of Richmond Upon Thames Local Development Framework: Development Management Plan Adopted November 2011

- London Borough of Richmond Upon Thames Supplementary Planning Document: Design Quality (Adopted February 2006)
- London Borough of Richmond Upon Thames Local Plan, Publication version for consultation 4th January 2017 – 15th February 2017
- London Borough of Richmond Upon Thames Local Plan Proposals Map Changes Local Plan, Publication Version for consultation 4th January 2017 – 15th February 2017

National Planning Policy Framework

2.11 In summary, National planning policy, as set out in the National Planning Framework (NPPF), promotes sustainable development, including the consideration of the economic, social and environmental role proposed development would contribute, both in terms of potential benefits and harm. The Site does not currently fall within any areas covered by policies within the NPPF, as set out in Footnote 9 of Paragraph 14, that would restrict the presumption in favour of sustainable development, subject to complying with and meeting the criteria of Paragraph 14.

2.12 The London Borough of Richmond Upon Thames Proposals Map Changes Local Plan, publication version for consultation 4th January 2017 – 15th February 2017, proposes that the Site is designated as Local Green Space, which is a designation that falls within Footnote 9 of Paragraph 14 of the NPPF. Paragraph 77 of the NPPF addresses Local Green Space, setting out that:

“The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- *where the green space is in reasonably close proximity to the community it serves;*
- *where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- *where the green area concerned is local in character and is not an extensive tract of land.”*

2.13 Paragraph 78 also notes that:

“Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts.”

2.14 National planning policy also seeks to provide protection for the intrinsic character and beauty of the countryside and the natural environment; and the protection and enhancement of valued landscapes. Policy also seeks to ensure that new development is of high quality design; responds to local character and history, and local distinctiveness; includes for the provision of Green Infrastructure; and that it establishes a strong sense of place to create attractive and comfortable places in which to live, work and visit.

London Borough of Richmond Upon Thames Local Development Framework: Development Management Plan (Adopted November 2011)

2.15 Within the adopted Development Management Plan, the Site is allocated, under Policy DM OS 3, as “Other Open Land of Townscape Importance”. Policy DM OS 3 states that:

“Other Open Land of Townscape Importance

Other open areas that are of townscape importance will be protected and enhanced in open use.

It will be recognised that there may be exceptional cases where appropriate development is acceptable. The following criteria must be taken into account when assessing appropriate development:

1. It must be linked to the functional use of the Other Open Land of Townscape Importance; or

2. It can only be a replacement or minor extension of existing built facilities;

3. In addition to 1. or 2., it does not harm the character and openness of the open land.

Improvement and enhancement of the openness and character of other open land and measures to open up views into and out of designated other open land will be encouraged where appropriate.

When considering developments on sites outside designated other open land, any possible visual impacts on the character and openness of the designated other open land will be taken into account."

2.16 The supporting text to Policy DM OS 3 sets out that:

"4.1.6 Other Open Land of Townscape Importance (OOLTI) can include public and private sports grounds, school playing fields, cemeteries, allotments, private gardens, areas of vegetation such as street verges and mature trees. The designated areas are shown on the Proposals Map but there will also be other areas which could be considered as being of local value to the area and townscape which merit protection.

4.1.7 In some parts of the borough, open areas, including larger blocks of back gardens, which are not extensive enough to be defined as green belt or metropolitan open land, act as pockets of greenery of local rather than London-wide significance. Many of these are of townscape importance, contributing to the local character and are valued by residents as open spaces in the built up area. Policy DM HO 2 'Infill Development' and Policy DM HO 3 'Backland Development' also recognise the importance of gardens, which will be considered as greenfield sites. Green oases are particularly important and will be protected in areas of high density development and town centres.

4.1.8 OOLTI should be predominantly open or natural in character. The following criteria are taken into account in defining OOLTI:

- ***Contribution to the local character and/or street scene, by virtue of its size, position and quality.***
- ***Value to local people for its presence and openness.***
- ***Immediate or longer views into and out of the site, including from surrounding properties.***
- ***Value for biodiversity and nature conservation.***

Note that the criteria are qualitative and not all need to be met.

4.1.9 The purpose of this policy is to safeguard this open land and ensure that it is not lost to other uses without good cause. Protecting and opening up views into and out of designated other open land is encouraged because of the contribution to the distinctive character of an area and the benefits to all. Where a

comprehensive approach to redevelopment can be taken, such as on major schemes or regeneration proposals, or for social community or educational uses, it may be acceptable to re-distribute the open land within the site, providing that the new open area is equivalent or improved in terms of size, shape, location, quality and potential ecological value."

London Borough of Richmond Upon Thames Local Plan, Publication version for consultation, 4th January 2017 – 15th February 2017

- 2.17 The London Borough of Richmond Upon Thames Local Plan, Publication Version, at Paragraph 5.2, sets out the policy for Green Belt, Metropolitan Open Land and Local Green Space, under Policy LP 13, which states that, with specific reference to Local Green Space:

"Policy LP 13

Local Green Space

D. Local Green Space, which has been demonstrated to be special to a local community and which holds a particular local significance, will be protected from inappropriate development that could cause harm to its qualities."

- 2.18 Paragraphs 5.2.8 to 5.2.10 provide supporting text with regard to Policy LP13, with specific regard to Local Green Space, as set out below:

"5.2.8 *Local Green Space, as identified on the Proposals Map, is green or open space which has been demonstrated to have special qualities and hold particular significance and value to the local community which it serves.*

5.2.9 *In line with the NPPF, managing development within a Local Green Space should be consistent with policy for Green Belt. Development, which would cause harm to the qualities of the Local Green Space, will be considered inappropriate and will only be acceptable in very special circumstances where benefits can be demonstrated to significantly outweigh the harm.*

5.2.10 *The following criteria are taken into account when defining Local Green Space:*

- ***The site is submitted by the local community;***
- ***There is no current planning permission which once implemented would undermine the merit of a Local Green Space designation;***
- ***The site is not land allocated for development within the Local Plan;***
- ***The site is local in character and is not an extensive tract of land;***
- ***Where the site is publicly accessible, it is within walking distance of the community; OR where the site is not publicly***

accessible, it is within reasonably close proximity to the community it serves;

- *The Local Green Space is demonstrably special to a local community and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife;*
- *The Local Green Space designation would provide protection additional to any existing protective policies, and its special characteristics could not be protected through any other reasonable and more adequate means.*

2.19 With regard to the Proposals Map Changes for Publication Local Plan, the changes include designating the Site (given the title in the emerging Local Plan as Udney Park Playing Fields) as Local Green Space, as set out in Section 2.2: Local Green Space, and with reference to Paragraphs 2.2.1 to 2.2.3. The justification for the designation is set out in Paragraphs 2.2.2 to 2.2.3, and states:

“Reason for Local Green Space Designation

2.2.2 Udney Park Playing Fields are already designated as Other Open Land of Townscape Importance (OOLTI) and also benefit from a designation as an Asset of Community Value.

2.2.3 Policy LP 13 Green Belt, Metropolitan Open Land and Local Green Space sets out the policy guidance in relation to Local Green Space, including criteria for designation. The Council has assessed the site against the criteria as set out in the Publication Local Plan policy as well as national guidance, and considers that it meets all of the following criteria:

- *The site is submitted by the local community;*
- *There is no current planning permission which once implemented would undermine the merit of a Local Green Space designation;*
- *The site is not land allocated for development within the Local Plan;*
- *The site is local in character and is not an extensive tract of land;*
- *Where the site is publicly accessible, it is within walking distance of the community; OR where the site is not publicly accessible, it is within reasonably close proximity to the community it serves;*
- *The Local Green Space is demonstrably special to a local community and holds a particular*
- *local significance, for example, because of its beauty, historic significance, recreational value(including as a playing field), tranquillity or richness of its wildlife;*
- *The Local Green Space designation would provide protection additional to any existing protective policies, and its special characteristics could not be protected through any other reasonable and more adequate means.”*

- 2.20 The London Borough of Richmond Upon Thames Local Plan, Publication Version, retains a policy for designating Other Open Land of Townscape Importance, in the amend form of Policy LP 14, which sets out that:

“Other Open Land of Townscape Importance

Other open areas that are of townscape importance will be protected in open use, and enhanced where possible.

It will be recognised that there may be exceptional cases where appropriate development is acceptable. The following criteria will be taken into account when assessing whether development is appropriate:

a. it must be linked to the functional use of the Other Open Land of Townscape Importance;

or

b. it can only be a replacement of, or minor extension to, existing built facilities; and

c. it does not harm the character or openness of the open land.

Improvement and enhancement of the openness or character of other open land and measures to open up views into and out of designated other open land will be encouraged.

When considering developments on sites outside designated other open land, any possible visual impacts on the character and openness of the designated other open land will be taken into account.”

- 2.21 Paragraphs 5.3.1 to 5.3.7 provide the supporting text to Policy LP14, setting out that:

“5.3.1 *The purpose of this policy is to safeguard open land of local importance and ensure that it is not lost to other uses without good cause. Areas designated as Other Open Land of Townscape Importance (OOLTI) form an important part of the multi-functional network of Green Infrastructure and they can include public and private sports grounds, school playing fields, cemeteries, allotments, private gardens, areas of vegetation such as street verges and mature trees. The designated areas are shown on the Proposals Map.*

5.3.2 *In some parts of the borough, open areas, including larger blocks of back gardens, act as pockets of greenery of local rather than strategic significance. Many of these are of townscape*

importance, contributing to the local character and are valued by residents as open spaces in the built up area. Green oases are particularly important in areas of higher density development including in the borough's centres.

5.3.3 *This policy can also apply to other open or natural areas that are not designated, but which are considered to be of local value, and therefore merit protection.*

5.3.4 *OOLTI should be predominantly open or natural in character. The following criteria are taken into account when defining OOLTI (note that the criteria are qualitative and not all need to be met):*

- ***Contribution to the local character and/or street scene, by virtue of its size, position and quality.***
- ***Value to local people for its presence and openness.***
- ***Immediate or longer views into and out of the site, including from surrounding properties.***
- ***Contribution to a network of green spaces and green infrastructure as set out in policy LP12 in 5.1 'Green Infrastructure'.***
- ***Value for biodiversity and nature conservation.***

5.3.5 *This policy can also apply to other open or natural areas that are not designated, but which are considered to be of local value in line with the criteria set out above, and therefore merit protection.*

5.3.6 *Where a comprehensive approach to redevelopment can be taken, such as on major schemes or regeneration proposals, or for community and social infrastructure including educational uses, it may be acceptable to re-distribute the designated open land within the site, provided that the new open area is equivalent or improved in terms of quantum, quality and openness.*

5.3.7 *Protecting and opening up views into and out of designated OOLTI is encouraged because of the contribution they can make to the distinctive character of an area and the benefits to all."*

London Borough of Richmond Upon Thames Supplementary Planning Document: Design Quality (Adopted February 2006)

- 2.22 The London Borough of Richmond Upon Thames Supplementary Planning Document: Design Quality provides the overall context for design guidance in the London Borough of Richmond. It notes that this guidance should be **"taken into account when designing individual buildings, groups of buildings, redevelopment and infill schemes, extensions and even minor building works"**. The guidance is intended to guide quality and provides an

assessment of the character of the Borough, to assist in defining the broader setting and environmental qualities of a site.

2.23 The guidance sets out objectives for the delivery of high quality design and development, covering:

- Character
- Continuity and Enclosure
- Public Realm
- Ease of Movement
- Legibility
- Adaptability; and
- Diversity.

3.0 TOWNSCAPE CHARACTER

3.1 The assessment of landscape or townscape character involves a descriptive approach that seeks to identify and define the distinct character of landscapes and townscapes that make up the country. In accordance with the European Landscape Convention this approach recognises the intrinsic value of all landscapes, not just 'special' landscapes, as contributing factors in people's quality of life. It also ensures that account is taken of the different roles and character of different areas, in accordance with the NPPF Core Principles.

3.2 The description of each landscape or townscape character area is used as a basis for evaluation to make judgements to guide, for example, development or landscape management.

3.3 The Site is set entirely within the immediately surrounding townscape context, and is surrounded by and contained by residential development on all sides. The relevant published townscape character assessment is:

- London Borough of Richmond Supplementary Planning Document: Design Quality (Adopted 2006)

London Borough of Richmond Supplementary Planning Document: Design Quality (Adopted 2006)

3.4 With regard to the urban form and Character Areas of the Borough, the guidance notes that the

"The environmental Character of the Borough since its nineteenth century expansion has resulted in a group of urbanised areas, connecting former villages, divided by open space, linked by roads and interwoven by railways."

3.5 Twelve distinctive character areas have been identified, **"defined by their cohesive identity, or location of both natural and manmade barriers such as the river, open space and the railways"**.

3.6 The Site falls on the southern edge of the Strawberry Hill and Teddington East Character Area, and immediately adjoins the Hampton Wick and South Teddington Character Area, as illustrated on Figure 1: Landscape and Visual Context Plan, with the Hampton Hill and Teddington West Character Area located to the west of the Site.

3.7 The Strawberry Hill and Teddington East Character Area, which includes the Site and extends east to the River Thames, is described as:

"A suburban character area less tightly developed than Twickenham with small pockets of open space and large gardens with a significant number of trees. Teddington High Street Retains a mix of attractive Victorian and Edwardian shopping parades (some with original shop fronts) and Artisan Cottages in small side streets. Strawberry Hill House and Grounds exhibit an exuberant Gothic style. The Strawberry Hill residential area is leafy and contains a mix of large older homes and twentieth century infill houses and flats."

- 3.8 The Hampton Wick and South Teddington Character Area extends south from the Site, south of Cromwell Road and east to the River Thames, and is described as:**

"The old village centre of Hampton Wick has a strong village character through uniform building styles and narrow winding streets. South of the railway line development is mostly Georgian, Victorian and Edwardian and small in scale with a tree lined backdrop relating to Hampton Court. North of the railway line there is more variation in style and age of residential development. Houses to Lower Teddington Road and the River [Thames] are more substantial in scale and there are a number of modern residential apartment blocks."

- 3.9 The Hampton Hill and Teddington West Character Area is located to the west of the Site, adjoining the rear gardens of residential properties on the west side of Udney Park Road which adjoins the Site, with a clear change in pattern of residential development. The Hampton Hill and Teddington West Character Area is described as:**

"Hampton Hill High Street maintains its village character, composed of Victorian shops (converted from cottages), some listed houses, a picturesque backdrop of trees from Bushy Park and a pleasant arrangement of neighbouring residential streets. Most of the area is residential with a predominantly Victorian and Edwardian character of uniform semi-detached homes in avenues of mature trees. There are also many pockets of modern designed terraced housing and flats arranged in courts and parklands with a high standard of landscape quality."

4.0 LANDSCAPE AND VISUAL APPRAISAL OF THE SITE

Site Appraisal

- 4.1 The Site is illustrated on Figure 2: Site Appraisal Plan, and in Site Appraisal Photographs A, B, C and D.
- 4.2 The Site is 12.8 acres in size and of relatively regular shape, and is bound by roads and residential development on all sides.
- 4.3 It comprises predominantly formal playing fields and tennis courts, with a club house and several ancillary structures such as viewing seating, two vehicular accesses, associated parking and one designated pedestrian entrance.
- 4.4 All vegetation, with the exception of the amenity playing field grassland, is limited to intermittent tree and hedge or shrub planting along the perimeter of the Site and around the parking area. The Site is otherwise devoid of any noteworthy natural features.

Visual Appraisal

- 4.5 The visual context of the Site and its surroundings is illustrated by Site Context Photographs 1 - 4, the locations of which are shown on Figure 1: Landscape and Visual Context Plan.
- 4.6 A visual appraisal of the Site and its environs was undertaken in February 2017, to determine the relationship of the Site with its surroundings, and the visibility of the Site within the wider landscape and townscape.
- 4.7 The visibility of any site is predominantly influenced by its landform and the extent and type of vegetation cover and built elements within a site and the surrounding landscape or townscape. The combination of the flat topography and immediately surrounding existing residential development result in the Site being visible from only the immediate vicinity, and therefore the visual appraisal has been undertaken from publicly accessible viewpoints from the roads immediately surrounding the Site, to determine the approximate extent from which the Site is visible from the eye of a person standing on the ground. There is, in most visual appraisals, a continuum of degrees of visibility ranging from no view of a site to full, open views. To indicate the degree of visibility of the Site from the surrounding locality, three categories of visibility have been used in this assessment:
- a) Open view: A clear view of a significant proportion of the Site within the wider landscape or townscape.

- b) Partial view: A view of part of the Site or a filtered view of the Site, or a distant view in which the Site is perceived as a small part of the view; and
- c) Truncated / No view: Views towards the Site are curtailed by visual barriers, such as intervening topography, vegetation or built forms.

- 4.8 Site Context Photographs Nos. 1 – 4 illustrate a representative selection of views of the Site from the immediate surrounding area, the locations for which are identified on Figure 1: Landscape and Visual Context Plan.
- 4.9 Much of the boundary of the Site is enclosed by close board timber fencing or built form (71% of the length of the boundary), such that views into the Site from ground level are extremely limited, being predominantly truncated, and are limited to partial views or glimpses through lengths of the boundary with railings and hedging, or railing and trees, even in winter, when the vegetation is devoid of foliage.
- 4.10 Site Context Photographs 1 and 2 demonstrate the enclosure provided by the boundary fencing and in some locations adjoining residential development, resulting in limited (truncated) views and limited appreciation of the playing fields, from the immediately surrounding roads and footways as experienced by pedestrians and motorists.
- 4.11 Site Context Photographs 3 and 4 demonstrate the brief lengths of more open boundary treatment, of railings and boundary vegetation. Where the boundary treatment is more open, there are partial views of the playing fields seen through the railings and boundary vegetation.
- 4.12 With the exception of from the first and upper floors of immediately surrounding residential development, there are no open views into the playing fields, and no available views of the whole Site.

5.0 CONSIDERATION OF POTENTIAL ALLOCATION AS LOCAL GREEN SPACE

Consideration of Policy Context

5.1 In assessing the Site against the policy requirements for a Local Green Space as set out in the NPPF, the NPPF states that the designation should only be used:

- *where the green space is in reasonably close proximity to the community it serves;*
- *where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- *where the green area concerned is local in character and is not an extensive tract of land."*

5.2 With regard to the proximity to the community it serves, firstly, the Site is not publicly accessible, and is used by several sports clubs with the express consent of the landowner and on a temporary basis. The Site is therefore used by only relatively small sector of the local community, for limited periods of time on a temporary basis, therefore, whilst surrounded by local residents, it currently only serves, and is accessible to, a very small part of the local community and not permanently, and is therefore limited in the extent to which it "serves" the community.

5.3 With regard to being "demonstrably special", it is valued insofar as it is an open space within the suburban context of the surrounding settlement, nothing more.

5.4 However, as demonstrated by the Landscape and Visual Appraisal, the appreciation of that openness is very restricted, both by the lack of public accessibility, and by the enclosed nature of much of the boundary treatment.

5.5 In terms of its local significance, recreational value and amenity is very restricted.

5.6 Furthermore, comprising featureless amenity grassland, with no noteworthy landscape features, the Site has no attributes that contribute to "beauty".

5.7 Whilst it has been in private recreational use for many decades, this has always been in private, related use, which does not expressly constitute 'historical significance', particularly when compared with other parks and open spaces in the locality, such as the likes of Bushey Park, Hampton Court, Ham House and Richmond Park which demonstrate "historical significance" (although knowledgably these are of too greater extent to be 'Local Green Space'). There are

several buildings of Townscape Merit, on Udney Park Road and Teddington High Street, however these are not directly related to the Site. Therefore, it is apparent that the Site exhibits limited 'historical significance'.

- 5.8 The Site also exhibits very limited recognised aspects of tranquillity, being surrounded by roads and development on all sides, with no sense of remoteness, and influenced by suburban development on all sides, including noise, and lighting. It does provide some relief from the density of the surrounding suburban development, but this is not readily appreciated from much of the surrounding area. It is not utilised for informal recreation, as use is limited to those sports clubs that have the express consent by the landowner for use on a temporary basis, such that it would not be readily experienced as a green space providing relief from the sub-urban environment.
- 5.9 With regard to richness of its wildlife, the Site exhibits very limited habitat diversity or wildlife richness, being predominantly uniform amenity playing field grassland, with any limited habitat variety restricted to very narrow margins on the boundaries of the Site.
- 5.10 Therefore, the Site in its current condition and use, with its current level of accessibility, and lack of "beauty, historic significance, tranquillity and any richness in wildlife" only very partially meets the NPPF requirements for the designation of Local Green Space.
- 5.11 In considering the Site against the policy requirements for Local Green Space Designation, as set out in the Publication Version of the emerging London Borough of Richmond Upon Thames Local Plan, the criteria to be taken into account when defining Local Green Space is set out in Paragraph 5.2.10, and sets out that:
- ***"The site is submitted by the local community;***
 - ***There is no current planning permission which once implemented would undermine the merit of a Local Green Space designation;***
 - ***The site is not land allocated for development within the Local Plan;***
 - ***The site is local in character and is not an extensive tract of land;***
 - ***Where the site is publicly accessible, it is within walking distance of the community; OR where the site is not publicly accessible, it is within reasonably close proximity to the community it serves;***
 - ***The Local Green Space is demonstrably special to a local community and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife;***
 - ***The Local Green Space designation would provide protection additional to any existing protective policies, and its special characteristics could not be protected through any other reasonable and more adequate means."***

- 5.12 Notably, the first three criteria are additional to the criteria set out in the NPPF, and are not specific to the character, use and function of Local Green Space, which is the general focus of the NPPF criteria. As set out in the first criteria, whilst the Site may have been submitted by two local groups (which may be considered as not representative of the wider community, as evidenced by the creation of the CIC which is supportive of the proposals for the site) for a Local Green Space designation, this is not necessarily a commendation per se for the designation of the Site as Local Green Space, as the NPPF sets out the type of characteristics that demonstrate being of local significance or special to a local community, for example because of its beauty, historic significance, recreational value (to that community), tranquillity or richness in its wildlife. It is more to do with seeking to stop any development of the Site from occurring.
- 5.13 With regard to the second and third criteria, whilst there is no current planning permission which once implemented would undermine the merit of a Local Green Space designation, and the land is not presently allocated for development, this does not relate to the merits of the Site in terms of its suitability for Local Green Space, with again regard to character, use and function.
- 5.14 The fourth, fifth and sixth criteria reflect the criteria for Local Green Space designation as set out in the NPPF, and as established above, the Site only very partially meets with the requirements for Local Green Space designation.
- 5.15 With regard to the final criteria, the Site is currently designated as "Other Open Land of Townscape Importance" as defined by Policy DM OS 3 of the adopted London Borough of Richmond Upon Thames Local Plan, and this policy is retained in the emerging Publication Version London Borough of Richmond Upon Thames Local Plan, as Policy LP 14: Other Open Land of Townscape Importance. This policy provides protection for the spatial character of the townscape of the borough, in particular to maintain predominantly open or natural areas, including areas that are of "value to local people for its presence and openness". Considering the current character, function and use of the Site, not what is proposed by the Quantum Group and the Teddington Sports Ground CIC in their representations to the Local Plan, this is an appropriate policy to afford protection of important open land within in areas of dense suburban development, and when considering the Site in the context of the criteria for Other Open Land of Townscape Importance, and the supporting text of the policy. Paragraph 4.1.8 of the adopted Local Plan sets out the criteria for Other Open Land of Townscape Importance as:
- ***"Contribution to the local character and/or street scene, by virtue of its size, position and quality.***
 - ***Value to local people for its presence and openness.***

- ***Immediate or longer views into and out of the site, including from surrounding properties.***
- ***Value for biodiversity and nature conservation.***

Note that the criteria are qualitative and not all need to be met.”

5.16 Paragraph 5.3.4 sets out the criteria for Other Open Land of Townscape Importance, which in addition to the above includes the following criterion:

- ***“Contribution to a network of green spaces and green infrastructure as set out in policy LP12 in 5.1 ‘Green Infrastructure’.”***

5.17 Importantly, to be designated Other Open Land of Townscape Importance, public access and recreational value are not required qualities, and therefore the Site is more compliant with the overall criteria for Other Open Land of Townscape Importance, as set out in both the adopted and the emerging Local Plan, than that for the designation of Local Green Space.

5.18 Of note is supporting text which sets out the purpose of Policy DM OS 3, and ways that such Other Open Land of Townscape Importance can be enhanced:

4.1.9 The purpose of this policy is to safeguard this open land and ensure that it is not lost to other uses without good cause. Protecting and opening up views into and out of designated other open land is encouraged because of the contribution to the distinctive character of an area and the benefits to all. Where a comprehensive approach to redevelopment can be taken, such as on major schemes or regeneration proposals, or for social community or educational uses, it may be acceptable to re-distribute the open land within the site, providing that the new open area is equivalent or improved in terms of size, shape, location, quality and potential ecological value.”

5.19 Likewise, similar supporting text is set out in the emerging Local Plan, at paragraphs 5.3.1, 5.3.6 and 5.3.7, setting out that:

“5.3.1 The purpose of this policy is to safeguard open land of local importance and ensure that it is not lost to other uses without good cause. Areas designated as Other Open Land of Townscape Importance (OOLTI) form an important part of the multi-functional network of Green Infrastructure and they can include public and private sports grounds, school playing fields, cemeteries, allotments, private gardens, areas of vegetation such as street verges and mature trees. The designated areas are shown on the Proposals Map.

5.3.6 Where a comprehensive approach to redevelopment can be taken, such as on major schemes or regeneration proposals, or for community and social infrastructure including educational uses, it may be acceptable to re-distribute the designated open

land within the site, provided that the new open area is equivalent or improved in terms of quantum, quality and openness.

5.3.7 *Protecting and opening up views into and out of designated OOLTI is encouraged because of the contribution they can make to the distinctive character of an area and the benefits to all."*

5.20 With regard to the final criteria for Local Green Space, the existing character of the Site can be adequately and reasonably protected by both the existing adopted Policy DM OS 3 and the emerging Policy LP14 with regard to Other Open Land of Townscape Importance. Furthermore, as set out in Policy L 13 Paragraph, to be designated as Local Green Space, it must be demonstrated that a green or open space has special qualities and holds a particular significance and value to the community it serves. However, as set out above, the Site has limited special qualities, more aligned with its designation as Other Open Land of Townscape Importance, and is very limited in the extent to which it "serves" the community, and therefore the additional protection of a Local Green Space designation is neither appropriate nor necessary.

6.0 CONSIDERATION OF POTENTIAL ENHANCEMENTS TO THE SITE

6.1 As set out in the Representations to the Local Plan for the Site, made by Quantum Group and the Teddington Community Sports Ground CIC, the aspirations for the Site are to deliver enhanced sporting and community facilities, new public open space, and care-led accommodation for the elderly with publicly accessible healthcare services. The key benefits of which would be:

- Significant new public open space (gifted to the CIC as custodians of the Community) to enrich the life, health and wellbeing of residents and visitors;
- Enhanced play and sporting opportunities for all ages and abilities, including provision of a 3G pitch;
- Space for local groups and community activities;
- Modern, multi-use facilities to meet the needs of local clubs;
- Affordable housing solutions for the elderly population;
- Employment opportunities;
- Enhanced biodiversity and habitat creation; and
- A sustainable legacy for future generations.

6.2 In addition, the proposals would increase the appreciation of the openness of the Site, with increased views into and out of the Site, achieved through the replacement of much of the close board fencing with open railings, to increase the visual permeability of the Site. The increase of availability of views from within the Site would be delivered through the provision of public access.

Contribution to Other Open Land of Townscape Importance

6.3 As demonstrated, the existing character of the Site can be adequately and reasonably protected by both the existing adopted Policy DM OS 3 and the emerging Policy LP 14, with regard to Other Open Land of Townscape Importance, and that additional protection of a Local Green Space designation is neither appropriate nor necessary.

6.4 In this context, on consideration of the proposals for the Site, as promoted by the Quantum Group and the Teddington Sports Ground CIC, as illustrated on the attached plans, the proposals offer real enhancements to the Other Open Land of Townscape Importance, in accordance with the policy objectives set out in both the existing adopted Policy DM OS3 and the emerging Policy LP 14.

- 6.5 Whilst the proposals would result in a small reduction in overall open space, the comprehensive approach to the redevelopment of the Site would result in an acceptable re-distribution of open land within the Site, such that there would be a significant increase in publicly accessible open land, in terms of publicly accessible informal and formal open space and sports pitch provision, to be enjoyed by immediately adjoining residents and visitors.
- 6.6 The accessible open space would also be of an improved quality; through the range of function and use, that is through the provision of informal public open space, a Multi-Use Games Area (MUGA), children's play area and higher quality pitch provision allowing for greater flexibility and intensity of use; through creation of more natural areas associated with the informal public open space with enhanced biodiversity and nature conservation value; and with an improvement to the landscape and visual character, through tree planting and landscape proposals to introduce variety and interest.
- 6.7 The proposals for the Site would result in the Site making a greater positive contribution to the surrounding townscape; providing an enhancement to the local character and street scene through the increased visibility of the Site, and greater diversity in character across the Site; and continuing to perform its function as a valued open space within the built up area, with a greater appreciation of the open nature of the Site from surrounding residents.
- 6.8 The proposals for the Site would also result in the Site making a greater contribution to the multi-functional network of surrounding Green Infrastructure, with increased access and permeability across the Site creating linkages with the surrounding area.
- 6.9 The proposals for the Site would therefore result in an "enhancement of the openness and character of the open land", and would "open up views into and out of the open land", as encouraged by both adopted Policy DM OS 3 and emerging Policy LP 14.
- 6.10 The proposals for the Site would increase the attributes of the Site that contribute to its designation as Other Open Land of Townscape Importance in terms of the criteria set out in Paragraph 4.1.8 of adopted Policy DM OS 3, as follows:
- ***"Contribution to the local character and/or street scene, by virtue of its size, position and quality.***
 - ***Value to local people for its presence and openness.***
 - ***Immediate or longer views into and out of the site, including from surrounding properties.***
 - ***Value for biodiversity and nature conservation."***
- 6.11 Furthermore, the proposals for the Site would also increase the contribution that the Site makes to the network of green spaces and green infrastructure, with regard to the additional criterion, in addition to the above, set out in Paragraph 5.3.4 of emerging Policy LP 14:

- ***"Contribution to a network of green spaces and green infrastructure as set out in policy LP12 in 5.1 'Green Infrastructure'."***

6.12 The proposals for the Site would therefore not only "not harm the character and openness of the open land", in accordance with the requirements set out in both adopted Policy DM OS 3 (Point 3) and emerging Policy LP14 (Point C), but would enhance the character and openness of the open land, resulting in the Site making a greater contribution to the function and objectives of designated Other Open Land of Townscape Importance.

Contribution to Local Green Space

6.13 As demonstrated, the Site in its current condition and use, with its current level of accessibility, and lack of "beauty, historic significance, tranquillity and any richness in wildlife" only very partially meets the NPPF Paragraph 78 requirements for the designation of Local Green Space, as set out below:

- ***where the green space is in reasonably close proximity to the community it serves;***
- ***where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and***
- ***where the green area concerned is local in character and is not an extensive tract of land."***

6.14 Likewise, with regard to fourth, fifth and sixth criteria of Paragraph 5.2.10 of emerging Policy LP 13, addressing Local Green Space, the Site only very partially meets with the requirements for Local Green Space designation, as set out below:

- ***"... The site is local in character and is not an extensive tract of land;***
- ***Where the site is publicly accessible, it is within walking distance of the community; OR where the site is not publicly accessible, it is within reasonably close proximity to the community it serves;***
- ***The Local Green Space is demonstrably special to a local community and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife;..."***

6.15 The Site has limited special qualities, more aligned with its designation as Other Open Land of Townscape Importance, and is very limited in the extent to which it "serves" the community, and therefore the additional protection of a Local Green Space designation is neither appropriate nor necessary.

- 6.16 However, should the Site be designated as Local Green Space, the proposals for the Site would provide significant benefits, such that the Site would provide a wide range of accessible informal and formal public open space, immediately adjoining the local community that it would then serve; with an increase in local significance by creating an attractive accessible green space of greater beauty, recreational value and richness of wildlife.
- 6.17 Therefore, the proposals for the Site, as promoted by the Quantum Group and the Teddington Community Sports Ground CIC, if implemented, would be consistent with the allocation of the Site as a Local Green Space designation, should the Site be designated as such, and would therefore not conflict with the second criteria of Paragraph 5.2.10 of emerging Policy LP 13. The proposals for the Site would therefore contribute to the "very special circumstances where benefits can be demonstrated to significantly outweigh the harm", as set out in Paragraph 5.2.9 of Policy LP 13 of the emerging Local Plan.

LEGEND

- Site Boundary
 - Existing Woodlands, Copses and Tree Belts ^
 - Existing Scrub ^
 - Existing Water Courses and Features ^
 - Contours/Spot Heights (Metres AOD) ^
 - Local Planning Authority Boundary ^
 - Public Rights of Way #/##
 - Sustrans Cycle Route +
 - Cycle Route ++
 - National Trail/Long Distance Walk #/#/#
 - ★ Listed Buildings ~
 - Registered Parks and Gardens ~
 - Scheduled Monument ~
 - Other Open Land of Townscape Importance *
 - Area Poorly Provided with Public Open Space *
 - Buildings of Townscape Merit *
 - National Character Area Profile # Area 111, Northern Thames Basin
 - National Character Area Profile # Area 115, Thames Valley
- London Borough of Richmond Upon Thames Landscape Character Areas
- 1 Twickenham & St Margaret's
 - 2 Whitton & Heatfield
 - 3 West Twickenham & Fulwell
 - 4 Strawberry Hill & Teddington East
 - 5 Hampton Hill & South Teddington
 - 6 Hampton Hill & Teddington West
 - 7 Ham, Petersham & Richmond Park
 - 8 Hampton, Bushy Park & Hampton Court
- 1 Location of Photographic Viewpoints (Site Context Photographs 1-4)

Source: OS Mapping, Natural England GIS Data Set, Historic England National Monument Record GIS Data Set, Surrey County Council PFA07 GIS Data, Sustrans National Cycle Network GIS Data, Department of Transport (DfT) GIS Cycle Network Data, OS Explorer Map 1:25,000 Scale, London Borough of Richmond Upon Thames Local Plan - Proposed Map, Adopted July 2015

Data collated for constraints and analysis mapping is based on publicly available sources at the time of preparation inserted using the British National Grid and may itself not be accurate. Barton Willmore shall not be liable for the accuracy of data derived from external sources.

FIGURE 1

Project: Teddington Athletic Ground

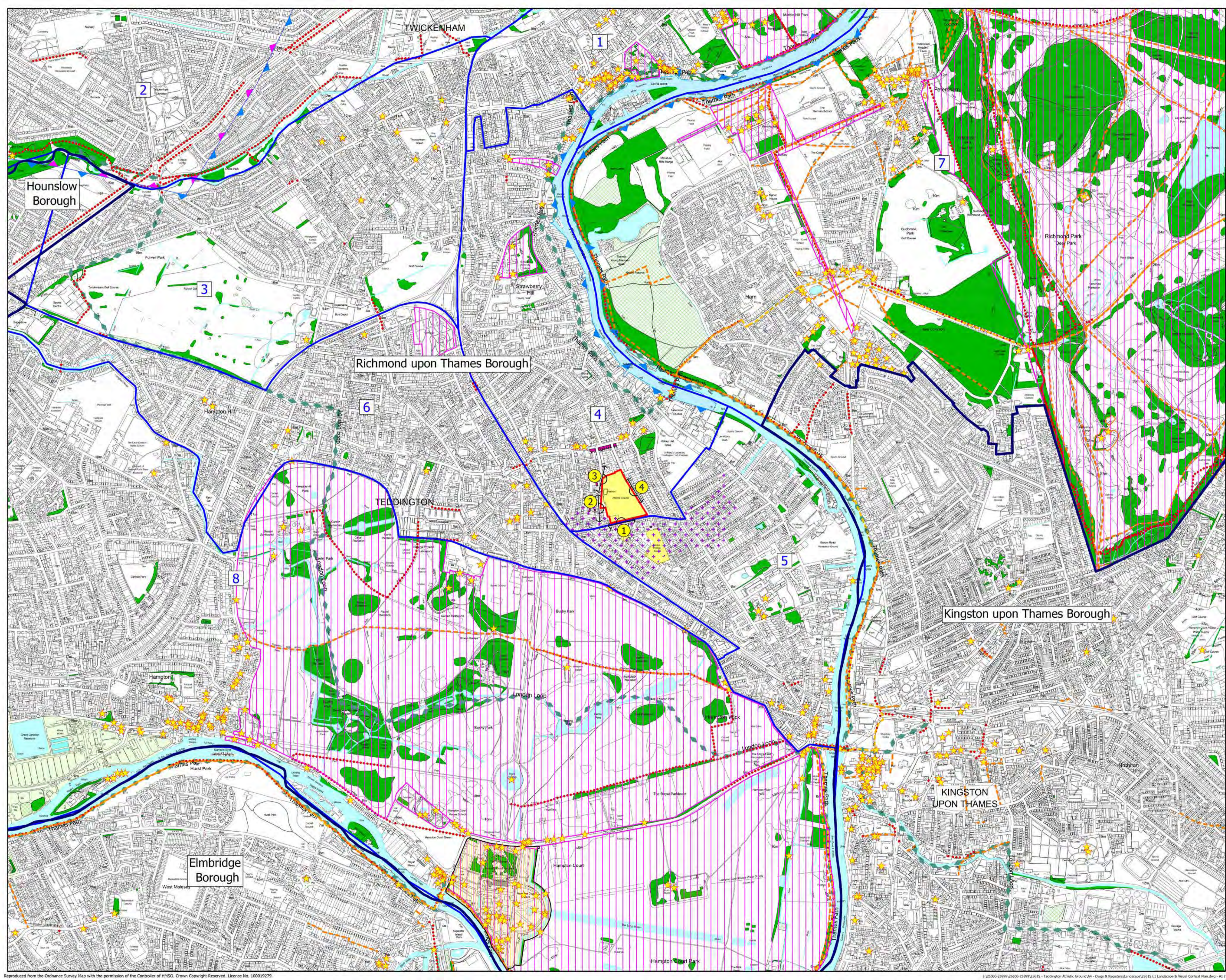
Drawing Title: Site Context Plan

Date	Scale	Drawn by	Check by
08.02.2017	1:10,000 @A1 1:20,000 @A3	MK	
Project No	Drawing No		Revision
25615	L1		


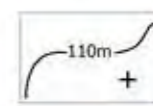

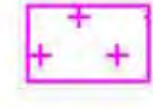
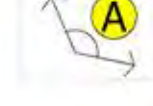


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LEGEND

-  Site Boundary
-  Contours/Spot Heights (Metres AOD) ^
-  Listed Buildings ~
-  Other Open Land of Townscape Importance *
-  Location of Photographic Viewpoints (Site Context Photographs A-D)

Sources:
 ^ OS Mapping
 ~ Historic England National Monument Record GIS Data Set
 ** London Borough of Richmond Upon Thames Local Plan - Proposals Map, Adopted July 2015

Data collated for constraints and analysis mapping is based on publicly available sources at the time of preparation inserted using the British National Grid and may itself not be accurate. Barton Willmore shall not be liable for the accuracy of data derived from external sources.



FIGURE 2

Project
 Teddington Athletic Ground

Drawing Title
 Site Appraisal Plan

Date	Scale	Drawn by	Check by
08.02.2017	1:2,000 @A2 NTS @A3	MK	
Project No	Drawing No		Revision
25615	L2		



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Site plan showing ownership boundary and indicative use zones to accompany Quantum Group's Publication Consultation representation form

15th February 2017

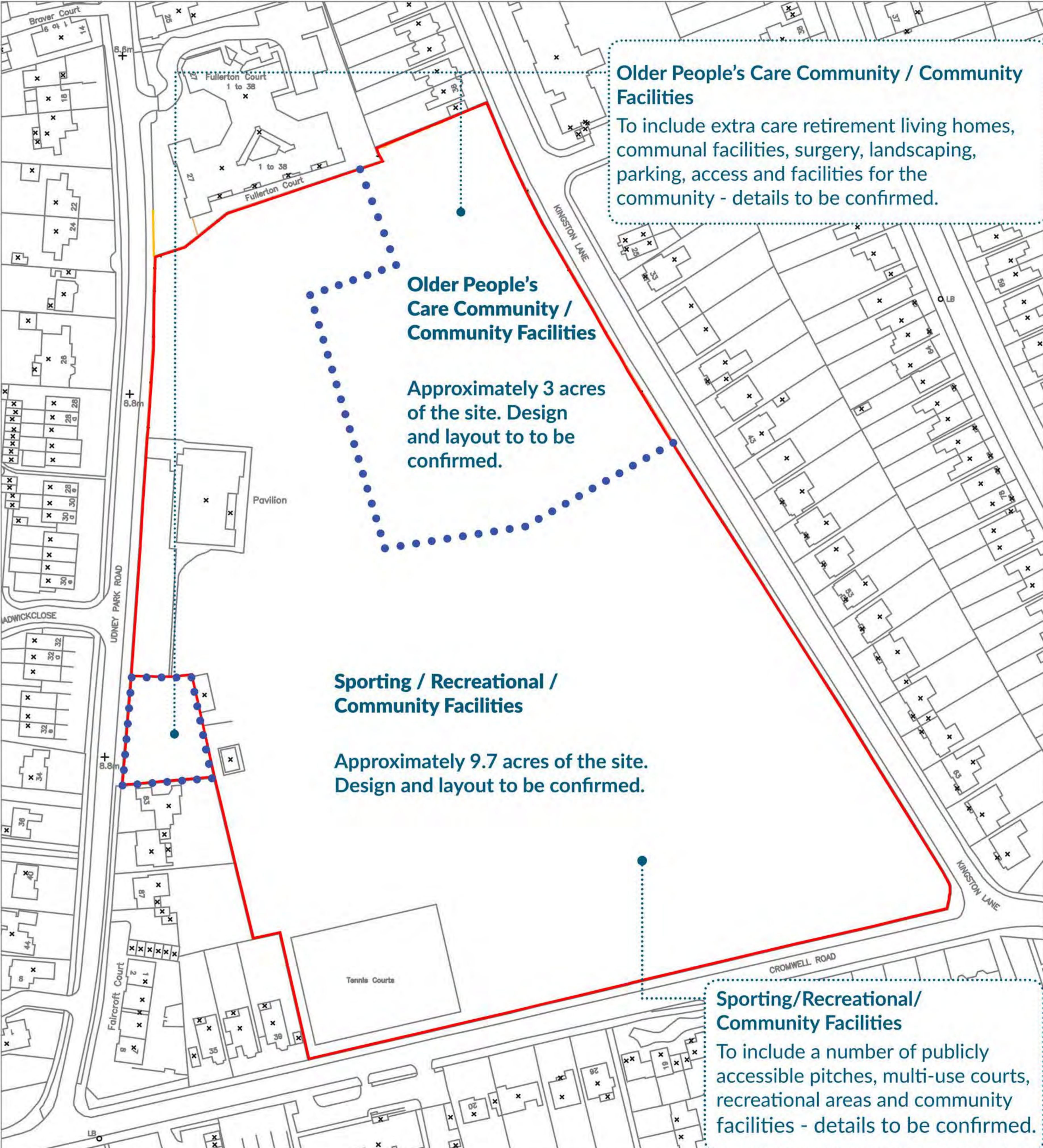


FIGURE 3



FIGURE 4 : Illustrative Proposals

Former Imperial College Private Ground, Teddington.
Illustrative masterplan layout.
(One but not the only way development may be proposed - illustrative purposes only)



SITE APPRAISAL PHOTOGRAPH A:



SITE APPRAISAL PHOTOGRAPH B:



SITE APPRAISAL PHOTOGRAPH C:



SITE APPRAISAL PHOTOGRAPH D:

TEDDINGTON
ATHLETIC GROUND

SITE APPRAISAL
PHOTOGRAPHS: A - D

RECOMMENDED VIEWING
DISTANCE: 20CM @A1

DATE TAKEN: FEB 2017

PROJECT NUMBER: 25615

**BARTON
WILLMORE**



SITE CONTEXT PHOTOGRAPH 1:



SITE CONTEXT PHOTOGRAPH 2:



SITE CONTEXT PHOTOGRAPH 3:



SITE CONTEXT PHOTOGRAPH 4:

TEDDINGTON
ATHLETIC GROUND

SITE CONTEXT
PHOTOGRAPHS: 1 - 4

RECOMMENDED VIEWING
DISTANCE: 20CM @A1

DATE TAKEN: FEB 2017

PROJECT NUMBER: 25615

**BARTON
WILLMORE**

**SUBMISSION TO OBJECT TO REMOVAL OF LOCAL GREEN SPACE DESIGNATION
FROM UDNEY PARK PLAYING FIELDS**

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2.	Legard v. London Borough of Kensington & Chelsea ([2018] EWHC 32 (Admin)), http://www.bailii.org/ew/cases/EWHC/Admin/2018/32.html
3.	September 2016, rigorous and structured submission seeking LGS status for UPPF submitted to LBRUT by Teddington Society and the Friends.
4.	Teddington Village Plan Stakeholder event feedback
5.	Restrictive Covenant on UPPF.
6.	Sports England's 30 March 2018 strong objection to proposals for development of UPPF
7.	Sports England's 18 May 2018 reconfirmed objection to Quantum's development
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13.	Quantum submission to Local Plan Public Exam (summary section only)
14.	Phase 2 Ecology Report



Neutral Citation Number: [2019] EWHC 190 (Admin)

CO/3140/2018

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION
PLANNING COURT

IN THE MATTER OF A N APPLICATION FOR PLANNING STATUTORY REVIEW
UNDER S 113 PLANNING AND COMPULSORY PURCHASE ACT 2004

Date: 8 February 2019

Before:
MR JUSTICE WAKSMAN

MARK JOPLING

Claimant

- and -

**(1) RICHMOND-UPON-THAMES LONDON
BOROUGH COUNCIL**
**(2) SECRETARY OF STATE FOR HOUSING,
COMMUNITIES AND LOCAL GOVERNMENT**

Defendants

-and-

QUANTUM TEDDINGTON LLP

Interested Party

Jenny Wigley (instructed on a direct access basis) for the Claimant
Rupert Warren QC and **Heather Sargent** (instructed by Town Legal LLP, Solicitors)
for the Interested Party

Neither Defendant appeared or was represented

APPROVED JUDGMENT

Hearing dates: 16 and 17 January 2019

INTRODUCTION

1. In this case, the Claimant, Mr Mark Jopling has challenged the adoption by the First Defendant, Richmond upon Thames London Borough Council (“the Council”) on 3rd July 2018 of a Local Plan (“the Plan”) on the principal ground that a procedural requirement was not complied with, pursuant to s 113 (3)(b) of the Planning and Compulsory Purchase Act 2004 (“the Act”). The Council does not defend the claim nor does the Second Defendant the Secretary of State for Housing, Communities and Local Government, whose inspector (“the Inspector”) carried out the statutory examination of the Plan prior to adoption. That examination led to his report dated 26 April 2018 (“the Report”).
2. The subject-matter of the challenge is a 12.5 acre site (“the Site”) in the centre of Teddington, known as Udney Park Playing Fields (“UPPF”). One way or another, recreational and sporting use has taken place at the Site since it was gifted by Lord Beaverbrook to St Mary’s Hospital Medical School in 1937. It also served as a war memorial together with its Pavilion, which was opened in 1922 by Viscount Cave. In 2015 it was sold to the Interested Party, Quantum Teddington LLP (“Quantum”) which has been the effective defendant in these proceedings. In January 2018, Quantum made an application for planning permission to include the building of 107 apartments, a surgery and associated works at the Site but with a significant part thereof to be reserved for sporting activities. The Council has not determined that application, and in late June 2019, Quantum’s appeal against non-determination will be heard. The Council has intimated its opposition to that appeal.
3. The central issue in this case concerns the putative designation by the Council of the Site as Local Green Space (“LGS”) at a Cabinet Meeting on 13 December 2016. That followed an application for such a designation made by Mr Jopling on behalf of the Teddington Society and the Friends of UPPF (“FUPP”) which latter organisation he represents in these proceedings. That designation was incorporated into the draft local plan to be submitted thereafter for examination by the Inspector.
4. During the examination, the Inspector considered among other things (a) the Council’s criteria for the LGS designation and (b) the justification or otherwise for the designation of the Site as LGS, in fact the only area so designated.
5. As is frequently the case in such statutory examinations, following a number of hearings, the Inspector put forward a number of Main Modifications (“MMs”) to the Plan which, if maintained by the Inspector in its final form, meant that the Council would have to include them in the Plan as adopted. If not, the Plan could not be adopted at all. It is plain on any view from the Report that the Inspector rejected the designation of the Site as LGS. The Council, while disagreeing with the Inspector on that point, considered itself bound by his Report and so gave effect to it in the adopted Plan, as we shall see.
6. However, according to Mr Jopling,
 - (1) The MMs, as proposed by the Inspector and later circulated for the usual consultation by the Council, did not make clear that they included the de-designation of the Site as LGS;

- (2) For that reason, those in favour of retaining the designation, including Mr Jopling, were not given a proper or real opportunity to make representations on the point at this stage of the examination; they say that they should have been because in truth, the de-designation was part of the MMs proposed;
 - (3) As a result, they were substantially prejudiced; had they been made aware that this was a matter to be addressed in the consultation, they could and would have submitted further evidence and arguments on the point;
 - (4) Had they done so, it is at least conceivable that the outcome in terms of the Inspector's Report would have been different i.e. he would have retained the designation;
 - (5) Accordingly, that part of the Plan as adopted, which de-designated the Site should be quashed and remitted for fresh consideration by the Inspector or a different inspector.
7. All of the above constitutes Ground 1 of the claim.
8. Quantum resists Ground 1 for essentially the following reasons:
- (1) The de-designation of the Site as LGS was not and could not have been the subject-matter of MMs; accordingly, the Council, in undertaking the related consultation, was not obliged to refer to it;
 - (2) There was therefore no procedural error in the MMs consultation process which is the only challenge made here against the Council;
 - (3) Alternatively, it was in fact clear from the MM documents that de-designation was up for debate and so Mr Jopling in fact had a fair opportunity to deal with it;
 - (4) Alternatively, if there was a procedural breach, Mr Jopling (and those he represents) have suffered no substantial prejudice; and
 - (5) In any event even absent the procedural defect and with an opportunity to put in further evidence and make further arguments, the outcome would inevitably have been the same.
9. Ground 2 is a related point. It alleges that the Sustainability Appraisal Consultation, required in tandem with, and as a result of the proposed MMs, was inadequate, essentially for the same reasons as the principal consultation, and it is resisted on the same basis.
10. Ground 3 relies upon the same matters as Ground 1 but here the procedural defect is said to be constituted by a breach of Article 6 (2) of Directive 2001/42/EEC - the Environmental Assessment of Planning and Policies Directive ("the EAP Directive") and the related Regulation 13 (2) (d) and (3) of the Environmental Assessment of Plans and Policies Regulation 2004 ("the EAP Regulations"). This ground is wholly parasitic on Ground 1.

THE PLAN

11. It is common ground that a local plan such as that proposed by the Council here is a “development plan document” (“DPD”) for the purposes of s20 of the Act. This requires the local planning authority (“LPA”) to submit it to the Secretary of State for independent examination. By s20(4), the person appointed by the Secretary of State to carry out the examination (i.e. the Inspector) must determine whether it satisfies various legal requirements and whether it is “sound”. By s20 (7) (c) and if asked to do so by the local planning authority, the Inspector must recommend modifications of the document that would make it legally compliant and sound if it would not otherwise be so (ie the MMs). By s23 (3) the LPA can only adopt the local plan if recommended by the Inspector with modifications on the basis of incorporating them and (if applicable) with additional modifications which do not materially affect the policies in the plan. The only other alternative is not to adopt the plan at all.
12. By Regulations 2 (1) and (5) of the Town and Country Planning (Local Planning) (England) Regulations 2012 (“the 2012 Regulations”) the expression “local plan” includes any document of the description referred to in regulation 5 (1) (a) (i) (ii) or (iv) or 5 (2) (a) or (b).
13. Regulation 5 (1) (b) refers to maps which accompany a document containing policies applying to particular sites and which shows how the adopted policies map would be amended by the document if it were adopted.
14. By Regulation 2 (1) and (9) of the 2012 Regulations, an “adopted policies map” is a map which, among other things, illustrates geographically the application of the policies in the adopted development plan. It follows that the adopted policies map itself is not a DPD.
15. The reason for this is clear, in my view. The map is simply a geographical illustration or representation of policies themselves contained in the local plan upon which it is parasitic. Any allocation or designation of a particular area of land will therefore be found in the local plan itself. It follows that if changes to the map are entailed by a change to the published local plan as contained in the final version recommended by the Inspector, if the LPA adopt the plan it must make any changes to the map which are necessary to render it consistent with it.
16. The above is reflected in paragraph 5.24 of the Planning Inspectorate Guidance (“PINS”) which provides, among other things as follows in connection with the Inspectors examination:

“it should be noted that the Policies Map is not a development plan document and therefore it is not appropriate for Inspectors to recommend MMs to it. Rather the role of the Policies Map is to illustrate geographically the application of policies in the plan and will be for the LPAs to update this to ensure consistency with the adopted plan.”
17. At the hearing before me, Quantum took as its primary point, a submission that it was not for the Inspector to recommend, for the purposes of the examination, the de-designation of the Site even though he had representations on it and had clearly stated that it was not justified in the Report. As a consequence, it was (and had to be) submitted that any adverse

view of the designation by the LPA of the Site as LGS was not actually binding upon the Council for the purpose of adopting the plan.

18. The basis for that contention was that it was only in the Council's Proposed Policies Map here that the designation of the Site as LGS appeared; so it was not for the Inspector to propose any modifications to it, since this forms no part of the DPD. However, I disagree with that interpretation of the relevant provisions for the reasons set out below.
19. First, if an area is to be the subject of a particular designation or allocation relevant for planning purposes (as LGS obviously is) it would have to be stated somewhere in the local plan, otherwise that local plan would not include it at all which would make no sense from a planning point of view.
20. The fact that the Inspector should not propose modifications to the map (for example to alter boundaries or demarcations or make other such changes to the details) is because there is no need; his job is to deal with the primary question of the relevant policies contained in the local plan, but those policies will include any particular designation of an area along with the criteria for achieving such a designation; that is consistent with the reference in Regulation 5 (1) (a) (ii) and (iv) to include site allocations.
21. The proof of the pudding is in the eating here: it is clear that the Inspector saw the whole question of the designation or otherwise of the Site as LGS as a matter for him to recommend or reject; he did the latter at paragraphs 68 and 69 of the Report. It is also clear (now) that the Inspector's MMs were intended to capture the de-designation of the Site even though this was not done explicitly. Any such de-designation would have been a departure from the Published Plan and was obviously an MM in substance.
22. It cannot be correct, as Mr Warren QC suggested, that the Inspector's role in relation to de-designation was somehow advisory only, in the sense that it was open to the Council to decide whether or not to adopt that part of his Report when adopting the Plan-indeed, as we shall see, the Council clearly regarded itself as bound to do so.
23. Read in this context, paragraph 5.2.4 of PINS makes complete sense and does not mean that the Inspector is not to be concerned with particular designation contained in the local plan just because (as they would have to be) they have their geographical representation on the map.
24. It follows that there is no major legal flaw in the challenge brought by Mr Jopling, as alleged by Quantum. The de-designation of the Site was and had to be, the subject of a Main Modification. Accordingly, and as Mr Jopling submits, the issue is then whether there was a procedurally adequate MMs consultation.

SUSTAINABILITY APPRAISALS

25. Section 19(5) of the Act provides that the LPA must also carry out a sustainability appraisal for the proposed local plan and to provide a Report of its findings in this regard. By Article 5 of the EAP Directive, the relevant environmental report (for these purposes the Sustainable Appraisal) must consider the likely significant effects on the environment entailed by the local plan and any reasonable alternative. By Article 6 (1) of the Directive,

such a report should be made available to the public among others. By Article 6 (2) the public must be given an “early and effective opportunity within an appropriate time frame” to express their opinion on the draft plan and the environmental Report before adoption. Then, by regulation 13 of the EAP Regulations, every draft plan for which an environmental Report has been prepared must be made available for the purposes of consultation. The LPA must invite the consultation bodies and the public to consultations to express their opinion on the relevant documents specifying the address to which and the period within which opinions must be sent. The relevant period must be one of such length as will ensure that the public is given an effective opportunity to express their opinion on the relevant documents.

26. It follows (and it is not disputed) that if MMs are proposed, the LPA will have to undertake a further sustainability appraisal which itself will be the subject of consultation along with the main consultation on the MMs.

THE EXAMINATION PROCESS

27. As already noted, and by s20 (5) of the Act, the purpose of the examination is to determine whether the relevant DPD satisfies certain legal requirements and is sound. By s20 (6), any person who makes representations seeking to change a DPD must (if he so requests) be given the opportunity to appear before and be heard by, the person carrying out the examination. Paragraph 5.27 of PINS states that the precise arrangements for public consultation on any proposed MMs may vary from case to case but the principles include that it should be made clear that the consultation is only about proposed MMs and not other aspects of the plan and that the Inspector will not contemplate recommending a Main Modification to remedy the unsound or legally non-compliant elements unless any party whose interests might be prejudiced has had a fair opportunity to comment on it.
28. It is also common ground that the examination itself does not conclude until the publication of the Inspector’s Report.

THE PUBLICATION VERSION OF THE PLAN

29. This included the following:

“5.2.8 Local Green Space, as identified on the Proposals Map, is green or open space which has been demonstrated to have special qualities and hold particular significance and value to the local community which it serves.

5.2.9 In line with the NPPF, managing development within a Local Green Space should be consistent with policy for Green Belt. Development, which would cause harm to the qualities of the Local Green Space, will be considered inappropriate and will only be acceptable in very special circumstances where benefits can be demonstrated to significantly outweigh the harm.

5.2.10 The following criteria are taken into account when defining Local Green Space:

- [a] The site is submitted by the local community;
- [b] There is no current planning permission which once implemented would undermine the merit of a Local Green Space designation;
- [c] The site is not land allocated for development within the Local Plan;
- [d] The site is local in character and is not an extensive tract of land;

- [e] Where the site is publicly accessible, it is within walking distance of the community; OR where the site is not publicly accessible, it is within reasonably close proximity to the community it serves;
 - [f] The Local Green Space is demonstrably special to a local community and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife;
 - [g] The Local Green Space designation would provide protection additional to any existing protective policies, and its special characteristics could not be protected through any other reasonable and more adequate means.”
30. I interpose to add that sub-paragraphs [d], [e] and [f] track paragraph 77 of the NPPF; the other requirements are additional and were put forward by the Council.
31. The publication version of the Proposals Map Changes stated at paragraph 2.2.1 that the Site is to be designated as LGS as shown in the map below. In paragraph 2.2.2 it was said that a reason for this was that the Site was already designated as Other Open Land of Townscape Importance (“OOLTI”) and was designated as an Asset of Community Value. At paragraph 2.2.3, it was stated that Policy LP 13, which dealt among other things with LGS, set out the policy guidance including criteria for designation. The Council assessed the Site against the criteria as well as national guidance and considered that it met all of the criteria.
32. Although the Plan itself does not mention the Site by name, it is in my view identified by paragraph 5.2.8 referred to above. True it is that one needs to look at the Proposals Map to see what it is, but that does not mean that the designation by the Council as LGS did not form part of the Plan and was therefore not open to recommendations for modification by the Inspector if he thought fit.
33. The sustainability appraisal equally appraised LP 13 and the designation of the site as LGS.
34. The publication version of the Plan, the map and the sustainability appraisal were then all submitted to the Inspector on 19 May 2017. He then directed that there be a series of hearings on different aspects of the Plan. In his Guidance Notes for those participating in the examination he repeated the statutory provision that only people seeking specific changes to the Plan were entitled to participate in the hearing sessions of the examination and that he might invite additional participants to attend if necessary. He added “There is no need for those supporting or merely making comments on the Plan to attend. Anyone can observe any hearing session.”
35. 9 October 2017 was fixed as hearing day 5 (“H5”) and the questions to be considered then included the following:
- “8. Is the evidence base supporting Policies LP 12, LP 13 and Local Green Space robust? Are Policies LP 12 and 13 clearing their intention/wording and means of delivery? How is the approach to LGS designed to work in practice? What evidence underpins the policy formulation in this regard?...
9. Is the Local Plans approach to Green Belt justified, consistent with national policy and in conformity with the London Plan? Are alterations to the Policies Map necessary?”

36. In my judgment the reference to alterations to the Policy Map suggests that the Inspector considered that his remit included the possible removal of designations.
37. The following documents, among others were submitted for H5:
- (1) A very substantial written submission from Quantum to include its earlier representations against the designation of LGS for the Site which had been submitted to the Council in August 2016, in February 2017. This foreshadowed its intention to apply for planning permission in respect of the Site; what this document did not include was the original application for the designation made by Mr Jopling in September 2016;
 - (2) A short paper from Mr Jopling in response to Question 9 which he saw as dealing with the LGS designation of the Site. This document purported to add 4 extra points which had arisen since the Plan had been published. But it did not include his original submission;
 - (3) The Council's own representations which contained at Appendix 1 specific points relating to the LGS designation. It set out each of its criteria for the designation and justified it by reference to them. This is a significant document but, as will be seen, it does not present the whole picture in respect of the Site - in particular the details of its use since inception.
38. What then happened at the hearing was this: the Inspector heard a representative from Quantum's planning consultants, Barton Willmore to speak on the issue of the designation of LGS for about an hour and he heard also from Quantum's development partner, Teddington Community Sports Group CIC ("Teddington"). These were both invitees. Mr Jopling was not present but after hearing those submissions, the Inspector invited a representative of FUPP who was there, to make what Mr Jopling called an "impromptu" response. It obviously was, since FUPP was not invited to H5. The representative did speak, for about 2 minutes.
39. There is no challenge as such to the hearing conducted by the Inspector. But the fact is that in reality FUPP had little or no real opportunity to contest orally the suggestion by Quantum that designation should be removed. Therefore, it follows that if (as they did in my view) the Inspector's MMs included removal of that designation so that FUPP would now not be supporters of the local plan but objectors as regards this putative modification, it was vital to ensure that they had a fair and effective opportunity to make representations in the MMs consultation which followed.

THE PROPOSED MMS

40. As regards LP 13 these were somewhat oblique. They were set out in the Councils "Local Plan Consultation on Proposed MMs" within the section on "MM 7 Green Infrastructure" as follows:

"p56

Para. 5.2.8 Amend para to read: 5.2.8 Local Green Space, as to be identified on the Proposals Map... New areas of Local Green Space designation can only be identified when a plan is being prepared or reviewed..

41. The stated reason for this change was “To ensure clarity and effectiveness consistent with national policy.”
42. At first blush it appears as if all that was being done was to adjust the underlying LGS criteria by removing the last 3 bullet points. The reference to “new areas” could be read as “further” areas to be designated i.e. other than the Site which had already been designated. And the change of the words from “as” to “to be” might be regarded as a minor alteration. However, as subsequently became clear in the Report which followed the end of the consultation period, he was in fact recommending removal of the LGS designation of the Site. On that footing, one can see that the change of words was significant because it was removing any suggestion of a current designation as there had previously been. Objectively speaking, however, that was not clear at all at the time. And the stated reasons for this part of MM 7 did not suggest de-designation either.
43. The consultation period ran from 22 December 2017 to 2 February 2018. There was no response to it from FUPP; this was because, according to Mr Jopling, they did not understand the Inspector to be recommending the removal of the designation. The representations which were made and then put into the comprehensive responses document made by the Council were from Barton Wilmore on behalf of Quantum and from Teddington.
44. However, following the expiry of the consultation period Mr Jopling saw these comments which, in part, appeared to be maintaining the position that the designation should be removed. As a result he wrote to the Council on 18 March stating amongst other things that FUPP’s understanding of the procedure was that only comments relating to the MMs were to be forwarded. It had regarded the reason for removal of the three bullet points in 5.2.10 as being because they were already in paragraph 77 of the NPPF and so unnecessary and did not read the change as a criticism by the Inspector of the designation of the Site. Therefore, the responses from Barton Willmore and Teddington were illegitimate. He then made certain other comments concerning the Site taking issue with some of the factual points made by Quantum. The Council’s response was that as the responses from Barton Wilmore and Teddington were directed to the proposed MMs they had to be incorporated and it would be for the Inspector to consider their relevance. In the Report the Inspector made the following points in paragraphs 68 and 69:

“68. Part D of the policy provides protection to identified LGS. National policy makes provision for the development plan process to designate LGS where three criteria are satisfied albeit also states that the designation will not be appropriate for most green areas or open space. The Council has, at para 5.2.10, created a number of additional criteria to be considered for the designation of LGS. The rationale for these is not clearly explained in the pre-submission evidence. Critically however and as accepted by the Council during the Examination Hearings process, there is no clear methodology which explains how the criteria have been applied and what means of value analysis has been applied to the sites identified to be designated as LGS. Thus the justification for any decision to designate land is more one of assertive opinion rather than evidential analysis and consequently is insufficiently robust. In the absence of such analytical process the inclusion of land as LGS cannot be supported at this time. Nonetheless, the LGS references within the Plan can be retained subject to modification to ensure clarity and consistency with national policy (MM 7).

69. I have noted the volume of representation received in relation to the Udney Park Playing Fields. It is clear that a large section of the community supports the designation of the land as LGS, albeit

this is not universal and I note the submissions to the contrary. Regardless of the particular development aspirations that may apply to the site, my focus is upon whether designation of the land as LGS can be justified. In light of the absence of robust analysis as to its value against the criteria of the Framework and how any judgements have been objectively assessed in relation to, for example, its beauty, historic significance, recreational value etc, the designation is not justified adequately. The land is close to the community but it is unclear how it 'serves' that community and submissions have been received which argue that the land is both special or, in the contrary, not special and the rationale for both is not well developed beyond assertion I am unable to conclude that the designation is justified at this time. The site will retain its existing designation as Other Open Land of Townscape Importance (OOLTI). As a simple point of fact, the absence of a LGS designation of itself does not mean the site is, or is not, suitable for development.”

45. Once he had read the Report, Mr Jopling wrote to the Council. He complained that it was unfair that as no concern had been raised about the validity of the designation of the Site during the Main Modification consultation, there was no opportunity to supply supplementary independent evidence to the Council or the Inspector, while on the other hand Quantum misused that consultation to successfully challenge the status of the Site. He then provided a detailed response to the Report. He made the point that while the Inspector had said that the argument that the Site was special had not been developed beyond assertion, in paragraph 77 of NPPF there was a reference to the relevant area having to be “demonstrably special, for example recreational value including as a playing field.” Thus, according to Mr Jopling, it had been established in policy terms that a playing field was “special”. He then wanted the opportunity to show beyond any doubt that the “special” criteria could be met due to the historic current and future function as a playing field. And then wanted to make representations to show that on an “objective assessment” it could be shown that the designation was justified. He then over about a page made a number of other detailed criticisms of the conclusions which had been reached by the Inspector. He attached to his letter references to the various activities which had previously been carried on at the Site which were not merely football and cricket but netball, rugby sevens and other activities. He then attached a detailed two-page submission from the England and Wales Cricket Board. This was a document which was submitted in opposition to Quantum’s application for planning permission but was attached here to illustrate the kind of further evidence and arguments that could have been submitted during the consultation period. He also attached a document from Teddington which was in fact submitted in January 2017, against the LGS designation, but which nonetheless illustrated the recreational value and history of the Site.
46. The Council’s letter of reply dated 22 May 2018 was sympathetic to the designation of the Site as LGS and referred to what was described as its “robust case” to justify it, as submitted to the Inspector. However, the Council went on to say that the deletion of LGS here was not put forward as an MM during the consultation. It then quoted paragraph 5.24 of PINS saying that the LGS designation was in the policies map and so the Inspector did not recommend the Main Modification to it, instead informing the Council of his assessment and conclusion via the Report. It went on to say that “ultimately the inspector’s report is binding on the council if it wishes to adopt the plan. Failure to remove the LGS designation from the policies map would be contrary to the inspector’s Report and would likely result in a judicial review or other legal challenge by the land owner or developer.”
47. However, for the reasons given above, I consider that this reading of paragraph 5.2.4 and what the Inspector was doing, was misconceived. In truth the de-designation was an MM but expressed very obliquely.

48. Accordingly, the Council did not permit this matter to be reopened in any way and instead adopted the Plan with the MMs. In the adopted version, the Council added within paragraph 5.2.8 that “there are no areas designated yet within the borough.” This was additional material which the Council said it was entitled to add. That may be. But it certainly makes clear that the modifications as they stood did lack clarity.

THE PARTIES UNDERSTANDING AT THE TIME

49. Given the words used, it would be surprising if they did not cause some confusion and indeed they did.
50. Firstly, and as already noted, Mr Jopling and others at FUPP did not appreciate that the MMs included de-designation.
51. Secondly, neither did Quantum. I say that because its response to the consultation as recorded by the Council in its summary of responses clearly proceeds on the basis that there was still an argument to be had, not about the content of the LGS policy, but about the designation of the Site as if this was still an issue for the inspector to consider - see 2/511-512. This point was made expressly in Mr Jopling’s Statement of Fact and Grounds in these proceedings and it was not rebutted by Quantum.
52. Thirdly, neither did the Council, in my view. That is plain from its letter of 22 May 2018 when it said that the Inspector did not include removal of the designation in his MMs. That view is reflected in paragraphs 12 and 23 of the first witness statement (dated 14 December 2018) of Joanne Capper, the Council’s Principal Planner in its Environmental and Community Services Directorate. It is also implicit in paragraph 17 thereof. This statement was submitted by the Council to assist the parties before me even though the Council did not defend the claim. Furthermore, according to Mr Jopling, he had a telephone conversation with Andrea Kitzberger-Smith at the Council’s Local Plan Office (he had earlier said, wrongly, that it was Ms Capper). The effect of that conversation, as he said in paragraph 9 of his second witness statement, was that the Council’s expectation was that the forthcoming MMs would not mention the Site and there would be no change to the designation in the Inspector’s final report. And in his email to Ms Kitzberger-Smith dated 20 November 2017, having received the MMs, he said that as he saw no reference to the Site in the MMs, he assumed that the status of the Site will proceed into the final version of the Plan. She replied shortly after stating that “yes, that’s the Council’s intention”.
53. Moreover, as already noted, in the Plan as adopted, the Council felt it necessary to make clear the fact of the de-designation by adding some words to 5.2.8.
54. Equally, the responses of Teddington clearly suggest that the designation had not yet been removed or recommended to be removed in the MMs.

ANALYSIS - GROUND 1

The Law

55. There is no real dispute that a consultation of the kind in issue here on the MMs must, as a matter of law, be fair and effective. See, for example, the dicta of Lord Woolf MR in *R v NE Devon Health Authority Ex p Coughlan* [2001] QB 213 at para. 108. This includes

giving adequate reasons for the modifications proposed. This is reinforced by 5.27 of PINS which, among other things, states that within the consultation, “any party whose interests might be prejudiced has had a fair opportunity to comment on it [ie the MMs].”

Inadequacy of the Consultation

56. In my judgment, the consultation was plainly inadequate, principally because it was not clear what was actually to be consulted upon, for the reasons already given. And since the MMs did in reality include the designation (on which FUPP had a very limited opportunity to comment on at H5) it was particularly important that they had a proper opportunity now to make full representations.
57. Quantum really only had two answers to this. The first was that the Inspector had no power to make an MM concerning the Site anyway and therefore did not do so. But I have rejected the former proposition above. Without it, the latter proposition goes nowhere. Alternatively, and to some extent inconsistently, Quantum then say that on a close reading of the MMs it was or should have been apparent that a consequence thereof might be the removal of the designation of the Site, for the following reasons:
- (1) The words “to be”; I disagree. These words are oblique at best on a fair reading; although in hindsight and with the benefit of the Report it is possible to see what they were intended to denote;
 - (2) The deletion of the last three bullet points on the LGS policy, and since the Council had used them to designate LGS without them, the position might be different; I do not consider that this deletion presages realistically any likely change at all;
 - (3) The only reasons given for this MM- consistency with national policy-which therefore suggests that the existing designation might not survive; again I fail to see how the possible removal of the designation is flagged up by this;
 - (4) The Sustainability Appraisal Addendum-this also went out for consultation. On LP13, it stated that no further appraisal of paragraph 5.2.8 as amended, and 5.2.10 was needed and the MMs with accompanying reasons were then set out. It is correct that in respect of a different section of the LP13 policy, there was a further sustainability appraisal although with no difference on outcome. The original sustainability appraisal did make a specific reference to the Site - see p101-102. And it is correct that in the revised wording those references are removed- see pp98 and 99. But read objectively, that is not sufficient to make clear (especially in an Appendix) that the designation had now been removed as a result of the MMs - indeed it would be odd if that had been the Council’s intention since its own evidence was that the designation had not been removed at that stage.
58. Accordingly this is no answer either.
59. It follows that the consultation process was manifestly unfair in my judgment and in particular towards those interested in supporting the designation. Therefore, for the purposes of s113 (3) (b) of the Act, a procedural requirement in connection with the adoption of the local plan was not complied with.

The Beechcroft Case

60. Subsequent to the hearing, Mr Jopling forwarded to me certain materials he had recently obtained, in relation to a different challenge to the Council's adoption of this same Plan brought by a developer ("the Beechcroft Case"). This culminated in a Consent Order dated 20 December 2018 entered into by Beechcroft with the Council and the Secretary of State. Its effect was to quash the challenge to part of the Plan, which related to a change to the designation of the relevant site as OOLTI. This had been intended by the Inspector and featured in his report but not as a prior MM and was therefore not consulted upon. The parties agreed that the matter should be remitted for a public consultation, followed by consideration by an independent examiner as to whether or not it should be an MM. Thus far, one can see parallels with the case before me.
61. However, in the Beechcroft Case, the designation as originally proposed by the Council had been identified on a plan which was itself "embedded" in the published version of the local plan, while in our case, the Proposed Policies Map was a separate item.
62. Both parties made written submissions on the Beechcroft Case.
63. Quantum submitted that it was of no assistance because while there was an admitted error on the part of the Inspector in not referring his proposed changes as an MM, that was not surprising because he had been dealing with an express provision of the Plan itself, and not merely a separate adopted policies map.
64. I see that but (a) in my view, paragraph 5.2.8 of the Plan did impliedly refer to the LGS designation of the Site as explained above and (b) I do not accept that in a case like this, a proposed change to the designation of an area made by the Inspector cannot be the subject of an MM-it should be, for the reasons also given above. Moreover, the difference between this case and the Beechcroft case as relied upon by Quantum seems to me to be highly artificial, depending only on whether the relevant map was "embedded" or not. That rather suggests that the distinction is not a sound one for the purposes of determining the proper subject-matter of MMs.
65. I also received a letter from the Secretary of State dated 5 February 2019 which sought to draw a distinction between this case and the Beechcroft Case but I did not find it of any real assistance for present purposes. However, that letter did also point out that the Secretary of State had "expressly accepted that "the main modifications consultation undertaken by the Inspector was flawed in relation to the main modification to paragraph 5.2.8 of the Local Plan which removed the Local Green Space designation from Udney Park Playing Fields." After my judgment was sent to the parties in draft, I was provided with another letter dated 5 February, this time from the Council. I did not find it of particular assistance for present purposes.
66. On that basis, the Beechcroft Case materials are of some assistance to Mr Jopling's case but I should make it clear that even without them, my decision would be the same.

Substantial Prejudice

67. It is common ground that in order to obtain relief, the interests of the applicant must have been “substantially prejudiced” by the failure to comply with the procedural requirement – see s113 (6) (b).
68. In one sense, there obviously has been substantial injustice because Mr Jopling was not given a fair opportunity to present the full case to the Inspector (via the MMs Consultation process) as to why the designation should not be removed. But in argument, this was allied to the further point that had such an opportunity been given, there was much information and further argument which Mr Jopling could have presented. I deal with that issue here. I deal separately below, with a further allied point which is whether, even if all that been done, it could not conceivably have made a difference to the outcome i.e. the Inspector’s recommendation to de-designate.
69. The further evidence and argument Mr Jopling says would have been put forward must be considered in the light of the Inspector’s view that the justification for the designation had been more “assertive opinion” than “evidential analysis”, and that it was unclear how the Site could serve the community or was “special”- see paragraphs 68 and 69 of the Report cited above.
70. Mr Jopling points to the following as additional material not before the Inspector:
 - (1) The original application for the LGS designation made in September 2016 which contained details of the prior use of the playing fields and noting the fact that the Site had been designated by the Council as strategic for the purposes of its own Playing Pitch Strategy in June 2015; this document also highlights the particular local significance of the Site (see paragraphs 7.1-8.2) and its particular use for playing sport - see paragraph 9.2. It also makes reference to the restrictive covenants which had attached to the Site. While it is not clear whether and to what extent such covenants now bind Quantum, they do make plain the intended limitation on the use of the Site to sporting activities because the limit is to amateur rugby unless some other activity had been approved by the Rugby Football Union. The document also annexes letters from Teddington Cricket club, Heart of Teddlothian FC, London Playing Fields Foundation and London Sport. The fact that (obviously) the Council had seen this document before does not affect the point that the Inspector had not;
 - (2) Albeit brief, the 2007 document from Imperial Sport detailing the various sporting facilities then being used at the Site; it is not an answer to say that this document should have been submitted as part of the original application. The question is what could have been submitted to the Inspector;
 - (3) A detailed summary of the prior use of the Site, from the England and Wales Cricket Board. This was provided in the context of Sport England objections to Quantum’s planning application, but had it been clear what the MMs entailed, there is no reason to suppose that Mr Jopling could not have elicited that information for the purpose of the consultation; I do not accept that because this deals with earlier use, it is irrelevant to the question of the designation;

- (4) The latter document itself formed part of the detailed submissions made by Mr Jopling on 17 May 2018 referred to above, following publication of the Report where he tackles directly the points made by the Inspector. He makes particular reference to the use for sporting and athletic activities since 1919 - see pages 678-684; that submission includes the submission made by Teddington because of the reference to the history of activities;
 - (5) The Council itself might (and probably would, given its present objection to the planning application) have said more on the subject had it been aware that it was up for discussion;
 - (6) Moreover, it is ironic that under the new criteria for LGS it might be thought to be easier now to show that the Site satisfied them;
 - (7) A further dimension is ecology. Quantum had in its possession two ecology reports from 2017 although these only became available to Mr Jopling in early 2018 in connection with the planning application. The Phase I Report indicated a high likelihood of bat roosting at the Site and the Phase II Report stated that there was a number of protected species on the site. It is true that the Phase I Report also said that the Site had “low ecological value” but it remains the case that both reports make clear that Quantum was wrong to say, as it did to the Inspector, that there were no protected species at the Site. The importance of the bat population here was emphasised in the Councils Planning Officers Report of 28 September 2018 which recommended that the Site should be assessed as a Site of Metropolitan Importance for Nature Conservation.
71. As against all that, Quantum says that what the Inspector did have before him were the Councils written submissions for H5 and in particular, Appendix 1 which I have referred to above. I see that, but in my view it is no substitute for the variety of information and arguments which Mr Jopling says could have been deployed as well, set out above. It is not an answer here, where the consultation process was so defective, to say that somehow “all the essential points” were before the Inspector one way or the other. I do not think that they were.
72. For all of the above reasons, I consider that Mr Jopling and FUPP have suffered sufficient substantial prejudice as a result of the procedural defects.

What difference would it have made?

73. In the light of all the above, it really follows, in my judgment, that if the burden is on Mr Jopling, it is clearly shown that the outcome may have been different if he had a proper opportunity to take part in the consultation in the way that he should have been. Or to put it another way it is certainly conceivable that there would be a different outcome. Likewise, if the burden was on Quantum, it cannot show that it would be inevitable or even highly likely (if that were enough) that the outcome would be the same. And of course, there is no direct evidence from either the Council or the Inspector that it would have been the same.
74. Indeed, albeit on the issue of a different outcome for the sustainability appraisal, Ms Capper said at paragraph 17 of her first statement that had the MMs clearly included the designation of LGS it would “not necessarily” have led to a different sustainability outcome particularly

as the appraisal is of all the elements and designations of LP 13 and given that the UPPF are also protected by Policy LP 14 and their designation as Other Open Land Of Townscape Importance. That the outcome would not necessarily have been different is clearly insufficient for present purposes.

75. Accordingly, for the above reasons, Ground 1 is clearly made out. That conclusion is sufficient for the purposes of Mr Jopling's claim. However, for the sake of completeness, I deal below briefly with Grounds 2 and 3.

GROUND 2

76. It is common ground that there can be a further sustainability appraisal made in the light of the MMs and that (as here) if so, that should be consulted upon. It is also common ground that it is a matter for the judgment of the Council (subject to usual *Wednesbury* constraints) whether to produce a further appraisal or not. There was here, allied to the main consultation a sustainability consultation as well but, as indicated above it was stated that no further appraisal was required in respect of the amendments to 5.2.8 and 5.2.10 of LP 13 because it was said that this change did not necessitate a further sustainability appraisal.
77. However, Mr Jopling says that this was due to the Council not appreciating that MM 7 in fact included the de-designation and therefore there was an error which vitiated the sustainability consultation which did not include it; had the Council been aware, then it seems likely that there would have been a further sustainability appraisal. It is true that Ms Capper stated there would not necessarily have been a different sustainability outcome but that is not sufficient.
78. The only point of substance raised by Quantum against this ground is that there was no error because the Inspector did not and could not have included the de-designation as a Main Modification. But I have already rejected that argument.
79. I do not consider that the difference in the detail of the further appraisal in relation to a different part of LP 13 (referred to in paragraph 57(4) 57(4)above) is relevant for these purposes.
80. In my view, the Council proceeded on the wrong basis which resulted in a procedural defect in the sustainability consultation and so Ground 2 succeeds also.

GROUND 3

81. This is entirely parasitic on Ground 1. But here, the requirements for the consultation are not derived from common-law but rather A 6 (2) of the SEA Directive and Regulation 13 (2) (d) and (3). The format makes clear that the public must be given an early and effective opportunity to comment on the draft plan and accompanying environmental Report before adoption. The latter make plain the need for consultation and that there should be a sufficient period to afford the public and effective opportunity to express their opinion.
82. It necessarily follows that if Ground 1 succeeds for the reasons given, Ground 3 succeeds also.

RELIEF CLAIMED

83. While I heard some brief submissions on appropriate relief should Mr Jopling succeed, as he has, I intend to leave the precise nature and scope of the relief to be granted at the hearing which will follow the handing down of this judgment. That said, it would seem sensible for the parties, ahead of that hearing, to agree as much as they can about the form of relief and in that regard, they may well consider that the Consent Order in the Beechcroft Case provides a useful precedent.
84. I have noted from the Secretary of State's letter dated 5 February that he would like to be heard on any discussions as to relief. For my part I have no objection to him appearing when this judgment is handed down, and the parties should so inform him. They should also inform the Council, lest it wishes to appear.
85. I am most grateful to all Counsel for the excellence of their oral and written submissions.

A

Queen's Bench Division

**Regina (Legard) v Kensington and Chelsea Royal London
Borough Council**

[2018] EWHC 32 (Admin)

B

2017 July 12, 14;
Sept 28;
Oct 11, 12;
2018 Jan 12

Dove J

C

Planning — Development — Neighbourhood development plan — Decision of local planning authority to permit neighbourhood development plan to proceed to referendum — Whether apparent bias in selecting independent examiner and in conducting neighbourhood plan process — Summary of applicable principles — Town and Country Planning Act 1990 (c 8) (as amended by Localism Act 2011 (c 20), s 116, Sch 10, para 1), Sch 4B, paras 3(1), 7(4)

D

Planning — Development — Neighbourhood development plan — Independent examination approving proposal in draft plan to designate site as local green space — Whether examiner misinterpreting national planning policy — Whether designated land required to “serve” local community — Whether plan to be revised — National Planning Policy Framework (2012), para 77

The claimant entered into a contractual relationship with the proposed developer for the residential development of a parcel of his disused land (“the site”). The proposed development was inconsistent with the neighbourhood forum’s proposed designation of the site in the draft neighbourhood plan, prepared pursuant to Schedule 4B of the Town and Country Planning Act 1990¹, as a local green space under paragraph 77 of the National Planning Policy Framework² (“the NPPF”). Following an independent examination, which found in favour of the designation, the local planning authority permitted the draft plan to proceed to a referendum. The claimant sought judicial review of that decision asserting, inter alia: (i) that the decision was tainted by the local authority’s apparent bias in favour of the neighbourhood forum in the neighbourhood plan process, and (ii) that the examiner had failed to construe paragraph 77 of the NPPF as requiring any site considered for designation as a local green space to “serve” the community, which requirement the site did not meet. In relation to the first issue, the claimant relied on the role played by an individual, on behalf of the neighbourhood forum, who had allegedly been afforded privileged access to the local authority’s members and officers and exerted an overwhelming influence on the authority, inter alia, in its selection of the independent examiner.

E

F

On the claim for judicial review—

G

Held, dismissing the claim, (1) that paragraph 3(1) of Schedule 4B to the Town and Country Planning Act 1990 imposed an obligation on a local authority to provide advice and assistance to a qualifying body in order to facilitate the making of a neighbourhood plan and the fair-minded and well-informed observer was to be taken to be aware of that obligation for the purposes of determining an allegation of apparent bias against a local authority in the local development plan process; that it was clear from paragraph 7(4) of Schedule 4B to the 1990 Act that both the local

H

authority and the qualifying body had a role to play in the appointment of an independent examiner to assess a neighbourhood plan; that, furthermore, in the context of modern public administration it was expected that local government

¹ Town and Country Planning Act, Sch 4B, as inserted, paras 3(1), 7(4): see post, para 116.

² National Planning Policy Framework, para 77: see post, para 137.

officers would engage with representations made to them by all members of the public, and democratically elected councillors were expected to receive and consider representations and lobbying from those interested in the issues they were determining; and that, accordingly, there had been neither apparent bias nor unfairness in the local authority's involvement in the making of the plan, and in particular the proposal for the local green space designation of the site, and the examiner had been selected in accordance with a lawful process (post, paras 141–145, 153, 195).

(2) That in determining whether pursuant to paragraph 77 of the NPPF a site was to be designated as local green space, the criteria set out in the three bullet points to paragraph 77 were to be read and applied together and considered in the context of the NPPF as a whole; that the first bullet point did not create a separate and freestanding requirement that the land had to be shown to serve the local community; that, rather, the word “serves” in the first bullet point had to be read in the context of the second and third bullet points so that the local community would be served by the green space if that space were shown to be “demonstrably special” to, and held a “particular significance” for, the community; that the examiner’s report set out the qualities in terms of views, nature and conservation value and historical significance, all of which were relevant to the application of paragraph 77, and all of which explained his conclusion that he was satisfied that the site was “demonstrably special” to the local community and held a particular significance for them; that having identified the qualities of the site which made it “demonstrably special” and of “particular local significance” for the community, so satisfying the second and third bullet points of paragraph 77, and which provided the manner in which it served the local community, the only remaining question under the first bullet point of paragraph 77 was whether the site was in proximity to that local community, a proposition which could not have seriously been contested; and that, accordingly, the examiner had properly applied paragraph 77 of the NPPF and his conclusions had been adequately and properly reasoned (post, paras 186–189, 195).

Summary of the general principles applicable to consideration of the issue of apparent bias (post, paras 133–136).

The following cases are referred to in the judgment:

Ai Veg Ltd v Hounslow London Borough Council [2003] EWHC 3112 (Admin); [2004] LGR 536

British Muslims Association v Secretary of State for the Environment (1987) 55 P & CR 205

Broadview Energy Developments Ltd v Secretary of State for Communities and Local Government [2016] EWCA Civ 562; [2016] JPL 1207, CA

Competition Commission v BAA Ltd [2010] EWCA Civ 1097; [2011] UKCLR 1, CA

Cotterell v Secretary of State for the Environment [1991] 2 PLR 37

Furmston v Secretary of State for the Environment [1982] JPL 49

Georgiou v Enfield London Borough Council [2004] EWHC 779 (Admin); [2004] LGR 497

Hopkins Homes Ltd v Secretary of State for Communities and Local Government [2017] UKSC 37; [2017] PTSR 623; [2017] 1 WLR 1865; [2017] 4 All ER 938, SC(E)

Jory v Secretary of State for Transport, Local Government and the Regions [2002] EWHC 2724 (Admin); [2003] 1 PLR 54

Porter v Magill [2001] UKHL 67; [2002] 2 AC 357; [2002] 2 WLR 37; [2002] 1 All ER 465; [2002] LGR 51, HL(E)

R v Secretary of State for the Home Department, Ex p Doody [1994] 1 AC 531; [1993] 3 WLR 154; [1993] 3 All ER 92, HL(E)

R (Bewley Homes plc) v Waverley Borough Council [2017] EWHC 1776 (Admin); [2018] PTSR 423

R (Crownhall Estates Ltd) v Chichester District Council [2016] EWHC 73 (Admin)

- A *R (DLA Delivery Ltd) v Lewes District Council* [2017] EWCA Civ 58; [2017] PTSR 949, CA
R (Island Farm Development Ltd) v Bridgend County Borough Council [2006] EWHC 2189 (Admin); [2007] LGR 60
R (Lewis) v Redcar and Cleveland Borough Council [2008] EWCA Civ 746; [2009] 1 WLR 83; [2008] LGR 781, CA
R (Quark Fishing Ltd) v Secretary of State for Foreign and Commonwealth Affairs
- B [2002] EWCA Civ 1409, CA
R (Swan Quay llp) v Swale Borough Council [2017] EWHC 420 (Admin)
Simmons v Secretary of State for the Environment [1985] JPL 253
South Bucks District Council v Porter (No 2) [2004] UKHL 33; [2004] 1 WLR 1953; [2004] 4 All ER 775, HL(E)
Tesco Stores Ltd v Dundee City Council (Asda Stores Ltd intervening) [2012] UKSC 13; [2012] PTSR 983, SC(Sc)
- C The following additional cases were cited in argument or referred to in the skeleton arguments:
- Barker Mill Estates (Trustees of the) v Test Valley Borough Council* [2016] EWHC 3028 (Admin); [2017] PTSR 408
Belize Bank Ltd v Attorney General of Belize [2011] UKPC 36, PC
De Haes and Gijssels v Belgium CE:ECHR:1997:0224JUD001998392; 25 EHRR 1
- D *Dombo Beheer BV v The Netherlands* CE:ECHR:1993:1027JUD001444888; 18 EHRR 213
Fairmount Investments Ltd v Secretary of State for the Environment [1976] 1 WLR 1255; [1976] 2 All ER 865; 75 LGR 33, HL(E)
Gill v Humanware Europe Ltd (unreported) 3 June 2009, EAT
Helow v Secretary of State for the Home Department [2008] UKHL 62; [2008] 1 WLR 2416; [2009] 2 All ER 1031, HL(E)
- E *Hopkins Developments Ltd v Secretary of State for Communities and Local Government* [2014] EWCA Civ 470; [2014] PTSR 1145, CA
Khan (Bagga) v Secretary of State for the Home Department [1987] Imm AR 543, CA
Lloyd v McMahon [1987] AC 625; [1987] 2 WLR 821; [1987] 1 All ER 1118; 85 LGR 545, CA and HL(E)
Newport Borough Council v Secretary of State for Wales [1998] 1 PLR 47
- F *Newsmith Stainless Ltd v Secretary of State for the Environment, Transport and the Regions* [2001] EWHC Admin 74; [2017] PTSR 1126
Padfield v Minister of Agriculture, Fisheries and Food [1968] AC 997; [1968] 2 WLR 924; [1968] 1 All ER 694, HL(E)
R v Lancashire County Council Ex p Huddleston [1986] 2 All ER 941, CA
R v Secretary of State for Health, Ex p United States Tobacco International Inc [1992] QB 353; [1991] 3 WLR 529; [1992] 1 All ER 212, DC
- G *R v Secretary of State for the Home Department, Ex p Al-Mehdawi* [1990] 1 AC 876; [1989] 3 WLR 1294; [1989] 3 All ER 843, HL(E)
R v Secretary of State for the Home Department, Ex p Harry [1998] 1 WLR 1737; [1998] 3 All ER 360
R v Sussex Justices, Ex p McCarthy [1924] 1 KB 256, DC
R v Westminster County Council Ex p Ermakov [1996] 2 All ER 302; 95 LGR 119, CA
- H *R (Al-Sweady) v Secretary of State for Defence (No 2)* [2009] EWHC 2387 (Admin); [2010] HRLR 2, DC
R (BDW Trading Ltd) v Cheshire West and Chester Borough Council [2014] EWHC 1470 (Admin)
R (Fuller) v Secretary of State for Communities and Local Government [2008] EWHC 3357 (Admin)

- R (*Gladman Developments Ltd*) v *Aylesbury Vale District Council* [2014] EWHC 4323 (Admin); [2015] JPL 656 A
- R (*Hayes*) v *Wychavon District Council* [2014] EWHC 1987 (Admin); [2015] JPL 62
- R (*Lammer Parish Council*) v *Cornwall Council* [2013] EWCA Civ 1290; [2013] 45 EG 75 (CS), CA
- R (*Maynard*) v *Chiltern District Council* [2015] EWHC 3817 (Admin)
- R (*Royal Brompton and Harefield NHS Foundation Trust*) v *Joint Committee of Primary Care Trusts* [2012] EWCA Civ 472; 126 BMLR 134, CA B
- R (*Sager House (Chelsea) Ltd*) v *First Secretary of State* [2006] EWHC 1251 (Admin); [2007] JPL 413
- R (*Shoemith*) v *Ofsted* [2011] EWCA Civ 642; [2011] PTSR 1459; [2011] ICR 1195; [2011] LGR 649, CA
- Tweed v Parades Commission for Northern Ireland* [2006] UKHL 53; [2007] 1 AC 650; [2007] 2 WLR 1; [2007] 2 All ER 273, HL(NI)
- Virdi v Law Society (Solicitors Disciplinary Tribunal intervening)* [2010] EWCA Civ 100; [2010] 1 WLR 2840; [2010] 3 All ER 653, CA C
- Woodcock Holdings Ltd v Secretary of State for Communities and Local Government* [2015] EWHC 1173 (Admin); [2015] JPL 1151

CLAIM for judicial review

By a claim form the claimant, William Robert Legard, sought judicial review of the decision of Kensington and Chelsea Royal London Borough Council, the local planning authority, to allow the neighbourhood development plan prepared by the second interested party, St Quintin and Woodlands Neighbourhood Forum, (“the neighbourhood forum”) to proceed to a referendum under paragraph 12 of Schedule 4B to the Town and Country Planning Act 1990. Under the plan the parcel of land belonging to the claimant, in respect of which he had entered into a contractual relationship with the first interested party, Metropolis Properties Ltd (“the proposed developer”) for potential residential development, was designated as a local green space under paragraph 77 of the National Planning Policy Framework (“the NPPF”). Permission to proceed with the claim was granted by Lang J on 17 March 2016 on five grounds, post, para 2. On 10 June 2016 Ouseley J granted the claimant permission to consolidate and amend the pleaded grounds into three core issues, namely that (i) the decision was tainted by the local authority’s apparent bias in favour of the neighbourhood forum in the neighbourhood plan process and the local authority had treated the claimant unfairly; (ii) the independent examiner had failed to understand and properly apply paragraph 77 of the NPPF with the consequence that his reasons for designating the parcel of land as a green space were wrong and, in any event, inadequate; and (iii) throughout the process the local authority’s own officers had indicated, as a matter of professional judgment, that the designation of the site could not be supported and in reaching its conclusion in the key decision it had been incumbent upon the local authority to explain why its position had been reversed, and a failure to do so constituted a failure to provide proper reasons in relation to the decision. E

The facts are stated in the judgment, post, paras 1–107. F

Richard Wald (instructed by *CMS Cameron McKenna Nabarro Olswang llp*) for the claimant. G

Hereward Phillipot QC and *Isabella Tafur* (instructed by *Director of Legal Services, Kensington and Chelsea Royal London Borough Council*) for the local authority. H

A *Stephanie Hall* (instructed directly) for the neighbourhood forum.
The proposed developer did not appear and was not represented.

The court took time for consideration.

12 January 2018. DOVE J handed down the following judgment.

B *Introduction*

1 This claim concerns the defendant's decision of 10 December 2015 to permit the St Quintin and Woodland's Neighbourhood Plan ("the neighbourhood plan") to proceed to a referendum. The neighbourhood plan had been promoted by the second interested party. It contained as one of its most controversial proposals the designation of a parcel of land off Nursery Lane ("the site") as a "local green space" ("LGS") pursuant to paragraph 77 of the National Planning Policy Framework ("the Framework"). The claimant is the owner of the site and the first interested party is in a contractual relationship with the claimant for the purposes of pursuing residential development of the site. The designation of the site as LGS is inconsistent with the promotion of residential development, and thus the second interested party's proposals through the neighbourhood plan to designate it as such were controversial.

Procedural history

2 On 17 March 2016 Lang J granted permission to apply for judicial review on five grounds which were initially pursued by the claimant. Those grounds were that the defendant had failed to address a principal controversial issue in its decision, namely whether the designation of the site as LGS satisfied the necessary criteria for designation. It was further contended that inadequate reasons had been provided for concluding that the site served the local community so as to satisfy the requirements for designation which were contended for by the claimant and further failed to address the inconsistency between the decision which was reached in relation to the site and the defendant's earlier view that designation was inappropriate. It was submitted that the site was in a lawful use for unconstrained commercial purposes and that was a factor that had not been taken into account. Furthermore, it was alleged that the defendant had taken into account the factor that the site might facilitate a future communal recreational use to which it was not currently put, and which was immaterial and an improper purpose in relation to the designation of the land as an LGS.

3 As a consequence of further information coming to light in respect of the factual background, which is set out below, the claimant obtained permission on 10 June 2016 from Ouseley J to amend his grounds. The amended grounds relied upon allegations of apparent bias and breaches of the requirements of fairness which are set out in greater detail below. Ouseley J further ordered that the hearing of the matters should be postponed until the outcome of the decision of the Court of Appeal in *R (DLA Delivery Ltd) v Lewes District Council* [2017] PTSR 949. That judgment was handed down on 10 February 2017 leading to the matter being brought on for a hearing on 12 and 13 July 2017. During the course of the hearing in July 2017 the parties determined that there was a need for consideration to be given as to whether or not there was further

documentation and evidence that should be disclosed as a consequence of the issues which had been raised. A further order was made addressing the potential disclosure of further material and making provision for the receipt of further submissions in relation to that material with the opportunity for a resumption of the hearing if necessary. In the event, a substantial amount of further evidence was disclosed, leading to the introduction of extensive new submissions and the need for a further hearing.

4 At the hearing on 28 September 2017 concerns were expressed by the parties as to whether or not it was appropriate for the hearing to commence. Concerns were expressed as to the adequacy of the time estimate and, on behalf of the defendant, a need to respond to matters contained within a further chronology provided to the court by the claimant. A need to rationalise the extent of the further documentation was also identified. As a consequence, the further hearing in relation to the additional disclosure occurred on 11 and 12 October 2017.

5 Prior to embarking on explaining the factual background to the case I wish to place on record my gratitude to all counsel and solicitors in the case. I am indebted to the care which has been exercised in the preparation of this complex case, and the quality of the written material and submissions which I received. All those involved are to be commended for the assistance which they have provided with the court's task.

The early evolution of the neighbourhood plan

6 On 2 July 2013 the second interested party was designated as a neighbourhood forum for the purposes of the Town and Country Planning Act 1990. The second interested party had in fact, prior to designation, embarked upon consultation with the community and certainly by March 2014 started to formulate draft policies for inclusion within the neighbourhood plan. One such draft policy sought the designation of the site (amongst others) as LGS. The justification for that designation was described in the text provided as part of a newsletter in the following terms:

“The CAPS refers to the remaining backland open spaces behind Highlever Road, Barlby Road, and Kelfield Gardens and includes a clear policy statement ‘*Some leisure and recreational activities have made good use of these spaces and proposals to develop them for more housing will not be permitted*’.

“Local residents view these statements as being as important now as when first written and adopted by the council. The threat of residential development on the Nursery Lane site has prompted almost every one of the 50 households backing onto the site to come together to form the Nursery Lane Action Group and to support the proposal to acquire the site as shared communal green space.”

7 It seems from the evidence that at some time in April 2014 the chair of the second interested party, Mr Henry Peterson, became aware of a marketing brochure from estate agents inviting offers for the site as an opportunity for residential development. On 6 May 2014 Mr Peterson wrote to Mr Jonathon Wade, the head of forward planning for the defendant, to inquire whether there had been any discussions with the defendant to justify the description of the site as a residential opportunity. Mr Peterson had already written to Mr Angus Morrison at the defendant on

A 28 March 2014 asking where the Oxford Gardens/St Quintin’s conservation area might sit in the council’s programme for updating “very vintage” conservation appraisals, bearing in mind the original version dated from 1979 having been updated in 1990. Mr Wade responded to Mr Peterson indicating there had been no pre-application discussion or advice and that the description must have been provided by Knight Frank.

B 8 In the run up to local elections on 19 May 2014 Mr Peterson wrote to candidates in the relevant ward containing the site asking their views on how they saw its future. The two candidates who were ultimately successful in the election indicated, almost by return and prior to polling day, that they supported the designation of the site as LGS under the proposals in the neighbourhood plan. By 23 May 2014 Mr Peterson was in correspondence with Mr Wade in relation to whether or not any informal discussions had
C occurred with the council about the planning merits of the site. Mr Wade confirmed that they had not. On 9 June 2014 Mr Peterson wrote to Mr Wade copying in other officers including Ms Joanna Hammond who is the neighbourhood planning team leader for the defendant. In his e-mail enclosing a letter seeking a meeting in relation to the first draft of the neighbourhood plan, which had been recently published on the second
D interested party’s website for consultation purposes, he indicated that there was a second reason for writing, namely inquiring about the progress which had occurred in relation to the potential sale of the site. Mr Peterson noted that the claimant was pursuing sale of the site as swiftly as possible “before the neighbourhood plan creates additional planning obstacles for them”. Mr Peterson wrote:

E “The planning history of the site is covered in the open spaces section of the Draft StQW Neighbourhood Plan, and the plan proposes that this (and other remaining ‘backland’ sites in the St Quintin Estate) are designated as local green space. My letter of May 6 to you, and copied to Knight Frank, explained that this was a probable step. An open meeting of the StQW Forum on May 29, attended by over 60 local residents and three of the four recently elected councillors for Dalgarno
F and St Helens wards, confirmed the strength of local feeling on this issue.

“We wish to avoid a scenario in which the Legard family sell quickly to the highest unconditional offer, with the site being taken on by a residential developer who has done inadequate due diligence, and hence overpays for the land. We do not want a situation in which such a developer then spends years submitting a series of applications which are unacceptable to the council and do not conform with a (by then) adopted
G neighbourhood plan.”

9 On 10 and 11 June 2014 Mr Peterson was exchanging e-mails with Mr Mumby, a consultant acting on behalf of the claimant. He advised Mr Mumby of the presence of the draft of the neighbourhood plan on the second interested party’s website and rehearsed the objections to residential development and the planning constraints which he considered to be present
H on the site. On 12 June 2014 Mr Peterson wrote to Ms Hammond addressing the question of whether or not any application for development of the site would be subject to an objection based upon prematurity. Mr Peterson referred to the relevant provisions of the Government’s Planning Practice Guidance (“PPG”) in relation to questions of prematurity.

Further he went on to inquire as to whether or not there had been any advice given by the defendant and, in particular, what advice had been given on the status of the draft neighbourhood plan as “emerging policy”.

10 On the same date, 12 June 2014, the second interested party sought to nominate the site as an “asset of community value” under the Localism Act 2011. In fact that application was ultimately unsuccessful and by a letter dated 1 August 2014 the second interested party were informed that the application had failed for the following reason:

“The Clifton Nurseries site is not currently, nor in the recent past has it been, in a use that furthers the social wellbeing or social interests of the local community. The definition of land of community value as set out in section 88 of the Localism Act 2011 is therefore not satisfied and the nomination is refused.”

11 On 13 June 2014 Ms Hammond responded to Mr Peterson’s e-mail explaining that in her view the neighbourhood plan could not have any material weight at that time on the basis that it was at an informal consultation and drafting stage and had not been formally submitted to the defendant. She further advised that no requests for pre-application advice had been received in relation to the site. On 9 July 2014 Mr Peterson wrote to Mr Graham Stallwood, the defendant’s head of development management and conservation, explaining that he had previously been in correspondence with Mr Wade as to whether or not the defendant had provided planning advice on the site. He advised Mr Stallwood that he understood that two bidders for the site, Clarendon and Octavia Hill, had both had their offers rejected. He further advised Mr Stallwood that residents surrounding the site had also submitted an offer to buy it as a shared garden for the sum of £1.25m. He again inquired of Mr Stallwood as to whether or not the council had been approached for planning advice on the site and if so by whom. On 11 July 2014 Mr Stallwood responded that there had been “no approaches so far”.

12 On 27 August 2014 the first interested party had a pre-application meeting with the defendant in relation to a 31 residential unit scheme on the site. On 4 September 2014 Mr Peterson wrote to Ms Hammond copying in Mr Wade expressing a number of detailed concerns in relation to the defendant’s response to the draft neighbourhood plan and seeking a more detailed understanding of the concerns which the defendant had expressed. In introducing these points Mr Peterson observed his view that “at the end of the day it is for the independent inspector and not the council to decide whether the draft plan is in ‘general conformity’ or if it has other problems or flaws in terms of planning legislation”. On 5 September 2014 the defendant produced notes of the first pre-application meeting which had occurred on 27 August 2014 in which it was observed that the defendant “considered that the use of the land for residential development could be supported”. On 8 September 2014 Mr Peterson wrote again to Mr Stallwood asking whether or not the defendant had been approached for pre-application advice. Mr Stallwood responded on 9 September 2014 in the following terms:

“We have received a request for advice and have responded. I cannot of course tell you who has asked or what the request relates to, but we

A have not been encouraging at this stage. I probably shouldn't be telling you we have received request, or the gist of our response, so please bear this in mind when deciding how to share the news!"

B 13 On 29 September 2014 Mr Peterson wrote to Ms Hammond explaining that Mr Christopher Lockhart-Mummery QC had confirmed that he was willing to undertake a health check of the neighbourhood plan, but that prior to doing so he would need to have the defendant's comments on the neighbourhood plan which were still awaited. On 3 October 2014 Mr Peterson wrote to one of the local councillors, Councillor Thompson, expressing his concern that they were still awaiting the defendant's detailed comments on the draft of the neighbourhood plan which had been with the defendant since the start of August 2014. Mr Peterson suggested that the delays that were being experienced were "beginning to feel like stalling tactics by council officers" and requesting that if proper feedback was not achieved whether Councillor Thompson would be prepared to raise the matter with Councillor Tim Coleridge, the defendant's cabinet member for planning policy, transport and the arts. In fact, the defendant's response to the draft plan, which identified concerns on their behalf in relation to its contents, was forwarded by Ms Hammond to Mr Peterson on 6 October 2014. On 7 October 2014 Mr Peterson wrote to Ms Hammond expressing concern about the "less than supportive" stance of the defendant, and there was a subsequent exchange following which a lengthy letter was written by Mr Peterson to Mr Wade on 9 October 2014. The inference from that letter is that the defendant was not supportive of an LGS designation at the site and the letter discussed a fallback position if the proposal for designation as LGS failed at the examination. This letter, together with the defendant's comments, was provided by Mr Peterson to Councillor Coleridge along with local councillors.

F 14 The defendant's scepticism about the ability to designate the site as an LGS is made plain in their letter to Mr Peterson of 24 October 2014, in which Mr Wade on behalf of the defendant stated that he thought "you may struggle with [the Framework] designation of a local green space" in relation to the site. On the same date Mr Peterson wrote to Mr Stallwood noting that Mr Wade and Ms Hammond considered that the designation of the site as an LGS was unjustifiable in terms of the Framework criteria, and posed Mr Stallwood two questions: firstly, he asked whether or not the defendant agreed with the second interest party's position that the site did not qualify to be considered as previously developed land for the purposes of the Framework. Secondly, Mr Peterson asked whether anything had been said on this issue in the pre-application advice which had been provided by the council. He accepted that a copy of the pre-application advice would not be available to the second interested party until a planning application was submitted but suggested that the neighbourhood forum might make a freedom of information ("FOI") request. The response to this inquiry was provided by Mr Stallwood in an e-mail on 28 October 2014 in the following terms:

"We didn't conclude on whether it's previously developed land in our advice and it's not straightforward.

"The site was in a sui generis (rather than agricultural) use and there are small-scale glasshouses on the site which are fixed to the ground.

There are also a number of shipping containers. Both the glasshouses and the containers appear to have been on the site for around or over 30 years to have some permanency. A

“Parts of the site have materials stored externally on pallets which could be argued to give the land a developed appearance.

“We haven’t had to reach or commit to a conclusion and have not done so—and that’s probably best at this stage. However, if I was their planning consultant and thought it helped my case, there is arguably good evidence to say it is previously developed land under [the Framework] definition.” B

15 On 13 November 2014 the first interested party had their second pre-application meeting with the defendant in relation to a proposal to develop the site for 31 residential units. The notes which were subsequently furnished by the defendant on 20 November 2014 again recorded the defendant’s position being that the principle of development of the site for residential use was supported. C

16 On 27 November 2014 Ms Preety Gulati Tyagi contacted a number of local councillors as well as Mr Peterson to advise them that the defendant was engaged in a programme of appraising or reappraising all of the conservation areas within the defendant’s administrative area, and that the Oxford Gardens Conservation Area was the next conservation area which was going to be appraised. Through the e-mails she invited ward councillors and Mr Peterson, as a representative of a resident’s association, to join them on a walkabout of the conservation area so as to assist in the process. On 9 December 2014 Ms Hammond wrote to Mr Peterson as part of the dialogue over the wording of the draft neighbourhood plan stating particular concern about the designation of Nursery Lane as an LGS “as we do not think this site meets the criteria specified in the [Framework]”. D

17 It appears that on 11 December 2014 Mr Peterson went on the walkabout with Ms Gulati Tyagi and others. Following this he wrote an e-mail to Ms Hammond expressing his concern about the timing of the preparation of the Oxford Gardens Conservation Area appraisal (“CAA”) and the production of the neighbourhood plan. He wrote: E

“Our suggestion would be for the council to complete the drafting of the CAA, including a section of the document which explains its relationship to the neighbourhood plan and to the StQW conservation policies, but to hold off from adoption until the outcome of the referendum on the StQW Plan is known. We are still trying to reach this point before the recess at the end of July 2015 (and hope that the council will be helping to make this happen). This date will still be well before the original timetable for the Oxford Gardens CAA.” F

“Preparing the Oxford Gardens CAA at this time does feel (for us) a bit like duplication. For the sake of a few months it would seem better for the council to finalise and publish the Oxford Gardens CAA at a time when there is certainty as to the conservation policies which will apply in different parts of the conservation area and on whether the StQW Neighbourhood Plan will be coming into force.” G

A Ms Hammond responded later that day in the following terms:

“We brought production of the Oxford Gardens CAA forward to assist the neighbourhood plan and we don’t see any overlap with the contents of the neighbourhood plan as they are doing completely different things. The CAA supports the neighbourhood plan in providing clarity on where there is potential for change/alterations without causing harm to the character or appearance of the [conservation area].”

B

“We are on a tight schedule to get all the CAAs updated and, as you point out in the neighbourhood plan, the current CAPS is quite old, so we see no point in delaying.”

C

18 On 12 December 2014 the first interested party held a public exhibition in relation to its housing proposals. Shortly thereafter on 16 December 2014 Mr Peterson wrote to Mr Wade expressing the view that he considered that it would be premature for the defendant “to take up a firm position” on the question of whether or not the site met the criteria in paragraph 77 of the Framework to qualify for designation as LGS”. He stated his view that it was premature in advance of formal consultation on the neighbourhood plan and the examination of the draft plan. He further placed reliance on the health check which had been undertaken by Mr Lockhart-Mummery who had stated that he considered that “a convincing case for this proposal has been made”. The letter went on to note that the first interested party had refused to provide a copy of the pre-application advice they had received from the defendant to Mr Peterson and went on to reiterate the request that this advice be provided to him. He suggested there was a strong case to do so where the proposal was within the area of a neighbourhood forum which enjoyed powers to designate land in a neighbourhood plan.

D

E

F

19 In response to Mr Wade’s acknowledgment of that letter Mr Peterson wrote again on 17 December 2014 stating that at a public meeting held the night before it was evident that local residents wished the second interested party to have access to the pre-application planning advice. On the same day Mr Peterson responded to Ms Hammond’s e-mail of 11 December 2014 asking her to reconsider his suggestion that the Oxford Gardens CAA should await the outcome of the neighbourhood plan.

G

20 On 18 December 2014 Mr Peterson wrote e-mails to Mr Wade twice. The first e-mail identified his view that there was a need for an early meeting with the defendant’s officers to discuss the position of the site in the neighbourhood plan prior to any planning application being submitted. In this e-mail Mr Peterson records:

“As set out in my last letter, there are a series of issues we need to discuss with you, to establish how the council sees the planning history and current planning policy context for this site. Residents are increasingly questioning with us whether or not the council will be maintaining policy positions set out at the 1982 planning inquiry and in the Oxford Gardens CAPS document? And if not how, when, and by what means has this policy context changed?”

H

“Secondly, there are a series of issues to discuss around the likely timetables for a planning application, and for the submission, examination, publicity period, and referendum on the StQW Neighbourhood Plan.”

Mr Peterson went on to raise issues from a planning decision made by the Secretary of State in relation to a development predetermining decisions to be made about the scale and location of new development in a neighbourhood plan. In his second, and more lengthy, e-mail later that day Mr Peterson set out a number of issues in relation to the site which he wished to discuss with the defendant's officers together with some of his own thoughts in relation to those issues. The issues included any current designation of the site, whether it qualified as previously developed land, how it was going to be treated in the Oxford Gardens CAA and in particular the question of the process of producing the new Oxford Gardens CAA. In that connection he stated:

“Jo Hammond has advised us that the department is not willing to reconsider deferring the consultation and adoption of the Oxford Gardens CAA until the StQW draft plan has reached the referendum stage. We are also told we cannot have sight of the draft CAA document before it is published for wider consultation. I trust we can discuss these points further. While we understand why the council would not want to open the door to what might be seen by some as preferential treatment for one amenity group over another, this is not the case here.

“The StQW Forum is a statutory body participating in the planning system for the borough, and we think that the council should see the forum in this light rather than treating it as no different from other residents associations and amenity groups. District and parish councils outside London seem generally to have a much closer (and more equal) relationship on neighbourhood plans than has been our experience to date with [the council].”

21 On 7 January 2015 the second interested party had their third pre-application meeting with the defendant's officers this time for a revised 21 residential unit scheme. On the same date a petition from local residents in the following terms went live on the council website:

“We the undersigned ask the council to affirm the continuation of its planning policy not permitting the development of the remaining St Quintin backland sites and to support their designation as local green space in accordance with the neighbourhood plan developed by residents. We believe this action is urgently needed to protect the character and biodiversity of the conservation area.”

22 Councillor Coleridge was made aware of the existence of this petition and he raised the question as to whether or not the site was in fact protected by the council's policies. A briefing was provided to Councillor Coleridge by Mr Wade in relation to the petition. In his briefing he made the following observations:

“In short the site is not protected by our currently adopted policies which as you know, are contained within the core strategy. Within the Oxford Gardens St Quintin Conservation Area Proposal statement, which was originally adopted in 1979 and updated in 1990, there is a reference to open space, both public and private. It is stated, ‘In the St Quintin Estate the use of space has produced a pleasant “suburban” enclave within a busy high density part of the city’ and the point is made

A that amongst other aspects backlands and gardens combine to create a distinctive open character for the area. Backlands are formed by the enclosed terraces of the St Quintin Estate and exist at Highlever Road, Barlby Road and Kelfield Gardens.

“This is then followed by a policy which states: *‘Some leisure and recreational activities have made good use of these spaces and proposals to develop them with more housing will not be permitted.’*”

B “. . . Clearly this policy is in a document which is now 25 years old and has not gone through any of the above processes. It would therefore be assigned very limited or no weight at all in an appeal situation and we would not recognise it as a planning policy under the current planning regime. This has been explained to Mr Peterson and he is fully aware of the situation.

C “The St Quintin Neighbourhood Forum have put forward three backland sites for designation as local green space in their draft neighbourhood plan.”

23 Following the pre-application meetings it appears that on 12 January 2015 a query was raised by Mr Kevin Savage (one of the defendant’s officers involved in the discussions with the first interested party) about the time scales for the adoption of the neighbourhood plan. He noted that at the meeting the applicants had been very anxious that the neighbourhood plan would be adopted by Summer 2015 with the LGS designation at the site within it. On the following day Ms Hammond responded indicating that it would not be possible to say when the neighbourhood plan would be adopted, but that the defendant was under pressure from the second interested party to move as quickly as possible. She explained that she had advised the first interested party’s consultants that the plan was out to consultation until 25 January and would be submitted at some time after that date depending upon the length of time taken to review the fruits of the consultation. On 16 January 2015 Mr Peterson again wrote to Mr Wade once more pressing the case in support of the LGS designation at the site and drawing his attention to the existence of the petition. He attached a schedule of responses to date which he contended also showed the strength of feeling on the subject. He suggested the idea that once the long-term value of the land as open space had been established a partnership between the defendant and a community interest trust formed by the second interested party could acquire it to serve as a garden square for its immediate neighbours.

24 On 21 January 2015 Mr Peterson wrote to Mr Jonathan Bore, the defendant’s executive director of planning and borough development. The subject matter of the e-mail was his concern about the way in which responses to an “Issues and Options” paper on enterprise were being reported to a meeting of the defendant’s public realm scrutiny committee (“PRSC”) on 26 January. The detail of these complaints is not material for present purposes, but in essence the complaint was that the way in which responses had been reported was inaccurate. In particular it appears that the report purported to record that the defendant’s formal response to the pre-submission draft of the neighbourhood plan had been submitted to the second interested party, when in fact at the time of writing and drafting

the report that was not the case. Mr Peterson concluded his e-mail in the following terms: A

“Increasingly the StQW Forum feels that our relationship with the planning department is becoming Kafkaesque. Officers seem to feel free to say and write what they would like to believe about the StQW Forum and the draft neighbourhood plan, when it is not evidenced, or simply not true. When such officer reports are presented to committee in the name of the Cabinet member, this creates a dangerous disconnect between elected councillors and the public, which I am sure councillors do not wish to see. B

“I am copying this to our ward councillors and to Councillor Coleridge, and will communicate further with Councillor Thompson before the committee meets. As a committee member, I hope he will have the chance to set the record straight at the meeting. This appears to be our only recourse in ensuring that the committee is properly and accurately informed.” C

25 In fact the defendant’s response to the draft neighbourhood plan was provided on 23 January 2015. On the same date Mr Peterson wrote to planning consultants acting on behalf of the first interested party querying the ownership of the site on the basis of his concern that conflicting information had been given as to whether or not the claimant had any interest in the land, judging by the information which had been passed to him. Further, on 23 January 2015 the claimant’s planning consultants made representations on the draft neighbourhood plan. Their representations focused amongst other matters on the question of whether or not the site properly satisfied the criteria to be designated as LGS. D

26 On 28 January 2015 Mr Peterson wrote, on behalf of the second interested party, to the defendant’s monitoring officer querying the defendant’s decision to withhold information requested under an FOI application in respect of the pre-application advice which the defendant had furnished to the first interested party. He particularly emphasised within this request the status of the second interested party as a body granted the power to prepare a neighbourhood plan as being a particular feature which distinguished the second interested party from a rival developer or an amenity society when considering whether or not it should be afforded access to pre-application advice furnished to the first interested party. E F

From the first draft of the neighbourhood plan to the selection of the examiner

27 On 28 January 2015 Mr Peterson wrote to Mr Wade on the topic of making progress with the neighbourhood plan. In the e-mail he covered the appointment of the examiner who would be undertaking the independent examination of the neighbourhood plan. He made the following observations: G

“In any event, we feel that the council should now start thinking about the examination of the draft plan. We are assuming that you will be using the well-established NPIERS service to identify and commission an examiner? Their ‘top tips’ for LPAs suggest that councils should start making plans once the pre-submission consultation is concluded (i.e. the stage now reached on the StQW Draft Plan). As you would expect, we will want to be properly involved in the selection of an examiner. H

A The NPIERS notes recommend that Qualifying Bodies be ‘jointly involved’ from the stage of preparing the brief for NPIERS onwards, and in any selection interviews that are held.”

28 The reference to NPIERS is a reference to the Neighbourhood Planning Independent Examiner Referral Service. NPIERS is an initiative which is sponsored by the Royal Institute for Chartered Surveyors (“RICS”).

B On 28 January 2015 Mr Peterson wrote to Ms Gulati Tyagi once again raising the question of the timing of the preparation of the Oxford Garden CAA in relation to the process of progressing the neighbourhood plan. In the e-mail he observed:

C “We have just completed the pre-submission consultation on the StQW Neighbourhood Plan and will be finalising the submission version in the next few weeks. The draft plan proposes designation of all three backland sites as local green space. The council’s latest comments on this consultation now takes a neutral stance, agreeing that the two other backlands (The Bowling Club and the Methodist site) are ‘capable of meeting’ the [Framework] criteria for LGS designation. On the Nursery Lane site, the [council] comments say that it is up to the StQW Forum to demonstrate that the [Framework] criteria are met.

D “This sets up a scenario (as you are no doubt aware) in which the consultation draft of the Oxford Gardens CAA will be very closely scrutinised for what it says on the subject of these backlands.

E “• If the council dilutes or backs away from what was said about the importance of these open spaces in the CAPS document, a large army of local residents will be responding to the consultation asking why, and suspecting that this is happening because the council is trying to usher through a housing development on the land. (The petition on the [council] website on Save our Open Spaces had over 480 signatures when I last looked, many of who will respond to the Oxford Gardens CAA consultation if they feel the council is changing its position on the St Quintin backlands).

F “• If the council continues to maintain its 1990 line on the historical and amenity significance of these pieces of land, the firms of planning consultants now working for the owners of Nursery Lane (CgMs Consulting) and for the developers Metropolis Property/London Realty (Rolfe Judd Planning) will doubtless respond to the CAA attempting to argue that Nursery Lane is nothing more than an operational contractors yard of no merit or beauty (as they have already argued in lengthy representations on the consultation version of the StQW Draft Plan).

G “Either way a consultation on this CAA is going to prompt further questioning of the position the council takes on all three backland sites and Nursery Lane in particular.

H “Currently the council is saying that an examiner of the StQW Draft Plan should make the decision on the proposed LGS designation. We are puzzled as to why the council now seems to have no strong view on the issue. While the CAA cannot ‘make policy’ on this issue, it must presumably be going to say something, given the content of the 1990 CAPS?

“Hence we would suggest that the council proceeds as the [PPG] asks of LPAs, and defers the consultation on the Oxford Gardens CAA until the StQW Draft Plan is examined. We think this time period could be as little as three–four months in total, if the council is willing to progress expeditiously through the remaining stages of the neighbourhood plan. Given that the work on the CAA will have been done, we cannot see why a short delay in consultation should be a problem? It is after all 1990 since the last consultation on this conservation area, and we residents can wait a few months longer.”

In response to this e-mail Mr Bore replied and stated:

“The CAA is a descriptive rather than a policy document and it is perfectly possible to identify the parts of the conservation area that contribute to its character as a whole without getting too involved in neighbourhood planning policy issues. On that basis I see no purpose in delaying the work. I’m going to have a look at these sites personally.”

29 On 30 January 2015 Mr Peterson wrote to Mr Bore forwarding an e-mail he had written to the managing director of the company who were the claimant’s tenants of the site and in occupation of it, together with some photographs showing what he observed as being the rapid degradation of the site. Following his site visit, on 4 February 2015, Mr Bore wrote to, amongst others, Mr Wade and Ms Hammond explaining his opinion that the site was not worthy of designation as open space and that the need for housing could carry far more weight than the relatively limited benefits arising from the draft neighbourhood plans proposed used as open space. He concluded that they should “seek to resist its inclusion as such in the NP”. Following this internal e-mail Mr Bore wrote to Mr Peterson (copying in Councillor Coleridge, Mr Wade and Ms Hammond amongst others) setting out where the officers of the council stood in relation to the designation of the site. He expressed himself in the following terms:

“5. The issue of Nursery Lane relates to the balance of planning considerations in the public interest. The provision of housing is a strategic issue, a strategic policy in the development plan, and a strategic priority for national planning policy as set out in [the Framework]. In comparison, the site is not an existing open space and has little public benefit. It is seen from some private rear windows but contributes little if anything to the character appearance or visual amenity of the area. Even if the site were to be designated open space by the NP, the community’s need for housing would be a material consideration of considerable weight when considering any subsequent planning application for housing.

“6. We would expect any housing scheme for the site to be low rise, relatively low density and retain trees and greenery, and will be making these points in our pre-application advice to developers, but I will be recommending strongly that the council resist the emerging NP designation and will defend that point at the examination too.

“7. Please be in no doubt that we will stand by these points at the examination. We still hope that you will accept our position and remove these designations from the emerging NP, otherwise we will be in serious

A conflict at the examination, many would say unnecessarily when it would be much better to work together.”

30 Mr Peterson wrote on behalf of the second interested party in response to this e-mail on 9 February 2015. In a lengthy letter he set out his concerns in relation to the contents of Mr Bore’s e-mail in particular in connection with Mr Bore’s continuing involvement in the processes involved in examining the neighbourhood plan. In particular Mr Peterson made the following observations:

C “What we do wish to request of you, absolutely seriously, is for you to agree to now to relinquish to another department of the council the organisation and administration of the concluding stages of the council’s various responsibilities in bringing the submission version of the StQW Plan through to a conclusion.

“These are tasks which the Localism Act requires the council to undertake. They are essentially administrative tasks which those parts of the council dealing with democratic governance and electoral services are well equipped to undertake (we do not know exactly who did what in the final stages of the Norland Plan).

D “Our considered view is that your e-mail of last Friday makes it very clear that you and your department would not be able to undertake these remaining stages in a sufficiently neutral fashion, as the legislation and guidance requires of local authorities. We hope that you accept this.

E “We see little prospect of reaching agreement with you on the selection of an independent examiner. Our members, and we believe other resident bodies, would have serious doubts about the integrity of an ‘independent’ examination of the StQW Plan, were the process to be handled by a [council] director who has set out in advance what decisions he will ‘allow’ such an examiner to make. Mistrust at the ways of the Town Hall would become a very big issue in this neighbourhood (and beyond) unless the examination is seen to be entirely objective and fair.”

F “In a situation where the you have said in advance that you will be arguing strongly against several proposed policies in the draft plan, the council’s handling of the arrangements for such an examination must not only be neutral, but must now also be seen to be neutral.

G “It will be necessary to avoid any suggestion or local concerns that the council might be choosing to delay the arrangements for the examination in order to ‘get ahead’ of the StQW Plan. Adopting a new Oxford Gardens CAA to replace the current CAPS, and pausing on the StQW Plan until the enterprise review is more advanced, are two instances where we have seen signs of such tactics.

“Hence timely arrangements for the examination of the StQW Plan will be needed, to avoid possible complaints on this score.

H “We very much hope that you will take these points on board, and agree that the StQW Forum can work with a different director on these final stages of the StQW Draft Plan. This will leave you and the planning department free to take as robust a position as you wish, in arguing against the forum at the public hearing, without fear that the selection of the examiner will be seen by the public as having been unduly influenced to achieve the particular outcome that you seek . . .

“In these circumstance we would find it very hard to accept your role in overseeing the remaining organisational/administrative duties and responsibilities that the council must now undertake to see this neighbourhood plan through to a conclusion. We feel that you would clearly be conflicted, and that this is evidenced by your latest e-mail. If you feel that you cannot agree to our proposal, we would need to raise our concerns, firstly with Mr Holgate, the leader, and Councillor Coleridge, and if necessary beyond the council . . .”

31 Mr Peterson’s letter provoked an internal discussion between Ms Hammond, Mr Bore and Mr Wade as to the manner in which the examination process would operate. Ms Hammond explained that the examiner would have to be appointed with agreement from the second interested party, and that there was a need for transparency between administrative issues and issues in relation to the merits of the plan.

32 On 23 February 2015 Ms LeVerne Parker, the defendant’s chief solicitor and head of regeneration law, wrote to Mr Peterson following the receipt of his letter of 28 January 2015. Ms Parker is the defendant’s monitoring officer and had undertaken an internal review of the defendant’s decision in relation to the disclosure to the second interested party of the pre-application advice that had been given to the first interested party. Her conclusion was set out in the following terms:

“I accept that there is considerable public interest in releasing the information relating to any development proposals for the land at Nursery Lane. Having said that, as you quite fairly point out, much of the information needed by the forum to support the policies in the proposed neighbourhood plan is in the public domain already. Other information such as, for example, the views of the [council] officers on the planning status of the land could be sought without the release of the pre-application advice. Statements made by the landowner and the prospective developer can be challenged, if necessary, by asking them to produce evidence to support their arguments.

“In this case it is my view that the correct balance has been struck between confidentiality and the transparency which would arise from the disclosure of the information to the public and therefore the pre-application advice should not be disclosed.”

33 On the following day Mr Peterson replied to Ms Parker reiterating his arguments in relation to the need for the pre-application advice to be disclosed and indicating that the second interested party might appeal to the Information Commissioner.

34 On the same date, 24 February 2015, Mr Wade responded to Mr Peterson in respect of the issues pertaining to the site. In particular he introduced the defendant’s officers’ approach to the site and his own views as follows:

“I appreciate the level of concern raised about the possible future development of the Nursery Lane site and I have read many of the representations that have been made. In the council’s response to the draft plan dated 23 January we remained deliberately silent as to whether the Nursery [Lane] site was capable of designation as local green space using the criteria laid down at paragraph 77 of the [Framework]. This is

A because this is a decision for the neighbourhood plan examiner, not the council and it is up to the forum to put the case as to why the land should be designated.

B “I did not think it would be helpful in view of what the forum is trying to achieve for the council to express a view, but I am happy to do so if you so wish. Clearly, as you may anticipate, it could be a negative one in terms of designation. To emphasise this, the council has not shifted its position on the subject and the advice given to you in our letter of September 2014 remains. However, I think I should warn you that the latest advice we have heard from a NPIERS examiner is for local authorities to advise neighbourhood forums against designating as local green space any space which is not used by the public.”

C Mr Wade went on to observe that the pre-application advice which had been provided would have to remain confidential. Further, he expressed his own view as to the merits of the site in the following terms:

D “My view of the site is that public views are extremely limited and confined to the access road. The site is surrounded by housing and any views of the site are limited to the rear upper floor windows of that housing. The site itself is privately owned and is not available for public access, There are some mature trees which provide visual amenity to the occupiers of the surrounding houses, particularly the willow tree on the boundary. However, the site itself, due to its enclosed nature is not considered to make a significant contribution to the character or appearance of the Oxford Gardens St Quintin Conservation Area. Clearly if a development scheme came forward it would have to demonstrate that it preserved or enhanced the character and/or appearance of the conservation area and the merits of the site as it stands would also have to be assessed to ascertain whether it made an equal or better contribution than the development proposal.”

F Mr Wade went on to explain that he was not committed to the policy statement in the current Oxford Gardens CAA as it was 25 years old and in urgent need of review nor did he regard the site as apparently fulfilling the criteria of providing visual amenity to the public which was a requirement of policy CR5 of the adopted core strategy in respect of resistance to loss of private open space. He regarded the question of whether the site was previously developed land as moot and not decisive.

G 35 On 27 February 2015 Ms Hammond responded to Mr Peterson’s earlier correspondence, in particular she provided the following in relation to the selection of an examiner for the neighbourhood plan:

H “We are happy to proceed with selection of an independent examiner. The key experience required is a track record of examining urban neighbourhood plans and holding of a hearing, as this may be necessary. Ideally the examiner should also have knowledge of London. Do you agree? If you do I will ask NPIERS to provide CVs for us to review. However, the forum must also be part of the process so that you have faith in it being undertaken appropriately and we will share this information with you. Clearly the examiner is totally independent of the council so I am unclear as to the nature of the concerns you expressed in your letter to Mr Bore dated 9 February. It is entirely up to you whether

you wish to accept the views of the councillor [or] not and I simply do not understand how you think this can influence any administration of the plan, the two are not linked in any way.”

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The letter went on to identify a number of points arising as outstanding issues with the draft neighbourhood plan.

36 On 12 March 2015 Mr Bore responded to Mr Peterson’s letter of 9 February 2015 in the following terms:

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“I reply in respect of the attached letter and subsequent correspondence you have had with Jo Hammond and Jon Wade.

“I’ve had a quick word with Nicholas and am content to hand over the selection of the examiner to him, but as he is not a planner he needs to reserve the right to seek my advice on the matter.

“As for the CAA, I am quite happy to delay the publication of the consultation draft until after the examiner’s report has been received on the neighbourhood plan and we know where we stand.”

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The reference to Nicholas was a reference to Mr Nicholas Holgate, the defendant’s town clerk.

37 On the same day Mr Peterson was again in correspondence with Mr Wade, Ms Hammond and Ms Gulati Tyagi with respect to the Oxford Gardens CAA. He expressed his concern that Mr Bore’s e-mail of 6 February and Mr Wade’s letter of 24 February “paint a very different picture of the conservation and amenity value of [the site]” compared to the extant version of the Oxford Gardens CAA. He went on to again reiterate his concern that the draft of the new Oxford Gardens CAA would have to say something about the site, and that it appeared to him that if the emerging document took a different view of the site from that set out in the existing document there would be many of the 1,500 people who had signed the petition referred to above who would want to know why, and question why it was happening and whether that was with a view to assisting an imminent application for housing on the site. As events turned out this letter to Mr Wade was overtaken by the e-mail from Mr Bore later in the afternoon of the same day expressing that he was happy to delay the publication of the consultation draft of the Oxford Gardens CAA until after the examiner’s report had been received on the neighbourhood plan.

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38 Following this correspondence Mr Holgate was involved in internal discussions to obtain an understanding as to how the examiner was to be appointed. On 16 March 2015 there was a fourth pre-application meeting between officers of the defendant and the first interested party, this time discussing a revised 22 residential unit scheme. On 17 March 2015 Mr Peterson wrote to Mr Wade indicating that the second interested party would not be formally submitting the draft neighbourhood plan to the defendant for another week or so, and assuming that the defendant would start the six-week final publicity and consultation stage “fairly swiftly”. He also expressed his assumption that there would need to be a hearing given the matters upon which the defendant and the neighbourhood forum did not agree and the likely representations of the claimant and the first interested party in relation to the site. It should be pointed out that the site was not the only matter which was the subject of controversy between the defendant and the second interested party. The defendant also had

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A expressed its concerns in relation to proposals at Latimer Road where, without unnecessarily rehearsing the details, there was controversy in relation to the draft neighbourhood plan's proposals for non-employment related uses.

B 39 Mr Wade interpreted Mr Peterson's e-mail as expressing a desire to liaise directly with Mr Holgate in relation to the information which was to go into the NPIERS examiner application form so as to assist NPIERS in providing the defendant and the second interested party with a list of three potential examiners along with their CVs. Mr Holgate in response on 18 March 2015 said:

C "I wish to limit my role to understanding what criteria both Mr Peterson and you wish to apply, how this affects the choice of examiner if at all and then to pick one of those suited at random. So please see if you can agree the application form. I am of course happy to decide on any points of disagreement."

D 40 On 20 March 2015 Mr Peterson wrote to Councillor Coleridge seeking an opportunity to meet with him and explain the latest position on the neighbourhood plan. He enclosed a copy of the latest draft of the neighbourhood plan and provided the following observations as the background to his desire to meet with Councillor Coleridge:

E "As you know, the StQW Forum has had lengthy disagreements with the council's planning department about the legal context for neighbourhood plans. Our differences of view have narrowed and Jonathan Bore and his staff now seem to accept that the policies in a neighbourhood plan, as and when 'made' as part of the local plan, take precedence.

F "We also continue to have disagreements with the department over our view, strongly supported in the recent eight week consultation on the StQW Draft Plan, that Latimer Road is a good location for new housing (above and retaining existing ground floor commercial space) whereas the backland at Nursery Lane is not a suitable residential site.

G "The StQW Draft Plan is due to be submitted to the council shortly for independent examination. You are probably aware that Jonathan Bore has agreed that the process of selecting an independent examiner should be handled by Nicholas Holgate. This follows from Mr Bore e-mailing us last month to say that he would 'not allow' the StQW proposed policies and land designations to prevail at examination, and threatening consequences if we did not drop key parts of the StQW Draft Plan.

H "The petition with 2,500 signatures asking the council to reconfirm its stated policy towards the three St Quintin backlands will be debated at the council meeting on 15 April. I think you would find it helpful to be briefed on the advice that the StQW Forum and local residents have had, from planning consultants and from Christopher Lockhart-Mummery QC, before taking a view on a response to the petition.

"We understand that the potential developers (London Realty/ Metropolis Property Ltd) are revising their proposals for a housing development at Nursery Lane in discussion with the planning department. Planning officers have not so far been able to explain to us how and when the council changed its stated view on this piece of land, or

how the department has now concluded that this land is not ‘open space’ and is a brownfield rather than greenfield site. A

“If officers have persuaded you and your cabinet colleagues on these issues, we would welcome the chance to put the other side of the story in advance of the forthcoming council debate.”

41 On 23 March 2015 Councillor Coleridge replied to Mr Peterson in the following terms: B

“I would welcome the opportunity to hear your position and views. I may well be hesitant in commenting but am of course willing to listen and understand. I could meet with you on Friday morning at 10 a.m. I would like to keep this small so just you, or perhaps one other.”

42 On the same day Mr Peterson indicated that he agreed on the need to keep the meeting small and confirmed the date and time of the meeting. He also told Councillor Coleridge that he was contacting Councillor Feilding-Mellen at the suggestion of a local member who had suggested she would welcome a cross-party approach. On 24 March 2015 Mr Peterson wrote to Councillor Robert Thompson advising that Councillor Palmer had told him that Councillor Feilding-Mellen had been lobbied by the prospective developers of the site, and that Councillor Coleridge had agreed to meet with him on the issues related to the site and the Latimer Road proposals. On 25 March 2015 Mr Peterson wrote at length in support of the second interested party’s proposals to Councillor Feilding-Mellen. C D

43 In an e-mail to Councillor Palmer on 25 March 2015 Mr Peterson provided copies of the proposed annex to the basic conditions statement to be submitted alongside the neighbourhood plan to the defendant. He advised Councillor Palmer that he was meeting Councillor Coleridge on Friday and hoping “to make some progress towards an agreed cross-party position on Nursery Lane which could perhaps be brokered before the April 15 debate at the council meeting”. He pointed out that there was disagreement between the second interested party and the planning department on a range of issues and that these issues “will be decided on by an independent examiner” of the neighbourhood plan in due course. E F

44 The meeting between Mr Peterson and Councillor Coleridge and others occurred on 27 March 2015. On 9 April 2015 Mr Peterson wrote to Councillor Coleridge indicating that subsequent to the meeting there had been further discussions between those promoting the petition and the Nursery Lane Action Group. Mr Peterson suggested Mr Coleridge may wish to consider “a formulation of the outcome to the petition” which might have universal support. He stated that they were “trying to find a way forward which would have cross-party support”. The suggestion involved Councillor Coleridge as the cabinet member for planning making known to the examiner a set of views in relation to the sites proposed for LGS designation and in particular expressing the council’s view that those sites were not suitable and should not be developed for housing. Councillor Coleridge immediately sought advice, initially from Mr Bore and then from other officers. In his e-mail to Mr Bore he said: G H

“Just received this and notice you are not copied. I have read it and clearly am unable to agree to this approach. Do you have any comments.

A What all the ‘cross-parties’ reference is about I am not sure as planning is not political.”

Having been copied into this e-mail Councillor Thompson responded to Mr Peterson saying that the proposals seemed very reasonable to him.

B 45 On 10 April 2015 Mr Peterson e-mailed to Mr Holgate a partially completed NPIERS application form for the selection of an independent examiner via their service. Mr Holgate later on the same day asked Mr Wade to complete the form in discussion with Mr Peterson. Also on 10 April 2015 Councillor Coleridge responded to Mr Peterson’s e-mail about the suggested approach to the petition. He explained that Mr Peterson would have an opportunity to present the petition and that he would respond to the views expressed by members. He advised that there was no mechanism for a vote. He observed as follows as to the council’s approach:

C “The response to the neighbourhood plan as made by the council to the inspector will be the view that we believe to be in accordance with national and local planning policies. These views are well explained in the paper that accompanies the petition report to council, which you doubtless will have carefully read.

D “I shall be listening carefully to the speech that you make and any contribution from the council thereafter, I shall then respond. I must be clear that the three points that you outline below as points A, B and C are not statements that we can agree with as set out. We have explained why we believe your statements are incorrect and would not be either supported by the planning inspector or indeed be in compliance with national or local policy. The Royal Borough has many policies that protect our environment and they have to be applied as and when appropriate, but the bar for designating land as green open space is clear and it will be for the inspector to decide as they see fit.”

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F On 11 April 2015 Mr Peterson wrote to Councillor Coleridge again pressing his case in support of the response to the petition which he had suggested in his correspondence of 9 April 2015. In pressing his case Mr Peterson suggested to Councillor Coleridge that the second interested party could only assume from his e-mail and that of Mr Bore of 5 February that he and his colleagues “now positively wish to see the Nursery Land developed as a housing site”. Further he argued that people in the second interested party’s part of the borough would find the council’s approach “incomprehensible”, and a view would take hold that “the council simply does not care about the opinions of residents” in the wards forming the second interested party’s neighbourhood area.

G 46 On 13 April 2015 an e-mail was sent by Mr Bore to Councillor Coleridge in relation to the petition to be presented to the defendant. Mr Bore advised that it was unacceptable to adopt the proposed response to the petition both on the basis that the meeting of full council had no remit to commit itself to a policy from the Oxford Gardens CAA, and also, H moreover, because it had no remit to adopt planning policy in an ad hoc manner. He went on to advise Councillor Coleridge in the following terms:

“It will therefore be important to avoid any council debate on the merits of Nursery Lane for open space or housing and also avoid debate on the merits of residential in the Latimer Road employment zone because

that would pre-judge consideration that should take place elsewhere. The proper place for discussing the merits of their neighbourhood plan is the examination, and the proper place for considering any planning application is the planning committee. If full council makes any kind of a resolution on these matters the local planning authority cannot be bound by it.”

On the same date Councillor Coleridge forwarded this advice to all of his party members under cover of the following comment in the e-mail forwarding it:

“Clearly my response on Wednesday will not be along the lines below . . . but will be explaining that the planning Inspector will decide the issue when the examination for the St Quintins Neighbourhood Plan [sic] goes ahead. We will remain fairly neutral on the issue as it is their plan that is being presented to the examiner, not the councils. We can not however openly support it as Mr Peterson’s arguments are not correct and not supported by the [Framework] or the local plan.”

47 On 13 April 2015 Mr Peterson wrote to Mr Wade pointing out that there were rumours that the defendant’s architect’s appraisal panel would be shortly reviewing a proposal for the site. He pointed out in the correspondence that in his view it was strange that a panel of architects were being consulted upon proposals about which local residents had been given no information and expressed his concern about the lack of openness in relation to providing the second interested party with copies of the pre-application advice which had been provided.

48 On 15 April 2015 the first interested party presented its proposed scheme to the defendant’s architectural design panel. Also on the same date the petition, which by this time had 2,556 signatures, was presented to the defendant’s meeting of full council. Its presentation was accompanied by a report under the hand of Mr Bore providing advice in relation to the petition. That advice was summarised in the conclusion of the report in the following terms:

“10.1 In summary the advice from the executive director of planning and borough development is that:

- “• the policy in the Oxford Gardens Conservation Area Proposals statement protecting the St Quintin backland sites is not part of the council’s current adopted Local Plan policies and carries very little, if any, material weight because it has not been through the examination process;
- “• the draft Oxford Gardens Conservation Area Appraisal sets out the principal aspects of what is considered to contribute to the character and appearance of the Oxford Gardens Conservation Area. The views of the neighbourhood plan examiner in relation to local green space designation for the backland sites will be taken into account as part of the drafting of this document;
- “• the 1982 appeal decision for the Nursery Lane site appraised a specific scheme in relation to the openness of the site. The decision is over 30 years old and did not deal with the principle of developing the site, only the scheme in question;

- A “• the adopted policies in the Local Plan enable any development proposals coming forward to be properly assessed;
 “• officers consider the Nursery Lane site is unlikely to meet the criteria for designation of a local green space, so this designation for this site cannot be supported; and
 “• it will be for the examiner of the neighbourhood plan, not the council, to decide on designation of local green spaces in the
 B St Quintin and Woodlands Neighbourhood Area.”

49 The minutes of the meeting record the debate in relation to the petition and the fact that Mr Peterson, amongst others, addressed the meeting on behalf of the petitioners. The response from Councillor Coleridge and the resolution of the meeting is recorded in the following terms:

- C “The cabinet member for planning policy, transport and the arts, Councillor Coleridge, responded. He thanked those who had contributed to the debate. The council did support the neighbourhood plan. This would be determined by the examiner. If planning applications came forward they would be need to be assessed through the planning process, but any applications would be considered premature if they were
 D submitted before the examiner had made a decision. He expressed sympathy that the changes made by the Planning and Compulsory Purchase Act 2004 meant that the council’s decision in respect of the Oxford Gardens Conservation Area Proposal statement could no longer be given weight. He added that, contrary to the petitioners’ view, the area had been subject to applications for development before, but this had been refused. In 1982 an application was turned down on design issues
 E rather than on the principle of development.

“RESOLVED: (i) to note the cabinet member’s response; and (ii) to invite the cabinet and cabinet member to take fully into account the matters raised during the debate when considering the petition.”

- 50 After the meeting on 15 April 2015 and later that evening Mr Peterson e-mailed local councillors thanking in particular Councillor
 F Mason for his contribution to the debate, and noting that Councillor Coleridge had not responded to the substance of the councillor’s submission. Mr Peterson noted the recognition in Councillor Coleridge’s response that any planning application would need to be deferred or refused as premature until the examiner had reported as “a significant advance, in our terms”. This point in relation to the prematurity of any application being determined
 G prior to an examiner reporting was also noted by Mr Peterson in a letter on behalf of the second interested party to Councillor Coleridge on 17 April 2015.

- 51 In addition, on 17 April 2015 Ms Hammond wrote to Mr Peterson advising that Mr Holgate had asked her and Mr Wade to complete the NPIERS form with him, following which she indicated that it was to be sent
 H in Mr Holgate’s name and the decision as to who of the three nominated potential examiners to appoint would be made by him. Ms Hammond indicated that an examination should be held in September as the statutory time scales would take the process to mid July and it would be preferable to hold the examination after the school summer holidays had finished. Mr Peterson replied by return, indicating that the second interested party

was very unhappy to see the examination deferred until September and that the second interested party could see no problem in holding the examination during school holidays. He pressed his case for expediting these matters on the basis that not only were there local residents waiting for an outcome but also land owners including the claimant awaiting the outcome “with bigger issues at stake”. The NPIERS form was returned to Mr Peterson by Ms Hammond on 21 April 2015 with two points outstanding prior to it being signed out by Mr Holgate. The application form was confirmed as having been received by the RICS on 5 May 2015.

52 In the meantime, on 30 April 2015 the first interested party submitted a planning application to the defendant for 20 four-bedroom family homes. On 11 May 2015 Mr Stallwood wrote to Mr Peterson stating: “A small measure of prior warning for you. We have received an application to redevelop this site for housing.” Later the same day Mr Peterson responded reciting what he described as Councillor Coleridge’s “undertaking that the council would ‘seriously consider’ refusal on grounds of prematurity on any application submitted for Nursery Lane . . . prior to the outcome of the examination of the [neighbourhood plan]”. He went on to explain his concern about the delays which had occurred in formally submitting the plan and finally observed:

“Formal submission of the StQW Draft Plan will now take place very shortly. As you know, the council is then required to publicise the draft for a further six-week period. This timetable has relevance to the issue of prematurity, as CLG PPG 014 makes clear. If there is any suggestion from the council that the StQW Draft Plan cannot be given the weight that it merits as ‘emerging policy’ (and in assessing the question of prematurity) as a result of the fact that the local authority publicity period has not been completed prior to consideration of a planning application for Nursery Lane, there will be predictable uproar from local people in this part of the borough.”

“The fact that an application on Nursery Lane has now been submitted will not be seen locally as a coincidence, unless the council acknowledges and takes account of the part that it has played in creating an extended timetable for bringing the draft plan to examination. The council needs to approach the question of prematurity in a fair and open manner—giving full weight to the fact that the StQW Draft Plan completed its eight week public consultation period on January 25 and that the council has had the outcome of this exercise since February.”

Mr Stallwood responded later that day stating that he had been trying to be helpful to Mr Peterson and therefore had hoped that his response would be more positive. He went on to reassure Mr Peterson that the application would be dealt with openly and fairly.

53 On 12 April 2015 correspondence occurred between Ms Hammond and Mr Peterson about disclosure of material to Historic England. In particular Ms Hammond wished to provide a representative of that organisation with the defendant’s response to the neighbourhood plan which was not at that time in the public domain. Later that day Mr Peterson confirmed he was happy for any of the correspondence passing between the defendant and the second interested party to be provided to

A Historic England. He did make an exception to this expressed in the following terms:

“The document which we are not making public at present is the [5 February] e-mail from JB to the forum. We feel that the examiner will already have enough to have to read. We do not have any problem in correspondence between the council and the forum being made available to anyone who is interested.”

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54 On 14 May 2015 Mr Peterson, on behalf of the second interested party, wrote to Mr Wade raising the question again of whether or not the site fulfilled the definition of previously developed land. Mr Peterson contended that the question was now urgent in the light of the submission of the planning application, and sought confirmation of what had been stated in the first interested party’s planning consultant’s planning statement, namely that officers had suggested in pre-application advice that “though the site does not display all the characteristics of PDL . . . it does fulfil criteria for PDL in some respects and these should be taken into account in assessing a development proposal for the site”. Mr Peterson pointed out that he had been previously advised that the defendant’s pre-application advice did not give a view on the question of whether or not the site was previously developed land but this appeared incorrect. In this connection Mr Peterson advised that the FOI request for the pre-application advice had been reactivated. He explained that he was pressing this point on the basis of the proposed policies in the submission draft of the neighbourhood plan and in respect of a further proposed draft policy on previously developed land sites.

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55 On 17 May 2015 the draft neighbourhood plan was submitted to the defendant for the purposes of a statutory consultation period lasting from 4 June–16 July 2015. After its submission correspondence ensued in relation to the production of the consultation leaflet. Ms Hammond suggested that the leaflet needed to be produced before the consultation could commence. Mr Peterson questioned this suggestion in the following terms:

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“Why does the leaflet have to be printed and distributed before the draft plan goes onto the [council] website and the start of the publicity period? It is after all a six-week consultation. As you will appreciate, we are sensitive on the subject of delays to the start of the consultation—given that Metropolis Property have submitted their application and the issues around ‘prematurity’. Any significant gap between submission and the start of the consultation will become an issue, if this is seen as tactics by the council.”

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56 On either 21 or 22 May 2015 Mr Peterson attended a workshop in relation to neighbourhood planning in London, which featured a session in which Mr John Parmiter, the person who as it will become clear became appointed to be the examiner of the neighbourhood plan, was making a presentation. It appears from the evidence that Mr Peterson had a brief conversation with Mr Parmiter during the course of that event. On 23 May 2015 Mr Peterson wrote to Mr Bore again addressing the question of the defendant’s approach to pre-application advice and their failure to disclose the contents of that advice to the second interested party. On 26 May 2016 Mr Bore replied advising of his view that pre-application discussions between council officers and developers should remain confidential on the basis that

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they enable developers to obtain planning advice “without fear of widespread publicity and reaction”, and also allowed them to share confidential information for instance in relation to viability and ownership matters. Mr Peterson responded later on the same day contesting Mr Bore’s opinions, and suggesting that the defendant had not been as positive and supportive of the neighbourhood plan as in other areas. Moreover he contended that the defendant’s approach to pre-application advice differed from the approach taken in the London Borough of Camden. Mr Bore responded on 27 May 2015 explaining that there was a difference between developers giving pre-application presentations to residents and members and pre-application advice which was a process which needed to remain confidential. He expressed views as to what he considered to be shortcomings of the approach taken in Camden.

57 Shortly after receiving Mr Bore’s response on 27 May 2015 Mr Peterson chased the outcome of the FOI request and Mr Derek Taylor, one of the defendant’s development management area team leaders, responded indicating that the deadline was not until 11 June. He went on to indicate in his e-mail the following in relation to the first interested party:

“It won’t surprise you to know that they have been trying to move fast with their proposals for the site. Rather than heed our advice to continue with evolution of their proposals through pre-application discussion, they elected to submit a formal application instead, fearful of the impact of a neighbourhood plan being adopted with a designation for the site that would preclude development. Even now the draft plan is clearly a material consideration to be applied to their proposals. However I won’t say more about the application at this point, as clearly it is out to public consultation and we then need to assess all representations and comments, and we’re some way from hearing from our various internal and statutory consultees as well, but we can discuss it further in the near future.”

58 It appears that on 27 May 2015 Mr Peterson had a meeting with the first interested party in relation to the planning application. The following day he wrote to Mr Derek Taylor and prefaced his e-mail in the following fashion:

“These were the main points arising from a meeting which I had yesterday (along with a representative from the Nursery Lane action group) with London Realty and with SPS Broadway. This e-mail to you and your colleagues is not in the nature of a representation on the planning application, and should not be posted on the planning file as such. It is part of what the StQW Forum sees a continuing dialogue with the council on the StQW Draft Neighbourhood Plan . . .”

The e-mail went on to explain that the second interested party still continued to object to the application on the basis that it was “the wrong sort of housing development for the area, on the wrong site”. Mr Peterson went on to express his concern that the first interested party did not understand the implications of parking problems and the benefits of parking permits as well as the second interested party’s concerns in relation to the fact that no affordable housing units were proposed on site. He concluded his e-mail by reiterating his concerns in relation to access to the pre-application advice

A that had been provided by the defendant. Mr Taylor responded thanking Mr Peterson for his e-mail and stating that he had copied in the case officer “for his information only, not to be confused with your representations on the application”.

B 59 It appears that by 3 June 2015 the defendant and second interested party had received CVs from three candidates from whom the examiner was going to be chosen. In an e-mail to his colleagues on the second interested party’s management board providing brief details in relation to the credentials of the three potential candidates, Mr Peterson asked his colleagues for thoughts “as to which of three we should try to get appointed”. Following this, on 9 June 2015 Mr Peterson wrote to Mr Holgate in the following terms:

C “Our management committee has considered these three sets of CVs, and we would propose John Parmiter as our preferred choice. Paul McCreery we did not feel has sufficient relevant experience or background. Our reasons for choosing John Parmiter over Jeremy Edge are as follows:

D “• he has relevant experience of examining a complex draft neighbourhood plan for an area of Camden larger than the StQW neighbourhood;

“• he has an earlier career history as a planning officer in Westminster and Camden;

“• he has experience of environmental and heritage issues;

“• he has specialised in economic viability issues;

E “• he has attended a number of courses on the legal framework for neighbourhood planning;

“• both Joanna Hammond and I heard him speak recently on his experience of examining the Fortune Green and West Hampstead Draft Plan, and his approach appears both thorough and fair-minded.

F “We hope that the council will accept this recommendation from us. I am copying this to Joanna Hammond and will liaise with her as to next steps.”

G 60 Having received this e-mail Ms Hammond wrote to Mr Holgate indicating that whilst she had not seen the CVs that had been sent to him on Mr Peterson’s insistence, she would concur with his view that the West Hampstead examination was the closest to the present case. Mr Holgate then indicated to Ms Hammond that that was “fine by me” and asked her how to proceed. She suggested that he respond to NPIERS and the second interested party stating that they would wish to select Mr Parmiter. Mr Parmiter’s appointment was confirmed by Ms Hammond on 24 June 2015. She forwarded Mr Peterson’s e-mail of 9 June 2015 as confirmation that the second interested party approved his appointment. She explained that there would be a tight time scale and if a hearing was necessary it would be held in September. Mr Parmiter replied on the same date thanking her for the confirmation and for the second interested party’s e-mail. Mr Parmiter copied Mr Peterson into his e-mail indicating that in order for there to be a referendum by the end of the year he would have to concentrate his time in September which was possible but that October would be “more

comfortable”. Also on the same date Mr Peterson replied in the following terms: A

“Dear John,

“Thanks for copying me in to your e-mail to Jo Hammond. We are glad to hear that you are able to undertake the examination of the St Quintin and Woodlands Draft Neighbourhood Plan.

“From the forum’s perspective, we would be content if the examination hearing (assuming one is held) needs to be towards the end of September and the report-writing in October. We would not wish you to be under time pressures at this stage of the process, given how long it has taken us to get here.” B

From appointment of the examiner to the production of his report C

61 By this stage the second interested party had supplied the advice on the first interested party’s application which they had received from Mr Matthew Horton QC on 12 June 2015. On 17 June 2015 Mr Peterson was in correspondence with the defendant’s property manager in respect of corporate property Mr David Vickerstaff in relation to whether Nursery Lane was adopted highway, why it had been recently resurfaced, and whether or not the council had, in that connection, had any dealings with either the claimant or the first interested party. D

62 On 24 June 2015 solicitors acting on behalf of the first interested party wrote to Mr Stallwood principally in connection with the petition which had been received by full council on 15 April 2015. They observed that the minutes of the meeting recorded Councillor Coleridge expressing the view “that planning applications coming forward in respect of these ‘green spaces’ would need to be assessed through the planning process, but would be considered premature if submitted before the examiner into the neighbourhood plan had made a decision”. The letter made the case that prematurity could not properly be applied to the first interested party’s application which was “for a relatively modest housing scheme on a site of 0.48 hectares”. Further arguments were advanced both against the suggestion that prematurity applied to the application and contending that the application fell to be determined in accordance with the defendant’s usual planning procedures: suspension of determination of the application “would be wrong and open to challenge”. E

63 On 30 June 2015 Ms Parker wrote an e-mail to Ms Hammond and Mr Wade describing a seminar which she had attended the previous day at Landmark Chambers at which Mr Peterson was also in attendance. She records in the e-mail that Mr Peterson raised some questions directly bearing upon the neighbourhood plan and in particular raised the following point: F

“Mr Peterson also challenged whether the [local planning authority] has the power to modify the [neighbourhood plan] after receiving the examiner’s report to ensure it meets the basic conditions before submitting to a referendum. The panel were clear there was such a power.” G

64 On the following day, 1 July 2015, Mr Peterson wrote to Mr Stallwood in response to the letter from the first interested party’s H

A solicitors of 24 June 2015. In the letter he sought to refute the arguments made. He also commented upon a further letter from the first interested party's planning consultants and invited the defendant to note the following point:

B “The letter misrepresents the position the council has taken on the local green space designations proposed in the StQW Draft Plan for the three remaining St Quintin backlands. The council has *not* concluded that the Nursery Lane land would fail to meet the [Framework] criteria for LGS designation. The council has accepted that this is a matter for the independent examiner of the neighbourhood plan to decide, on the evidence.”

C When the first interested party met Mr Taylor and another officer of the defendant on 7 July 2015 the defendant's representatives raised the question about the principle of residential development on the site at the meeting.

65 On 10 July 2015 Historic England provided their advice in relation to the neighbourhood plan. They focused in particular on the backland sites as open spaces including the site owned by the claimant. Their advice was expressed in the following terms:

D “With regard to the new policies 4b and 4c we note that the justification rests in part on the evidence contained in the council's 1990 Conservation Area Proposal statement (‘CAPS’). As we previously indicated a robust and up-to-date evidence base is necessary for conservation policies to be justified and effective. Given the limited weight that can be given to the CAPS document due to its age, we welcome the additional work included in Appendix C carried out by the neighbourhood forum that seeks to justify these policies. In our view it is regrettable that the contribution that these backland areas make to the Oxford Gardens Conservation Area has not been subject to recent review by the council as part of their review of conservation area appraisals, or by local residents using a structured approach in line with our Understanding Place guidance documents. Both types of review would have provided robust support for these policies.

F “Nevertheless we consider that a case has been made for the policies that seek to conserve the backland sites as open spaces. In line with the council's CAPS document the additional evidence in the neighbourhood plan suggests that these backland sites have been, and remain, important features that contribute to character of this part of the Oxford Gardens Conservation Area. We also consider that the evidence in the neighbourhood plan could make a valuable contribution to the forthcoming review of the conservation area appraisal.”

G 66 On 15 July 2015 the first interested party made further representations to the submission version of the neighbourhood plan rehearsing their objections to its proposals in respect of the site. On 16 July 2015, alongside receiving a letter from Mr Taylor on behalf of the defendant questioning the principle of the residential development for amongst other reasons the question of prematurity, the first interested party withdrew their planning application. Also on the same day Mr Parmiter was formally instructed by Ms Hammond to act as the examiner for the neighbourhood plan.

67 On 22 July Mr Parmiter wrote to Ms Hammond indicating that he had decided that a public hearing was necessary and provisionally suggesting an agenda including four topics, identifying as item three the issues in relation to the site as proposed green space and asking the questions: “is it demonstrably special to the local community? . . . how does it hold particular local significance?” The generic e-mail address for the second interested party was included on the circulation list of that e-mail, leading Mr Peterson to reply to Mr Parmiter in the following terms:

“Thanks for copying us into your e-mail to Jo Hammond. I assume that we may also comment on whether your proposed topics cover the ground of the content of the StQW Draft Plan? We have a few suggestions to make, and I will get back to you and Jo Hammond on these, if this is acceptable.”

“I note that Jo Hammond has sent you a copy of the RBKC comments on the latest consultation, as a separate document, given that the full set is a little hard to follow as a continuous comment. Likewise I am enclosing the comments that we submitted, covering recent events locally and some developments on the legal front since the StQW Draft Plan was submitted in May.”

68 Mr Parmiter responded on 23 July 2015 indicating that he was sensing a misunderstanding about the examination, and pointing out that the examination was already underway and was not to be confused with the possible public hearing which was for his benefit and not in any sense a public meeting. He went on to observe:

“As a general rule, now that the consultation period has closed I am not going to accept new material. I believe Jo sent me their comments as their comprehensive are reps to the Plan, which was not strictly necessary, but also their official position on conformity, which they have to. I will see copies of all original comments next week, no doubt. I note what you you (sic) have sent me but I don’t need anything else at this stage. In passing, I note that Jo sent me a copy of the 2015 FM viability report, which is not part of your evidence base, so I will give you the opportunity to respond to that at the hearing. I can see the PBA material you refer to on line.

“Can I urge you and the council to keep on talking. I appreciate there are, in some cases strong, differences between you but I would find it helpful if you can continue to seek agreement on any matters that you can (such as viability evidence); also if you can suggest to me any improved wording to policies (eg where the language could improve use in development control), or mapping, where appropriate, I would find that helpful.”

69 On 24 July 2015 Mr Peterson again wrote to Mr Parmiter in response to his e-mail indicating that the second interested party would wish to make its views known in relation to a 2015 viability report relevant to the Latimer Road issues. He asked whether or not the list of questions proposed for the agenda could be shared with the second interested party’s management committee. Later that day Mr Parmiter agreed to it being shared. In response to this on 27 July 2015 Mr Peterson sent a lengthy e-mail to Mr Parmiter suggesting additional material contributions in respect of all four topics that

A had been provided on the draft provisional agenda. In particular in relation to the site Mr Peterson proposed that there should be discussion on whether the site was previously developed land as he suggested that the second interested party thought that that was relevant to its proposed LGS designation, as well as being a matter on which the second interested party and the planning advisers to the claimant and the first interested party had very different views. He went on in the e-mail to comment on the names B which had been suggested alongside the draft provisional agenda as being participants in the examination, indicating that two of the names were wholly new to him and providing background in relation to other individuals. He stated that he was providing this information “as it feels important that there is transparency as to whom is giving views at an examination hearing”. On 27 July 2015 Mr Parmiter responded in the C following terms:

“The purpose of the hearing is to help me on specific matters. It’s not an opportunity for people to express views that I’m already aware of and can deal with from the written material before me. Or because they want to emphasise points already made. But I do understand your points!”

D 70 On 31 July 2015 Mr Peterson was in contact with Ms Hammond expressing his frustration in the delays fixing the date for the examination. Indeed on 3 August 2015, whilst Ms Hammond was on leave, he was in communication with one of her colleagues to seek to attempt to fix the date of the hearing. On 4 August 2015 Mr Parmiter provided the formal agenda and questions for the public hearing in the light of the fact that a date and venue had by then been agreed. There was then direct liaison between E Mr Parmiter and Mr Peterson over corrections to the details on the agenda and publicity for the public hearing. On 5 August 2015 Mr Peterson sent Mr Parmiter information in the form of an e-mail from Imperial College dealing with plans to construct a pedestrian/cycle underpass under a railway line adjacent to Latimer Road. He expressed views in the e-mail as to the possible effects which might arise in planning terms from the construction of the underpass. On the following day, 6 August 2015, Mr Parmiter sent an F e-mail to Ms Hammond expressing the concern that he was having difficulty locating some documents on the website. Mr Peterson was copied into this e-mail, and on the following day he provided the documents to Mr Parmiter direct. On 17 August 2015 Mr Peterson advised Ms Hammond that the hearing for the examination had now been fixed for 22 September 2015.

G 71 On 26 August 2015 the first interested party’s planning consultant wrote to Ms Hammond in relation to the arrangements for the hearing and asking for a copy of their representations from July to be forwarded to the examiner. This was forwarded on to Mr Parmiter by Ms Hammond and Mr Peterson was copied into her e-mail. On the same day Mr Peterson wrote an e-mail commenting upon the suggestion contained in the first interested party’s planning consultant’s letter that both they and representatives of the claimant should be included as participants at the hearing. Whilst he H indicated that the decision was finally for Mr Parmiter, he rehearsed his concerns in relation to what he considered to be a lack of clarity as to the nature of the legal interests in the land that either the claimant or the first interested party enjoyed. Mr Parmiter responded on the same day: “you will have the opportunity to put all this to me at the hearing.” Alongside this

Mr Parmiter e-mailed Ms Hammond indicating that he was content for both the claimant and the first interested party to be invited to attend but that he did not require any additional representations as the consultation period had closed. A

72 Following a meeting between Mr Peterson and officers of the council on 28 August 2015, as a reaction to the examiner's indication that they should continue to talk and endeavour to reach agreement, Mr Peterson wrote to Mr Parmiter a lengthy e-mail bearing upon the questions of viability in relation to the neighbourhood plans proposals at Latimer Road. He advised that the second interested party had obtained their own evidence in response to the 2015 viability report commissioned by the defendant. He enclosed with the e-mail a copy of the second interested party's new viability report, contending that it should be received as an exception to the examiner's reluctance to receive new evidence and offering the opportunity for others to comment upon it at the hearing. On 1 September 2015 Mr Parmiter advised that he was not prepared to accept new material at that stage, in particular since the viability material had relevance to a wide range of parties with interests in Latimer Road who it would not be possible to re-consult in relation to the new evidence. B C

73 On 3 September 2015 Mr Peterson wrote responding to some comments on the neighbourhood plan from Westway Trust. On 4 September 2015 Mr Parmiter responded to Mr Peterson and others including representatives of the Westway Trust and Ms Hammond stating: "I am not taking on board late submissions." Also on 3 September 2015 the first interested party had a fifth pre-application meeting with the defendant; the defendant's notes of this meeting illustrate the principal concerns were in connection with housing design and layout, without any reference being made to prematurity or the principles of development. D E

74 Discussions continued between the defendant and second interested party as to potentially agreed edits to the neighbourhood plan, and on 10 September 2015 Mr Parmiter thanked Ms Hammond and Mr Peterson for updating him in relation to the outcome of their discussions and encouraged them to continue. He also asked about the arrangements for the hearing. Mr Peterson responded on the same date indicating that Ms Hammond would be able to update him in relation to the attendance of participants. On 11 September 2015 Ms Hammond indicated that two individuals had declined the invitation to attend and that she would chase Mr Butchoff and Mr Jones who had been listed as participants. On 14 September 2015 Ms Hammond advised that neither Mr Butchoff nor Mr Jones could attend the hearing. On 17 September 2015 Mr Parmiter expressed his regret that these participants would not be able to attend but indicated that the absence of these individuals was not critical to the examination. He queried the arrangements for a site visit to the site, and Ms Hammond confirmed that the planning consultants for the claimant had made arrangements for access to be obtained. In response to this Mr Peterson indicated his availability and sought confirmation that the protocol would be similar to a Planning Inspector's site visit namely that "the various parties keep quiet and let John see the site for himself, without comment or additional lobbying". Mr Parmiter confirmed that that was indeed the case. F G H

A 75 In the meantime, and in connection with development proposals at the site, Mr Peterson had written to Ms Ruth Angel at the defendant's housing department seeking an assurance that the defendant had considered the potential commercial value of the access way to the site as a form of ransom strip in the event of development being granted planning permission. In his e-mail to Ms Angel Mr Peterson went on to explore and seek a reaction

B to the second interested party's suggestion that if the defendant were to purchase the site there might be opportunity for development of a small part of it as extra care housing, whilst retaining the rest of it as green space for use by local residents. In connection with this suggestion Mr Peterson drew attention to the fact that Octavia Hill had been in contact with the second interested party when the land was on the market, and that their offer had been rejected in favour of the first interested party's offer for "a development

C of luxury market housing", whereas Mr Peterson's understanding was that Octavia Hill were a preferred partner of the defendant in relation to sheltered and extra care accommodation. Ms Angel responded on 21 September 2015 indicating that she also understood that Octavia Housing Trust had expressed an interest unsuccessfully, and advising that she was unable to help Mr Peterson any further.

D 76 On 18 September 2015 there was an exchange between Mr Wade and Mr Peterson in relation to the procedure for the hearing. Mr Wade indicated that whilst it was ultimately for Mr Parmiter to determine, he and Ms Hammond might "hot seat", taking it in turns to represent the defendant at the hearing. In response Mr Peterson suggested that he thought Mr Parmiter had been clear that representation would be one person per organisation and went on to observe:

E "Supposing StQW were to wish to 'hot seat' as well? I think that if you are intending to make such a request it should be raised with him advance [sic], as we discussed at our last meeting. We may otherwise choose to object at the lack of notice.

F "We will not be happy to see e.g. Rolfe Judd Planning being allowed to swap between Nigel McGurk and one of their own staff more familiar with the Metropolis development proposals. If they choose to go with a hired consultant for the occasion, that is their choice and they need to stick with it even if he is not fully briefed on all the detail.

G "Alternatively, if JP is going to allow extra people to take the place of the main representative, as it suits, then there a number of people [sic] with whom I may want to 'hot seat' at different points of the day and for specific issues."

77 It appears that this discussion may have emerged from an e-mail of 14 September 2015 from Mr Peterson to Mr Parmiter in which Mr Peterson had observed the following in relation to participation at the hearing:

H "We are a little concerned at the lack of proposed 'participants' who have responded and are able to attend the hearing, other than CgMs Consulting and Rolfe Judd Planning and Tania Martin. Others of the public attending next Tuesday may feel that this arrangement does not provide for a very balanced view 'at the table'. If you wished to invite a representative of the Nursery Gardens Action Group (the group which organised the Save our Green Space petition earlier this year) I can

provide Jo Hammond with e-mail addresses for several of those local residents involved. A

“We would welcome confirmation from the council as to who will be representing [the council]? (a question which I left with Jon Wade and Jo Hammond when we last met).

“I am assuming that I will need to provide a response on behalf of the forum to most if not all of the questions on your agenda, and that there will not otherwise be an opportunity to make representations on other matters? We are aware that different examiners have taken different views on whether material on transport issues should be included in [neighbourhood plans, or excluded as not being a planning or development matter. Christopher Lockhart-Mummery suggested in his health-check of an earlier version of the plan that some of the transport text was extraneous.” B C

78 On 21 September 2015 Mr Jones responded to Ms Hammond indicating that he was unable to be present at the hearing and expressing his concern that others who would be available should be invited to speak, and in particular that other owners in Latimer Road should be permitted the opportunity to speak. Ms Hammond responded indicating that she would pass Mr Jones’s comments to Mr Parmiter and asked whether he was aware of any other owners who might be available to speak at the examination the following day. Having had the e-mail forwarded to him, Mr Parmiter indicated that if an owner of one of the units in Latimer Road was in attendance he might be prepared to hear them, but that this was not critical. He noted with interest the point made by Mr Jones in his e-mail about the absence of transparency for local people as to what was happening. D E

79 On 22 September 2015 the examination hearing took place. On 25 September 2015 Ms Parker e-mailed Ms Hammond and Mr Wade asking how the hearing had gone. Ms Hammond replied in the following terms:

“I came out feeling a bit despondent, but the examiner handled it very well and it may just be that he was making a real effort to be very even handed. F

“I’d be amazed if he thinks the Nursery Lane site is ‘demonstrably special’ to the local community because he went to look at the site as part of the hearing. Where he will decide on the strategic policy question is harder to guess but he was asking some probing questions about evidence of the viability of the development they are proposing (they don’t have any). G

“We expect his report for fact checking in mid October . . .”

80 On the same day Mr Peterson wrote to Ms Hammond noting that the hearing had concluded and drawing attention to the next key decision for the defendant, namely that following receipt of the examiner’s report the defendant would have to decide what action to take in response to each of the recommendations and whether to send the plan to referendum. Mr Peterson sought an undertaking that the second interested party would be able to have a chance to see the key decision report in draft before it was published. On 28 September 2015 Ms Parker advised Ms Hammond, having seen Mr Peterson’s e-mail, that this would not be “part of the usual process”, but that subject to Councillor Coleridge being agreeable it would H

A not be prohibited to disclose the draft report to the second interested party prior to it being published. She went on to suggest that a better way of involving the second interested party might be to share the defendant's conclusions with them, and then include their comments in the reports, agreeing to let them see the draft report before it was published.

B 81 The issue was then raised with Councillor Coleridge who expressed concern as to how the defendant's conclusions might be shared without the second interested party seeing the draft report. Ms Hammond responded that the defendant could share its conclusions on the examiner's report with the second interested party, and thereafter write the report including any comments which the second interested party might have on the defendant's conclusions. She observed that the advantage would be that the second interested party would have the opportunity to comment in advance, but
C that the report would clearly remain the defendant's upon which the second interested party could comment in the usual way when it was published. This was a proposal which she then shared with Mr Peterson through an e-mail of 30 September 2015. Mr Peterson responded on the same day noting that the response sounded "a bit ominous" in the following way:

D "The circumstances with which a local authority can make further modifications or decline to accept the recommendations of an independent examiner of a neighbourhood plan are heavily constrained, as you will know. Schedule 10 [to] the Localism Act (now 4B of the [Town and Country Planning Act 1990]) sets these out at [paragraphs] 12 and 13.

E "I think that the council has already accepted that the draft plan meets the necessary EU Human Rights Convention [sic], as well as the authority's statutory duty on conservation. The screening opinion and what was stated at the public hearing would seem to cover these requirements.

F "Were the council to be minded to reject the examiner's decisions on the basic condition of 'general conformity', we would be in territory which (to my knowledge) is uncharted in respect of the near 100 neighbourhood plans which have passed the examination stage. The council would be attempting to substitute its own view on this question in the place of an independent examiner who has carried out a full review of all the documentation and held a public hearing. I am not aware of this ever happening anywhere else across England.

"I trust that the council is not even considering going down this road, and that this is not the reason for the department's reluctance to make available to us the relevant key decision report as a draft?"

G "We will have to wait until John Parmiter issues his report and his decisions on this issue. But it is as well that you and Councillor Coleridge should know that any attempt by the council to override the decisions of an examiner, and to 'not allow' certain StQW policies to proceed to referendum (this being what Jonathan Bore threatened in his 6 February e-mail to us) will meet with a very robust and very public response."

H 82 On 30 September 2015 Mr Peterson wrote to Ms Hammond in relation to a contention made on behalf of the first interested party at the hearing. He raised the issue in the following terms:

"One of the stranger claims made by Nigel McGurk when giving evidence on behalf of Metropolis Property, at last week's public hearing,

was that the council has itself been involved in a ‘waste recycling operation’ based at Nursery Lane. This was part of the argument made by Rolfe Judd Planning that the land has long been an ‘operational depot’ rather than in agricultural/horticultural use since the 1960s. A

“When I was at the site visit after the hearing, I was shown a photograph by one of the consultants/agents for Metropolis Property which appeared to show a [council] refuse vehicle parked in the middle of the Nursery Lane site. B

“When I raised this at our public meeting last Thursday, none of the residents present (including those who live round the site and who had been at the hearing) could offer any explanation.

“In all the planning files on the site, going back to the 1950s, I have never seen any reference to [the council] having a contract or permission to do anything on the site, ‘waste recycling’ or otherwise. C

“It seems to us that the most likely explanations for the presence of a [council] refuse vehicle on the site are as follows:

- RBKC were commissioned by Clifton Nurseries to take part in the extensive removal of fly-tipped waste that was organised by Clifton in March/April of this year, before they left the site. This seems unlikely, as we noted private contractors on site for this operation. D
- A RBKC refuse vehicle has been taking part in some recent and unofficial operation to dump waste on the site.”

“It is clear from the heritage statement provided by Metropolis that they wish to make great play of the fact that the land is in a ‘degraded’ condition rather than a potential asset to the conservation area.”

“So we would like to get to the bottom of why a [council] refuse vehicle should have been photographed on the site, and whether [the council] has ever entered into any official arrangements (contractual or otherwise) to use the site for any purpose to do with waste recycling? Whom should I address this query to? Mr Siddique, or the newly appointed interim director of environmental services?” E

83 Mr Parmiter was copied into this e-mail, alongside other officers of the defendant, on the suggested basis that it involved clarification of points raised at the hearing. Ultimately a response was received from the defendant’s contracts manager indicating that the only records which they had were of five visits by waste crews to 1 Nursery Lane per week, which would be the only reason why waste collection vehicles would have been at that location. F

The examiner’s report G

84 On 13 October 2015 Mr Parmiter wrote to Ms Hammond and Mr Peterson enclosing a copy of his report, and providing it to them for the sole purpose of checking it for inaccuracies or identifying where in their view his reasoning was unclear or insufficient. Mr Peterson replied thanking him for the report and for his work on the examination, and indicating that he would return a tracked version picking up minor typos and filling a couple of identified gaps. He raised a “substantive query” in relation to a policy concerned with Crowthorne Road and set out reasons why he was puzzled in relation to the inspector’s conclusions. Mr Peterson wrote again on 15 October 2015, attaching a tracked version of the report picking up H

A typographical errors and adding some comment boxes on factual points. It appears that Ms Hammond also provided a track changed copy of the report to Mr Parmiter along with a number of comments and corrections including, for instance, cavilling at Mr Parmiter’s language when he described the council’s approach to defining strategic policies as not “credible”.

B 85 On 18 October 2015 Mr Peterson again wrote to Mr Parmiter commenting upon a phrase in the report which suggested that the Basic Conditions statement accompanying the neighbourhood plan did not address the PPG. He pointed out that in fact there was reference to the PPG in the Basic Conditions statement and he suggested that it was important this was corrected as it “could resurface at a later date depending on how [the council] responds to your recommendations”. Ms Hammond was copied
C into this e-mail. Subsequently on 21 October 2015 Mr Peterson chased the outcome of the defendant’s comments on the report with Ms Hammond. This correspondence escalated on 23 October 2015 when the defendant’s fact check comments had still not been received. Mr Peterson reinforced his concerns in the following manner:

D “As per earlier e-mails, I have kept the draft to myself. But the delay raises my concerns that your department is debating ways of refusing to accept one or more of the examiner’s recommendations—either by questioning his conclusions as part of this ‘fact check’, or via a subsequent [council] decision notice.”

Mr Wade responded on behalf of the defendant in the following terms:

E “I am sorry, I find these e-mails very unhelpful. The report is not being discussed with colleagues and a response will be sent today which is within the agreed timetable. Please do not keep making baseless accusations.”

Mr Peterson responded to this in the following terms:

F “Am sorry if you feel my concerns are baseless and should not be raised. They are based on experience to date and the February 2015 threat from former Direction [sic] Jonathan Bore that the council ‘would not allow’ certain StQW policies to prevail. Plus the more recent refusal of our request to see in draft the [council] key decision report once the examiner’s report is published.

G “Are you able to provide the confirmation requested in my e-mail to Jo, i.e. that the council will accept all the modifications in John’s report and will not seek to add to or to change these? This seems a fairly simple and legitimate question at this stage of preparation of a neighbourhood plan?”

Mr Wade was provoked to respond to this e-mail in the following terms: “you now have our comments. There really is no conspiracy theory here—we have better things to do with our time.”

H 86 As promised by Mr Wade, later on 23 October 2015 Ms Hammond forwarded the track changed version of the report to Mr Parmiter copying in Mr Peterson. After he had received it he e-mailed Mr Wade and Ms Hammond. In doing so he sought confirmation of the defendant’s stance and whether they were going to accept the recommended modifications

without further change, or take the line that the draft plan still failed to meet the general conformity test in respect of certain policies and that the defendant would not be accepting the examiner's modifications. He went on to observe in relation to that latter scenario:

"The latter scenario has rarely if ever happened on an examiner's report, and the popular understanding is that the examiner's decision is final. I do not wish to set any hares running that the position might be otherwise in [the council], but am still puzzled as to why we were told we could not see a copy at draft stage of the forthcoming key decision report. What would be the problem over that, given that the report will not be an exempt item?"

87 Mr Peterson later the same day wrote to Mr Parmiter and Mr Wade disputing and responding to some of the tracked observations that Ms Hammond had put on the document. Shortly after he received this e-mail Mr Parmiter e-mailed Mr Peterson, Ms Hammond and Mr Wade stating: "Lets call a halt here? I now have both your responses and will come to my own view on the matters that remain in contention."

88 On 25 October 2015 Mr Peterson again wrote to Mr Parmiter providing comments on Ms Hammond's observations on the Latimer Road policies. On 26 October 2015 Mr Parmiter replied to him in the following terms: "I have now completed my report and sent it to the council. It is now up to them as to when and how they publish it. Thank you again for all your support." Later that day Mr Parmiter sent his finalised report to Ms Hammond indicating that he would let Mr Peterson know that it had been sent to the defendant but recording that it was not commonly sent to a qualifying body at the same time. Mr Parmiter handed over the question of when it was going to be published.

89 Prior to this on 23 October 2015 Mr Peterson had been writing to Mr Taylor in relation to the outcome of the examiner's report. Having advised Mr Taylor that the examiner had found in favour of the LGS designation on all of the backland sites including the site in question in this litigation, he went on to observe:

"I am now giving thought to how the Legard family and Metropolis Property Ltd will react to this outcome. Assuming that the council accepts this recommendation (and Councillor Coleridge gave every indication that it would do so, at the council debate on 15 April) and assuming the draft plan is successful at referendum, the level of planning protection against future development at Nursery Lane now looks to be solid."

Mr Peterson went on to seek guidance in relation to the defendant's view as to the existing uses of the site and the ends to which the site might be put. He observed that he considered that local residents would want to know the defendant's stance on the status of the site as soon as the examiner's report was published. In a similar vein Mr Peterson wrote to Mr Stallwood seeking a meeting in relation to the wording of the key decision report on the examiner's recommendations, which he considered needed to be undertaken with great care and "an eye to potential legal consequences". Mr Stallwood responded reassuring Mr Peterson that the defendant's officers were well aware of judicial review risks and the need to choose the right language in

A producing written material. Mr Stallwood indicated that the report would be prepared under Ms Hammond and Mr Wade's supervision. Mr Peterson responded indicating that the "JR scenario" he was considering related to positions that Ms Hammond and Mr Wade had already taken to date, and which were a matter of record, and as such expressing his uncertainty that they were the best people for him to be discussing these matters with.

B 90 On 28 October 2015 Ms Hammond advised Mr Peterson that she was going back to the examiner with some minor points, and therefore did not have at that point a final version of the report, and suggesting that they meet the following day to discuss his concerns. By return Mr Peterson confirmed the appointment for the following day but expressed his view that it was not acceptable for the defendant to be going back to the examiner with minor points at this stage, and observing that all correspondence had been copied to the second interested party as well as the defendant and inquiring what the points were. Ms Hammond responded advising that the changes were minor typographical errors where track changes had gone wrong. On 29 October 2015 Mr Peterson met with Ms Hammond and Mr Wade; and on the same day wrote after the meeting to Mr Taylor, stating that he had met with Ms Hammond and Mr Wade to discuss the reaction that there might be from the first interested party and the claimant in response to the examiner's report which was about to go public. He alluded to his understanding that there was some form of legal action going on between the defendant's corporate property department and the claimant over rights of way over Nursery Lane, which was a private road. He went on to return to what he considered to be the untidy state of the site and inquiring as to what uses the site might be put without further planning permission.

E 91 The report of the examiner is dated 26 October 2015. So far as particularly pertinent to the matters engaged in this case the conclusions which he reached as to the designation of the site were set out as follows:

"7. Open spaces

F "7.1 Objective 4 is to protect and enhance the area's open spaces, gardens and trees, both private and public, bringing 'backland' green areas into community use where ownership permits. At the heart of this part of the plan is the designation of three sites as local green space. The designation of the Nursery Lane 7.3 as a local green space ('LGS') site was one of the most contentious aspects of the plan.

G "7.2 The plan's Annex C contains the justification to these designations, which are made in the context of the ability to so designate, as explained in paragraph 76 of the Framework; though the glossary contains no definition of local green space. However, the Framework refers to both green areas as well as open space (providing a definition for the latter, to which I was directed by the site's promoters but found only partially helpful in the context of the wider scope of LGS in the body of in the Framework itself).

H "7.3 The Framework (at paragraph 77) sets out the three conditions for designation, explaining that such designations will not be appropriate for most green areas or open space. Two of the factors (first and third bullet points) are that the space should be reasonably close to the community it serves; and that the green area be local in character and not

a large tract of land. All three proposed sites meet these two conditions. All designations must meet all three conditions. A

“7.4 The remaining condition has two parts: where the green area is demonstrably special to a local community; and that it holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife. The list is clearly illustrative.

“7.5 The three sites are the remnants of ‘backlands’ that formed part of the original estate layout. They are referred to (in general) in the [CAPS] (which has its origins in the 1970s), have been referred to in planning appeal decisions (as open spaces to be protected from development) and are identified in the Consolidated Local Plan (map on p 216) as ‘Garden Squares or other green spaces’. The council considers that adopted plan Policy CR5 (which protects open spaces) applies to all three sites. B

“7.6 From my consideration of the evidence, the representations made and my own inspections, I have concluded that the West London Bowling Club and the Methodist site (sites 1 and 3 on map 3) meet the three conditions and can be supported as designations. C

“7.7 The Nursery Lane site was the subject of significant interest, extensive representations and one of the principal topics of the public hearing. Nursery Lane was in horticultural use, recently ceased, which could continue with or without designation. D

“7.8 The key question was whether the site met the second condition. The case was made for the owners and their development partners that the use was essentially a commercial operation, on what is akin to previously developed land, was not identified in the 2004 audit and that it could not meet the elements of the second condition—beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife. E

“7.9 In the extensive written representations and orally each element of its alleged significance was rebutted as not applicable to the site. I don’t repeat here the detail of the cases made in writing or orally at the hearing. That it failed to gain listing as an asset of community value also pointed to its lack of significance. The point was made that local people were really opposed to a recent planning application not the value of the space itself. It was not demonstrably special. F

“7.10 The local community disagreed. The forum and others pointed to the history of the site which was originally in recreational use during the 1950s and early’60s, which later became horticultural without the need for planning permission (being within the definition of agriculture). I do not regard the site as previously developed land. The southern part of the original site has, however, been developed for social housing. G

“7.11 The forum and others pointed to previous housing proposals and the recognition of the site’s status as open space in an appeal decision. They pointed to the long history of local opposition to its development, most recently, the petition against housing, which attracted 2,500 signatures (which triggered a debate in full council)—the application has since been withdrawn. They pointed out the significant number of representations, particularly from those in the site’s vicinity, to retain the site as green/open space. H

A “7.12 I find the site to be a tranquil green space where a significant number of households have a direct view of it. Many of the significant number of representations made positive statements about its value to them. The consultation statement annexe records the wildlife and birds that have been recorded, listing the species. The site contains a number of substantial trees, including beech and weeping willows and dense boundary vegetation. The general impression is of a green space that, nevertheless, in parts, has been tipped and strewn with rubbish, as well as the remains of horticultural activity.

B
C “7.13 I find that the backlands have historical significance and have been accepted as a feature of the conservation area at least since the original publication of the [CAPS] (1970s), at the 1982 planning appeal and by Historic England in their recent representations on the plan’s polices and proposals: ‘we consider that a case has been made for the policies that seek to conserve the backland sites as open space.’

D “7.14 Overall, I conclude that from the content of the evidence in Annexe C, from the significant number of representations in favour of the designation and my own site visits, that the site is indeed demonstrably special to the local community; and that it holds a particular local significance for them. It also meets the other two criteria. I therefore conclude that the designation of the Nursery Lane site as local green space meets the Basic Conditions.” (Paragraph numbers as per the original document.)

From the examiner’s report to the key decision

E 92 On 30 October 2015 Mr Peterson wrote, firstly, to Councillors Coleridge and Feilding-Mellon together with Mr Holgate expressing the second interested party’s hope that the defendant would support the policy proposals and allocations which had been endorsed by the examination. He advised that he was unaware of any situation where a local planning authority had sought to make a significant change to a neighbourhood plan after the outcome of the examination and indicated that there would be a public outcry if the defendant sought to do so. He stated that he had no reason to suspect that would be the defendant’s course of action following his meeting with Ms Hammond and Mr Wade, but stated that the second interested party had “not forgotten Jonathan Bore’s repeated insistence that we should drop the main policies from the neighbourhood plan”. He advised that he had also had discussions with the officers with a view to seeking to avoid any judicial review from the claimant or the first interested party as a consequence of the defendant’s conduct. When Mr Holgate passed this e-mail on to Mr Wade it provoked further internal correspondence, in which Mr Wade disputed Mr Peterson’s views as to the defendant’s approach in Mr Peterson’s detailed criticism in the e-mail of what the defendant had done. Mr Wade in particular stated that he and other officers:

“are privately somewhat surprised at the examiner’s support for the Nursery Lane site to be designated as local green space, given what we consider to be the weakness of the arguments put forward, but publicly we have remained neutral on this and will continue to do so.”

He indicated that officers were not objecting to the designation or the examiner's findings in general, and would be recommending that the plan went forward for referendum with the changes recommended by the examiner. Mr Peterson, secondly, e-mailed Councillor Thompson and others forwarding a copy of the examiner's report and advising on the upholding of the designation of the site as an LGS. He again advised them that at his meeting with Ms Hammond and Mr Wade they had indicated that they thought it likely the defendant would accept the examiner's recommendations and Mr Peterson reiterated that there had been few, if any, cases of local planning authorities challenging the recommendations of an examiner of a neighbourhood plan.

93 On 1 November 2015 the first interested party's planning consultant wrote to Mr Stallwood and Mr Taylor requesting that the defendant not accept the recommendations of the examiner and not put the neighbourhood plan forward for referendum. He set out a number of detailed criticisms of the examiner's findings, and indicated that the first interested party intended to seek leading counsel's opinion with a view to pursuing a legal challenge having already obtained the view of other planning professionals involved in neighbourhood planning that the report was unsound.

94 It appears that, following the internal correspondence referred to above, a briefing note for the defendant's members on the outcome of the examination was prepared. Further, it appears that that briefing note was passed to Mr Peterson to provide him with the opportunity to comment upon it. Mr Peterson provided comments including the contention that the briefing felt "more like a statement seeking to maximise 'not agreed' and with no positive comment on the 'agreed' ". He was concerned that the note continued to present the neighbourhood plan in an adversarial context. In response to this e-mail Mr Wade wrote to Ms Hammond suggesting that Mr Peterson might have a point, and he observed: "although we wished to keep it short and simple perhaps it is a bit too stark—probably a few more soothing words for Henry might do it." Also on 3 November 2015 Mr Peterson issued a press release entitled *Planning Victory for North Kensington Residents* and in addition to Ms Hammond and Mr Wade he copied in Mr Parmiter.

95 The briefing note to councillors was agreed by officers and also Mr Peterson and passed for circulation on 6 November 2015. Around this time Mr Peterson was continuing to press Ms Hammond and Mr Wade for an understanding as to whether or not the defendant were proposing to accept the examiner's recommendations. He was also pursuing Mr Vickerstaff in relation to whether there was any legal action ongoing between the site owners and the defendant over the private access road and rights of way. The planning consultants instructed on behalf of the first interested party were seeking to obtain a copy of the petition (which was denied on the basis that it contained personal data).

96 On 12 November the first interested party had its sixth and final pre-application discussion with the defendant. It appears that by this time there was a travelling draft of the key decision report. Mr Taylor made inquiries, having been asked by the first interested party, as to the time-scales for the referendum and the defendant's approval of the plan and whether or not the defendant would be challenging the conclusions on Latimer Road. Ms Hammond advised that the key decision report was being drafted and

A was expected to go to a meeting of the PRSC on 26 November 2015 and that, whilst the officer's recommendation was not to challenge the examiner's conclusions, Mr Taylor ought not to say anything until Councillor Coleridge had had an opportunity to see the report. Within the court's papers was a copy of the travelling draft of the key decision report together with Ms Hammond's comments tracked on to it. At para 5.5 of the draft report, having noted that the council's officers had advised the second interested party that the site would not meet the requirements for designation as LGS, Ms Hammond changed the text from the officers "were content for the draft plan to be submitted this was a matter for the examiner to decide" to "were content for the draft plan to be submitted for the examiner to consider". In her commentary on the tracked change Ms Parker observed: "we were wrong its ultimately for the council to decide."

C 97 On 13 November 2015 Mr Peterson wrote to Ms Hammond and Mr Wade objecting to certain aspects of the key decision report. In particular he objected to reference to sheltered housing having been built on part of the site in the 1970s, and to the description of the site as having use as a storage facility in the light of an e-mail that he had received from the occupiers stating that the land was an agricultural hereditament used for growing and caring for plants. This was resisted later that day by Ms Hammond, but Mr Peterson persisted in pressing the point. Further exchanges ensued in relation to final editing of the neighbourhood plan and on 19 November Councillor Coleridge was asked by Ms Hammond to confirm that he was happy with the recommendations in the key decision report and content for it to be released as a late paper for the upcoming PRSC meeting. Councillor Coleridge indicated that he was happy for her to proceed, following which E Ms Hammond notified Mr Peterson that Councillor Coleridge had authorised the papers for the PRSC meeting going out that day. In fact the key decision report did not contain the amended text suggested by Mr Peterson in his e-mail of 13 November 2015; but in response to Ms Hammond's e-mail on 19 November 2015 he indicated that he considered the key decision report to be robust. In the same e-mail he explained that Councillor Thompson and other local councillors had attended an open meeting of the second interested party the previous evening and were briefed as to the defendant's response to the outcome of the examination.

G 98 On the morning of 23 November 2015 Ms Hammond was contacted by the claimant requesting that he and a representative of the first interested party be permitted to speak at the PRSC meeting, and suggesting that there might be a way for the ambitions of both the second interested party and the claimant to be achieved "whereby, in return for a smaller but landscaped and publicly accessible local green space, a small amount of residential development including affordable housing is allowed". Ms Hammond wrote to an officer in the defendant's governance services department who in turn spoke to the chair of the committee, Councillor Rossi. Later that afternoon Ms Hammond wrote to Councillor Coleridge advising that H Councillor Rossi was going to be speaking to him about developments that day in relation to the neighbourhood plan. In particular she advised that she had spoken to Mr Peterson about the approach from the claimant and that Mr Peterson did not think the second interested party would wish to consider the claimant's proposal. Ms Hammond advised: "in view of this Councillor Rossi feels it would not be appropriate for anyone to address the

committee.” Later that evening Mr Peterson wrote a lengthy e-mail to Councillor Coleridge attaching a copy of a letter which he had written to the claimant that day. In the letter to the claimant he raised once again his concerns in relation to the position as to the ownership of the site and the relationship between the claimant and the first interested party. He offered to meet the claimant if they were still maintaining “a decision-making role” over the future of the land. In his accompanying e-mail to Councillor Coleridge he explained that he had been asked at the open meeting of the second interested party to write to the claimant and, having set out a history of some of the contact between the second interested party and the claimant and the first interested party, concluded in the following terms:

“Hence I think it unlikely that local residents will be persuaded that there should now be any form of negotiation over the proposed local green space designation. The examiner’s reasoning in supporting this designation is clear, and he has been satisfied that stringent national criteria for this form of planning protection have been satisfied. You made it clear in your letter to us following the 15 April council debate that the council would abide by the decision of the examiner.

“There remain a range of uses of the land at Nursery Lane which would be compatible with local green space designation, and the attached letter to the Legards suggests early discussions as to what eventual outcome would make most sense. We hope that the council will be willing to participate in such discussions, and help in finding a solution that will bring long term benefit to this part of the Royal Borough.”

99 On 24 November 2015 there was a further exchange between Ms Hammond and the officer in governance services, and confirmation was obtained that Councillor Rossi was not going to allow the claimant and the representative of the first interested party to speak at the meeting. In the meantime Mr Peterson had written to Ms Hammond stating his view that it would be “inadvisable for the scrutiny committee to decide or to minute anything which could call into question the examiner’s conclusions on Nursery Lane or to hear representations were there to be this prospect”. His reasons appeared from the e-mail to be that the examiner had had all of the material informing the examination, whereas the members would not, and that the members of PRSC were not experienced with planning decisions. They would also not be well placed to decide whether the land was “demonstrably special to the local community”. He went on to indicate his suspicion that the claimants and first interested party would send written representations arguing that alternative sites in the neighbourhood plan were not developable or deliverable, which was why he had e-mailed Councillor Coleridge as set out above.

100 On 25 November 2015 the PRSC met and considered the key decision report. The recommendation of the report was that the recommendations of the examiner’s report should be accepted and the neighbourhood plan proceed to a referendum. So far as relevant to the present proceedings the key parts of the report provided:

“Executive summary

“The Draft St Quintin and Woodlands Neighbourhood Plan has been developed by the St Quintin and Woodlands Neighbourhood Forum.

A It was formally submitted to the council on 17 May 2015. It has been examined by an independent examiner ('the examiner') appointed by the council, with the agreement of the neighbourhood forum. The examiner has concluded that with some modifications the plan meets the basic conditions and has followed the proper legal process required of a neighbourhood plan and should proceed to a referendum.

B "Now that the examiner's report has been received, the council as local planning authority has to decide to accept the report's recommendations or make further amendments before a referendum can be held."

"2.3 The council has to consider each of the recommendations in the examiner's report and decide what action to take on each recommendation.

C "2.4 The council also has to be satisfied that plan meets the basic conditions set out above, or would meet those conditions subject to any modifications the authority consider appropriate."

D "4.4 There are three key issues concerning the Basic Conditions (i.e. as set out in para 2.1 of this report) that the executive director has considered in relation to the draft neighbourhood plan. (a) Is designation of the Nursery Lane site as a local green space (Policy 4a) appropriate: does the space meet the National Planning Policy Framework requirements for designation? Council officers, in their advice to the forum, had indicated that in their opinion the Nursery Lane site would not meet the requirements for designation as local green space because there is no public access, or public views, into the site but were content for the draft plan to be submitted for the examiner to consider. The report to the full council on the Save Our Green Spaces petition clarified that Policy CR5 would apply to this site but concluded designation was not appropriate because: the site had not been in recreational use since the 1970s, sheltered housing was built on part of the site in the late 1970s, the current tenants of the remainder of the site, Clifton Nurseries, use it as a storage facility, there is no public access and public views are largely limited to the rear windows of surrounding houses. This view was reached in relation to consideration of the [Framework] criteria, before the full council debate made the level of local concern clear and Historic England's consultation response supporting designation was received. The council did not comment on proposed designation of the Nursery Lane site in its response to the public consultation and the basic condition statement, or at the public hearing, as a result.

E
F
G "The examiner concluded that the Nursery Lane site meets the requirements for designation: it is reasonably close to the community it serves; it is demonstratively special to the local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field) tranquillity or richness of its wildlife; and it is local in character and not a large tract of land. In reaching this conclusion the examiner noted that the first and third criteria were not contentious.

H "In relation to the second criteria he noted that the list of examples was clearly illustrative and cited: recognition of the site's status as open space in a planning appeal decision; the long history of local opposition to development of the site and the recent petition which triggered a full council debate; his view that the site was tranquil and the significant

number of households that have a view of it; the number of representations about the positive value of the site; the wildlife that has been recorded on the site; the substantial trees and dense boundary vegetation; and the historic significance of the backlands as a feature of the conservation area, endorsed by Historic England as evidence that the site was demonstrably special to the local community and holds a particular local significance for them.”

“4.6 The executive director has considered each of the recommendations made in the report and the basic condition issues discussed above and considers that, with the examiner’s recommended changes, it meets all the necessary legal requirements, and it should proceed to referendum without further amendment.”

101 On the following day Mr Peterson e-mailed Mr Stallwood as a follow up to the meeting the previous evening. In the e-mail he wrote in the following terms:

“The forum has no problem with what was said last night, other than a slight concern that PRSC councillors may have left the meeting thinking that there is some form of ‘challenge’ option provided for at this stage of the neighbourhood planning process. As I am sure you and colleagues (and Councillor Coleridge) are aware, there is no such thing.

“An examiner’s recommendations cannot be legally challenged directly, since these are but recommendations. Nor can the proposals of a neighbourhood forum/parish council (see [section] 61N of the 1990 Act).

“The council’s decision to accept an examiner’s recommendations and to progress a neighbourhood plan to referendum can of course be challenged via [judicial review] in the same way as can any decision made by an English public authority. You will have more experience than me of such legal actions on planning matters (although I have some). As I understand, it is very unusual for a court to override a planning decision unless there is a fault of process or some irrational or *Wednesbury* unreasonable decision has been made [see *Associated Provincial Picture Houses Ltd v Wednesbury Corpn* [1948] 1 KB 223].

“I struggle to see any legal grounds for a challenge in this case, although the Legards (and Metropolis) have the funds to hire the best QCs in the land. So we may see some surprises.”

“It was also helpful to hear public confirmation that the council will support the examiner’s conclusions, in the face of legal action if necessary. As I am sure committee members understood, the council would also be open to legal challenge if it chose to do otherwise.”

102 On 1 December 2015 Mr Peterson wrote to Ms Hammond explaining that he had received no reply to his letter to the claimant and asking whether the defendant had heard anymore from the claimant. He stated:

“There is no planning application in play and I find it hard to see why the family should be given the opportunity to communicate or attempt to negotiate with the council in private. They have had their chance to state their case in public at the hearing in September and this is a matter of public interest in the area.”

A 103 On 2 December 2015 the planning consultants acting on behalf of the first interested party wrote to Mr Stallwood expressing the desire to raise confidentially and without prejudice a matter for discussion which was said to represent a fair compromise suiting all parties. The letter indicated that leading counsel's opinion had been taken and that on the basis of that advice a legal challenge was being prepared. The letter indicated that options for the site had been reviewed and some proposed scheme options were attached to the letter. The letter stated:

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C "We wish to present this option to Councillor Coleridge and ultimately to the neighbourhood forum as representing a fair and equitable compromise which allows a substantial area of land on the site to be designated as local green space (and therefore protected) but also deliver a reasonable provision of housing including affordable housing."

The letter then contained drawings illustrating three options for the partial development of the land leaving the remainder as landscaped open space.

D 104 On 7 December 2015 the first interested party's planning consultants wrote to Councillor Coleridge again expressing their profound disagreement with the examiner's report and the fact that they were preparing a legal challenge on leading counsel's advice and attaching the scheme options which had earlier been provided to Mr Stallwood. The letter stated that they wished "to present this option to you (and ultimately to the neighbourhood forum) without prejudice as representing a fair and equitable compromise".

E 105 On 8 December 2015 the claimant's then solicitors contacted Mr Peterson by e-mail expressing a wish to meet and explaining that they were proposing to take legal action in relation to the plan and seeking to defer the decision to send it to a referendum so as to enable negotiations to occur. Mr Peterson, having spoken to the solicitors on the telephone, then e-mailed Ms Hammond to inquire about the time line for the key decision being reached and whether the defendant's legal department were saying there was a realistic prospect of a successful judicial review. Ms Hammond
F responded stating that she was meeting with the legal department on the following day to discuss the advice to be given to Councillor Coleridge in relation to the points raised by the first interested party's planning consultant. This gave rise to a further e-mail from Mr Peterson later that day expressing concern that he had no knowledge of any approach from the first interested party's planning consultants and asking what they had raised with the defendant. He further explained that any change to the second interested
G party's current position would require them to hold a public meeting to consider the matter which left little, if any, scope for any negotiation.

H 106 On 10 December 2015 the key decision in relation to the examiner's report was signed off by Councillor Coleridge. He explains in the key decision report that on 30 November 2015 he had indicated he was minded to accept the findings of the key decision report. His decision is expressed in the following terms:

"I now direct the council to:

"1.1 Accept the recommendations of the examiner's report and for the Draft St Quintin and Woodlands Neighbourhood Plan to proceed to a referendum.

“My reason for taking the above-mentioned decision was as follows: I concurred with the advice contained in the officer’s report. Before taking the decision I considered a representation dated 7 December 2015 from Rolfe Judd on behalf of Metropolis Property, the developer of the site at Nursery Lane. I have considered the representation carefully and noted that Metropolis Property and the Legard family, the owner of the site, strongly disagree with the examiner’s report. The representation has not however led me to change the decision I indicated that I was minded to take.”

On the same day there was an exchange between Ms Hammond and Mr Peterson by e-mail in relation to the referendum. Ms Hammond states that Mr Peterson had expressed concern about the possibility of 18 February 2016 as the date for the referendum and explaining that the defendant’s electoral services department had said that they could go to 25 February 2016. Mr Peterson accepted that they should go for 25 February 2016 as the date for the referendum.

107 On 26 January 2016 judicial review proceedings in relation to the decision to allow the neighbourhood plan to proceed to a referendum were issued.

The claimant’s grounds in brief

108 It will be helpful at this stage to set out in very brief terms the nature of the grounds upon which the claimant’s application proceeds. There is an inevitable overlap between the various grounds which the claimant relies upon. The purpose of setting them out at this stage is not so as to provide an exhaustive examination of the many points raised by the claimant within each of their broad headings but to provide a framework for an exposition of the relevant law and policy which follows. The analysis of the grounds upon which the claimant’s arguments proceed is based upon the presentation of the claimant’s case at the hearings.

109 The claimant’s ground 1 is a sequence of contentions under the heading of fairness, apparent bias and ultra vires. Starting with the allegation of apparent bias, it is contended by the claimant that the defendant was apparently biased in favour of the second interested party in the neighbourhood plan process and the decision which was subsequently reached. There are a number of features of the factual evidence which are relied upon in this connection. Firstly, the claimant draws attention to the essentially uncontrolled and pivotal role played by Mr Peterson on behalf of the second interested party in the neighbourhood plan process. He was, it is contended, afforded privileged access to the defendant’s members and officers and exerted an overwhelming influence on the defendant which clearly bespoke an apparent bias toward him. Amongst the episodes from the factual history set out above upon which the claimant relies are: the ousting from the choice of the examiner of Mr Bore, the deferral of the preparation of the conservation area appraisal, the selection of the examiner (the approach to which underpins the claimant’s allegation that the role afforded the second interested party rendered the decision to select Mr Parmiter as the examiner outwith the provisions of the legislation set out below), the undue influence in relation to the timing and arrangements for the examination together with seeking to influence who appeared, privileged access in relation to ventilating

A arguments of prematurity, the effective vetoing of the claimant and the first interested party's offer of compromise toward the close of the process and the fact that it appears that the officers never actually expressed their genuinely held professional views to the examiner in respect of the merits of designating the site as LGS.

B I10 It has been necessary to set out the factual history at some considerable length because, it is submitted by the claimant, only by examining the whole of what occurred is it possible to gauge the arguments made in relation to apparent bias by the defendant toward Mr Peterson and the second interested party throughout the neighbourhood plan process. The claimant's argument is that Mr Peterson was permitted to perpetuate a misconception which persisted right up until shortly before the making of the key decision in relation to the neighbourhood plan, namely that it was not for the defendant to decide whether the merits of designating the site as an LGS had been made out. Mr Peterson repeatedly referred to this being a decision for the examiner when, ultimately, it was in truth a question for the defendant. Viewed as a whole, whilst there was no suggestion that the examiner was biased, the defendant was clearly apparently biased in the second interested party's favour.

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D I11 Associated with this ground are also contentions in relation to fairness. The claimant draws attention to the fact that throughout the neighbourhood plan process, Mr Peterson was afforded regular and repeated access to the defendant's officers and members, and was able to present a case to them confidentially about which the claimant knew nothing, and in relation to which the claimant was unable to put its side of the question. In particular, from time to time, the second interested party through
E Mr Peterson was able to put its case directly to the examiner, again without the claimant or the first interested party having any knowledge of the submissions he was making and without them having any opportunity to offer their own perspective on his contentions. Examples of this include the representations which he made following the hearing in respect of the presence of waste lorries on the site, into which the examiner was copied
F without the knowledge of the claimant or those representations being in the public domain.

G I12 An aspect of both this part of the case and also the claimant's concerns in relation to apparent bias is the consistent and continual efforts which Mr Peterson was allowed to make to hurry the neighbourhood plan process along, well knowing that the purpose of this was to frustrate any potential grant of planning permission for residential use on the site in favour of the claimant or the first interested party. Mr Wald described what was occurring as a "secret race". It was a race for Mr Peterson to get the neighbourhood plan in place, or sufficiently far advanced so as to frustrate the claimant and the first interested party's development aspirations. It was secret because at all times Mr Peterson was forcing the defendant and pushing it to make progress alongside lobbying it about prematurity without
H the claimant or the first interested party having any knowledge of the representations which were being made and without, save on one occasion, more than a year after Mr Peterson had started his pressure, the claimant and the first interested party having the opportunity to comment on his argument. It is submitted by Mr Wald that this was obviously unfair.

The defendant was only hearing one side of the argument as a consequence of permitting wholly unjustified access to officers and members by Mr Peterson. A

113 Ground 2 is a sequence of contentions relating to the proper understanding of paragraph 77 of the Framework and the examiner's reasons. It is submitted on behalf of the claimant by Mr Wald that each of the three bullet points within paragraph 77 as set out below are to be read and applied as separate criteria. It is submitted that the examiner failed to understand and apply the policy correctly, in that the examiner failed to reach any proper conclusion as to whether or not the site served the community, which was a separate test of eligibility from the test of being "demonstrably special" and holding "a particular local significance". In any event it is submitted that the examiner's reasons were inadequate, in that they failed adequately to explain why he had concluded that the designation should apply, and further failed to engage with the fact that the site had a lawful use as a consequence of being used for commercial purposes associated with storage and horticulture as well as being used primarily as contractor's stores. B C

114 Ground 3 is a suite of submissions made by Mr Wald under the heading "The volte-face". Under this heading Mr Wald focuses upon the fact that Mr Bore and the defendant's other officers appear both at the start of the neighbourhood plan process and, indeed, throughout it to be clearly of the view that as a matter of professional judgment the designation of the site could not be supported. That appears to have remained the position even after the receipt of the examiner's report. It is submitted, firstly, that it was incumbent upon the defendant to explain why, in reaching the conclusions in the key decision report, the defendant's officers' position had been reversed and the designation was now supported. Failure to do so constituted a failure to provide proper reasons in relation to the decision. Furthermore, the reasons provided were inadequate in that they failed to provide any proper justification for designating the land as LGS within the neighbourhood plan. D E

The law

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115 It is convenient to commence the analysis of the law relevant to these proceedings with the legal framework in respect of a neighbourhood development plan. By virtue of section 38(3)(c) of Planning and Compulsory Purchase Act 2004 the development plan for an area includes any neighbourhood plans which have been made in relation to that area. The significance of being part of the development plan is that under section 38(6) of the 2004 Act, if regard is to be had to the development plan for the purpose of a determination such as the granting of planning permission, then "the determination must be made in accordance with the [development] plan unless material considerations indicate otherwise". Detailed provisions exist in relation to the process of making a neighbourhood plan. They are contained within Schedule 4B to the Town and Country Planning Act 1990, as inserted, and, although the language of Schedule 4B is expressed in terms of neighbourhood development orders, by virtue of the provisions of section 38A of the 2004 Act, as inserted, the provisions also apply to the making of neighbourhood development plans. G H

A 116 The relevant provisions of Schedule 4B to the 1990 Act for present purposes are:

“1(1) A qualifying body is entitled to submit a proposal to a local planning authority for the making of a neighbourhood development order by the authority in relation to a neighbourhood area within the area of the authority.”

B *“Advice and assistance in connection with proposals”*

“3(1) A local planning authority must give such advice or assistance to qualifying bodies as, in all the circumstances, they consider appropriate for the purpose of, or in connection with, facilitating the making of proposals for neighbourhood development orders in relation to neighbourhood areas within their area .”

C *“Consideration of proposals by authority”*

“6(1) This paragraph applies if— (a) a proposal has been made to a local planning authority, and (b) the authority have not exercised their powers under paragraph 5 to decline to consider it.

D “(2) The authority must consider— (a) Whether the qualifying body is authorised for the purposes of a neighbourhood development order to act in relation to the neighbourhood area concerned as a result of section 61F, (b) whether the proposal by the body complies with provision made by or under that section, (c) whether the proposal and the documents and information accompanying it (including the draft neighbourhood development order) comply with provision made by or under paragraph 1, and (d) whether the body has complied with the requirements of regulations made under paragraph 4 imposed on it in relation to the proposal

E “(3) The authority must also consider whether the draft neighbourhood development order complies with the provision made by or under sections 61E(2), 61J and 61L.

“Independent examination”

F “7(1) This paragraph applies if— (a) a local planning authority have considered the matters mentioned in paragraph 6(2) and (3), and (b) they are satisfied that the matters mentioned there have been met or complied with.

“(2) The authority must submit for independent examination— (a) the draft neighbourhood development order, and (b) such other documents as may be prescribed.

G “(3) The authority must make such arrangements as they consider appropriate in connection with the holding of the examination.

“(4) The authority may appoint a person to carry out the examination, but only if the qualifying body consents to the appointment.

H “(5) If— (a) it appears to the Secretary of State that no person may be appointed under sub-paragraph (4), and (b) the Secretary of State considers that it is expedient for an appointment to be made under this sub-paragraph, the Secretary of State may appoint a person to carry out the examination.

“(6) The person appointed must be someone who, in the opinion of the person making the appointment— (a) is independent of the qualifying body and the authority, (b) does not have an interest in any land that may

be affected by the draft order, and (c) has appropriate qualifications and experience.” A

“8(1) The examiner must consider the following— (a) whether the draft neighbourhood development order meets the basic conditions (see sub-paragraph (2)), (b) whether the draft order complies with the provision made by or under sections 61E (2), 61J and 61L, (c) whether any period specified under section 61L(2)(b) or (5) is appropriate, (d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft order relates, and (e) such other matters as may be prescribed. B

“(2) A draft order meets the basic conditions if— (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order, (b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order, (c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order, (d) the making of the order contributes to the achievement of sustainable development, (e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area), (f) the making of the order does not breach, and is otherwise compatible with, EU obligations, and (g) prescribed conditions are met in relation to the order and prescribed matters have been compiled with in connection with the proposal for the order.” C D

“9(1) The general rule is that the examination of the issues by the examiner is to take the form of the consideration of written representations. E

“(2) But the examiner must cause a hearing to be held for the purpose of receiving oral representations about a particular issue at the hearing— (a) In any case where the examiner considers that the consideration of oral representations is necessary to ensure adequate examination of the issue or a person has a fair chance to put a case, or (b) in such other cases as may be prescribed. F

“(3) The following persons are entitled to make oral representations about the issue at the hearing— (a) The qualifying body, (b) the local planning authority (c) where the hearing is held to give a person a fair chance to put a case, that person, and (d) such other persons as may be prescribed.

“(4) The hearing must be in public. G

“(5) It is for the examiner to decide how the hearing is to be conducted, including— (a) whether a person making oral representations may be questioned by another person and, if so, the matters to which the questioning may relate, and (b) the amount of time for the making of a person’s oral representations or for any questioning by another person.”

“10(1) The examiner must make a report on the draft order containing recommendations in accordance with this paragraph (and no other recommendations). H

“(2) The report must recommend either— (a) that the draft order is submitted to a referendum, or (b) that modifications specified in the report are made to the draft order and that the draft order as modified is

A submitted to a referendum, or (c) that the proposal for the order is refused.”

“(6) The report must— (a) give reasons for each of its recommendations, and (b) contain a summary of its main findings.

“(7) The examiner must send a copy of the report to the qualifying body and the local planning authority.”

B *“Consideration by authority of recommendations made by examiner etc*

“12(1) This paragraph applies if an examiner has made a report under paragraph 10.

“(2) The local planning authority must— (a) consider each of the recommendations made by the report (and the reasons for them), and (b) decide what action to take in response to each recommendation

C “(3) The authority must also consider such other matters as may be prescribed.

“(4) If the authority are satisfied— (a) that the draft order meets the basic conditions mentioned in paragraph 8(2), is compatible with the Convention right and complies with the provision made by or under sections 61E(2), 61J and 61L, or (b) that the draft order would meet those conditions, be compatible with those rights and comply with that provision if modifications were made to the draft order (whether or not recommended by the examiner), a referendum in accordance with paragraph 14, and (if applicable) an additional referendum in accordance with paragraph 15, must be held on the making by the authority of a neighbourhood development order.”

E “(6) The only modifications that the authority may make are— (a) modifications that the authority consider need to be made to secure that the draft order meets the basic conditions mentioned in paragraph 8(2), (b) modifications that the authority consider need to be made to secure that the draft order is compatible with the Convention rights, (c) modifications that the authority consider need to be made to secure that the draft order complies with the provision made by or under sections 61E(2), 61J and 61L (d) modifications specifying a period under section 61L(2)(b) or (5), and (e) modifications for the purpose of correcting errors.”

F “(10) In any case where the authority are not satisfied as mentioned in sub-paragraph (4), they must refuse the proposal.

“(11) The authority must publish in such manner as may be prescribed— (a) the decisions they make under this paragraph, (b) their reasons for making those decisions, and (c) such other matters relating to those decisions as may be prescribed.”

H 117 It is important to note that within this detailed framework for the preparation and making of a neighbourhood development plan the claimant draws specific attention to paragraph 7(4) and submits that in the present case, in effect, the second interested party picked and appointed the examiner for the purposes of the independent examination. The claimant also draws attention to the requirement for both the examiner and the local planning authority to give reasons for their decisions (see paragraphs 10(6) and 12(10), 12(11)), and the requirement under paragraph 12 that the final decision as to whether or not the plan goes forward to referendum is that of the local planning authority who are not bound to adopt the conclusions of the

examiner's report. The defendant in the course of its submissions emphasises paragraph 3(1) of Schedule 4B, noting that the local planning authority is obliged to give advice or assistance to qualifying bodies as appropriate so as to facilitate the making of the neighbourhood development plan. This, it submits, characterises its relationship with the second interested party and Mr Peterson as the second interested party's representative.

118 Turning to the question of the legal standard of the reasons required by an examiner in providing his report there has been some discussion in the authorities as to the correct approach. Although the question was discussed in both *R (Crownball Estates Ltd) v Chichester District Council* [2016] EWHC 73 (Admin) and *R (Swan Quay llp) v Swale Borough Council* [2017] EWHC 420 (Admin), the point was considered by Lang J in greater detail than in those cases in *R (Bewley Homes plc) v Waverley Borough Council* [2018] PTSR 423. Lang J concluded that the approach required by the classic synthesis of the duty to give reasons in *South Bucks District Council v Porter (No 2)* [2004] 1 WLR 1953 in respect of an inspector's (or the Secretary of State's) decision on an appeal (or called-in application) needed to be modified to reflect the extent of the duty placed upon an examiner by paragraph 10(6) of Schedule 4B. In paras 49–55 she contrasted the duty placed upon an inspector determining an appeal under section 78 of the 1990 Act, which requires the inspector to “notify his decision on an appeal, and his reasons for it, in writing”, and the duty of an examiner to “give reasons for each of [the report's] recommendations and . . . contain a summary of its main findings”. Thus, the breadth of the matters which will require to have reasons expressed about them will be greater in the context of an inspector's decision (or equivalent) than is the case with an examination, where the examiner has a duty restricted to the report's recommendations and, merely, a summary of its main findings. As Lang J noted, at para 54, this reflects the inquisitorial process of the examination. Most importantly it reflects the statutory language. I agree with Lang J's analysis. In testing whether or not the examiner's reasons are legally adequate it is important to focus upon such reasons as are necessary to explain the report's recommendations and to bear in mind that in respect of the main findings of the report the duty is simply to provide a summary. In respect of the reasons provided they will of course have to be intelligible and explain why the recommendation has been reached; but they do not have to refer to every matter raised in the context of the debate, solely the principal controversial issues.

119 It is now well established that the proper interpretation of planning policy is a question of law for the court: see *Tesco Stores Ltd v Dundee City Council (Asda Stores Ltd intervening)* [2012] PTSR 983 as applied in *Hopkins Homes Ltd v Secretary of State for Communities and Local Government* [2017] PTSR 623. In the *Hopkins Homes* case, at paras 22, 24, 25, Lord Carnwath JSC observed in relation to the role of the court in interpreting planning policy:

“22. The correct approach to the interpretation of a statutory development plan was discussed by this court in *Tesco Stores Ltd v Dundee City Council (ASDA Stores Ltd intervening)* [2012] PTSR 983. Lord Reed JSC rejected a submission that the meaning of the development plan was a matter to be determined solely by the planning authority,

A subject to rationality. He said, at para 18: ‘The development plan is a
carefully drafted and considered statement of policy, published in order to
inform the public of the approach which will be followed by planning
authorities in decision-making unless there is good reason to depart from
it. It is intended to guide the behaviour of developers and planning
B authorities. As in other areas of administrative law, the policies which it
sets out are designed to secure consistency and direction in the exercise
of discretionary powers, while allowing a measure of flexibility to
be retained. Those considerations point away from the view that the
meaning of the plan is in principle a matter which each planning authority
is entitled to determine from time to time as it pleases within the limits
of rationality. On the contrary, these considerations suggest that in
C principle, in this area of public administration as in others . . . policy
statements should be interpreted objectively in accordance with
the language used, read as always in its proper context’. He added,
however, at para 19, that such statements should not be construed as if
they were statutory or contractual provisions: ‘Although a development
plan has a legal status and legal effects, it is not analogous in its nature or
purpose to a statute or a contract. As has often been observed,
D development plans are full of broad statements of policy, many of which
may be mutually irreconcilable, so that in a particular case one must give
way to another. In addition, many of the provisions of development plans
are framed in language whose application to a given set of facts requires
the exercise of judgment. Such matters fall within the jurisdiction of
planning authorities, and their exercise of their judgment can only be
challenged on the ground that it is irrational or perverse: *Tesco Stores Ltd*
E *v Secretary of State for the Environment* [1995] WLR 759, 780, per Lord
Hoffman.’”

“24. In the first place, it is important that the role of the court is not
overstated. Lord Reed JSC’s application of the principles in the particular
case (para 18) needs to be read in the context of the relatively specific
policy there under consideration. Policy 45 of the local plan provided
F that new retail developments outside locations already identified in the
plan would only be acceptable in accordance with five defined criteria,
one of which depended on the absence of any ‘suitable site’ within or
linked to the existing centres (para 5). The short point was the meaning
of the word ‘suitable’ (para 13): suitable for the development proposed by
the applicant, or for meeting the retail deficiencies in the area? It was that
question which Lord Reed JSC identified as one of textual interpretation,
G ‘logically prior’ to the existence of planning judgment (para 21). As he
recognised (para 19), some policies in the development plan may be
expressed in much broader terms, and may not require, nor lend
themselves to, the same level of legal analysis.

“25. It must be remembered that, whether in a development plan or in
a non-statutory statement such as the [Framework], these are statements
of policy, not statutory texts, and must be read in that light. Even where
H there are disputes over interpretation, they may well not be determinative
of the outcome. (As will appear, the present can be seen in such a case.)
Furthermore, the courts should respect the expertise of the specialist
planning inspectors, and start at least from the presumption that they will
have understood the policy framework correctly. With the support and

guidance of the planning inspectorate, they have primary responsibility for resolving disputes between planning authorities, developers and others, over the practical application of the policies, national or local. As I observed in the Court of Appeal (*Wychavon District Council v Secretary of State for Communities and Local Government* [2009] PTSR 19, para 43) their position is in some ways analogous to that of expert tribunals, in respect of which the courts have cautioned against undue intervention by the courts in policy judgments within their areas of specialist competence: see *AH Sudan v Secretary of State for the Home Department (United Nations High Comr for Refugees intervening)* [2008] AC 678, para 30, per Baroness Hale of Richmond.”

120 Turning to the question of apparent bias, the legal principles were settled in relation to the test which is to be applied in *Porter v Magill* [2002] 2 AC 357. Distilling the position Lord Hope of Craighead observed:

“102. . . . The Court of Appeal took the opportunity in *In re Medicaments and Related Classes of Goods (No 2)* [2001] 1 WLR 700 to reconsider the whole question. Lord Phillips of Worth Matravers MR, giving the judgment of the court, observed, at p 711A–B, that the precise test to be applied when determining whether a decision should be set aside on account of bias had given rise to difficulty, reflected in judicial decisions that had appeared in conflict, and that the attempt to resolve that conflict in *R v Gough* had not commanded universal approval. At p 711B–C he said that, as the alternative test had been thought to be more closely in line with Strasbourg jurisprudence which since 2 October 2000 the English courts were required to take into account, the occasion should now be taken to review *R v Gough* to see whether the test it lays down is, indeed, in conflict with Strasbourg jurisprudence. Having conducted that review he summarised the court’s conclusions, at pp 726–727: ‘85. When the Strasbourg jurisprudence is taken into account, we believe that a modest adjustment of the test in *R v Gough* is called for, which makes it plain that it is, in effect, no different from the test applied in most of the Commonwealth and in Scotland. The court must first ascertain all the circumstances which have a bearing on the suggestion that the judge was biased. It must then ask whether those circumstances would lead a fair-minded and informed observer to conclude that there was a real possibility, or a real danger, the two being the same, that the tribunal was biased.’

“103. I respectfully suggest that your Lordships should now approve the modest adjustment of the test in *R v Gough* set out in that paragraph. It expresses in clear and simple language a test which is in harmony with the objective test which the Strasbourg court applies when it is considering whether the circumstances give rise to a reasonable apprehension of bias. It removes any possible conflict with the test which is now applied in most Commonwealth countries and in Scotland. I would however delete from it the reference to ‘a real danger’. Those words no longer serve a useful purpose here, and they are not used in the jurisprudence of the Strasbourg court. The question is whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the tribunal was biased.”

A 121 During the course of his submissions, Mr Wald drew attention to a number of cases illustrating the principle of apparent bias being applied, albeit in cases prior to the settlement of the appropriate test in *Porter's* case. The first of these cases to which he referred (apart from *Furmston v Secretary of State for the Environment* [1982] JPL 49 which related, in effect, to a concession that a decision had to be quashed) was *Simmons v Secretary of State for the Environment* [1985] JPL 253. In that case the claimant was the disappointed appellant in relation to an application for planning permission. At the inquiry the chairman of the local planning authority's development control committee, whom the claimant held responsible for the failure of his application, was observed by the claimant to be in conversation with the appeal inspector along with the local planning authority's solicitor. Forbes J, having considered witness evidence from the parties concerned including the inspector, formed the clear conclusion that there was no evidence of impropriety on behalf of the inspector; but formed the view that what had taken place "was something which could have led somebody who knew the background to the conclusion . . . that something was being done to interfere with the natural course of justice". Having reached that conclusion he suggested that the remedy may have been for the inspector to have been "more rude" to those engaging him in conversation or alternatively to have explained to the claimant, bearing in my mind that they were all due to meet at a site visit, that nothing untoward had occurred.

E 122 Another case involving a conversation between a party to an inquiry and the inspector was *British Muslims Association v Secretary of State for the Environment* (1987) 55 P & CR 205 in which a conversation occurred between council officers and the inspector formed a ground of appeal by an objector to the compulsory purchase order that the inspector was considering. Having cited *Simmons's* case Stuart-Smith J applied the test of apparent bias and concluded that, whilst there had in fact been no impropriety, an inference could be reasonably drawn that there might have been. His reasons for forging that conclusion were, firstly, the impression made upon the claimants for whom English was not their first language; secondly, that the conversation was not "just any casual conversation which happened by chance when somebody of the other side was not there"; thirdly, the claimant's representative was not present at the time; fourthly, it was not obvious why the conversation had been about other properties rather than the property subject to the order; fifthly, it appeared from the circumstances of that case that the conversation had not occurred by accident or inadvertently; and, finally, because the conversation was not brief. All of these circumstances led to the conclusion that the allegation of apparent bias was made out.

H 123 A further case concerning a conversation between an inspector and one of the parties to an appeal leading to an allegation of apparent bias is *Cotterell v Secretary of State for the Environment* [1991] 2 PLR 37. Following site inspections after the close of a planning inquiry the inspector invited those who had accompanied him to join him for a drink in a local pub. The inspector paid for the drinks. One of the parties was a local objector. After the appellant and his planning consultant left the pub the inspector, the representative of the local planning authority and the local

objector remained for a further 20 minutes discussing matters of common interest including the fact that the inspector and the local objector had been brought alleging apparent bias. Applying the authorities of, in particular, *Simmons's* case [1985] JPL 253 and the *British Muslims* case 55 P & CR 205, Roy Vandermeer QC sitting as a deputy judge of the Queen's Bench Division formed the view that the inspectors conduct fell "on the acceptable side of the line".

124 Turning to more recent authority, Mr Wald places reliance on the decision of Silber J in *Ai Veg Ltd v Hounslow London Borough Council* [2004] LGR 536. That was a case involving the allocation of tenancies of new market premises and included as one of the grounds for a judicial review that the decisions were tainted by bias through the involvement of a small number of individuals as members of the board of the Tenant's Association who were competitors of the claimants and had a direct financial interest in the decision to allocate space in the new market. In the light of the House of Lords decision in *Porter's* case [2002] 2 AC 357, Silber J set out three preliminary points in his judgment, at paras 79–81:

"79. Before embarking on the task of deciding whether the complaint of apparent bias succeeds, it is necessary to consider first whether Mr Bray's assertions in his witness statement that he was not biased and was acting fairly are of any relevance. Lord Hope of Craighead explained in *Porter v Magill* that 'looking at the matter from the standpoint of a fair-minded and informed observer, protestation [made by a person who was alleged to have been biased that he was not biased] are unlikely to be helpful' (at p 495, para 104). It follows that I should disregard Mr Bray's protestations in determining the issue before me and that I should proceed to apply the tests to which I have referred.

"80. Second, by the same token, I should stress that the allegation in this case is not whether anybody was *actually* biased, but whether there was an *appearance* of bias. So nothing that I will say will be or should be regarded in any way as any criticism of the Tenants' Association or of the trading members of the relocation committee. The courts have developed the doctrine of apparent bias in order to preserve the integrity of the selection process.

"81. Third, I bear in mind that my approach must be, as Lord Steyn explained in the passage which I have already set out, that any court when faced with the present kind of challenge 'starts by identifying the circumstances which give rise to bias' (per Lord Steyn in *Lawal v Northern Spirit Ltd* [2003] ICR 856, para 20)."

125 A further illustration of apparent bias in this context is contained in the decision of Richards J in *Georgiou v Enfield London Borough Council* [2004] LGR 497. The claimant was an objector to applications for planning permission and listed building consent in relation to a listed building known as Truro House. Four members of the planning committee, three of whom voted in favour of the grant of planning consent, participated in meetings of the local planning authority's conservation advisory group ("CAG") which had considered the merits of the applications prior to them being determined

A by the planning committee. This, it was contended, gave rise to apparent bias. Richards J expressed his view in relation to this contention:

B “31. I therefore take the view that in considering the question of apparent bias in accordance with the test in *Porter v Magill*, it is necessary to look beyond pecuniary or personal interests and to consider in addition whether, from the point of view of the fair-minded and informed
C observer, there was a real possibility that the planning committee or some of its members were biased in the sense of approaching the decision with a closed mind and without impartial consideration of all relevant planning issues. That is a question to be approached with appropriate caution, since it is important not to apply the test in a way that will render local authority decision-making impossible or unduly difficult. I do not consider, however, that the circumstances of local authority decision-making are such as to exclude the broader application of the test altogether.

D “32. On that basis I do have concerns about what happened in this case and the objective impression that it conveyed. Although the CAG’s remit was to consider only the conservation implications of the applications, its conclusion was expressed in simple terms of support for the applications, without any qualification. Both the note of the CAG meeting on 27 May and the report to the planning committee on 17 June state that CAG ‘continued to support’ the applications. Moreover, although there is nothing to show that a vote was taken within the CAG, there is equally nothing to show that any of the members present dissented from that conclusion: the support appeared to come from all those present, including the three members who were also members of the planning
E committee. When it came to the meeting of the planning committee, nothing was said about the limited function of the CAG or about the need for those with dual membership to put on one side the support expressed in the CAG and to examine all the relevant planning issues before reaching the planning decisions.

F “33. In those circumstances I take the view, though not without a degree of hesitation, that a fair-minded and informed observer would conclude that there was a real possibility of bias, in the sense of the decisions being approached with closed minds and without impartial consideration of all the planning issues, as a result of the support expressed by the CAG being carried over into support for the applications in the context of the planning committee’s decisions.”

G “36. Having regard to the objective nature of the question of apparent bias, I do not think that any significant weight is to be attached to the members’ own witness statements in which they state that they did approach the planning decision with open minds: cf per Lord Hope in *Porter v Magill*, para 104.”

H 126 The observations of Richards J in *Georgiou’s* case were subsequently considered by Collins J in *R (Island Farm Development Ltd) v Bridgend County Borough Council* [2007] LGR 60. Collins J expressed some doubts as to parts of Richards J’s reasoning. The *Island Farm* case, alongside other cases to which I have referred, was considered by the Court of Appeal in *R (Lewis) v Redcar and Cleveland Borough Council* [2009] 1 WLR 83. *Lewis’s* case concerned a controversial planning proposal for

development on land owned by the local planning authority. A vote was taken prior to an election in relation to the determination of the planning application. This was objected to by the minority group on the council. Nevertheless the meeting proceeded and the recommendation to grant planning permission was adopted, leading to the signing of a development agreement in respect of the land shortly prior to the day of the poll. Political control of the local planning authority changed as a consequence of the poll but, nevertheless, the new majority group decided to proceed with the development and planning permission was granted leading to the challenge. The judge at first instance had concluded that the claimant's allegation of apparent bias had been made out. At para 59, Pill LJ referred to the observations of Collins J in the *Island Farm* case to which there has been some reference above. He set out the relevant extracts as follows:

“59. In *R (Island Farm Development Ltd) v Bridgend County Borough Council* [2007] LGR 60 a claim that a local authority's planning decision was vitiated by predetermination was based on members having a known attitude to the development and one councillor having participated in a protest group. Having set out the relevant paragraphs from the judgment of Richards J in *Georgiou's* case, Collins J stated, at paras 30–31: ‘30. I confess to some doubt as to this approach, and in particular to what he says at para 36. Councillors will inevitably be bound to have views on and may well have expressed them about issues of public interest locally. Such may, as here, have been raised as election issues. It would be quite impossible for decisions to be made by the elected members whom the law requires to make them if their observations could disqualify them because it might appear that they had formed a view in advance. The decision of the Court of Appeal in *R v Waltham Forest London Borough Council, Ex p Baxter* [1988] QB 419, of the New Zealand Court of Appeal in *Lower Hutt City Council v Bank* [1974] 1 NZLR 545 and of Woolf J in *R v Amber Valley District Council, Ex p Jackson* [1985] 1 WLR 298 do not support this approach. Nor is it consistent with those authorities that no weight should be attached to their own witness statements. *Porter v Magill* was a very different situation and involved what amounted to a quasi-judicial decision by the auditor. In such a case, it is easy to see why the appearance of bias tests should apply to its full extent. 31. The reality is that councillors must be trusted to abide by the rules which the law lays down, namely that, whatever their views, they must approach their decision-making with an open mind in the sense that they must have regard to all material considerations and be prepared to change their views if persuaded that they should . . . so it is with councillors and, unless there is positive evidence to show that there was indeed a closed mind, I do not think that prior observations or apparent favouring of a particular decision will suffice to persuade a court to quash the decision.’

“60. Collins J concluded, at para 32: ‘It may be that, assuming the *Porter v Magill* test is applicable, the fair-minded and informed observer must be taken to appreciate that predisposition is not predetermination and that councillors can be assumed to be aware of their obligations. In this case, the evidence before me demonstrated that each member was prepared to and did consider the relevant arguments and each was prepared to change his or her mind if the material persuaded him or her to

A do so. I am not prepared to accept that there was apparent bias or predetermination which vitiated the decision.’”

127 Pill LJ went on to consider the position of local members and the correct approach in the following terms:

B “62. The difference may, however, arise from a more fundamental difference about the role of elected councillors in the planning process. There is no doubt that councillors who have a personal interest, as defined in the authorities, must not participate in council decisions. No question of personal interest arises in this case. The committee which granted planning permission consisted of elected members who would be entitled, and indeed expected, to have and to have expressed views on planning issues. When taking a decision councillors must have regard to material considerations, and only to material considerations, and to give fair consideration to points raised, whether in an officer’s report to them or in representations made to them at a meeting of the planning committee. Sufficient attention to the contents of the proposal which on occasions will involve consideration of detail must be given. They are not, however, required to cast aside views on planning policy they will have formed when seeking election or when acting as councillors. The test is a very different one from that to be applied to those in a judicial or quasi-judicial position.”

D “66. As to the test to be applied, I respectfully share Collins J’s concerns about the test as expressed by Richards J in *Georgiou’s* case [2004] LGR 497, though not necessarily his concern about Richards J’s views about self-justificatory statements. A series of statements from council members saying that they had open minds would not inevitably conclude the issue. Consideration of the standpoint of the fair-minded and informed observer may be helpful in this context to test the provisional views of the court. Moreover, appearances in this context cannot, in the wake of *Porter’s* case [2002] 2 AC 357, be excluded altogether from the court’s assessment. I agree with the statement of Richards J in *Georgiou’s* case [2004] LGR 497, para 31 that the test in *Porter’s* case should not be altogether excluded in this context. An understanding of the constitutional position of councillors (and ministers), as shown in cases such as *Franklin v Minister of Town and Country Planning* [1948] AC 87, *R (Alconbury Developments Ltd) v Secretary of State for the Environment, Transport and the Regions* [2003] 2 AC 295, *Amber Valley* [1985] 1 WLR 298, *CREEDNZ Inc v Governor General* [1981] 1 NZLR 172 and *R (Cummins) v Camden London Borough Council* [2001] EWHC 1116, must however be present. The councillors’ position has similarities with that of ministers as the authorities show; ministers too take decisions on planning issues on which they have political views and policies.”

H “69. Central to such a consideration, however, must be a recognition that councillors are not in a judicial or quasi-judicial position, to provide and pursue policies. Members of a planning committee would be entitled, and indeed expected, to have and to have expressed views on planning issues. The approach of Woolf J in the *Amber Valley* case [1985] 1 WLR 298 to the position of councillors, in my judgment, remains appropriate.”

“71. It is for the court to assess whether committee members did make the decision with closed minds or that the circumstances did give rise to such a real risk of closed minds that the decision ought not in the public interest to be upheld. The importance of appearances is, in my judgment, generally more limited in this context than in a judicial context. The appearance created by a member of a judicial tribunal also appearing as an advocate before that tribunal (*Lawal v Northern Spirit Ltd* [2003] ICR 856) may make his judicial decisions unacceptable, but the appearance created by a councillor voting for a planning project he has long supported is, on analysis, to be viewed in a very different way.”

128 In his judgment, Rix LJ expressed himself to similar effect in the following terms:

“92. The main reason advanced by Mr Drabble for his actual bias test is that otherwise, if an apparent bias test is applied in this context, it would be too simple to advance from the appearance of predisposition to a conclusion that there was a real possibility of predetermination. Such a test based on appearances would therefore inevitably tend to do less than justice to the very real distinction which has long been recognised in this context between the role of judicial (and quasi-judicial) decision-makers and that of democratically accountable decision-makers. On his side the main reason advanced by Mr Clayton for adopting the test of appearances is the recognition that a finding of actual bias is extremely difficult to achieve (to which he adds the submission that the distinction between judicial and non-judicial decision-makers, at any rate in the context of judicial review as a whole, is a false, old-fashioned and discredited one).

“93. There is force in both points of view, and the jurisprudence taken as a whole supports both. In my judgment, however, it would be better if a single test applied to the whole spectrum of decision-making, as long as it is borne fully in mind that such a test has to be applied in very different circumstances and that those circumstances must have an important and possibly decisive bearing on the outcome.

“94. Thus, there is no escaping the fact that a decision-maker in the planning context is not acting in a judicial or quasi-judicial role but in a situation of democratic accountability. He or she will be subject to the full range of judicial review, but in terms of the concepts of independence and impartiality, which are at the root of the constitutional doctrine of bias, whether under the European Convention for the Protection of Human Rights and Fundamental Freedoms or at common law, there can be no pretence that such democratically accountable decision-makers are intended to be independent and impartial just as if they were judges or quasi-judges. They will have political allegiances, and their politics will involve policies, and these will be known. I refer to the dicta cited at paras 43–52 above. To the extent, therefore in *Georgiou v Enfield London Borough Council* [2004] LGR 497 Richards J seems to have suggested, at paras 30–31, that such decision-makers must be subject to a doctrine of apparent bias just as if they were an auditor in *Porter v Magill* [2002] 2 AC 357, with an obligation therefore of both impartiality and the appearance of impartiality, I would, with respect, consider that he was stating the position in a way that went beyond previous authority and

A was not justified by *Porter v Magill*. I do not intend, however, to suggest that the decision in *Georgiou's* case [2004] LGR 497 was wrong, and it is to be noted that the common ground adoption of the *Porter v Magill* test in *Condron v National Assembly for Wales* [2007] LGR 87 did not prevent this court there reversing the judge on the facts and finding no appearance of predetermination.

B “95. The requirement made of such decision-makers is not, it seems to me, to be impartial but to address the planning issues before them fairly and on their merits, even though they may approach them with a predisposition in favour of one side of the argument or the other. It is noticeable that in the present case no complaint is raised by reference to the merits of the planning issues. The complaint, on the contrary, is essentially as to the timing of the decision in the context of some diffuse allegations of political controversy.

C “96. So the test would be whether there is an appearance of predetermination in the sense of a mind closed to the planning merits of the decision in question. Evidence of political affiliation or of the adoption of policies towards a planning proposal will not for these purposes by itself amount to an appearance of the real possibility of predetermination or what counts as bias for these purposes. Something more is required, something which goes to the appearance of a predetermined, closed mind in the decision-making itself. I think that Collins J put it well in *R (Island Farm Development Ltd v Bridgend County Borough Council* [2007] LGR 60 when he said, at paras 31–32: ‘31. The reality is that councillors must be trusted to abide by the rules which the law lays down, namely that, whatever their views, they must approach their decision-making with an open mind in the sense that they must have regard to all material considerations and be prepared to change their views if persuaded that they should . . . unless there is positive evidence to show that there was indeed a closed mind, I do not think that prior observations or apparent favouring of a particular decision will suffice to persuade a court to quash the decision. 32. It may be that, assuming the *Porter v Magill* test is applicable, the fair-minded and informed observer must be taken to appreciate that predisposition is not predetermination and that councillors can be assumed to be aware of their obligations.’

E “97. In context, I interpret Collins J’s reference to be ‘positive evidence to show that there was indeed a closed mind’ as referring to such evidence as would suggest to the fair-minded and informed observer the real possibility that the councillor in question had abandoned his obligations, as so understood. Of course, the assessment has to be made by the court, assisted by evidence on both sides, but the test is put in terms of the observer to emphasise the view-point that the court is required to adopt. It need hardly be said that the view-point is not that of the complainant.”

G “129 The next case to which the court was referred was *Competition Commission v BAA Ltd* [2011] UKCLR 1. This case concerned an allegation of apparent bias against a member of a Competition Commission panel which was investigating the market in relation to the supply of airport services, based on the fact that that person had provided advice to a pension fund for local authorities who owned an airport. In giving the leading

judgment in the Court of Appeal, with which the other members of the court agreed, Maurice Kay LJ summarised the law on apparent bias in the following way:

“*The law on apparent bias*

“10. There is no dispute as to the relevant legal principles. In *Porter v Magill* [2002] 2 AC 357 Lord Hope expressed the objective test as follows (at para 103): ‘whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the tribunal was biased.’

“11. In *Helow v Secretary of State for the Home Department* [2008] 1 WLR 2416 Lord Hope returned to the attributes of the fair-minded and informed observer. He said (at paras 2–3): ‘The observer who is fair-minded is the sort of person who always reserves judgment on every point until she has seen and fully understood both sides of the argument. She is not unduly sensitive or suspicious, as Kirby J observed in *Johnson v Johnson* (2000) 201 CLR 488, 509 para 53. Her approach must not be confused with that of the person who has brought the complaint. The “real possibility” test ensures that there is this measure of detachment. The assumptions that the complainer makes are not to be attributed to the observer unless they can be justified objectively. But she is not complacent either. She knows that fairness requires that a judge must be, and must be seen to be, unbiased. She knows that judges, like anybody else, have their weaknesses. She will not shrink from that conclusion, if it can be justified objectively, that things that they have said or done or associations that they have formed may make it difficult for them to judge the case before them impartially. Then there is the attribute that the observer is “informed”. It makes the point that, before she takes a balanced approach to any information she is given, she will take the trouble to inform herself on all matters that are relevant. She is the sort of person who takes the trouble to read the text of an article as well as the headlines. She is able to put whatever she has read or seen into its overall social, political or geographical context. She is fair-minded, so she will appreciate that the context forms an important part of the material which she must consider before passing judgment.’

“12. Further elucidation was provided by Richards LJ in *Condron v National Assembly for Wales* [2007] LGR 87 (at para 50): ‘the court must look at all the circumstances as they appear from the material before it, not just at the facts known to the objectors or available to the hypothetical observer at the time of the decision.’

“13. It is common ground that the question whether, on the facts found by the CAT, apparent bias exists is a question of law: *Giles v Secretary of State for Work and Pensions* [2006] 1 WLR 781, per Lord Hope at paras 2–7. At appellate level, it is for the courts ‘to assume a vantage point of a fair-minded and informed observer with knowledge of the relevant circumstances. It must make an assessment of all the relevant circumstances and then decide whether there is a real possibility of bias’ (*AWG Group Ltd v Morrison* [2006] 1 WLR 1163, per Mummery LJ, at para 20).

“14. It is also pertinent to keep in mind the words of Lord Bingham in *Locabail (UK) v Bayfield Properties Ltd* [2000] QB 451, 472 that,

A because proof of actual bias is very difficult, ‘the policy of the common law is to protect litigants who can discharge the lesser burden of showing a real danger of bias without requiring to show that such a bias actually exists.’”

B 130 Dealing with arguments that notwithstanding the finding that there had been apparent bias nevertheless that apparent bias had no operative effect, Maurice Kay LJ provided the following observations:

C “28. The Commission advances two discrete arguments which are susceptible to treatment under this heading. However, I shall leave one of them for separate consideration under the heading *Contamination*, below. Here I confine myself to the submission that any apparent bias after 2 December 2008 was and could have been of no operative effect because by September 2008 BAA had decided to sell Gatwick in any event and had made its decision public. That decision continued and there was indeed a sale to a consortium led by Global Infrastructure Partners, in respect of which contracts were exchanged on 20 October 2009 with completion on 3 December 2009 . . .”

D “31. It is important in this regard to keep in mind that we are considering apparent and not actual bias and that, for this purpose, “appearances are not without importance”: *R v Abdroikov* [2007] 1 WLR 2679, para 16, per Lord Bingham. I accept Lord Pannick QC’s submission that BAA ought not to be put in the position of having to prove operative effect once apparent bias has been established. That would be to blur to distinction between actual and apparent bias.

E I therefore reject the ground of appeal relating to this aspect of operative effect. I turn next to contamination.”

F 131 Finally in this connection is *Broadview Energy Developments Ltd v Secretary of State for Communities and Local Government* [2016] JPL 1207. That case concerned an appeal decision by the Secretary of State in relation to a wind energy proposal. An inspector following a public inquiry had recommended the grant of planning permission. The Parliamentary Under-Secretary of State, Mr Hopkins, disagreed and concluded that planning permission should be refused. It emerged that there had been correspondence and conversations in the House of Commons tea room between Mr Hopkins, the Secretary of State and the local MP, Mrs Leadsom. In particular, it appeared from subsequent correspondence that the conversation in the tea room had enabled Mrs Leadsom to set out several points in opposition to the proposal. In respect of the tea room conversation, Longmore LJ observed, at

G para 29:

H “Mrs Leadsom’s letter following the tea room conversation asserts that she made several points to Mr Hopkins and finishes by saying that she appreciates he cannot comment on individual applications. There is no evidence, however, that Mr Hopkins said he could not listen to what she was saying. For the reasons I have given he ought to have so said and, for my part, I would not endorse that part of the judge’s judgment in which he said that lobbying of ministers by MPs was part and parcel of the representative role of a constituency MP with its implication that such lobbying was permissible even when the minister is making a quasi-

judicial decision in relation to a controversial planning application. MPs should not, with respect, be in any different position from other interested parties. Whether the failure of the minister to say (politely) that he could not listen to what Mrs Leadsom had to say constitutes, on the facts of this case, a material breach of the rule of natural justice or gives rise to the appearance of bias is, of course, a somewhat different matter.”

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132 He concluded that notwithstanding that the tea room conversation should not have occurred and should have been cut off by Mr Hopkins, nevertheless that did not justify the quashing of the decision. He went on to conclude in relation to bias:

“36. Nor do I think it arguable that a well-informed observer would consider that there was a real possibility of bias on the part of Mr Hopkins. The well-informed observer would know that it was the responsibility of the relevant minister to make difficult decisions about controversial projects such as on-shore wind farms. He would also know that sometimes such decisions are, as this one was, finely balanced. He would not think that a minister’s decision in favour of a vocal body of local objectors supported by their local MP showed any bias against the promoter of the wind farm project. He would accept that the minister had to make a decision one way or the other and think that the parties should accept the outcome.

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“37. Nevertheless, the accusation of bias made in this case shows how important the principle is that ministers making planning decisions should not allow themselves to be lobbied by parties to the planning process or by local MPs. If they do allow it, accusations of bias are all too easily made however unjustified they may be once the proper principles exemplified by *Porter v Magill* [2002] 2 AC 357 are applied.”

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133 Having reviewed the authorities, it may well be helpful at this stage to distil the principles that are particularly relevant to the considerations in this case. The starting point must be a careful examination of all the facts before the court and not simply those which would have been known to the claimant or a hypothetical onlooker. The test to be applied is whether a fair-minded and informed observer, having considered those facts, would conclude that there was a real possibility of bias on behalf of the decision-maker. The fair-minded observer should be neither unduly suspicious nor complacent. The fair-minded observer would need to be satisfied that the complaints made could be objectively justified as giving rise to a real possibility of bias. In addition, the fair-minded observer will take account of the overall context of the evidence in reaching a conclusion on the available facts. Part of that context will include, in relation to cases involving local government, that members of local authority are democratically accountable and will have political allegiances and policy positions. Thus, it has to be acknowledged that councillors may have a predisposition in relation to a particular decision, but that will not amount to predetermination provided they approach the decision with a mind which is willing to grasp all of the merits to be considered, and which is not closed to making a decision amounting to a departure from their predisposition. In a similar way, as part

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A of the context of a case involving a government minister, the fair-minded observer will be taken to appreciate that ministers often have difficult and finely balanced decisions to take, and that it does not follow from a decision in favour of, for instance, a vocal body of local residents, that the minister was biased in their favour. Once an allegation of apparent bias has been made out, it is not obviated by the fact the apparent bias has had no operative effect upon the decision under challenge.

B 134 Turning to questions of fairness it was accepted by Mr Wald on behalf of the claimant in this connection that it would be necessary to demonstrate that not only there had been unfairness but also that the unfairness had itself led to prejudice to his clients. Two cases in particular featured in Mr Wald's submissions. The first was *R v Secretary of State for the Home Department, Ex p Doody* [1994] 1 AC 531 in which Lord Mustill stated, at p 560:

C “What does fairness require in the present case? My Lords, I think it unnecessary to refer by name or to quote from, any of the often-cited authorities in which the courts have explained what is essentially an intuitive judgment. They are far too well known. From them, I derive that (1) where an Act of Parliament confers an administrative power there is a presumption that it will be exercised in a manner which is fair in all the circumstances. (2) The standards of fairness are not immutable. They may change with the passage of time, both in the general and in their application to decisions of a particular type. (3) The principles of fairness are not to be applied by rote identically in every situation. What fairness demands is dependent on the context of the decision, and this is to be taken into account in all its aspects. (4) An essential feature of the context is the statute which creates the discretion, as regards both its language and the shape of the legal and administrative system within which the decision is taken. (5) Fairness will very often require that a person who may be adversely affected by the decision will have an opportunity to make representations on his own behalf either before the decision is taken with a view to producing a favourable result; or after it is taken, with a view to procuring its modification; or both. (6) Since the person affected usually cannot make worthwhile representations without knowing what factors may weigh against his interests fairness will very often require that he is informed of the gist of the case which he has to answer.”

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G 135 By way of example of the operation of the principles of fairness in a planning context, and in particular in the context of a planning appeal, Mr Wald placed reliance upon the decision of Sullivan J in *Jory v Secretary of State for Transport, Local Government and the Regions* [2003] 1 PLR 54. The case was concerned with the conditions which were imposed on a planning permission granted following an appeal under section 78 of the 1990 Act. It appeared, when the inspector's decision was received by the claimant, and objector, that after the hearing the inspector had sought the views of the appellants and the local planning authority on an alternative form of condition in relation to controlling noise from the use of the premises and had imposed a revised condition without asking the claimant or any other objectors who had participated in the hearing for views.

Sullivan J concluded that there had been unfairness as a consequence of this procedure. He expressed his reasons for doing so as follows: A

“25. Mr Coppel accepted on behalf of the Secretary of State that there was an obligation to act fairly. Compliance with the relevant procedural rules would not necessarily be sufficient. He submitted that there was a spectrum rather than a hard and fast dividing line between fair and unfair. It would not invariably be unfair to fail to inform one of the parties to an appeal of some further matter on which the inspector sought views. Much would depend upon the particular circumstances of the case. In deciding whether it was unfair to leave a particular party out of the loop one would consider such matters as the subject matter raised by the inspector; how important or significant it was to the decision that was eventually made; the identity of the persons who had not been involved in the discussions; how directly were they affected; the stage at which further representations were sought; to what extent had the inspector reached a concluded view; the scope given by the inspector to those who were invited to make representations; were they invited to comment upon the matter at large, or were their comments invited upon a particular narrow aspect of the case; what on the evidence might have been the response of the person who had not been included in the further discussions. B
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“26. These were simply examples of the kind of factors that one should take into account in deciding whether or not the procedure adopted by the inspector in a particular case was at the fair or the unfair end of the spectrum. I am happy to proceed on the basis that there is indeed such a spectrum. What fairness requires is bound to depend upon the circumstances of each particular case. I would further accept that in the great majority of cases it will not be in the least unfair if the inspector decided that it is unnecessary to invite further representations dealing with the precise terms of the conditions which he proposes to impose after the close of an inquiry, a formal hearing or an exchange of written representations. E

“27. On the particular facts of this case, however, I am satisfied that it was unfair and for the inspector not to send the claimant a copy of the letter of 15 March 2002 which was sent to the appellant and the local planning authority thereby depriving him of the opportunity to comment on the conditions suggested in that letter. F

“28. The particular factors which lead me to this conclusion are as follows. Firstly, unlike many decision letters where conditions are dealt with as a tail piece, after the determining issues have been resolved, the extent to which any harm to the living conditions enjoyed by local residents could be mitigated and controlled by conditions was of central importance in the inspector’s reasoning in this particular decision letter. His decision turned on whether extending the appeal building for the uses sought would significantly harm the living conditions enjoyed by local residents (see para 8). Their concern, and that of the local planning authority was intensification (see para 9). G
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“29. The inspector considered that issue from two stand points. Firstly, the extent to which there could be intensification in the use of the existing building in any event. Secondly, the extent to which conditions

A could mitigate or control any harm to harm to local residents (see para 10).

“30. The inspector resolved the first of those points in para 12, by concluding that if significantly more people were attracted than could potentially use number 63 (or if a reasonable level of activity was exceeded) then the balance would tip in favour of not permitting the rear extensions.

B “31. Having thus resolved the first point, the second point, the extent to which any harm to residents could be mitigated and controlled by conditions, became of critical importance. Indeed, the importance of efficacy of the conditions to be imposed runs like a thread throughout the decision letter. (see in addition to para 14 paras 16, 19 and 20, the relevant parts of which I have set out above).

C “32. Secondly, while some issues raised at planning inquiries or hearing may be of less immediate concern to local residents, this issue was of vital importance of the claimant and his fellow local residents. In these circumstances, although the claimant was not one of those persons who was entitled to appear at the hearing as of right under Rule 9(1) of the Town and Country Planning (Hearing Procedure) (England) Rules 2000 (‘the Rules’), it is readily understandable, that he had permitted by the inspector appear under rule 9(2).”

D 136 As set out above, Mr Wald accepted, and it was common ground, that in relation to the allegations of fairness in order for the claimant to succeed it would be necessary for him to establish not only that unfairness had occurred but also that it had caused prejudice to the claimant.

E *Policy and guidance*

137 It will be apparent from what has been set out above in relation to both the facts of the case, and also the grounds upon which it is advanced on behalf of the claimant, that there were elements of the Framework which were in issue in the case. In particular, that part of the Framework addressing the question of LGS designation. Paragraph 77 of the Framework provides:

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“The local green space designation will not be appropriate for most green areas of open space. The designation should only be used:

“• where the green space is in reasonably close proximity to the community it serves;

G “• where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and

“• where the green area concerned is local in character and is not an extensive tract of land.”

H 138 In addition to the Framework, further material is available in the PPG in relation to LGS designation. The PPG provides:

“Paragraph: 013 Reference ID: 37-013-20140306

“What types of green area can be identified as local green space?

“The green area will need to meet the criteria set out in paragraph 77 of the National Planning Policy Framework. Whether to designate land is a

matter for local discretion. For example, green areas could include land where sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis.”

“Revision date: [6 March 2014]

“Paragraph: 014 Reference ID: 37-014-20140306

“How close does a local green space need to be to the community it serves?”

“The proximity of a local green space to the community it serves will depend on local circumstances, including why the green area is seen as special, but it must be reasonably close. For example, if public access is a key factor, then the site would normally be within easy walking distance of the community served.

“Revision date: [6 March 2014]

“Paragraph: 017 Reference ID: 37-017-20140306

“What about public access?”

“Some areas that may be considered for designation as local green space may already have largely unrestricted public access, though even in places like parks there may be some restrictions. However, other land could be considered for designation even if there is no public access (e.g. green areas which are valued because of their wildlife, historic significance and/or beauty).

“Designation does not in itself confer any rights of public access over what exists at present. Any additional access would be a matter for separate negotiation with land owners, whose legal rights must be respected.”

139 Albeit informal, there is guidance in relation to conducting the neighbourhood development plan process published by NPIERS. It will be recalled that NPIERS were the organisation to which the defendant had resort in seeking to recruit an examiner for the neighbourhood plan. So far as relevant that provides:

“Appointing an independent examiner

“1. You should be thinking about sourcing an examiner once a draft neighbourhood plan or order has gone through its pre-submission consultation.

“2. If tendering for an independent examiner, make sure that the brief contains the expected outputs as defined by the legislation and legal requirements that an independent examiner must meet.

“3. Many potential examiners will be independent consultants and do not carry high levels of professional indemnity insurance. Be realistic when considering the level of risk associated with an examination.

“4. The LPA [local planning authority] and QB [qualifying body] should be jointly involved in sourcing an independent examiner.

“5. If applying to NPIERS for names of potential examiners, then ideally both the LPA and QB should be involved in completing the application form. The LPA is responsible for making the appointment, but the QB has to agree to it . . .”

“Preparing for the examination

“11. Remember, the contract is between the examiner and the LPA. There should be one point of contact when discussing process with the examiner working through the LPA.

- A “12. Make sure all documentation demonstrating that all procedural steps have been undertaken is made available at the outset of the examiner’s work. The LPA (and QB) should assemble and supply full documentation, background material and evidence. The examiner should not have to request it . . .”
- B “16. Be clear about who is doing what—LPA/examiner if a hearing is held.
- B “17. If an appointed examiner, LPA and QB meet before the examination begins, they should only discuss administrative arrangements including contracting and invoicing, and the logistics of the examination (e g how it is going to proceed and relevant timetables); the merits of a plan or order must not be discussed.
- C “18. Discuss and agree the council’s role at the hearing (if there is one) in advance with the qualifying body and the examiner.
- C “19. Site visits—the default position for an examiner would be to visit the area which is under examination. In order to safeguard the perception as well as the reality of independence of the examiner, site visits will normally be unaccompanied unless the examiner needs to gain specific access: (a) Details of site visits should be covered in the report (b) The examiner should only ask factual questions for example to site boundaries if accompanied.”
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Submissions and conclusions

Ground 1: apparent bias, fairness and ultra vires

- E 140 As has been observed above it has been necessary to set out at considerable length the events which preceded the decision to send the neighbourhood plan to referendum as it is the claimant’s submission that the totality of this context needs to be evaluated to determine whether or not there has been apparent bias or unfairness in the process. What has been set out above in the narrative of these events does not pretend to comprehensively describe all of the many interchanges and debates which are illustrated in the many thousands of pages of material before the court.
- F The narrative is set out to seek to identify the principal pertinent factual matters which bear upon the consideration of whether or not there was apparent bias in this case.

- G 141 By the same token, it is not necessary or proportionate to deal with each and every individual point made by the claimant in relation to their concerns across all the twists and turns during the narrative. A distillation must be undertaken for the purposes of analysis. Without wishing to detract from the claimant’s submission that the totality of the context needs to be addressed, a number of particular points of concern were particularly focused upon by Mr Wald in the course of his submissions. Those include the following key themes in relation to the events which, in Mr Wald’s submissions, built a picture of apparent bias by the defendant in favour of the second interested party and/or unfairness to the claimant. It will be noted that they are directed to relationships with both officers and councillors of the defendant. They were:
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(a) The early, regular, persistent and private lobbying of officers in relation to arguments pertaining to prematurity, and in particular Mr Peterson’s contention that any application made by the claimant or the

first interested party would be premature. This occurred on several occasions starting from June 2014 and was a theme to which Mr Peterson repeatedly returned in correspondence with officers which was not in the public domain. This is a feature also relied upon in the context of fairness.

(b) Again, in correspondence which was not in the public domain, Mr Peterson repeatedly contacted and lobbied the defendant's officers in relation to the need to have access to pre-application correspondence in relation to the first interested party's application for residential planning permission. This again was a matter which was pursued with relentless persistence by Mr Peterson and which was used as a means of pressurising the defendant's officers to be disposed in his favour and further substantiates the allegation of apparent bias made by the claimant.

(c) The removal of Mr Bore from the process of appointing the independent examiner. This event demonstrated Mr Peterson exerting unwarranted and unjustified influence over the defendant leading to a senior officer removing himself from the process in circumstances where such was unwarranted. Allied to this point is the claimant's submission that a further aspect of the apparent bias towards the second interested party in this case is that the defendant's officers never provided their conscientiously held professional views of the merits of the proposal to designate the site as LGS to the examination. They sat on their hands and did not advocate a case on behalf of the defendant that the site did not meet the criteria for designation, which was in fact their view.

(d) The wholly unjustified influence which the second interested party, and in particular Mr Peterson, played in the selection of the examiner. The legislation required them to consent to the examiner's appointment (see paragraph 7(4) of Schedule 4B to the 1990 Act), but what in fact happened on this occasion was that, far from the random process of picking an examiner which had been contemplated by Mr Holgate, Mr Peterson was allowed to dictate the choice of Mr Parmiter, who Mr Peterson believed to be the examiner most sympathetic to the interests of the second interested party. Mr Parmiter was someone who Mr Peterson had previously spoken to, and appeared from the correspondence to be immediately on first name terms with. This issue was further relied upon as a free-standing allegation of illegality, in that it was contended that the process adopted contravened the requirements of paragraph 7(4) of Schedule 4B.

(e) Mr Peterson was again allowed unjustified and inappropriate access to officers when he lobbied them demanding that they desist from preparing the conservation area appraisal until after the neighbourhood plan had run its course. This approach was bound to favour the interests of the second interested party since it would leave the conservation area appraisal which already existed as part of the material considerations for the purposes of the neighbourhood plan. The defendant's surrender of its position through Mr Bore was another example of Mr Peterson exerting undue influence over the defendant and the defendant capitulating to his pressure.

(f) Mr Peterson was allowed unrestrained and illegitimate access to councillors and in particular Councillor Coleridge both in connection with the debate in relation to the petition in April 2015 and also later in the process when the defendant was approaching making its key decision. Access to the councillors through the correspondence described above showed Mr Peterson again exerting relentless and persistent pressure on

A councillors including Councillor Coleridge from which he derived considerable advantage. For instance, in the context of the resolution on the petition this pressure secured a resolution that any application by the first interested party “would be considered premature if they were submitted before the examiner had made a decision” and further in the report it was conceded that it would be for the examiner, not the defendant, to decide whether the backland sites were suitable for designation as LGS: this was an erroneous approach since the final decision on the matter rested with the council. As part and parcel of this point Mr Wald emphasised that the false proposition that the question of the LGS status would be decided by the examiner rather than the council was a fallacy which originated with, and had been relentlessly promoted by, Mr Peterson and one which was not debunked until much later on in the process when the key decision report was being prepared.

C (g) The correspondence during the course of the examination with the examiner demonstrated, again, Mr Peterson exerting relentless pressure to seek to secure his own way, and constantly interfering so as to meddle with what was supposed to be an independent process. In addition to the familiarity with which Mr Peterson addressed the examiner, and the frequency with which he sought to engage in private correspondence with the examiner, the correspondence showed that, as a result of Mr Peterson being in a “secret race” with the first interested party he was perpetually seeking to hurry the timetable of the process along and seeking to exercise influence in order to accelerate it. This point also applied to some extent prior to the appointment of the examiner. Mr Peterson also sought to influence the agenda for the hearing by, for instance, addressing the examiner on matters which the second interested party wanted including on the agenda but which the examiner had not identified, and seeking to interfere both with those who would be invited to participate in the examination and also the representation (for instance both in respect of the defendant and also the claimant and first interested party) at the examination. He sought to submit documents to the examiner when the examiner’s procedure precluded this and in circumstances when he had not been invited to do so. Further, this correspondence with the examiner and the defendant was not in the public domain and the interested party had no notion that it was taking place prior to disclosure. This is another point which is also relied upon in the context of fairness.

E F (h) In addition to attempting to submit further documentation illegitimately, Mr Peterson also sought to raise the issue about the waste operation on the site after the hearing had closed and without the first interested party having any knowledge that he was privately corresponding with the examiner on this topic. This is another example of both unfair procedure, and also Mr Peterson on behalf of the second interested party bringing wholly illegitimate pressure to bear upon the defendant in order to seek to get his own way.

G H (i) After the examination had closed, once more it is contended that Mr Peterson exercised persistent and illegitimate pressure on the defendant and the examiner, and was relentless in his campaign to press and plead the case of the second interested party in secret correspondence with the defendant and the examiner. He was allowed access to the examiner’s report prior to it being in the public domain, and although he had only been asked to

look at it for factual checking and typographical errors he immediately sought to exceed his brief by attempting to argue the merits with the examiner in respect of certain conclusions which did not go the second interested party's way. The defendant was involved in this correspondence, and yet again the narrative of events in relation to the finalisation of the examiner's report provides further grist to the mill that there was both apparent bias and unfairness in the way in which matters were dealt with.

(j) In respect of the key decision report, as the defendant's officer Ms Parker acknowledged at the time, permitting Mr Peterson on behalf of the second interested party to comment upon the draft report was not a usual procedure. In truth, it was irregular and wholly illegitimate for the second interested party to have access to, and a measure of editorial control over, the key decision report. At the end of the process when the claimant sought to provide an offer of compromise the narrative of events demonstrates that Mr Peterson was again allowed by the defendant to interfere in that process and effectively operate a right of veto in relation to the offer. This is a further example of him exercising wholly illegitimate influence with the defendant providing cogent evidence in support of the claimant's allegation of apparent bias towards the second interested party.

(k) At the end of the process when the claimant sought to provide an offer of compromise the narrative of events demonstrates that Mr Peterson was again allowed by the defendant to interfere in that process and effectively operate a right of veto in relation to the offer. This is a further example of him exercising wholly illegitimate influence with the defendant, again providing cogent evidence of the claimant's allegation of apparent bias towards the second interested party.

(l) The claimant further relies as part of the context on its contention that the defendant was in breach of the duty of candour and failed to provide all of the material documentation at the time of responding to the claim. The claimant relies upon the fact that there was extensive disclosure initially which led to the amendment of the claimant's grounds, and then subsequently, and from the claimant's perspective, most significantly, a vast amount of further documentation was disclosed giving rise to further contentions in respect of apparent bias and fairness which had not earlier been disclosed by the defendant in breach of the duty of candour.

142 In seeking to form a view in relation to the question of whether or not the claimant has established that the defendant was apparently biased towards the second interested party, in my view it is necessary to have regard to the following features which would be part of the context known to the well-informed and fair-minded observer. Firstly, so far as the defendant's officers are concerned, they are public officials who have a responsibility to seek to take account of legitimately expressed interests raised with them by the members of the public who they are employed to serve. It is part and parcel of their role to have a listening ear to representations that are made to them. Of course, from time to time there will be a necessity to turn representations away: they may be representations which are illegal or vexatious. There also may be the need from time to time, akin to the observations of the Court of Appeal in the *Broadview Energy Developments Ltd* case [2016] JPL 1207 in respect of the conduct of the Secretary of State, to politely observe that there is no purpose in making further repetitious representations. None the less, in the context of modern public administration there will be an expectation

A that local government officers will engage with representations which are made to them by all members of the public, since failing to do so may give rise to justifiable complaint.

B 143 Secondly, in relation to members of the local authority, as is evident from authorities such as *Lewis's* case [2009] 1 WLR 83 and the *Island Farm Development Ltd* case [2007] LGR 60, councillors are politicians and policy makers. As democratically elected representatives they are expected to receive and consider representations and lobbying from those interested in the issues they are determining. As Rix LJ observed in *Lewis's* case, at para 96:

C “Evidence of political affiliation or of the adoption of policies towards a planning proposal will not for these purposes by itself amount to an appearance of the real possibility of predetermination or what counts as bias.”

As he went on to conclude, something more is required, in the sense of the local member having abandoned the obligation at the point of decision-making to address planning issues fairly and on their merits even though the member may have previously expressed a predisposition in relation to that decision.

D 144 Thirdly, the well-informed and fair-minded observer would have an appreciation of the obligation of the defendant under paragraph 3(1) of Schedule 4B to the 1990 Act to “give such advice or assistance to [the second interested party] as, in all the circumstances, they consider appropriate for the purpose of, or in connection with, facilitating the making of proposals for [neighbourhood plans]”. Thus, the narrative of events, and in particular
E the defendant’s involvement in that narrative, would be understood by the well-informed and fair-minded observer as taking place against the backdrop of the requirement of the defendant to provide advice and assistance to the second interested party in order to facilitate the making of the neighbourhood plan. The duty is expressed in relatively broad terms and in my view was undoubtedly included within the statutory provisions to reflect the fact that, firstly, the local planning authority would be well
F equipped with experienced professional officers to provide a range of expertise to support a qualifying body in the making of its neighbourhood plan and, secondly, to reflect the fact that many qualifying bodies would by stark contrast not have the resources or expertise available to them to produce a neighbourhood plan unassisted. That is not to say that there is anything in paragraph 3(1) which requires the local planning authority to
G support the proposals of a neighbourhood plan come what may, or whatever may be their views of the merits of the neighbourhood plan. It is obvious that the local planning authority has important tasks within the statutory framework in terms of appraising the merits of the neighbourhood plan against the specific tests which are set out in the legislation. The duty to provide “advice or assistance” does not require uncritical and unthinking support. What it does require, however, is undoubtedly relatively close
H engagement with the qualifying body to facilitate the making of the neighbourhood plan.

145 I shall deal with the detail of the specific points of the claimant’s case individually below. Having carefully scrutinised the whole of the factual context set out above, together with those particular features

highlighted by the claimant, I have reached the conclusion that there was neither apparent bias nor unfairness in the defendant's involvement in the making of the neighbourhood plan, and in particular the proposal for the LGS designation of the site. In respect of the specific points raised, my conclusions are as follows.

146 In relation to the point at para 141(a) above I am unable to conclude that there is anything untoward either in terms of apparent bias or unfairness in the fact that Mr Peterson engaged from June 2014 in a protracted campaign of seeking to persuade the defendant that any application furnished by the first interested party for the development of the site would be premature. From the early genesis of the preparation of the neighbourhood plan, and its proposals for LGS designation of the site, it was an obvious concern to the second interested party that the granting of planning permission for residential development of the site would frustrate the neighbourhood plan's aspirations. In principle, the appropriate policy approach to address that concern was the objection that proposals for residential development would be premature to the neighbourhood plan's aspirations. I accept Mr Wald's criticisms that from time to time Mr Peterson articulated his representations in a manner which, at least arguably, did not properly reflect a clear understanding of national guidance in this connection. However, that is not the key point. The reality is that bearing in mind the second interested party's interest in preventing residential development of the site, so as to enable it to be designated as LGS, there was nothing inappropriate or untoward in Mr Peterson repeatedly raising this point. All he was doing was legitimately lobbying the council and raising the second interested party's objections. The fact that Mr Peterson did it regularly and repeatedly does not in my view ground or support the overall allegation of apparent bias and unfairness made by the claimant. It has to be accepted that this correspondence occurred in private, and was not the subject of publicity, but that was inevitable given the position in relation to any residential development proposals at the time when the representations were made, prior to a planning application. This was, in reality, routine correspondence between the defendant's officers and an interested local community group for which there was no reason for it to be widely publicised or sent to the claimant or the first interested party for comment.

147 In terms of fairness it is clear from the narrative that at the point in time when the first interested party had to engage with contentions in relation to prematurity, when it made its application, full representations were made in that connection. Those representations were, of course, made some time after the question of prematurity in relation to the residential development of the site was fully in the public domain as a consequence of the petition presented to full council. There is therefore in my view little substance in the claimant's contention about the second interested party's prematurity objections in the context of apparent bias and unfairness.

148 I turn to the point raised at (b) above, namely Mr Peterson's campaign to have access to the pre-application advice which had been provided to the first interested party at a point prior to them submitting a planning application. I accept Mr Wald's submission here, as elsewhere, that the absence of any actual substantive effect as a consequence of Mr Peterson's conduct is not at all dispositive as to whether or not it

A provides support for the overarching allegation of apparent bias. As he pointed out in the course of argument, there can be subconscious and subliminal effects arising from the exertion of unremitting and ceaseless harrying of the kind with which he contends Mr Peterson engaged in with respect to particular aspects of the case. This point is addressed further below. Undoubtedly Mr Peterson engaged in persistent complaints in relation to the pre-application advice, undaunted by the defendant's steadfast refusal to furnish the advice to him. All that said, I am not satisfied that the well-informed, fair-minded observer would gain any support from this campaign for the contention that it led to apparent bias by the defendant.

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149 Firstly, it was perfectly legitimate for Mr Peterson to pursue this avenue of inquiry, and indeed to seek to exercise his rights in relation to freedom of information requests in respect of the pre-application advice. No doubt here, as elsewhere, Mr Peterson through his dogged pursuit of the point, sought to exert pressure on the defendant to accede to his request. Furthermore, there were in my view aspects of the correspondence prior to and around the application which have to be noted were inappropriate: for instance, Mr Stallwood on 9 September 2014 tipping Mr Peterson off that the defendant had received a request for advice and responded to it, a disclosure which his own e-mail acknowledged he should not have been making. In addition, it was plainly inappropriate that the e-mail of 28 May 2015 sent by Mr Peterson containing a number of what were in reality objections to the planning application should, at his behest, have been passed to the case officer without being placed on the public planning file. These were, however, in my view isolated aberrations and incapable of providing any significant strength to the claimant's allegations. To reiterate: Mr Peterson's albeit protracted and persistent campaign in relation to seeking access to the pre-application correspondence was a legitimate campaign and not one giving rise to apparent bias.

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150 The third issue which was the particular focus of the claimant's contentions, at para 141(c) above, was the removal from the process of selecting the examiner of Mr Bore. The claimant contends this again is part of the picture demonstrating apparent bias on the part of the defendant. The insistent harassing by Mr Peterson led to Mr Bore withdrawing from the process and Mr Peterson getting his own way in relation to this issue in circumstances where there was no sensible reason for Mr Bore to withdraw. Having considered the evidence in this respect, I am unpersuaded that in fact this episode is legitimately an ingredient in the claimant's apparent bias case. It appears to me clear from the correspondence that what in fact occurred was that Mr Bore, in the light of the dispute between him and Mr Peterson and so as to assist in the smooth running of the selection of the examiner, simply decided to hand the task on to Mr Holgate. No doubt Mr Bore was alive to the role that the second interested party would have to take in the process of selecting the examiner pursuant to paragraph 7(4) of Schedule 4B and, bearing in mind his strained relationship with Mr Peterson, stepped aside to facilitate that process. I do not consider that the well-informed, fair-minded observer would detect any real possibility of bias in what occurred.

151 The question of the *volte face* relied upon by the claimant is dealt with in greater detail below. However, in relation to the claimant's submission that it was an aspect of apparent bias that the officers of the

defendant did not express their genuine professional view of the proposal to designate the site LGS to the examination, it is important in my view to bear in mind that the position of the officers at the examination followed on from the receipt by the defendant's full council meeting of the petition. The response to that petition which came from the officer's report on the petition and was endorsed by members, was that it would be for the examiner to resolve the question of whether or not the designation was justified. That was, in the light of the arguments which had been presented both for and against designation, a reasonable approach to take bearing in mind the process of independent scrutiny which the neighbourhood plan had to undergo. In the circumstances, therefore, there is no substance in the contention that this was further evidence of the defendant's apparent bias towards the second interested party. The approach to the presentation of the defendant's position at the examination flowed from the position which had been taken in correspondence on 24 February 2015 and also in response to the petition, which was undoubtedly grounded in the fact that the designation was the second interested party's proposal and that the examiner would have presented to him and have to consider both sides of the argument in relation to it before forming a conclusion. I do not consider that the fair-minded and well-informed observer would conclude from this that there was substance in the complaint of a real possibility of bias on the part of the defendant.

152 I move then to the concerns expressed in relation to the role Mr Peterson then played in the selection of the examiner: see para 141(d) above. It is, for the reasons which have been set out above, beyond argument that the second interested party and their representative Mr Peterson necessarily had a role to play in the selection of the examiner. True it is that once the co-ordinating role had been passed to Mr Holgate his initial response was that he proposed to pick one of the suitable candidates at random. However, in my view there was nothing untoward about the selection process which then emerged and which departed from this suggested approach. Firstly, the process followed and deployed the NPIERS service so as to enable the selection of three potential candidates. Having identified three possible examiners I see nothing inappropriate in Mr Peterson providing views as to who of the three might be the most suitable nor in the fact that he was influenced in his selection by the workshop which he had attended with Ms Hammond in May 2015. The observations which Mr Peterson provided on 9 June 2015 were a sequence of reasonable points about why Mr Parmiter might be the most appropriate candidate; and I see nothing untoward in his observation that Mr Parmiter might be a person with whom the second interested party could work. Whilst it is surprising that Ms Hammond endorsed the appointment without having seen the CVs for all of the candidates I am not satisfied that that is a matter of any real significance in this connection. Again, I have formed the view that ultimately the well-informed and fair-minded observer would not detect any element of apparent bias in the process which was involved in selecting Mr Parmiter as the examiner.

153 Furthermore, I do not consider that there is any substance in the complaint that the selection of the examiner occurred deploying a process which was in breach of the requirements of paragraph 7(4) of Schedule 4B. It is clear from the legislative provisions that the qualifying body, in this case

A the second interested party, has a role to play in the selection of the examiner. They have to consent to the appointment of the examiner. I can see good sense in engaging the qualifying body, as occurred here, in the examiner selection process so as to ensure that they consent to the individual who emerges from the selection process. I am satisfied that the examiner was selected in this case in accordance with a lawful process.

B 154 The next matter upon which the claimant places detailed reliance is the postponement of the preparation of the conservation area appraisal: see para 141(e) above. This was a further matter addressed in Mr Bore's e-mail of 12 March 2015 at the same time as him handing on the appointment of the examiner to Mr Holgate. To my mind the well-informed and fair-minded observer, taking the totality of the correspondence on this issue into account, would derive the conclusion that there was a balance of arguments presented both in favour and against postponing consultation upon the conservation area appraisal until after the receipt of the findings and conclusions of the neighbourhood plan examiner. As at one point was observed by the defendant's officers, the neighbourhood plan would only touch on elements of the conservation area appraisal and there was a clear need for the existing appraisal to be updated. On the other hand, as C Mr Peterson observed, there was a danger of work being duplicated as there was an obvious overlap between the merits of the proposals of the emerging neighbourhood plan and the judgments which would have to be reached in the conservation area appraisal. Again, I do not consider that the well-informed fair-minded observer would detect the appearance of bias from D Mr Bore's decision to postpone the conservation area appraisal, and accede to Mr Peterson's perspective on this point, on 12 March 2015. A decision E had to be reached on the competing views and he brought the matter to a head in that correspondence. I do not consider therefore that this point materially assists the claimant's case.

155 I should note before departing from this point that the defendant put in a detailed witness statement from Ms Hammond seeking to explain the rationale for the decision. That witness statement was objected to by F Mr Wald on behalf of the claimant on the basis that it was ex post facto reasoning and that, in any event, he was not pursuing a rationality challenge in relation to the decision to postpone the conservation area appraisal process itself. It will be apparent from what I have set out above that I have reached my decision on this point without the need to refer to Ms Hammond's witness statement and have not therefore taken account of it in arriving at my conclusions.

G 156 As set out above in para 141(f), the claimant emphasised as part of the apparent bias and fairness case the lobbying of both local ward members and also Councillor Coleridge at various stages of the process. In particular, local ward members were lobbied immediately prior to the local elections in relation to their attitude to the proposals of the neighbourhood plan by Mr Peterson, and Mr Peterson was in close dialogue with councillors including Councillor Coleridge and Councillor Feilding-Mellon in relation H to the petition which was presented to the defendant. Further lobbying occurred in the context of the key-decision report with Councillor Coleridge, who was responsible for that decision.

157 Having examined the narrative in relation to the contact between Mr Peterson and both local members and Councillor Coleridge I do not

consider that there was anything untoward or which might support the claimant's case in relation to apparent bias in these events. Establishing the position of candidates in the local election in relation to the neighbourhood plan immediately prior to the poll (including making plain that one's vote depends upon their attitude to particular issues about which they are being lobbied) is simply part and parcel of the democratic process. There could be no better time to establish the opinions of those seeking to be local representatives than at the point in time when they are standing for election and the poll is imminent. Similarly, I see nothing to support the claimant's case in the lobbying of Councillor Coleridge, either at the time of the petition and the meeting of full Council or at the later stage of the key decision report. It is clear from the correspondence that Councillor Coleridge was circumspect about the suggestion of some kind of cross-party initiative at the time of the petition. It was part and parcel of the political process that he should agree to meeting Mr Peterson so as to receive representations from him. There is no suggestion here that Councillor Coleridge was not open to consider all representations that might be made by those interested in the petition if they were furnished to him. In my view, it is important that local councillors, including those in leading roles within the council, remain open to receiving representations and evidence in respect of the decisions which they are charged to make.

158 Once again it appears to me that there was nothing inappropriate in Mr Peterson making representations to Councillor Coleridge after the receipt of the examiner's report and at the time of the preparation of the key decision report and setting out his case that the examiner's conclusions should be supported. This again is all, in my view, part and parcel of effective local government. As Mr Phillpot on behalf of the defendant pointed out, in a similar vein on 7 December 2015 the first interested party's planning consultants wrote to Councillor Coleridge also making their counter representations to him in respect of the examiner's conclusions. Again, that was a perfectly proper course for them to have taken. I see nothing, therefore, which supports the claimant's case in any of the communications set out above in the narrative of events occurring between Mr Peterson and a range of local councillors including ward councillors, Councillor Coleridge and other councillors with a leadership role. All of these representations were made with the legitimate end of seeking to advocate a particular outcome in relation to democratic decision-making processes, and would have been regarded as such by the well-informed, fair-minded observer.

159 As set out above part of the claimant's case in relation to these issues (at para 141(g) and (h)) relates to the correspondence between Mr Peterson and the examiner and officers of the defendant in relation to the running of the examination. Starting from the position that it is contended Mr Peterson is immediately overly familiar with the examiner, the claimant then draws attention to the persistent interference from Mr Peterson with the content and the organisation of the examination process. It is contended that he illegitimately sought to interfere with the agenda of the examination, inappropriately meddled both in the issues as to who was to appear at the hearing for the examination and issues pertaining to representation and hot seating, and further that he sought to submit documents as it were via the

A back door, at a time when the examiner had specifically concluded that no further documentation was to be provided to the examination.

160 When these concerns are analysed I find myself quite unpersuaded that they are capable of supporting an allegation of apparent bias against the defendant. Indeed, perhaps, they point to the contrary. An important part of the context of the claimant's submissions in this connection must be, as Mr Phillipot was astute to emphasise, that there is quite properly no allegation of bias levelled against Mr Parmiter the examiner. There can be no doubt but that from time to time Mr Peterson sought, whether naively or otherwise, to push the boundaries, in particular in seeking to exercise control over the hearing element of the examination process. Examples of this include when he sought to suggest to the examiner the expansion of the topics which should be on the agenda for the hearing, and when he sought to submit further viability work at a time when the examiner had made plain that there would be no submission of any further documentation. The fact that he made these and other attempts to control or take advantage of his position in the examination process does not in and of itself in my judgment support any allegation of apparent bias. There will always be occasions where participants in administrative processes of this kind will seek to take tactical advantage. What is interesting and of importance in my view is that on each of the occasions where Mr Peterson sought to behave in this way the examiner politely and firmly refused to accede to Mr Peterson's requests. The conduct of the examiner in this respect in the main demonstrated independence, impartiality and, where necessary, robustness. The examiner, having behaved perfectly properly, it is difficult to see how these exchanges could give rise to concern about apparent bias on behalf of the defendant, who observed this behaviour and the examiner's firm treatment of it.

161 It could be said that the examiner afforded Mr Peterson too much latitude in allowing him to continue to make procedural and substantive representations to him. I have no doubt that the interests of transparency in the process would have been better served by all correspondence from all parties with the examiner being open and available, for example, on a convenient associated website. However, both of these matters are in my view related to good practice, rather than giving rise to any substantive concern about apparent bias. For the reasons which I have given I am satisfied that the well-informed, fair-minded observer examining the totality of the correspondence exchanged between Mr Peterson, the defendant and the examiner during the course of the examination process up to the receipt of the report would not consider that it demonstrated a real possibility of bias in favour of Mr Peterson and the second interested party.

162 A further aspect of the claimant's case in this respect is the contention that Mr Peterson was engaged in a "secret race" and used privileged access afforded to him by the defendant (fostering the allegation of apparent bias) to hurry along the timetable for the making of the neighbourhood plan. It is undoubtedly the case that Mr Peterson was keen to urge the defendant to progress the neighbourhood plan and regularly expressed his impatience and frustration at what he considered to be the slow pace at which it was proceeding. Once more, the context of the claimant's contentions is important. Whilst Mr Wald described what was occurring as a "secret race" the truth is that both the claimant and first interested party and also the second interested party were fully aware of the importance of time

scales in relation to their competing projects. The only secret dimension was that Mr Peterson was, in correspondence with the defendant, seeking to chase progress with the neighbourhood plan and that correspondence was not in the public domain. I do not consider that the fair-minded and well-informed observer would form the view that Mr Peterson's determined and persistent efforts to expedite the neighbourhood plan process was evidence giving rise to the real possibility of bias on the part of the defendant. In my view all that it evidences is Mr Peterson, on behalf of the second interested party, diligently pursuing their interest in having the plan made and its proposals part of the development plan. Here, and in relation to Mr Peterson's persistent engagement in correspondence elsewhere in the narrative, I do not accept that his approach created subconscious pressure or through attrition, corroded the defendant's will-power so to give rise to the real possibility of bias. In my view the well-informed and fair-minded observer, examining the narrative as a whole, would conclude that this was the type of campaigning behaviour that experienced local government officers of the kind involved here were used to dealing with, retaining their objectivity in respect of the issues. Indeed, the only real evidence of any exception to their even-handed approach is on the occasions when they become obviously irritated (as opposed to cowed) by Mr Peterson's approach.

163 A particular dimension of the claimant's concerns in this regard is the correspondence which occurred after the hearing, and privately, in relation to Mr McGurk's contention at the hearing that the site had been used by the defendant as part of a waste recycling operation. This correspondence from Mr Peterson on 30 September 2015, which was directed at the defendant, had the examiner copied into it. It is unfortunate that the examiner did not respond directly to this e-mail indicating that the hearing had closed and that there was no basis for receiving any further representations. Nevertheless, in my view, the well-informed and fair-minded observer would not conclude from Mr Peterson's inappropriate e-mail that there was the real possibility of bias on behalf of the defendant towards the second interested party. It was an irregularity at most and nothing more. Mr Peterson's perpetration of this irregularity, which probably required dealing with robustly, was a further example of Mr Peterson's energy and persistence. The failure to deal with his intervention robustly does not bespeak apparent bias on the part of the defendant.

164 The next matter relied upon by the claimant, at para 141(i) above, was the access afforded to Mr Peterson on behalf of the second interested party to the examiner's report. The claimant's case is that whilst it is entirely appropriate for an examiner to pass to the local planning authority the draft report following an examination for them to fact check and proof read, it is a clear example of the preferential treatment afforded to Mr Peterson, and therefore apparent bias, that he was also allowed the opportunity to proof read and fact check the examiner's report. Furthermore, Mr Peterson in any event exceeded the brief which he had been given when for instance on 13, 15 and 18 October 2015 he wrote to the examiner providing substantive observations on the draft report which exceeded any proof-reading or fact-checking exercise.

165 The claimant's submissions in this connection are correct so far as they go. However, the well-informed and fair-minded observer would, of necessity, examine the totality of the correspondence at this time which has

A been set out above. It is clear that in reality both that the second interested party and the defendant engaged in commentary upon the draft report which exceeded the requirements of the examiner, and ultimately on 23 November 2015 the examiner had to call a halt to this discussion so as to complete his report. In my view, it is not possible to deduce any apparent bias of the defendant in favour of Mr Peterson from this correspondence; in fact in some respects it appears that the defendant and Mr Peterson had adopted oppositional positions in relation to aspects of the report which the examiner had to resolve. I cannot therefore conclude that this part of the case provides any material support to the claimant's contentions in relation to apparent bias.

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D 166 In a similar vein, at para 141(j) above, the claimant places reliance upon the access which the defendant afforded to Mr Peterson to both the key decision report and also the briefing which was to be provided to members about the outcome of the examination. Emphasis is placed by Mr Wald upon the observation of Ms Parker that this procedure, in particular in relation to the key decision report, was one which was irregular and not the defendant's usual practice. The claimant contends that that is, again, Mr Peterson being afforded preferential treatment and special access to the defendant's procedures which demonstrates a clearly established allegation of apparent bias against the defendant.

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F 167 In my view, the well-informed and fair-minded observer would take note of the particular context in which this issue arises, namely that it is the second interested party's neighbourhood plan (which has by this time been subject to an independent statutory process) which is the subject matter of the briefing note and the key decision report. Whilst ultimately the decision as to whether or not the neighbourhood plan should proceed to referendum and the examiner's conclusions be endorsed was a matter for the defendant (an issue to which I shall return shortly), I am satisfied that the well-informed and fair-minded observer would perceive no difficulty or objection in principle to the second interested party being consulted upon and permitted to comment about both of these documents. Bearing in mind that the neighbourhood plan was the fruit of the second interested party's labours as a qualifying body, it had a particular interest in the defendant's response to the examiner's report which justified the engagement of the second interested party in considering the draft of these documents. Their involvement in the process does not therefore give rise to any support to the claimant's concerns in respect of apparent bias.

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H 168 A dimension of the claimant's case which it is worthwhile to pick up at this stage is the point which is made about Mr Peterson apparently persuading the defendant's officers and also Councillor Coleridge that it was for the examiner, and not the defendant, to determine whether or not the LGS designation on the site was appropriate. This was a consequence of Mr Peterson perpetually repeating this refrain as part of the extensive correspondence he which had with the defendant's officers and Councillor Coleridge. The fact that they acceded to this flawed proposition for as long as they did is relied upon by the claimant as another instance of apparent bias toward the second interested party on the basis that the faulty proposition was accepted without scrutiny or examination.

169 Even accepting that the defendant up until the time of the preparation of the key decision report appeared to accept Mr Peterson's

submission in this respect without critical scrutiny, I am unable to accept that that alone is capable of supporting an allegation of apparent bias. Even allowing for the fact that the defendant was misled by Mr Peterson on this particular issue pertaining to the making of the neighbourhood plan, I am not persuaded that the well-informed and fair-minded observer would take their having been misled on this issue as evidence of the real possibility of bias towards Mr Peterson and the second interested party. Again, the question has to be placed in context. There were many other representations made by Mr Peterson which the defendant roundly rejected. In my view, the well-informed and fair-minded observer would simply perceive this point as one of the many issues in the to and fro between Mr Peterson and the defendant's officers and members, and not something which specifically supported the claimant's contention of apparent bias when placed in the context of the narrative as a whole.

170 It is necessary now to turn to the matters raised at para 141(k), namely what the claimant characterises as the veto of the offer put forward by the claimant as a compromise proposal after the receipt of the examiner's report. I can deal with these submissions relatively briefly. In my view the well-informed and fair-minded observer would observe as follows. Firstly, when this offer was received the defendant went through an appropriate procedure of consultation in respect of the proposal. This occurred firstly with the chair of the PRSC, and secondly with Mr Peterson on behalf of the second interested party. Secondly, this offer was being considered at a time when the second interested party had persuaded the examiner of the merits of their proposal to designate the site as LGS. It was unsurprising given that this was the state of play that the second interested party had little interest in the proposal, and that in the light of this the chair of the PRSC did not consider it appropriate for the proposal to be presented to the PRSC meeting. In that the offer arose at a time when the question of the suitability of the site for designation had been independently determined against the claimant and the first interested party, I do not consider that the well-informed and fair-minded observer would be surprised either that the second interested party rejected it or, more pertinently, that the defendant did not consider that there was anything to be gained by exploring it further. It arose too late in the process to be realistically meaningful.

171 Finally, the claimant relies in this part of the case upon its contention that the defendant failed to comply with the duty of candour. In essence, the claimant, reliant upon the observations of Laws LJ in *R (Quark Fishing Ltd) v Secretary of State for Foreign and Commonwealth Affairs* [2002] EWCA Civ 1409 as giving support to their contentions that apparent bias and unfairness have arisen in the present case. In developing his submissions in this connection, Mr Wald drew attention not only to the volume of material which was produced in between the two hearings in this case as evidence of failure to comply with the duty of candour, but also to the fact that many of the documents which had been produced were authored by individuals who were already part of the dramatis personae in the case.

172 In response to these submissions Mr Phillpot essentially contends that the point is academic if the allegations in relation to apparent bias are, on the totality of the material, unfounded. Furthermore, he submits that the claimant's case has evolved, for instance in relation to reliance upon requests

A for pre-application advice and the point in relation to the defendant's power in respect of the conclusions of the examiner's report, and that these are both matters which arose late in the litigation giving rise at that stage, but not before, to the need for further disclosure.

B 173 It will be apparent from the reasons which have already been provided that I am not persuaded that there is substance in the claimant's allegation that the defendant was apparently biased toward the second interested party. Thus, there is force in Mr Phillpot's submission that this contention could not in any event and independently provide support for the claimant's case. The claimant has not established any element of apparent bias on the basis of all the material now disclosed: even if the later disclosure occurred following an earlier breach of the duty of candour, that takes the claimant's case no further forward it now being accepted that the duty of candour has been satisfied. None the less, I offer some observations in respect of this issue.

C 174 Firstly, Mr Wald is entirely correct to observe that the duty of candour is a continuous duty. Secondly, I have some sympathy for the position of the defendant in this sense. The ease and convenience of modern communication (in particular via e-mail) creates considerable difficulties for disclosure when, as in the present case, many hundreds of e-mails are generated in a relatively short period of time and the sheer volume of material renders the task of sorting the wheat from the chaff obviously problematic. I have no doubt that the production of a significant quantity of further documentation did not arise from any deliberate breach of the duty of candour or failure of the defendant to seek to conscientiously provide all of the material relevant to the issues in the case. There is force in D Mr Phillpot's submissions that aspects of the claimant's case emerged during the course of the litigation and as such there is limited scope for criticism of the defendant. Overall, I am not persuaded that there was a breach of the duty of candour in this case, or that there is anything in the conduct of the defendant in relation to disclosure which would justify the drawing of inferences, including adverse inferences, in respect of the substantive issues E in the case.

F 175 I have reached the conclusion, having considered the totality of the narrative of events in this case and all of the correspondence and documentation relevant to what occurred, that there is no substance in the contention of the claimant that the defendant was apparently biased toward the second interested party taking the overall context into account, and also bearing in mind the particular features of the narrative which I have set out G above upon which reliance is placed.

H 176 I turn then to the issues of fairness raised by the claimant reliant upon both the generality of the process of making of the neighbourhood plan, and also the relevant specific features set out above. In essence, the contention of the claimant is that the second interested party through Mr Peterson was regularly and repeatedly afforded privileged access in private to the defendant and able to make extensive representations on a variety of issues, such as prematurity, the merits of the LGS designation, the postponement of the conservation area appraisal process as well as access to important preparatory documents such as the examiner's report and the key decision report without the claimant having any opportunity to address the submissions which were being made by Mr Peterson adverse to the

claimant's interests and respond to them putting their own point of view. The procedure which was adopted both in the context of the preparation of the neighbourhood plan and the examination along with the final stages of the key decision report all involved aspects of unfairness to the interests of the claimant.

177 As Mr Wald accepted during the course of argument, in essence the claimant relies upon points raised in relation to apparent bias in the context of fairness. For the reasons set out above, in my view the specific features of the case relied upon by the claimant are no more supportive of contentions in relation to fairness than they are to apparent bias. I would, however, offer these further observations in relation to the particular fairness dimensions upon which the claimant relied.

178 Firstly, there was no unfairness in principle in Mr Peterson corresponding with the defendant on behalf of the second interested party in relation to issues of prematurity in respect of any planning application which might be made at the site for housing bearing in mind its interests in promoting the neighbourhood plan. As I have indicated above, it was perfectly proper for the defendant to receive those representations, and in my view the requirements of fairness, at the stage when there was no application for planning permission at the site, did not require that correspondence to be forwarded to the claimant or the first interested party for comment.

179 Neither Mr Peterson, nor the second interested party, on a comprehensive analysis of the correspondence enjoyed any special or privileged status, or had any privileged access, beyond that which necessarily arose from the second interested party's status as a qualifying body promoting a neighbourhood plan. Bearing in mind the requirements of paragraph 3(1) of Schedule 4B to the 1990 Act and the second interested party's status it was unsurprising and certainly not unfair that they should be in regular dialogue with the defendant in respect of promoting the plan, and fairness did not require that that dialogue prior to the examination should be in the public domain affording the claimant the opportunity to comment upon it. As indicated above, and as a matter of transparency and good practice, it seems to me that it would have been desirable for all correspondence with the examiner to have been undertaken openly, so that all those interested in the neighbourhood plan could understand the nature of the communication between the examiner, the defendant and the second interested party. However, the fact that the correspondence was not in the public domain was not in my view, in principle, unfair.

180 In any event, as Mr Wald has to accept, it is necessary for him to show prejudice to his client's interest as a consequence of any unfairness. There is no prejudice which could be demonstrated from Mr Peterson's correspondence during the course of the examination with the examiner and the defendant, since as will be evident from the narrative of events, the examiner dealt firmly with those occasions when Mr Peterson sought to exceed the proper limits of his involvement with the process and, for instance, rejected the submission of any further documentation at a time when no further documentation could be admitted. Whilst, as I have set out above, it was unfortunate that in my view the examiner did not deal more firmly with Mr Peterson's correspondence in relation to the suggestions

A about a waste recycling operation at the site, as will be apparent from the narrative of events again no prejudice arose from Mr Peterson raising this issue nor was that issue in any way engaged in the examiner's conclusions.

B 181 I have also expressed concerns above in relation to the defendant receiving correspondence in the context of the first interested party's planning application which was not placed on the planning file but nevertheless passed to the case officer. However, again, it is not possible for the claimant to demonstrate any unfairness arising from that event in the circumstance that the planning application was withdrawn, and the issues raised by Mr Peterson in that connection were essentially irrelevant to the conclusions of the examiner and the outcome of the key decision.

C 182 It was not unfair in principle in my view for Mr Peterson, on behalf of the second interested party, to lobby members of the defendant including Councillor Coleridge in the manner and circumstances which have been set out above. This lobbying is part and parcel of the democratic process. Indeed it was a procedure which was, as I have set out above, adopted by the first interested party on 7 December 2015.

D 183 Overall, therefore, I do not consider that the procedure throughout the making of the neighbourhood plan up to the decision of the defendant to send the neighbourhood plan to referendum involved any unfairness to the claimant's interests. In particular, at the key points of the decision-making process, namely the examination of the neighbourhood plan and the key decision following the receipt of the examiner's report, the claimant was afforded, and took, a full opportunity to engage in the merits of the proposal to designate the site as LGS and make their representations that this proposal was misconceived in planning terms.

E 184 On the basis of the matters which I have set out above, I am ultimately unable to accept that there is substance in the claimant's ground 1.

Ground 2: the correct interpretation of paragraph 77 of the Framework

F 185 The claimant's contention in relation to ground 2 is articulated in two ways. Firstly, it is submitted that the examiner misinterpreted paragraph 77 of the Framework when applying it to the site. The claimant's submission is that when the Framework sets out the three bullet points at paragraph 77, the first bullet point includes a requirement that the green space must be found to currently serve the community. It was the claimant's contention that the site did not at the time of the examination "serve" the local community in any way at all. They had no access to it and it had a very limited visual envelope. As such therefore, on the basis of the claimant's interpretation of paragraph 77 of the Framework, the site could not fulfil the criteria. Secondly, the claimant contends that the reasons given by the examiner are not adequate. They do not address the impact of the actual use of the land at the time involving skips, shipping containers, pallets, building materials and other debris dumped upon it. The examiner failed to properly address these considerations or provide reasons in relation to them.

H 186 The defendant's response to this submission is that there is no separate and distinct test proposed by the use of the word "serves" in the first bullet point of paragraph 77. The bullet points are intended to be read and applied together and there will necessarily be an element of overlap between

each of the bullet points. What the word “serves” is cross-referring to is how the green space serves the community by being “demonstrably special” in one of the ways illustrated in the non-exhaustive list of the second bullet point. Thus, the focus of the first bullet point is “close proximity”, and the use of the word “serves” introduces the requirement that the green space is “demonstrably special” by reference to examples of qualities and characteristics which it may enjoy and which are of benefit to the community. The defendant submits that once paragraph 77 is understood in that way, the reasons provided by the examiner are perfectly adequate.

187 Having considered these submissions, in my view the interpretation of paragraph 77 of the Framework suggested by the defendant’s submissions and which was plainly deployed by the examiner is the interpretation which is to be preferred. I can see no justification for having, in effect, a separate and free-standing requirement that the land “serves” the local community, other than by being “demonstrably special” and holding “a particular significance” for the local community in the manner required by the second bullet point. In my view, read in the context of the policy as a whole, the word “serves” operates in this way, and I see no justification for reading it more widely to create a requirement that the open space “serves” the local community in a free-standing manner beyond the question of being “demonstrably special” and holding “a particular local significance”. This interpretation is in my view, clearly more consistent with the purpose of the policy than the claimant’s construction. Furthermore, as Mr Phillpot on behalf of the defendant pointed out, it also reflects the approach of the PPG which reflects the interrelationship and overlap of the bullet points of paragraph 77 when addressing the question of proximity and observing: “the proximity of the local green space to the community it serves will depend on local circumstances, including why the green area is seen as special, but it must be reasonably close.” I am unable therefore to accept the submission that the examiner misinterpreted paragraph 77.

188 Having identified the correct interpretation of paragraph 77, I am equally not persuaded that the reasons provided by the examiner were inadequate. Indeed, in my view the reasons provided by the examiner arguably went beyond that which was necessarily required of him as a matter of law. That cannot, of course, amount to any criticism of them. Indeed, the fuller reasons make clear to the reader not only the opposing contentions which the examiner had to address, but also make clear the findings which he reached against the background of those competing arguments. Within the report the examiner set out the qualities in terms of views, nature and conservation value and historical significance, all of which were relevant to the application of paragraph 77, and all of which explain his conclusion that he was satisfied the site was “demonstrably special” to the local community and held a particular significance for them. In reaching those conclusions it is clear that he took account of the present condition of the site in so far as its current use had impacted upon its visual amenity value. After taking account of those matters they did not deter him from his overall conclusion.

189 Having identified the qualities of the site which made it “demonstrably special” and of “particular local significance” for the local community that, in accordance with the interpretation of paragraph 77 as I have set out above, provided the manner in which it served the local

A community, leaving in terms of the first bullet point only a judgment necessary as to whether or not the site was in proximity to that local community, a proposition which could not have seriously been contested. Thus I am satisfied that the examiner's reasons were clear and adequate, and further that the conclusions which he reached were arrived at following a proper interpretation of paragraph 77 of the Framework.

B *Ground 3: the volte-face*

190 Under this heading it will be recalled that the claimant contends that the defendant has failed to provide any adequate basis for the change in view which it undertook in reaching the conclusion that the neighbourhood plan should progress to a referendum. On behalf of the claimant, Mr Wald focuses upon the fact that it is clear from the documentation that Mr Bore and other officers of the defendant appear both at the start of the neighbourhood plan process, and indeed through until the examination hearing, to hold the opinion that the designation of the site was not capable of being supported. Their professional judgment was that the requirements of paragraph 77 of the Framework could not be met by the site. Notwithstanding this, the defendant chose to remain neutral at the examination and not argue their corner that the designation was not justified. The officers then proceeded to endorse the conclusion of the examiner and prepare a report favourable to the designation leading to the resolution to send the neighbourhood plan to referendum. No reasons have ever been provided to explain this approach to the examination and the key decision.

191 It is undoubtedly true that the opinion of the officers of the defendant appears to have been adverse to the designation of the site as LGS from the inception of the proposal through to the conclusion of the examination hearing. The evidence for that is contained, for instance, within the e-mails sent by Mr Bore and other officers of the defendant expressing their concern that the designation of the site as LGS was not justified. It will be recalled that after the examination Ms Parker asked Ms Hammond and Mr Wade on 25 September 2015 how the examination had gone, and Ms Hammond expressed her view that she would be amazed if the examiner found the justification for designating the site as LGS made out. That said, there was nothing in my view unlawful about the approach of the defendant's officers to this issue. After all, the views of the officers were no secret when on 15 April 2015, in the report in respect of the petition before the defendant, the officers' views were recorded as being that the site was unlikely to meet the criteria for designation. Furthermore, the position which that report, under the hand of Mr Bore, took was that it would be for the examiner to scrutinise and decide upon whether or not the designation was justified. That was in my view a legitimate approach for the council to take following the receipt of the petition and its consideration. It was foreshadowed by Mr Wade on 24 February 2015 when he adopted this approach on the basis that the examiner would hear both sides of the questions as part and parcel of the examination. Clearly, after the examiner had considered that question it would then be for the defendant to consider the matter in the light of the conclusion which the examiner had reached, and that is what occurred in the key decision report.

192 By the time that the key decision report came to be written, there were a number of new material considerations which needed to feature in the assessment of whether or not the plan could proceed in its modified form following the examination to a referendum. First and foremost, there were the conclusions of the examiner that the site met the criteria for designation. Having scrutinised ground 2, I am satisfied that there was no error of law in the examiner's approach which might have thereafter infected the defendant's decision-making process upon which it was based. Thus, the examiner's report was an important material consideration in support of the designation which the defendant was obliged to take into account. Furthermore, and related to the examiner's report, there were the observations provided by Historic England in relation to the historic significance of the site. These two factors featured in the key decision report at para 4.4 as part and parcel of the justification for the defendant forming the conclusion that they were satisfied that the basic conditions had been met (subject to the examiner's recommended changes) and that having met all the necessary legal requirements the neighbourhood plan should proceed to referendum.

193 In my view, both of those factors, namely the emergence of the views of Historic England and the receipt of the examiner's report, were perfectly clear and sensible reasons underpinning the key decision. I do not share the claimant's concerns in relation to the relevance of Historic England's consultation response, which bore directly upon the question of whether the site was "demonstrably special" in a relevant respect. The claimant was also critical of a third reason relied upon in the key decision report by the defendant, namely the extent of local concern in respect of the site evidenced by the submission of the petition. Again, I do not accept the claimant's contention that this level of local concern was irrelevant to the considerations material to the key decision. Of course, planning is not a popularity contest. However, in the context of this particular policy, which seeks to examine whether or not an open space holds a particular local significance and is demonstrably special to a local community, the extent of the community sharing a commonly held view as to the reasons why it is "demonstrably special" is in my view obviously material to assessing the extent to which the requirements of the policy have been met. It will be recalled that the petition which was submitted to the council on 7 January 2015 related specifically to the proposals of the neighbourhood plan and supported the LGS designation, as the petitioners believed that the site's designation was "urgently needed in order to protect the character and biodiversity of the conservation area". It was therefore material to issues pertinent to the site's designation.

194 In my view, what the claimant has characterised as a volte-face is, as the defendant contended, the gradual evolution of the defendant's views on the designation, forged by the nature and extent of the submissions that they received from residents and the body with statutory responsibility for the historic built environment, coupled with the outcome of the independent scrutiny to which the designation proposal was subjected through the examination process. That evolution of the defendant's opinions is in my view understandable and lawful. The reasons can be clearly discerned from the publicly available documentation. I am therefore satisfied that there is no substance in the claimant's ground 3.

A *Conclusions*

195 For the reasons which have been set out above, I am satisfied that the claimant has not made out any of the grounds that have been raised in relation to the decision of the defendant under challenge, namely to pass the neighbourhood plan forward to referendum. Having considered the claimant's arguments, I have not been persuaded that there was any illegality in the decision which the defendant reached. This claim must therefore be dismissed.

Claim dismissed.

THOMAS BARNES, Solicitor

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“LOCAL GREEN SPACE” DESIGNATION

Herewith an application for Udney Park Playing Fields to be granted the status of “Local Green Space” as part of the forthcoming Village Plan consultation, from the Teddington Society and the Friends of Udney Park Playing Fields

Dear Mr Chadwick, Cllr Fleming and Cllr Arbour,

As part of the Village Plan consultation process communities have the opportunity in the National Planning Policy (NPP) framework to propose locations for Local Green Space designation. The NPP Guidance for Local Green Spaces Paragraph 6 states **Local Green Space designation is for use in Local Plans or Neighbourhood Plans. These plans can identify on a map (‘designate’) green areas for special protection. Anyone who wants an area to be designated as Local Green Space should contact the local planning authority”**

We welcome the ACV designation greatly, and were relieved that Quantum, the current private equity firm that owns the Playing Fields embraced the ACV (presumably after legal advice that the LBRUT decision would not be over-turned by a judge at Tribunal). However, ACV is not directly part of the Planning Framework whereas Local Green Space provides protection in Planning Policy. In the Planning Practice Guidance, the attachment to the NPP, Paragraph 22 states **“Land designated as Local Green Space may potentially also be nominated for listing by the local authority as an Asset of Community Value. Listing gives community interest groups an opportunity to bid if the owner wants to dispose of the land”**. So, Local Green Space is a direct vehicle defined in the NPP to help local authorities enforce Planning Policy for their Village Plans, ACV is a complementary legislation with the purpose of enabling communities to buy the land in question.

We understand from Policy document that a full justification for Local Green Space designation should be registered with the “local planning authority” so herewith is our rationale and application for Udney Park Playing Fields

The Natural Environment White Paper ([The Natural Choice](#): securing the value of nature 2011) highlighted “the importance of green spaces to the health and happiness of local communities”.

Green spaces, particularly natural green spaces, located close to local people provide a range of social, environmental and economic benefits, including –

- improved mental and physical health
- increased social activity
- increased physical activity
- increased voluntary action
- improved community cohesion and sense of belonging
- climate change adaptation for example by flood alleviation

The White Paper recommended that a new Green Areas designation be introduced that would give local people an opportunity to protect green spaces that have significant importance to their local communities.

“ We propose that green spaces should be identified in neighbourhood plans and local plans which complement and do not undermine investment in homes, jobs and other essential services. Given the importance of green spaces to the health and happiness of local communities the Government considers the new designation should offer suitably strong protection to localised areas that are demonstrably special”

Local Green Spaces are now incorporated into the NPP and it is that designation we are applying for Udney Park, which remains under grave threat of partial development. The National Planning Policy provides the following information on Local Green Space designations -

76. Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.

77. The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.

78. Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts.

We have completed a template attached based against the key criteria in the National Planning Policy Framework for Local Green Spaces and the associated “Planning Practice Guidance”

<http://planningguidance.communities.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>


We trust you find our application for Local Green Space designation to be an appropriate case for the Policy to be deployed and so provide additional protection for Udney Park. Whilst Udney Park is already an OOLTI, Local Green Spaces NPP Guidance Para 20 states **Designating a green area as Local Green Space would give it protection consistent with that in respect of Green Belt**, which increases the prospect of saving ALL of Udney Park


Yours sincerely

Completed by Mark Jopling on behalf of the

The Teddington Society Friends and the Friends of Udney Park Playing Fields

CRITERIA FOR LOCAL GREEN SPACE DESIGNATION

1	General Information	Tick if relevant evidence provided
1.1	Name and address of site <i>Some sites have several names and all known names should be given</i>	
	Udney Park War Memorial Playing Fields (formerly know as St Mary's Hospital Athletic Grounds) Udney Park Road Teddington TW11 9BG	
1.2	Site location plan	
		
1.3	Organisation or individual proposing site for designation <i>This will normally be a Town or Parish Council or a recognised community group</i>	
	The Teddington Society and the Friends of Udney Park Playing Fields	
1.4	Ownership of site if known <i>Information on land ownership can be obtained from the Land Registry. Some land parcels are not registered however local people may know the owner.</i>	
	Quantum Teddington LLP 170 Charminster Road Bournemouth Dorset BH8 9RL	

1.5	Is the owner of the site aware of the potential designation? Do they support the designation? (Sites may be designated as Local Green Spaces, even if there are objections from the site owners)	
	<p>No they are a property hedge fund who acquired the site for speculative development, despite the clear statement in the NPP Para 74 that:</p> <p>“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:</p> <ul style="list-style-type: none"> ○ an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or ○ the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or ○ the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss” 	
1.6	Photographs of site	
		
1.7	Community served by the potential Local Green Space <i>i.e. does the site serve the whole village/town or a particular geographic area or group of people?</i>	
	Udney Park Playing Fields serves the sports clubs and schools of Teddington. The clubs that use the fields: Teddington Cricket Club, Richmond Cricket Club, Teddington Rugby Football Club, Teddington Athletic Football Club etc have adult and junior members from across the Richmond Borough	
2	Planning History	
2.1	Is there currently a planning application for this site? If permitted/allocated, could part of the overall site still be used as a Green Open Space?	
	There are NO current planning applications for Udney Park Playing Fields though the owner has signaled their intentions to build a large development	

2.2	Is the site allocated for development in the Local or Neighbourhood Plan? If allocated, could part of the overall site still be used as a Green Open Space?	
	The draft Neighbourhood Plan did not attribute a status to Udney Park Playing Fields, though the land is designated as an OOLTI. The NPP allows communities to nominate Local Green Spaces as part of the consultation for Neighbourhood Plans, hence this application is submitted in Sep 2016. The site is not allocated for development in current draft Neighbourhood Plan, and the local assessment of recreation space and planning policy on green open spaces would prevent development.	
3	Size, scale and “local nature” of proposed Local Green Space	
3.1	Area of proposed site <i>It is unlikely that a site of over 20ha (50 acres) would be considered</i>	
	Udney Park Playing Fields are existing playing fields and are 13 acres in size, which in an urban setting is a substantial piece of recreational space though within the 5 acres to 50 acres Policy Guidance for Local Green Space. The Playing Fields are situated in the heart of Teddington, easily accessed on foot or public transport by the community.	
3.2	Is the site an “extensive tract of land”? <i>(Extensive tracts of land cannot be designated as Local Green Space) e.g. how large is it in comparison to other fields; groups of fields; areas of land in the vicinity etc.? Does the site “feel” extensive or more local in scale?</i>	
	Udney Park Playing Fields are not “extensive” in the sense described in the NPP Guidelines, they are not a large piece of open land, they are an existing and active Playing Field	
3.3	Is the proposed site “local in character”? <i>e.g. does the site feel as though it is part of the local area? And why? How does it connect physically, visually and socially to the local area? What is your evidence?</i>	
	Udney Park Playing Fields are “local in character”. Physically? The site is overlooked by local property on all 4 sides and is very much sited in the heart of the Teddington community. Visually? The green space of Udney Park provides a healthy break in the built-up area of Central Teddington. The Playing Fields are part of the local “Green Infrastructure” and play and have the future potential play a significant role in the community. Socially? Most local sports clubs have waiting lists due to lack of playing and training space. The new owners have granted a temporary licence to local sports teams and the fields are now once again being fully used. The Pavilion is also used for community events such as MacMillan coffee mornings.	

4	Need for Local Green Space	
4.1	Is there a need for a local green space in this location? <i>e.g. is there a shortage of accessible greenspace in the area? Is there a Neighbourhood Plan or Open Spaces, Sport and Recreation Assessment that provides evidence of that need.</i>	
	<p>National Planning Policy requires that local authorities conduct a thorough assessment of outdoor recreation and playing pitch capacity, following a statutory Sport England methodology. This is a very detailed measurement of supply and demand for sporting facilities.</p> <p>In June 2015 LBRUT published their own statutory Open Space, Sports and Recreation Needs and Opportunities Assessment, using independent experts and approved by the LBRUT Cabinet in June 2015. Overall conclusions are typified by Para 3.7 which states “Ensure through the use of the Playing Pitch Strategy that sports facilities are protected through the implementation of local policy”. The report finds local community sports membership is growing and there is insufficient playing space.</p> <p>In the accompanying Playing Pitch Strategy the specific scenario of the loss of Udney Park was evaluated and the conclusion was that Udney Park is a “Strategic Site” (the highest level of designation) and Policy is that LBRUT should “Protect, Provide and Enhance” Udney Park Playing Fields</p> <p>The existing Local Plan identifies this locality as poorly provided for with Public Open Space.</p> <p>Udney Park is already an Asset of Community Value and Para 8.1.15 of Local Policy 28 (Social and Community Infrastructure) of the Local Plan states that “loss of Assets of Community Value will be strongly resisted”</p>	
5	Evidence to show that “the green space is in reasonably close proximity to the community it serves” <i>Please indicate what evidence you have provided against each point.</i>	
5.1	How far is the site from the community it serves? Is the site within 2km of the local community?	
	The map provided shows the fields within the community, adjacent to the local population at 0 Km. Per section 3.3, the site is surrounded by a mix of social and private housing and retirement flats. It is sited at the heart of Teddington and walkable for most of the local population.	
5.2	Are there barriers to the community accessing the site from their homes?	
	There are no barriers to access, the site is fenced though access is available via unlocked gates	

6	<p>Evidence to show that the green area is “demonstrably special to a local community” Please indicate what evidence you have provided against each point.</p>	
6.1	<p>Evidence of support from Parish or Town Council <i>e.g. letter of support; Council minutes</i></p>	
	<p>On 31st March 2016 LBRUT added Udney Park to its register of Assets of Community Value, the criteria of which require a site to be for “social well-being of a community”.</p> <p>Paragraph 22 of the Local Green Space policy, an accompanying document to the National Planning Policy states: Land designated as Local Green Space may potentially also be nominated for listing by the local authority as an <i>Asset of Community Value</i>. Listing gives community interest groups an opportunity to bid if the owner wants to dispose of the land.</p> <p>Hence, ACV and Local Green Space are complementary designations, ACV gives a “right to bid”, and Local Green Space provides extra protection in the Planning framework. When Udney Park was originally sold in 2015 three different community bidders tried to by the site.</p> <hr/> <p>On 10th March 2016 LBRUT convened a public meeting as part of the Teddington Village Plan consultation. Lord True said “On March 10th 2016 Lord True, leader of LBRUT, re-states publicly that the Teddington Local Village Plan, a statutory part of UK National Planning Policy, includes LBRUT express opposition to ANY development on Udney Park Playing Fields: “we (LBRUT) are very clear that we don’t support <u>any</u> residential development on Udney Park Playing Fields”.</p> <hr/> <p>Sadiq Khan made a manifesto commitment to protect Udney Park</p> <p>From: Sadiq <sadiq@labour.org.uk> Subject: RE: [londonregion] Gareth Bullock left feedback on Contact Date: 17 March 2016 16:58:55 GMT To: "garethbullock@aol.com" <garethbullock@aol.com></p> <p>Dear Gareth,</p> <p>Thank you for contacting us about concerns over losing green spaces. I appreciate you took the time to get in touch with your concerns, especially raising the case of green spaces in Teddington.</p> <p>Sadiq will strengthen protections for open spaces within the London Plan, including playing fields, Metropolitan Open Land, and our Sites of Importance for Local Nature Conservation and nature reserves.</p> <hr/> <p>-</p> <p>On 15th July 2015 councilor and GLA member Arbour, raised the issues with the Mayor, a statutory consultee playing fields: The Mayor replied: “The London Plan policy is absolutely clear that you cannot have a loss of open space. I note that it was donated specifically for use as rugby union pitches. It would be an absolute scandal and an outrage if that land was lost for that purpose”</p>	

6.2	Evidence of support from other local community groups or individuals. <i>e.g. letters of support; petitions; surveys etc.</i>	
	<p>Several local sports clubs recommended to their members that they attend the Quantum consultation and advise them that they were against ANY development (See Appendix for letters)</p> <p>The Friends of Udney Park has 1000 supporters</p> <p>At the recent Teddington Fair we engaged with the public, only 1 person out of around 80 that engaged with is and signed our petition did not support zero development on Udney Park</p>	
6.3	Evidence of support from community leaders	
	<p>Vince Cable and Tania Mathias both publicly support the total retention of Udney Park for sport. Vince Cable met with the former owners Imperial and urged them to sell to a community group, indeed one of the community groups trying the buy Udney Park Playing Fields attended the meeting with Vince and the President of Imperial.</p> <p>Stephen Knight, local senior Lib Dem councilor described the attempts by Quantum Teddington to solicit public support by giving some sports clubs free temporary access to the fields as a “grubby little deal”</p> <p><< photo excluded to reduce file size >></p>	

6.4	Evidence of support from other Government and NGO groups <i>e.g. letters of support from organisations</i>	
	<p>Generically various UK National Government Policy is unequivocal on protecting Green Space by preventing any building on playing fields:</p> <ul style="list-style-type: none"> • The UK National Planning Policy Section 8 Paragraph 74 states explicitly: "Playing Fields should not be built on" • The new "Sporting Future" UK Policy released on 19th December 2015 is about sports participation to address "physical wellbeing, mental wellbeing, individual development, social, community and economic development"...to "harness the power of sport for the good of our whole society (David Cameron)". Paragraph 8.2 states "existing sport recreational buildings and land should not be built on unless the sites have been assessed as surplus to requirements" • The new "Start active, stay active" UK National Policy for Health updated on 11th March 16 by the UKs Chief Medical Officers "Whatever our age, there is good scientific evidence that being physically active can help us lead healthier and happier lives, inactivity is a silent killer". Page 49: "as there is increasing pressure on open space, it becomes more important to protect parks and green spaces" <p>-----</p> <p>-</p> <p>Specific to Udney Park the following important NGOs have supported the demand for zero development on Udney Park</p> <ul style="list-style-type: none"> • The London Playing Fields Foundation (LPFF) is a registered charity founded in 1890 and granted a Royal Charter in 1925. It is the main charity for the provision, protection and promotion of playing fields in London. In a letter to ICL on 7th July 2015 their CEO wrote "The LPFF position is clear, Udney Park Playing Fields to be retained as a grass playing field, and to see it used for sport and recreation purposes as opposed to other uses. The Friends of Udney Park Playing Fields have the full support of the LPFF" <p>-----</p> <ul style="list-style-type: none"> • London Sport is the NGO set up to delivery the London 2012 legacy of community benefit from hosting the Olympics. In a letter to ICL their CEO Peter Fitzboyden wrote "There is significant local opposition to the sale of this site for development and a strong consensus that it should be retained for sport and recreation purposes. London Sport would wish Udney Park Playing Fields to be retained as a grass playing field, and to see it used for sport and recreation purposes as opposed to other uses. We would welcome the opportunity to work with the Friends of Udney Park Playing Fields, Sport England, the Greater London Authority, relevant National Governing Bodies of Sport, to develop alternative propositions that protect the legacy that the playing fields were intended to provide when gifted in perpetuity by Lord Beaverbrook nearly 8 decades ago" (App. D) <p>-----</p> <ul style="list-style-type: none"> • Fields in Trust "protects vital open spaces" and will soon register recreation spaces at risk of being lost forever to preserve these 	

7	Evidence to show that the green area “holds a particular local significance, for example because of its <u>beauty</u>,” (if applicable)	
7.1	Is this criteria relevant to this site ?	
	Yes, partially	
7.7	Is the site highlighted in literature or art?	
	The site is mentioned in autobiographies of significant sporting figures, for example Sir Roger Bannister, who was a St Mary’s student when he broke the 4 minute mile. The generous donation of the site by Lord Beaverbrook is also referenced in numerous writings about his life and contribution to Britain in the 20 th Century	
8	Evidence to show that the green area “holds a particular local significance for example because of its <u>historic significance</u>” (if applicable) <i>Please indicate what evidence you have provided against each point.</i>	
8.1	Is this criteria relevant to this site ?	
	YES	
8.2	Are there any historic buildings or remains on the site?	
	The War Memorial Pavilion was built in 1919 as a tribute to the fallen fathers from Merchant Taylor’s School, and to provide recreation for a generation of WW1 orphans. The Pavilion, a fantastic Edwardian example of such a building, remains a designated War Memorial and is classified as a Building of Townscape Merit	
8.3	Are there any important historic landscape features on the site?	
	The site is surrounded by mature trees, many of which are now protected by Tree Preservation Orders	
8.4	Did the site play an important role in the historic development of the village or town?	
	The site is historically significant, before the Railway arrived it was part of the local estate. The land was protected from development as Teddington expanded post the arrival of the suburban railway, before its formal creation as a playing field in 1919.	
8.5	Did any important historic events take place on the site?	
	No	
8.6	Do any historic rituals take place on the site?	
	No	

9	Evidence to show that the green area “holds a particular local significance, for example because of its <u>recreational value</u> (including as a playing field)” ,	
9.1	Is this criteria relevant to this site ? YES	
	<p>This criteria is critical to the evaluation of Udney Park Playing Fields as a Local Green Space</p> <p>Since 1996 Sport England are a Statutory Consultee on all building development on recognised playing fields, whether publicly or privately owned. Udney Park was given to the state as the original benefactor gave the site to a public body, St Mary’s Hospital. The site was sold from state ownership by Imperial College to Quantum Teddington. Unfortunately tertiary institutions such as Imperial are not covered by the legislation that applies to the rest of the education sector that they cannot sell state owned playing fields without Secretary of State permission.</p> <p>The Sport England policy states clearly: “Sport England opposes development on playing fields in all but exceptional cases, whether the land is public, private or educational use”</p> <p>There are 5 exceptions defined in Policy:</p> <p>E1 A quantified assessment of current and future needs has demonstrated to the satisfaction of Sport England that there is excess playing pitch provision in the catchment area UPPF is in the LBRUT Playing Pitch assessment and the conclusion is that there is a shortage of playing space</p> <p>E2 The proposed development is ancillary to the principal use of the playing field Quantum intend to apply for permission for luxury retirement flats, which results in loss of playing space and is not ancillary</p> <p>E3 Proposed development affects only land incapable of a playing pitch and does not result in a reduction of size of playing space Quantum’s phase 1 intentions are to take 34-40% of playing space</p> <p>E4 Any loss of space would be replaced with equivalent quality There are no known alternatives to replace any possible loss of Udney Park or any offered by Quantum</p> <p>E5 The development is for sports facility which would outweigh the loss of current fields Whatever Quantum offer with the remaining part of the site they do not wish to build on, the net consequence of any development is less recreation space and playing pitch capacity. Alternative local bidders would also enhance the site though would enhance the entire site, not a portion of it.</p> <p>Hence, Sport England, as none of the 5 Exceptions are met, are highly unlikely to support development on Udney Park and so make its designation as Local Green Space as a logically appropriate step forward to protect the playing fields during this Village Plan consultation</p>	

9.2	Is the site used for playing sport? <i>If so what sport? How long has it been used for sports provision? Is this sports provision free or is a club membership required?</i>	
	<p>Yes, Udney Park is a maintained playing field since 1919, when opened as playing field for Merchant Taylors School in memory of fallen parents.</p> <p>In 1937 MTS moved from Central London to NW London and no longer needed a separate playing field. Lord Beaverbrook bought the War Memorial Playing Fields and donated them to St Mary's Medical School, later taken over by Imperial College London (ICL), giving 12.5 acres of land in Teddington specifically for use in perpetuity for amateur rugby. He did what we believe was the absolute maximum possible legally at the time in a covenant in favour of what is now the Rugby Football Union, who have a veto on change of use.</p> <p>The covenant below is extracted directly from the Land Registry, which is not a time-bound clause.</p> <p><i>The following are details of the covenants contained in the Conveyance dated 30 April 1937 referred to in the Charges Register: "THE Purchasers hereby COVENANT with the Rugby (Football) Union Trustees AND IT IS HEREBY AGREED AND DECLARED as follows:</i></p> <p><i>1. THAT the Purchasers shall not without the consent of the Rugby (Football) Union Trustees use the property hereby assured or any part thereof for any other purpose during the appropriate season than as a sports ground for the playing of games by Amateurs</i></p> <p>So it is categorically clear what Beaverbrook's intentions are, he donated the fields in perpetuity, and if the Local Green Space classification existed in 1937 it is reasonable to suggest he would have proposed such a status then.</p> <p>The site is not open to general play, the 3 pitches are maintained and enclosed and all users are community sports clubs with membership and local schools with a shortage of space. Most of the local clubs operate a subsidized membership or waiver for families that cannot afford subscriptions but wish to partake in junior sport.</p> <p>It is also important to note that the criteria for ACV, already passed, include an assessment of current or future potential of a site to produce "social well-being", which Udney Park Playing Fields has passed on the basis of being a long-established playing field</p>	
9.3	Are the public able to physically access the site?	
	The site is used by sports clubs though is not Public Open Space today	
9.4	Is the site used by the local community for informal recreation? And since when?	
	The site is enclosed though some informal ball games occur	
10	Evidence to show that the green area "holds a particular local significance, for example because of its <u>tranquillity</u>" (if applicable)	
10.1	Is this criteria relevant to this site ?	
	NO	

Appendix A Letter from Teddington CC to members

Teddington CC U13 Manager u13teddcc@outlook.com 21 Apr

Message to Teddington CC Colts members, via Age Group Managers

EVERY BLADE OF GRASS MATTERS

Many of you will already know about the uncertainty surrounding the future of Udney Park Playing Fields. Teddington CC was part of the "Space to Play" group of local clubs that tried to buy Udney Park last year from Imperial. Unfortunately a late bid by a private developer, Quantum, knocked out all 3 community bidders. TCC are also one of number of local cricket clubs that have used Udney Park as a second ground to make sure we could fulfil our fixtures. Imperial did make Udney Park available for ad hoc hire, local clubs would like to permanently bring the excellent Udney Park Playing Fields to the community.

A little history is relevant: Udney Park was a WW1 War Memorial Playing Field bought by Lord Beaverbrook in 1937 and donated for amateur sport in perpetuity, and protected by covenants as strong as possible in English Law at that time. Beaverbrook was a major industrialist and served in both war-time Cabinets, and in WW2 was Minister responsible for Arms and Aircraft Production and represented Churchill in negotiations with Stalin and Roosevelt. All in all Lord Beaverbrook was a key historical figure whose generous legacy to Teddington should morally be honoured.

The local community is rallying to rescue Udney Park from partial development. Saving ALL of Udney Park is about much more than pitches and wickets, much academic research proves that community sport is essential to lifelong physical and mental health, thriving local sports clubs run by volunteers are vital for a cohesive society. That is why EVERY National Government Policy on Education, Environment, Health and Planning, the Mayor of London and Richmond Council are all committed to protecting Playing Fields. There is no legal case in Planning Policy for ANY of Udney Park Playing Fields to be built upon.

So what can local clubs do ? Quantum are holding a final Saturday consultation on 23rd April at The Pavilion on Udney Park Road. Quantum are seeking local input to their plan to build on around 4 acres of playing space and "donate" the remainder. We cannot allow in Teddington a precedent where a private equity firm can outbid community groups to buy Playing Fields then speculate on the well-being of our community by trying to build on part of them. Teddington Athletic FC have taken a temporary lease to use the fields, which is to be welcomed, though only whilst Quantum seek planning permission.

Several local sports clubs have also asked their junior membership to attend the Consultation on Saturday 23rd between 1000-1400 to register Objections with Quantum to the loss of any green space, and are asking their Junior members to turn up in their club kits and play on the fields. If any TCC members feel that "building on a park" is objectionable then please come down on Saturday and register your Objection with Quantum, and bring a ball to celebrate that Udney Park Playing Fields are for **"PLAY NOT PLOTS" !**

You can follow the campaign to Save Udney Park on the Community Page on Facebook at <https://www.facebook.com/Friends-of-Udney-Park-Playing-Fields-716872311786142/> and on Twitter @UPPFFriends

Thanks
Teddington CC Colts

Appendix B Letter from Hearts of Teddlothian FC Chairman to members

From: Jatish Mistry <965711-619259-conversations@messages.pitchero.com>

Date: 13 April 2016 at 22:47:21 BST

To: Matt Ellis <matsellis@gmail.com>

Subject: Udney Park Playing Fields! - Turn up in your Hearts Top

Dear All!

QUALITY OF PLAY NOT QUANTUM OF PROFIT!

Udney Park Playing Fields in Teddington were sold last year by Imperial College to the speculative developer “The Quantum Group”. Udney Park Playing Fields are big enough for three full sized rugby pitches in winter and two cricket pitches in summer with space to spare. It is big enough for football, hockey, tennis and athletics. The Fields were gifted to Imperial College, for free, on condition that they were used for sport. Quantum Group now want to build on 60% of the land. This will mean the loss – forever – of playing fields in the area.

There is already a desperate shortage of playing fields in the Borough, and other groups – including amateur rugby teams – bid for the Fields, and would have use them for sport, as the original benefactor always intended. There were rumours that local schools might have used them in the week. There was no shortage of interest from sports users. Quantum are now on a charm offensive and have “Open Days” on the site. The last open day is 23rd April – St George’s Day. Why not come along at 10 am (or any time up to 2pm) and tell Quantum exactly what you think of them building on any part of this Corner of England’s Green and Pleasant Land. Tell them what you think of the loss of cricket pitches. Tell them what you think of the loss of safe spaces for athletics, hockey, tennis and running. Tell them what you think of the loss of football pitches. Tell them – in the year England won the Grand Slam – what you think of the loss of rugby pitches.

Turn up in sports kit, bring the children in sports kit! Football kit, cricket whites, hockey kit, running shoes, or even rugby kit – it matters not! This is not an official “Harlequins” or any other event, this is about individuals standing together, so how about international kit! While we are at it, why not bring a ball – any kind of ball, and a bat, or a racket and bring your friends. We might just find somewhere for the children to play touch rugby, or football, or quick cricket, or just run on some wide open grass! Let Quantum know, on this St George’s Day, that every last blade of grass on Udney Park Playing Fields should be today what they were yesterday, and should be tomorrow – sports fields.

Appendix C. Letter of support from London Playing Fields Foundation, copied to the Minister for Sport

Alice Gast
President
Imperial College London
Prince Consort Road
South Kensington SW7 2AZ

7th July 2015

Dear Ms Gast

UDNEY PARK PLAYING FIELDS Teddington TW11 9BB

The purpose of this letter is to provide London Playing Fields Foundation (LPFF) support to the Friends of Udney Park Playing Fields as they seek to oppose in the strongest possible terms the plan by Imperial College London to sell the site for development. This 12.8 acre site has been used as a sports field for over 78 years as envisaged in the original covenant outlined by Lord Beaverbrook and provides valuable playing fields for children in the London Borough of Richmond. The Foundation have already advised one of the community bidders for the site and recognise the loss of any sports field in the capital will have a serious impact on the opportunities for sports participation in South West London and would be in total contradiction of the London 2012 dream of inspiring a generation to play more sport.

LPFF Role

The London Playing Fields Foundation (LPFF) is a registered charity founded in 1890 and granted a Royal Charter in 1925. It is the main charity for the provision, protection and promotion of playing fields in London and over the past 125 years the LPFF have built up a great deal of knowledge and operational experience in running sports grounds and providing a range of sports development opportunities. We operate seven playing fields across the capital and continue to work with and provide advice to a variety of strategic organisations including Sport England, GLA, and Local Authority partners, National Governing Bodies of Sport, London Marathon Charitable Trust, Football Foundation and different Primary Care Trusts.

By adopting a strategic approach we advocate the need for better protection of playing fields to safeguard them for future generations of Londoners and are working with a range of key partners to reverse the cycle of playing fields decay. Once playing fields are lost to development they are lost forever and we believe that the best form of protection is by using the fields for the primary purpose of sporting and recreational activity.

In seeking to preserve the site for sport and recreation at Udney Park Playing Fields, we believe the site will contribute to widening, increasing and sustaining participation in sport and physical activity.

A number of key issues reinforce the need to retain playing fields within the capital.

- London has 16% of the country's population but only 3% of the playing fields.
- Of the 1500 playing field sites in London the majority are located in outer London boroughs.
- There is increased pressure to find land on which to build new houses to accommodate London's predicted population growth to nine million by 2020.
- The playing pitch distribution across London is uneven and of variable quality.
- Insufficient security of tenure offered to clubs and community organisations inhibit their ability to apply for external funding to improve the site.
- Community playing fields are inherently loss making and as such there has been a lack of investment in their management and maintenance.

Sport England Policy

Playing pitches are important as recreational and amenity features, and provide open space in both urban and rural landscapes. Their development for purposes other than recreation has serious repercussions, not only through the reduction of leisure facilities and the resulting increase in pressure on those remaining, but also in the visual impact created by the loss of open space.

To ensure that informed decisions can be made by local authorities on the future of a playing field, Sport England (SE) requires that all local authorities within England should have an up to date playing pitch strategy, either as a stand-alone document or forming part of a wider open space strategy. This not only seeks to ensure that an assessment of need is carried out, but also that a strategy is put in place in terms of improving accessibility and quality of pitches.

Sport England as the government agency responsible for building the foundations of sporting success has itself adopted a 'Playing Fields Policy', which seeks to resist the loss of playing fields. It aims to ensure positive planning for sport, enabling the right facilities to be provided in the right places, based on robust and up-to-date assessments of need for all levels of sport and all sectors of the community.

To achieve this aim SE will seek to protect sports facilities from loss as a result of development and since 1995 has been a statutory consultee on planning applications affecting playing fields. From 1998 local planning authorities have also been required to refer to the Secretary of State any planning applications affecting playing fields which they wish to approve contrary to SE advice.

Given the increased emphasis placed on the protection of playing fields by the Government, it is increasingly important for local planning authorities to demonstrate the adequacy of playing field provision in their area. Despite the encouragement of Sport England, in many local authority areas of London there is still no clear policy guidelines based on a careful assessment of need. We understand that the London Borough of Richmond have very recently completed their Playing Pitch Strategy, the implications of which need to be carefully considered before any further action is taken.

Significantly, if Udney Park Playing Fields is sold for development it would mean the loss, or partial loss of a valuable playing field and would be contrary to National Planning Policy.

Paragraph 73 of the NPPF states:

“Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.”

In addition paragraphs 70 and 74 of the NPPF also place great emphasis on the protection of existing sporting facilities and make it very clear on what grounds a playing field can be built on.

Paragraph 70 *“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs”*

Specifically in paragraph 74 of the NPPF

“Existing open space, sports and recreational building and land including playing fields should not be built on unless:

- *An assessment has been taken which has clearly shown the open space, buildings or land to be surplus to requirements or*
- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quality and quantity in a suitable location or*
- *The development is for alternative sports and recreation provision, the needs of which clearly outweigh the loss.”*

One of the main reasons why playing fields are under resourced, and therefore vulnerable, is due to the very low appreciation of their potential to contribute to council corporate objectives. The LPFF in supporting the Friends of Udney Park Playing Fields recommend a much more joined up approach to the issue with parks, sports development, education, health and planning departments thinking, planning and working together to not only raise the profile of playing fields but also to restore them to full use for the benefit of local people. We are aware that further discussions are needed on the location of Turing House Free school and that this is also a material consideration in the long term future of the site.

Despite limited public consultation, we also understand that the Friends of Udney Park Playing Fields are considering an application to register the site as an Asset of Community Value (ACV) and would therefore recommend that the ICL Council revise the proposed timescale to allow the community interest group to develop an alternative bid.

In conclusion the local community oppose the scheme and as advocated in the National

Planning Policy Framework local neighbourhood opinion should be sought in determining the local need. There is significant local opposition to the sale of this site for development and a strong consensus that it should be retained for sport and recreation purposes. The LPFF position is clear. It would wish Udney Park Playing Fields to be retained as a grass playing field, and to see it used for sport and recreation purposes as opposed to other uses. The Friends of Udney Park Playing Fields have the full support of the LPFF and if we can be of any further help in the development of the scheme or through our extensive sports development reach then please contact us.

Yours sincerely

Alex Welsh
Chief Executive
London Playing Fields Foundation

cc Tracy Crouch MP Minister of Sport
Kate Hoey MP London Mayor's Commissioner for Sport

Appendix D Letter from London Sport, London 2012 legacy NGO to Imperial Council

ICL Council
Sent via email

9 July 2015

Dear ICL Council member,

Disposal of Udney Park Playing Fields

I am writing concerning your plans to dispose of the land assets, including the playing pitch facilities at Udney Park, to as yet unknown buyers. I would like to take the opportunity to highlight some of the wider strategic considerations across London, which I would urge you to consider carefully when making your decision.

London Sport has been set up by the Mayor of London, Sport England and London Councils to make London the most physically active city on the world. To set us on the way, we aim to get 1m people more active by 2020. This is not for the sake of sport; it is out of a recognition that a physically active population is critical to our society, not least curbing obesity and the numerous associated health issues. This challenge is set against a backdrop of falling participation nationwide, and the fact that London has half the number of leisure facilities per head of population compared to national figures.

When it comes to playing pitches there is an even more acute disparity, with only 3% of the playing pitches nationally located in London whilst serving 16% of the population. This is why every playing facility in London is of vital importance. However, we realise that sport and physical activity does not live in a vacuum. Organisations are facing difficult economic challenges and there are significant housing pressures in London, and so it is not London Sport's Policy to automatically oppose all proposed developments on playing pitches in London; we simply try to ensure there is a comprehensive assessment of each case, that a fair and reflective evaluation and consultation is conducted, and ultimately all other options are considered and exhausted to try to ensure that overall capacity is maintained if not increased.

We understand that the proposed sale is likely to see the site used for a purpose other than sport, despite significant bids from a number of community organisations who have each guaranteed ongoing community sport opportunities at the facility. For this reason London Sport fully support the Friends of Udney Park Playing Fields in their opposition to your plans to sell the site for development. No surplus of playing pitch provision has been identified in the recently developed Open Space and Recreation Needs Assessment for Richmond nor has any suitable alternative been suggested as a replacement for the loss. Furthermore, London is unique in that every pitch in every borough serves all of London, which is why a localised supply and demand assessment is not sufficient to evaluate the impact of a site's loss in any case.

There is significant local opposition to the sale of this site for development and a strong consensus that it should be retained for sport and recreation purposes. London Sport would wish Udney Park Playing Fields to be retained as a grass playing field, and to see it used for sport and recreation purposes as opposed to other uses. We would welcome the opportunity to work with the Friends of Udney Park Playing Fields, Sport England, the Greater London Authority, relevant National Governing Bodies of Sport, other relevant organisations as well as representatives of ICL Council to develop alternative propositions that protect the legacy that the playing fields were intended to provide when gifted in perpetuity by Lord Beaverbrook nearly 8 decades ago.

I hope that this letter is received in the manner it is intended. We do not wish to adversely impact the workings of your organisation, but feel that we all have a collective responsibility for the future health of the city. If London Sport can be of any further assistance in the development of the scheme, please do not hesitate to get in touch.

Yours faithfully,


Peter Fitzboydon
Chief Executive
London Sport

cc Kate Hoey MP - Mayor's Commissioner for Sport, and Chair of London Sport

Teddington Village Planning Stakeholder Event

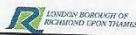
Tuesday 4th October 2016



Agenda for today



- Introductions
- Presentation: Feedback on SPD issues
- Presentation: Feedback on Other Matters
- Round table discussion & feedback
- Question and Answer session
- Conclusion & Next Steps



Background

- 2010 All in One survey asked about the priorities of residents in each local area, what people liked about where they lived and what could be improved.
- As a result the Council created 14 Village Plans, including a vision for each area.
- Residents asked to be more involved in Planning issues so they could have a say in preserving the character of their village.
- Supplementary Planning Documents (SPD) were added to the Village Planning Programme in 2013 to underpin the vision.



Community engagement activities so far...

An analysis of Teddington and the identification of 'character areas'

Leader's Question Time event

Presentation of information at community 'Drop-In' day

Community 'Walkabouts' of the area

Community group and outreach engagement activities

Questionnaire survey


Community Stakeholders event - today



Defining the character of Teddington

The type of questions we asked local residents

- What are the opportunities to enhance your local area?
- What do you think the best and most important features are?
- What are the pressures or problems facing your area?



Teddington character




Feedback – Planning and design

Future Development

- Sympathetic in style and height (low rise)
- Sufficient parking provided
- Udney Park specifically mentioned as **not** being developed



Moving around Teddington

- The great majority of respondents walk and use cars/motorbikes daily or more than once a week
- Just under half as many use rail/tube daily or more than once a week
- Similar comments apply to buses
- Cycling is significantly less popular



Feedback Transport/traffic/highways 1

- Parking – on-street makes it hard for cyclists in narrow roads, need dedicated routes.
- In some areas, eg Broad Street, parking on two sides of road is "chaos"
- Maintenance of roads and pavements an issue
- Faster train services required



The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



Official copy of register of title

Title number MX50258

Edition date 25.09.2013

- This official copy shows the entries on the register of title on 11 FEB 2014 at 16:40:27.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 11 Feb 2014.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide *1-A guide to the information we keep and how you can obtain it*.
- This title is dealt with by Land Registry, Telford Office.

A: Property Register

This register describes the land and estate comprised in the title.

RICHMOND UPON THAMES

- 1 (13.05.1937) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being The Pavilion and St Mary's Hospital Medical School Athletic Ground, Udney Park Road, Teddington (TW11 9BB).
- 2 The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.
- 3 There is appurtenant to the land remaining in the title full and free right and liberty to use the surface of a strip of land six feet wide along the north western side of the land edged and numbered MX319051 in green on the filed plan for all purposes in connection with the enjoyment and user of the land in this title as a Sports Ground except when the owners of the land comprised in title number MX319051 are carrying out works of inspection maintenance cleansing repair and renewal to their property.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (02.07.1962) PROPRIETOR: THE IMPERIAL COLLEGE OF SCIENCE, TECHNOLOGY AND MEDICINE of Level 5, Sherfield Building, South Kensington Campus, Londno SW7 2AZ.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 A Conveyance of the land tinted pink on the filed plan dated 26 March 1908 made between (1) The Reverend James Fleming, Edward Stafford Howard and William Hind Smith (therein called the Mortgagees) (2) The Belgravia Freehold Land Company Limited (therein called the Vendors) and (3) Charles Omega Thurston (therein called the Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 2 A Conveyance of the land in this title dated 30 April 1937 made between (1) Herbert Bosworth Hays, William Palin Elderton, Mark Francis Waters and Robert Edward Burnege (therein referred to as the Vendors) (2) Mark Francis Waters Percy Molyneaux Rawson Royds and John Eric Greenwood (therein referred to as the Rugby Union Trustees) and (3) St Mary's Hospital Sports Ground Limited (therein referred to as the Purchasers) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

Schedule of restrictive covenants

- 1 The following are details of the covenants contained in the Conveyance dated 26 March 1908 referred to in the Charges Register:-

"The Purchaser for himself his heirs and assigns to the intent that this covenant may run with the land and bind not only the Purchaser but also so far as practicable all future owners lessees tenants and occupiers of the said land and to enure for the benefit of the Vendors estate known as the Udney Park Estate covenants with the Vendors their successors in title and assigns that he the Purchaser and all persons deriving title under him will at all times hereafter observe and perform all the conditions stipulations and restrictions set forth in the first Schedule hereto AND it is hereby declared that neither the Purchaser his heirs executors administrators or assigns nor any future owner or owners of the land hereby conveyed shall be personally liable under the foregoing covenant after he or they has or have parted with the land hereby conveyed.

THE FIRST SCHEDULE ABOVE REFERRED TO

1. NOTHING except detached dwellinghouses with stabling motor houses and greenhouses to be used in connection with the said dwellinghouses such stabling and motor houses not to be erected within fifteen feet of land of the Vendors shall be erected on the land hereby conveyed and no house erected shall be of less value than Five hundred pounds The value of a house shall be taken to be the net first cost in labour and materials only estimated at the lowest current prices.
2. NOTHING except fences and such bay windows and porches as may be sanctioned by the Local Authority shall be erected between any Road and the building lines shewn upon the plan and such fences shall not exceed six feet in height.
3. NO building shall be erected until plans and elevations have been submitted to and approved of by the Vendors Surveyor whose fee therefor shall be Ten shillings and sixpence per house.
4. THE front of any house or houses to be erected shall abut upon and shall not extend upon beyond the building lines shewn in the said plan except so far as bay windows or architectural dressings are concerned.
5. THE said land or any part thereof or any building or structure erected or to be erected thereon shall not be used as an hotel public house inn tavern beerhouse or beer shop or otherwise for the sale of wines malt or spirituous or other excisable liquors whether to be consumed either on or off the premises or as a shop workshops warehouse factory school hospital or public institution and no trade art or manufacture shall be carried on nor any operative machinery be fixed or placed thereon nor shall the same be used or permitted or suffered to be used for any noxious noisy or offensive purpose whatsoever which may be grow or tend to the nuisance damage annoyance or disturbance of the Vendors or their assigns or any of their Lessees or tenants or of the

Schedule of restrictive covenants continued

owners or occupiers of any property in the neighbourhood but the same shall be used as and for private dwellinghouses only. No hut shed caravan house on wheels or other chattel adapted or intended for use as a dwelling or sleeping apartment nor any shows booths swings roundabouts or hoarding (except for building purposes) or advertising station shall be erected made placed or used or be allowed to remain upon the said land and the Vendors or other the owner or owners of any other part of the Udney Park Estate may during the lives of their Majesties the King and Queen and their descendants now living and the life of the survivor and such further period as may be lawful remove and dispose of any such erection or other thing and for that purpose may enter the said land upon which a breach of this stipulation shall occur and shall not be responsible for the safe keeping of anything so removed or for the loss thereof or any damage thereto or the said land

6. THE Purchaser shall forthwith erect and for ever maintain and repair in good and sufficient condition an oak park paling or creosoted feather edged boarding boundary fence of not less height than five feet six inches of a greater height than six feet next to the roads and on the sides marked "T" on the plan excepting that a front fence may be of a height of not less than three feet six inches.

7. NO hoarding other than such as may be required for building purposes shall be erected on the land and any so erected shall not be used for advertising purposes and no sign board or name plates larger than 12" x 6" shall be displayed upon the houses to be erected nor upon the gates or fences.

8. NO sand or gravel shall at any time be excavated or dug out of the premises or other excavations made except for the purpose of laying the foundations of the houses to be erected thereon or for use in building on the land hereby conveyed."

NOTE 1: The building line shown on the plan to the deed are shown by broken blue lines on the filed plan

NOTE 2: The mark T is shown on the plan to the deed on the northern and eastern boundaries of the land tinted pink on the filed plan.

2 The following are details of the covenants contained in the Conveyance dated 30 April 1937 referred to in the Charges Register:-

"THE Purchasers hereby COVENANT with the Rugby Union Trustees AND IT IS HEREBY AGREED AND DECLARED as follows:-

1. THAT the Purchasers shall not without the consent of the Rugby Union Trustees use the property hereby assured or any part thereof for any other purpose during the appropriate season than as a sports ground for the playing of games by Amateurs the chief game to be played thereon being Amateur Rugby Football and will not during any part of the year other than the appropriate season use the property or any part thereof for any other purpose than the playing of games by Amateurs.

2. IF the Purchasers shall at any time before the expiration of Twenty years from the death of the last survivor of all the children now living of His late Majesty King George the Fifty commit any breach of the covenant in sub-clause (1) hereof or give notice in writing (hereinafter called a "Purchaser's Notice") to the Rugby Union Trustees of their desire to use the property or some part thereof for some purpose not permitted by such covenant or of their desire to sell for any purpose or to Lease for building purposes the same or any part thereof the Rugby Union Trustees shall have the right in the case of a breach of covenant at any time before the expiration of the said period and in the case of a Purchaser's Notice being given at any time within nine months after the receipt of such Notice to repurchase the fee simple of the property hereby assured from the Purchasers at the price of Twenty four thousand nine hundred pounds such right to be exercised by the Rugby Union Trustees giving to the Purchasers or leaving at their registered office a notice in writing (hereinafter called a "Vendor's Notice") of the intention of the Rugby Union Trustees to repurchase the property AND the Purchasers shall within one month after the receipt of a Vendor's Notice and upon payment of the said sum of Twenty four thousand nine hundred pounds convey the said property to

Schedule of restrictive covenants continued

the Rugby Union Trustees for an estate in fee simple in possession subject as to the part thereof comprised in the said Conveyance of the Thirteenth day of March One thousand nine hundred and twenty two to the stipulations and restrictions contained in the said Conveyance of the Twenty sixth day of March One thousand nine hundred and eight so far as then subsisting and capable of taking effect but otherwise free from incumbrances.

3. IF a Vendor's Notice is not given to the Purchasers within nine months after the receipt by the Rugby Union Trustees of a Purchaser's Notice then as from the expiration of such period of nine months the Purchasers and the property hereby assured shall be absolutely discharged from the said covenant in sub-clause (1) hereof.

4. THE expression "the appropriate season" as hereinbefore used shall mean the period between the First day of September in any year and the Thirtieth day of April in the following year both such days inclusive. In these presents the expression "the Rugby Union Trustees" shall include where the context admits the Trustees or Trustee for the time being of the Rugby Football Union and the expression "the Purchasers" shall include where the context admits all persons deriving title under the Purchasers."

End of register

From: [Simon.Graham-Smith](mailto:Simon.Graham-Smith@richmond.gov.uk)
To: [Kerry.McLaughlin](mailto:Kerry.McLaughlin@richmond.gov.uk)
Subject: FW: IMPERIAL COLLEGE (TEDDINGTON SPORTS GROUND) , The Pavilion, Udney Park Road, Teddington, TW11 9BB
Date: 04 April 2018 16:06:38
Attachments: 20180327 Summary of comments from NGRs Udnev Park Hwy Playing Pitch Strategy 2015 Udnev Park SE summary.docx

Please can you turn the email below into a pdf and then add the two documents above to the pdf below the email. And then put it on the electronic case file under Consultees as 'Sport England'.

Simon Graham-Smith Planning Officer

Serving Richmond and Wandsworth Councils
Development Management
Environment and Community Services
020 8891 1411
s.graham-smith@richmond.gov.uk
www.richmond.gov.uk / www.wandsworth.gov.uk

The views expressed in this email are informal only and do not prejudice any decision the Council may make in the future.

From: Vicky Aston [mailto:][mailto:]
Sent: 30 March 2018 11:59
To: Simon Graham-Smith
Cc: 'Stuart Lamb'; Jay Bowers (); Chris Whitaker; Christopher.Donkin@LTA.org.uk; Nick Evans; Bob Sharples
Subject: IMPERIAL COLLEGE (TEDDINGTON SPORTS GROUND) , The Pavilion, Udney Park Road, Teddington, TW11 9BB

FAO: Simon Graham-Smith

Dear Simon

Thank you for consulting Sport England on the above proposal.

Sport England strongly **objects** to the above application as it is not considered to meet our adopted playing fields policy or NPPF Para. 74 for the following reasons; the proposal will result in a significant quantitative loss of playing field on a site identified in the Council's PPS as a Strategic (High Priority) site. The applicant has provided an indicative plan for sports facilities on the remaining area of plan but the applicant is not intending to deliver these proposals as part of the development. The site is also allocated by the Local Authority as Local Green Space.

Sport England –Statutory Role and Policy

The site is considered to constitute playing field, or land last used as playing field, therefore Sport England advises that this proposal would require statutory consultation, under the terms of the Town and Country Planning (Development Management Procedure) (England) Order 2015, at the formal planning application stage. Sport England considers proposals affecting playing fields in the light of the National Planning Policy Framework (NPPF) (in particular Para. 74), and its Playing Fields Policy: 'A Sporting Future for the Playing Fields of England', which can be accessed via the following link:www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field, unless one or more of the five exceptions stated in its policy apply:

	Sport England Policy
	Summary of Exceptions
E1	An assessment has demonstrated that there is an excess of playing fields in the catchment and the site has no special significance for sport
E2	The development is ancillary to the principal use of the playing field and does not affect the quantity/quality of pitches
E3	The development only affects land incapable of forming part of a playing pitch and would lead to no loss of ability to use/size of playing pitch
E4	Playing field lost would be replaced, equivalent or better in terms of quantity, quality and accessibility
E5	The proposed development is for an indoor/outdoor sports facility of sufficient benefit to sport to outweigh the detriment caused by the loss of playing field

The Proposal and Impact on Playing Field

It is proposed to build on existing playing field land at Teddington Sports Ground. The site was previously the Imperial College sports ground. The proposals will result in the loss of part of the playing field to a care home development, a GP's surgery and area of public open space. The proposals include the provision of a new sports club building on the site, grass pitch, artificial grass pitch, MUGA and petanque courts. This is a private site. However, for many years the site has been used by community sports clubs.

The proposal will result in a significant amount of playing field land on the site being replaced with open space that will not be made available for pitch sports and also to accommodate the care home and GP surgery. The existing pavilion will be converted to residential use.

The planning application drawings show that an artificial pitch will be located on the site and the existing pavilion will be converted for other uses. This will be replaced with a new pavilion on the southern part of the site (on existing playing field). The existing car park will be built on and replaced with a new car park on the existing playing field. The existing tennis courts could also be removed and replaced within the site with new floodlit courts.

The Applicant's submission confirms that none of the sports facilities will be provided as part of the development.

Pre-application advice

The applicant contacted Sport England for pre-application advice the same week as submitting their planning application to the Council. They have made no changes to the scheme in response to our advice, even though we confirmed we intended to object to the proposals. They have also provided some of their own analysis of the Council's Playing Pitch Strategy 2015. In response and to address the points raised by the applicant, Sport England has attached our own summary of the Playing Pitch Strategy (2015) as it relates to Udnev Park.

Sport England considers that the PPS (2015) is now out-of-date. It is currently being updated and this should be published by the Council within the next few months. Notwithstanding, the 2015 PPS highlights that the site is used for community sport. Whilst a scenario is provided considering what the outcome would be if the site is lost, the PPS recommends that the site should be protected from development and enhanced. It should also be retained to provide for future demand. As a multi-sport site the site is recorded as a Strategic site – High Priority in the Action Plan (see Strategy - page 34).

The applicant has also provided a drawing showing the current winter pitch layout (20/3/2018) – a summer pitch layout is not provided. However, the applicant has not included all of the pitches shown on past aerial images of the site nor does it acknowledge the presence of the cricket wicket between the largest football and rugby pitch. The ECB has informed us (see information attached) that in the past the site has accommodated 2 full size cricket pitches.

Comments from the National Governing Bodies/Playing Pitch Strategy

Sport England has attached a summary of comments from the sport national governing bodies. These responses have informed our response.

Assessment against Sport England Policy

The draft Richmond Local Plan identifies the playing field as Local Green Space. According to the draft Local Plan this means that the site should be protected from inappropriate development (as for Green Belt policy). The local community and the Council have identified the site as Local Green Space and this is a further indication that the whole of the playing field should be retained as playing field.

The proposed built development on the site (including the care facilities) and the proposed loss of the existing car park and pavilion **do not meet any of the exceptions in Sport England's Playing Fields Policy** as they will result in a significant quantitative loss of playing field. The proposals therefore conflict with Sport England policy and paragraph 74 of the National Planning Policy Framework. In considering the application against the bullet points in paragraph 74, Sport England considers the following;

- Sport England considers that the 2015 Playing Pitch Strategy (and the emerging playing pitch strategy) demonstrate that the site should be protected from development.
- The loss will not be replaced with equivalent or better sports facilities;
- The proposal is for a care home, housing and a GP surgery not alternative sports and recreational provision.

The planning application includes some new sports facilities which include an artificial pitch (capable of supporting rugby and football) that will be floodlit and a petanque court. Some other existing facilities on the site will be replaced with new facilities. This includes replacement tennis courts and a new pavilion. An area of the existing playing field capable of supporting a senior football/rugby pitch will also be

retained. However, this layout and the proposals for the new sports facilities can only be considered as indicative, as the applicant does not intend to fund or deliver any of the proposed sports facilities. It is understood that the remaining playing field will be gifted to a community organisation who will then be expected to secure the relevant funding via grants.

As highlighted in the attached responses from the National Governing Bodies, no funding has been confirmed for the proposals in their current form. Sport England will also not fund a scheme for this site which results in a quantitative loss of playing field and supports the development of other uses for developer gain.

Sport England does not usually support enabling development, but what is proposed is not enabling development as the applicant is not intending to build and provide any of the sports facilities set out in the planning application, only to gift the land to the community.

Whilst the site has been in private ownership for many years, as evidenced by the national governing bodies, the site has been extensively used for community sport during this time. It is understood that the quality of the existing pitches is very good (albeit maintenance may have been less rigorous since the site was sold by Imperial College).

Artificial pitch

If it were to come forward with funding from the developer, [the proposal](#) for the artificial pitch is located on playing field has the potential to meet exceptions 5 of the above policy, which states:

'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

The proposed artificial pitch could meet an existing need for artificial pitch in the local area. However, although artificial grass pitches may be able to sustain more intensive use than natural grass playing pitches, they will not necessarily be preferred in relation to Exception 5 purely for this reason. This is because a proposed artificial grass pitch may be unsuitable to accommodate some grass pitch sports or the standards of play or grades of competition required for some sports. Also, they may not be sufficiently flexible to readily accommodate changes in demand for playing pitch types and sizes compared to the current area of playing field.

In this case, the location of the artificial grass pitch together with the proposed area of open space, loss of the existing pavilion and care home development will reduce the ability of the playing field to accommodate a range of pitches. As the National Governing Bodies (football and cricket) have highlighted above there is a need for more grass pitches in the local area and these cannot be accommodated on the remaining space. The site will no longer be able to accommodate cricket and will quantitatively reduce the amount of space available to accommodate football, including reducing flexibility in the number and type of pitches that can be provided on the site.

Floodlighting

Sport England welcomes the intention for the artificial pitch and tennis court to be floodlit, which is essential to ensure these facilities are sustainable and provide for evening use by the community. The location of the proposed pitch near to housing will need further investigation to understand the impact on the nearby residential area and the Local Authority may require a floodlighting assessment and acoustic assessment. The LTA has advised us that there is an under provision of floodlit courts in the Borough and has questioned whether the Local Authority will allow floodlighting in this location. The following Sport England documents provide further advice to applicants and local authorities;

Artificial Sports Lighting (2012)

Artificial Grass Pitches (acoustics): Planning Implications (2015)

<http://www.sportengland.org/facilities-planning/design-and-cost-guidance/artificial-sports-surfaces/>

<https://www.sportengland.org/facilities-planning/design-and-cost-guidance/artificial-sports-facilities/>

Conclusions and Recommendation

Sport England therefore concludes that there will be a significant quantitative loss of playing field from the site and the PPS highlights the site as a Strategic (High priority) site. The PPS concludes that the site should be protected from development. There is understood to be a need for grass pitches now and in the future and Sport England wishes to protect these playing fields from development.

The applicant has provided an indicative plan for sports facilities on the remaining area of plan but the applicant is not intending to deliver these proposals as part of the development. The site is also allocated by the Local Authority as Local Green Space. The proposed development does not comply with any of the bullet points in paragraph 74 of the National Planning Policy Framework.

Having assessed the proposals against Sport England's Playing Fields Policy, Sport England is of the view that the proposals do not adequately meet any of the exceptions set out in our Playing Fields Policy. Sport England therefore objects to the proposed development. However, if the following amendments were made Sport England may reconsider its position if the following issues are addressed:

- Any sports proposals on the site should be delivered by the applicant.
- The applicant will need to revise the scheme to address the loss of pitches from the site in terms of quantity, quality and accessibility. Off-site re-provision is likely to be required to address the significant quantitative loss. Sport England is willing to discuss with the applicant further what changes would be required.
- Further reassurance that the floodlighting proposed on the site can be supported by the local authority.

Sport England would also like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

Should the local planning authority be minded to approve this application against the recommendation of Sport England; then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 the application should be referred to the Secretary of State via the National Planning Casework Unit.

If you would like any further information or advice, please contact me at the address below.

Yours sincerely,

Vicky Aston
Planning Manager
Sport England



This girl can



National Sports Centre, near Marlow, Buckinghamshire, SL7 1RR



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Comments received from the National Governing Bodies

Sport England has consulted the following national governing bodies and their comments are summarised as follows;

England & Wales Cricket Board

The ECB objects to the proposed development. Teddington Sports Ground (TSG) which was prior to its closure, a high quality, well-used cricket facility identified as a site of strategic value by the 2015 Playing Pitch Strategy. The plan for this site removes the provision of any cricket facilities completely from the site. The ECB would like the proposals to include the reinstatement of the two squares and non-turf pitch within any development plans at TSG. Should these pitches be permanently lost, replacement provision to an equal or better quantity and quality meeting with ECB specifications (TS3 and TS6) www.ecb.co.uk/be-involved/club-support/club-facility-management will be necessary given the overall shortfalls evident in the Playing Pitch Strategy.

Prior to closure, TSG had a full complement of cricket facilities, including a full working pavilion with five changing rooms, showers and toilets, a dining area for tea, and a licensed bar. Outside there were two cricket squares and a non-turf pitch. There was a main square and a second square used for Saturday (friendly) cricket. There were also covers and sightscreens in place. In total, approximately 30 open age games were played on Saturdays each season, with further junior cricket being played by Newland House School, Teddington CC and Richmond CC on a regular basis.

Richmond CC used the ground for Saturday league cricket for 10 years between 2006 and 2015 inclusive. They maintained the square itself during the final season, after Imperial College pulled out at the end of 2014. The club also invested £10,000 in the square at the beginning of the relationship to improve its standard and supplied the roll-on covers. At the end of the 2015 season, under Richmond CC's stewardship, the square had full end-of-season renovations for the very first time, indicating that the surface would have improved in performance once again if it had been used in 2016.

Future Users - The following Saturday league teams would have an interest in using TSG at peak times.

- Hampton Hill CC 3rd XI
- Richmond CC 5th XI
- Sheen Park CC 3rd XI
- Teddington CC 5th (potential future new XI)
- Twickenham CC 3rd, 4th and 5th XIs

Should it be brought back into use, Twickenham CC would be the most likely (adult) beneficiary, in partnership with Richmond CC (juniors). Twickenham CC would also have likely demand from their women's team. In total, there is potential demand from up to 8 open age teams.

The local Middlesex County Board Participation Officer has provided the following additional information about past cricket use on the site;

Richmond Cricket Club played adult cricket at Udney Park Road every weekend from the start of the 2006 season until the end of 2015. The club were originally served notice by the site's owners, Imperial College London, in late June 2014 to depart at the end of that season, given the university's plans to sell. However, the club had an existing 5 year

contract that was due to run until the end of 2015, and due to the short notice this gave the club towards finding another local site for league cricket, as a gesture of goodwill the university agreed to honour the agreement to the end of the following season. This was agreed on a 'peppercorn' basis, provided the club carried out all the specialist grounds maintenance required for the sport (which of course meant an increased spend by the club versus 2014). This was duly undertaken, and the cricket square's performance in 2015 was the best it had ever been, and was then further improved following a full end-of-season renovation programme (since cricket was expected to continue on-site). In the years leading up to the end of the 2015 season, the main cricket square detailed above was also used by a number of other stakeholders, including:

- Teddington CC (for regular, junior cricket)
- Newland House School (who also used the Non-Turf Pitch on-site to run two games at once).
- A further adult, non-league club who used to play matches every other weekend, using the area in the south east corner of the site that had been cultivated into a full size cricket pitch, who also used the pavilion on Saturdays for the changing rooms, showers & toilets, Tea and socialising in the Bar afterwards (the Bar was closed at the end of the 2014 season due to Imperial no longer maintaining the site).

The ECB has commented that it was fortunate for Richmond CC at the time, that a new 'second' ground was being developed in conjunction with Christ's School. However, the original plan to move the club's remaining Saturday XI to Udney Park Road in 2016, ground sharing with (most likely) Twickenham CC for adults and Teddington CC for junior cricket was not possible due to this site's closure. As a result, this side has continued to play its home matches out of borough, with venues rented on a game-by-game basis in the boroughs of both Hillingdon and Hounslow - unfortunately, there are no remaining, suitable cricket grounds available to book in the borough of Richmond. This has made it more difficult for the club members affected, regularly making a 22 mile round trip from the club for a home game.

Football Foundation and Middlesex FA on behalf of the Football Association

The Football Foundation (FF) and Middlesex FA (on behalf of the Football Association) object to these proposals. They consider that the benefits of a full size 3G pitch will not outweigh the loss of the grass pitches. The FF & Middlesex FA acknowledges that the site is Local Green Space. They comment that whilst the developer is proposing to 'gift' the remaining land to a formed CIC, the Community will then have the responsibility to fund the development of any sports facilities, including the artificial pitch. The proposals therefore rely on external funding from the public sector and charitable organisations which has not been secured.

Based on present evidence from the Playing Pitch Strategy (PPS) there are 4 grass football pitches comprising of 2 x 7v7 and 2 x 11v11. These are available for community use however exact current usage is unknown and the PPS recommends further investigation. Spare capacity on this site has been discounted when assessing the demand for the area. The PPS suggests that current demand is being met for adult, 5v5, 7v7, 9v9, however there is a shortfall in youth 11v11 pitches. The same applies to future demand however with the increase in teams over the PPS period the youth 11v11 situation is exacerbated.

The PPS suggest that there is a requirement under The FA model to provide 1 x full size 3G pitch to meet the future number of teams.

The application supports the development of a full size 3G pitch but the remaining grass pitches will be lost which will impact on the supply / demand model, especially the youth

11v11. The loss of all the grass pitches for football is not outweighed by the introduction of a full size 3G facility. We need the grass pitches and the full size 3G therefore we oppose the proposed development. The fact that public funding will be needed raises concerns over the viability of the project. For these reasons Middlesex FA and Football Foundation, on behalf of The FA do not support the proposal.

The FF and Middlesex FA would prefer the entire site to be under the control of a CIC (or similar body) from which we would like to engage with the ultimate aim of developing the entire facility for sport in line with the findings of the Playing Pitch Strategy.

Rugby Football Union

The RFU would in principle support the proposal at Udney Park Road but would require some significant conditions and assurances before it would agree the next steps. For the Rugby Football Union to support the scheme, the applicant would need to demonstrate and be able to deliver -

- Fully funded Clubhouse and Changing Rooms built to SE / RFU guidelines and agreed with the RFU before final agreement.
- Fully Funded full size WR 22 compliant AGP Pitch for dual use with FA.
- Fully Funded ancillary facilities to include car parking / Storage solutions etc. to be agreed with the RFU before Final Agreement.
- All Natural Turf Pitches to be full size and fully funded and to be designed to be marked for dual use RFU and FA, and to achieve standards expected of both NGB's - specification defined by the total projected hours of use.
- Full Floodlighting of the AGP to current RFU specification – 200 Lux / 0.6 uniformity
- A Robust business model is provided pre development to ensure the CIC can manage the facility in short / medium and long term around planned building and pitch maintenance programmes (to meet the anticipated demand aligned to the pitch design specification above), sinking fund and operational costs etc.

If this can be achieved then the facility would add to the rugby provision in the area and would solve some of the club issues especially around match play and midweek training demand as identified within the Playing Pitch Strategy.

The Site is private land and so there is NO RIGHT to use by the community. It is not a public space in any form. However, a conveyance of the site dated 30 April 1937 requires that the land be used as an amateur sports ground and that rugby be played on it. The developers have leased the site to a Community Interest Company that is establishing leases with local clubs for use... tennis, football and rugby, plus Scouts etc. So unlike under Imperial when there was virtually no use, Teddington RFC use 4 evenings a week (required to reduce wear on Bushy Park) and occasional weekends for Junior and women's matches plus summer touch and training. All the lighting is temporary mobile light solutions and sub optimal. There are occasional summer/Easter camps, and other use Rugby League, Referees, England 7s etc.

Lawn Tennis Association (LTA)

The LTA would support the improvement of the tennis facilities at Udney park, however the LTA's preference is that this development takes place within a wider development of the land for sport rather than the proposed split of sport and residential use. The main reason for the LTA's support towards the tennis element of the project is based on the opportunity for floodlit provision at this location. Demand for tennis locally is high and within Richmond there is lack of floodlit tennis provision, particularly at community venues. In addition, when looking at the supply and demand locally, we perceive that there is an under supply of tennis courts in the local area,

The Teddington Community Tennis club are a registered venue with the LTA and have been since Spring 2017. The group have an agreement with Quantum and the CIC established at the site. They pay a nominal fee to use the courts. Usage of the site by this group appears limited as there have only been 15 bookings this year via the Clubspark booking portal. We are unsure as to whether people can access the courts on an informal basis, whilst bypassing the booking platform, ie is the site open access and not controlled?

Teddington LTC have attempted to use the site in previous years. This site was used as an overflow for club programme in order to free up capacity on the club courts. The indication is that there was no formal agreement in place for this usage.

Prior to fully confirming the LTA's response to the scheme, further technical information is required. This would include the following;

- The Court block needs to be 34.75m long by 46.33metres wide.
- For new built courts, the LTA recommends the following court construction is adhered to
 - 300mm free draining aggregate subbase – laid directly on a geo-textile membrane.
 - 40mm macadam binder course.
 - 25mm macadam surface course.

The LTA will also require the courts to be floodlit (see also further comments on floodlighting below). If floodlights are to be approved, the lights will need to achieve an average lux level of 400 lux on the Principal Playing area and 300 Lux on the total playing area in line with the LTA performance standards.

The LTA also require further information as to how the new courts will operate (the majority of the other community courts in the Borough are operated using the gate entry and Clubspark system).

Sport England Summary of Playing Pitch Strategy (2015) in relation to Udney Park

The 2015 Playing Pitch Strategy (PPS) undertaken for the Council in 2015 by consultancy Knight Kavanagh Page contains 2 parts; Playing Pitch Assessment and Playing Pitch Strategy.

With regard to cricket, the current Playing Pitch Assessment identifies Imperial College (Teddington Sports Ground) (site 26) as having 11 grass cricket wickets and 1 non-turf wicket, as the PPS was prepared when the site was in use (see page 46). The site shows some capacity in the peak period and during the week which confirms that it could accommodate additional play.

The guidance explains that the next step is to ascertain whether or not any identified 'potential capacity' can be deemed 'spare capacity'. There may be situations where, although a site is highlighted as potentially able to accommodate some additional play, this should not be recorded as spare capacity against the site. For example, a site may be managed to regularly operate slightly below full capacity to ensure that it can cater for a number of regular training sessions, or to protect the quality of the site.

There are five sites with grass wickets that have actual spare capacity, equating to a total of five squares in the peak period (Saturday), to accommodate senior cricket – this includes Imperial College. The Assessment concludes;

- There is actual spare capacity equating to four squares for grass wicket sites during peak time (for the whole of the Borough).
- The current number of squares can accommodate demand for senior and junior cricket.

In relation to cricket the study (pg. 21 of the Playing Pitch Strategy) concludes;

'There is actual spare capacity equating to four squares for grass wicket sites during peak time (includes Old Deer Park square assessed as poor quality). This is reduced to two squares due to latent demand and aggregated future demand. In the Analysis Area summaries the aggregated future demand does not show but is accounted for in the commentary. If quality of the square at Old Deer Park cannot be improved it could become discounted; further reducing spare capacity. Subsequently sites with spare capacity should look to be retained.'

'Overall, the current number of squares can accommodate demand for senior and junior cricket. However, preventing some pitches from becoming overplayed is required (e.g. ensuring adequate training provision and increasing use of non-turf wickets particularly for junior cricket).'

At the time of the PPS it was known that the Imperial College intended to sell the site which created uncertainty about its future (see page 32). An additional scenario was therefore undertaken to show the outcome if the Imperial College site is closed. This concludes that if the site were to close, this would reduce existing spare capacity in the area as a whole to 1 single pitch (aggregated from spare capacity on other pitches in the Borough). The report concludes; *'Scenario highlights need for spare capacity on cricket pitches to be retained to accommodate demand (expressed as latent demand) in Hampton & Teddington Analysis Area as well as aggregated forms of future demand (equivalent to one pitch) across LBRuT.'*

It is important to note that the PPS does not go on to conclude that the Imperial College site is surplus to requirements. Instead it indicates that with the loss of Imperial College, this

would significantly reduce spare capacity on the remaining sites and this capacity must be retained given that there would be limited spare capacity on the remaining pitches. It should be further noted that the PPS records those pitches that are in community use, but does not record how secure the community use in each case is.

With regard to football, similar scenario testing is undertaken see (page 31). This concludes that the loss of the Imperial College site would mean that football need in the local area could not be met in the local area and there would be an undersupply of youth pitches, were the Imperial site to close.

For Rugby (see page 33 of the Strategy), the PPS highlights the importance of retaining the Imperial College site in order to meet any additional future demand and/or in case of difficulties in improving quality of existing sites.

Sport England considers that the PPS (2015) is now out-of-date. It is currently being updated and this should be published by the Council within the next few months. Notwithstanding, the PPS highlights that the site is well used for community sport. Whilst a scenario is provided considering what the outcome would be if the site is lost, the PPS recommends that the site should be protected from development and enhanced. It should also be retained to provide for future demand.

As a multi-sport site the site is recorded as a Strategic site – High Priority in the Action Plan (see Strategy - page 34).

Subject: FW: LPA Ref: 18/0151/FUL - IMPERIAL COLLEGE (TEDDINGTON SPORTS GROUND) , The Pavilion, Udney Park Road, Teddington, TW11 9BBB

From: Vicky Aston [mailto:]
Sent: 18 May 2018 14:39
To: Simon Graham-Smith
Subject: LPA Ref: 18/0151/FUL - IMPERIAL COLLEGE (TEDDINGTON SPORTS GROUND) , The Pavilion, Udney Park Road, Teddington, TW11 9BBB

Dear Simon,

Thank you for consulting Sport England on the additional information. This has included (inter alia) the following that Sport England has reviewed;

- Update to the Sports Facilities Plan.
- Draft heads of terms for the S106.
- Two cricket practice nets (now shown on the plans and highlighted in the accompanying documents).
- Response to Sport England's pre-application advice 14/2/2018.

In our previous response to the application (dated 30/03/2018), Sport England stated that, if the following amendments were made Sport England may reconsider its position if the following issues are addressed:

- Any sports proposals on the site should be delivered by the applicant.
- The applicant will need to revise the scheme to address the loss of pitches from the site in terms of quantity, quality and accessibility. Off-site re-provision is likely to be required to address the significant quantitative loss. Sport England is willing to discuss with the applicant further what changes would be required.
- Further reassurance that the floodlighting proposed on the site can be supported by the local authority.

Sport England has consulted the National Governing Bodies on the updated information to ask if they had any further comments on the additional information. None of the governing bodies provided any significant additional comments. The Football Association commented that they wished to uphold their objection to the application. The Lawn Tennis Association has commented that a sinking fund will also be required for the tennis courts (as for the artificial pitch).

Sport England considers that through the submission of additional information, the applicant has sought to address the first bullet point above. However, the remaining bullet points have not been addressed through the additional information submitted. This is because no additional playing field land or off site provision has been made to address the significant quantitative loss of playing field. As set out in our previous response Sport England considers that the 2015 Playing Pitch Strategy (and the emerging

playing pitch strategy) confirm that the site should be protected from development. Also the issue of floodlighting has not been adequately addressed. Without floodlighting the proposed pitches and courts will not be able to provide any additional hours of use.

Sport England therefore upholds its **objection** to the above application as it is not considered to meet our adopted playing fields policy or NPPF Para. 74 for the following reasons; the proposal will result in a significant quantitative loss of playing field on a site identified in the Council's PPS as a Strategic (High Priority) site. It is acknowledged that the applicant will provide new facilities for sport on the site (i.e. enabling development) but this is not sufficient to overcome the quantitative loss of playing field from the site. The site is also an Asset of Community Value.

Please do not hesitate to contact me if you require any further information or advice

Regards

Vicky

Vicky Aston Planning Manager

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Teddington Sports Ground

http://www3.imperial.ac.uk/sports/facilities/te



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TEDDINGTON SPORTS GROUND

The picturesque ground at Teddington is available for rugby, football, cricket, lacrosse, tennis and netball. As with the Harlington ground, College groups can make casual bookings when pitches are available. The ground has its own pavilion, bar, and function room, and coupled with its charming surroundings, it makes for a perfect location for sports events, corporate sports days, team building and staff activities, and many other events.

See also...

[Location Map](#)
[Richmond Cricket Club website](#)

FACILITIES:

- rugby - two pitches
- soccer - two pitches
- lacrosse - one pitch
- tennis - three courts
- netball - two courts
- cricket - one square
- artificial cricket wicket and nets
- floodlit grass training area
- Pavilion with bar/catering facilities and function room



Sport Imperial has been in partnership with Richmond Cricket Club since October 2005. The Club have use of cricket facilities at Teddington for their fixtures and provide our students with the opportunity to play cricket in high standard local competitive leagues.

The ground is a popular venue for corporate sports days and team building events. If you are interested in hiring facilities at Teddington, from pitch hire to corporate sports days to a photo shoot location, please contact our Marketing and Promotions Officer, [Leena Bharadia](#) [Opens in new window](#).

----- Forwarded message -----

From: "Danskine, Grant" <g.danskine@imperial.ac.uk>

To: xxxxxxxxxx@newlandhouse.net>

Cc: TEDDINGTON SPORTS GROUND <teddington@imperial.ac.uk>

Bcc:

Date: Wed, 19 Nov 2014 13:22:35 +0000

Subject: RE: Teddington Sports Ground - Contacts

xxxxxxx , good to meet yesterday and as I said feel free to call if you have any issues over the coming months

Costs are as follows

Football Pitch/Rugby pitch £135

Cricket £175 for day game, £120 for evening 20/20

RFU £100 per hour Netball £70 per session 2.5 hrs ish sat am)

Richmond Cricket Club - You have details

St James Cricket Club – you have details

Chelsea& Westminster Hospital Staff Cricket Club Vin

Chauhan (v.chauhan@imperial.ac.uk)used to get free use but feel free to charge an appropriate fee

Sheen Vets Football Club - Brian Lee 07725 159 798

Teddington Netball Club - Jackie Hill (jackie.hill@blueyonder.co.uk) £70 per session

Teddington Swans netball Club - Annie Hall (anniehall73@hotmail.com) £70 per session

England RFU Sevens Squad - Nadine Cooke nadinecooke@rfu.com 07711 260614

England Ladies RFU Sevens Squad – Rachel Carter - rachelcarter@rfu.com

Macmillan Cancer Research Big Coffee Morning(once per year) don't have details

Fulham Taverner's / Parrys whippets Cricket summer evenings - Ashely Homewood (ashleyhomewood@hotmail.com)

Titan Sports Academy (kids holiday rugby) Ingrid 07727 257262 (£200 per day 8.30 – 3.30)

20/20 Cricket midweek evenings Brad Lee 07508 005525

Royal National Theatre Cricket John Bunker 07801 012737

We also get plenty of one off enquiries which we will pass on as and when we get them

Hope this helps

Grant

Grant Danskine BA (Hons) M Inst SRM

Operations Manager

Sport Imperial,

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Mobex 57752

www.imperial.ac.uk/sports

From: Teddington Community Sports Ground CIC <Contact@TeddingtonSportsGround.com>

Date: 29 January 2017 at 11:24:47 GMT

To: Nicola spencer <nicola975@btinternet.com>

Subject: Please Read - Your Community Needs You

DEADLINE FEBRUARY 7th



Nicola

I wrote to you a little while ago explaining how Space to Play has now dissolved, and the Teddington Community Sports Ground CIC would like to continue to keep you informed. There is new information here that I thought you might like to know about.

The Council is currently consulting on the Local Plan, which contains a proposal to restrict the development of the "Udney Park Playing Fields" by changing the planning designation to "Local Green Space". **This change could greatly restrict, or even prevent, community use** of an area of green space in the centre of Teddington. You can influence this.

The sports ground, which is private land, used to belong to Imperial College and is now owned by Quantum Group. Teddington Athletic Football Club (TAFC) has recently been leasing the ground from Quantum, and, for the first time, it is in widespread community use - including the Scouts, schools, international and local rugby, netball, pilates, weddings and other activities.

This community use will continue and grow if Quantum receives planning permission for a proposed doctors' surgery and care home on a portion of the site. As part of this plan, the majority of the site will be gifted to the community and protected from development in perpetuity. Quantum will provide grass and all weather football/rugby pitches, tennis/netball courts, public open space - including a children's play area - and a brand new state-of-the-art community centre with café, sports changing and a community hall on this space, at no cost to the community.

As I have said before, the Teddington Community Sports Ground CIC, run by local people and now chaired by Sir Vince Cable, is working to ensure continued and enhanced community use of this marvellous open space in the centre of Teddington.

All of this community access may stop if the designation is changed to "Local Green Space". Community access may not be allowed and the site may become dormant for years.

You can influence this decision. [If you feel that the Local Green Space proposal is inappropriate, simply click here](#), this will generate an email for you to send to the CIC.

We will collate your answers and pass them to the council.

From the Teddington Community Sports Ground CIC

Simon Cartmell, Gareth Cross, Rob Short, Bob Smith, Sir Vince Cable

contact@teddingtonsportsground.com

www.teddingtonsportsground.com

Further information follows.

Who Is Writing to Me?

We are the Teddington Community Sports Ground CIC, a not-for-profit organisation run by local sports club leaders and chaired by Sir Vince Cable. We care deeply about this area of open land in Teddington and we think that it can be a fabulous community centre and sports ground if sufficient money can be found to develop the necessary facilities - Quantum are offering us that opportunity.

For more information, please visit www.teddingtonsportsground.com

About "Local Green Space"

"Local Green Space" is a planning protection that makes it very difficult to develop the land - for any purpose, including additional community facilities. It is a designation voted for by the community - in this case, it was proposed by the Teddington Society and a group of local residents called the Friends of Udney Park Playing Fields.

Unless you make your voice heard now, the views of these two groups will be taken by the council to represent all of Teddington.

What Will Happen if the area IS NOT Designated as "Local Green Space"?

The site is already protected by the "Other Open Land of Townscape Importance" designation, which allows development only in special cases. Quantum proposes to take a portion of the site and create a continuing care retirement community and doctors' surgery. The plan is then to gift the remaining land to the community and protect it from development in perpetuity.

This proposal will be submitted for planning permission by Quantum, and if it is approved the community will get a fully funded, high quality and sustainable facility consisting of grass and all weather football and rugby pitches, tennis/netball courts, public open space - including a children's play area - and a brand new state-of-the-art community centre with café, sports changing and a community hall.

What Will Happen if the area IS Designated as "Local Green Space"?

Quantum has informed us that the TAFC lease will be terminated and all community use of the site will stop. Quantum will, no doubt, continue to progress plans for development, but it is unlikely that this process will be as cooperative as has been the case to date.

If Quantum is unable to secure planning consent, then the site is likely to remain dormant for a number of years while its future is decided by legal and commercial considerations.

What is the CIC Going to Do with My Reply?

We'd like your responses by Feb 7 so that we have time to collate them before the council deadline of Feb 15. We will then respond to the consultation explaining who we are and how many people have responded to this communication expressing their opposition to the "Local Green Space" designation.

How Can I Find Out More?

[This website](#) has more information about the Teddington Community Sports Ground CIC.

The council consultation website is here :

http://www.richmond.gov.uk/home/services/planning/planning_policy/local_plan/local_plan_review/local_plan_publication.htm

Appendix 11 Lobbying via Quantum's CIC partners

The Friends have received many unsolicited complaints about the behaviour of Quantum and their partners in the CIC during this current March 2019 LGS consultation. Quantum and their partners use selective information to try and lead the community to an outcome. Ever since the acquisition of Udney Park Playing Fields by Quantum the public information agenda has been tightly managed, through two "consultations" where Quantum revealed very little detail about the size and scale of their built development (yet we know from FoI that Quantum offered former owner Imperial a view of their "exciting plans" way back in October 2015). Whilst many clubs and schools refused to partner with Quantum, Directors from 2 clubs and a GP surgery with their own reasons for re-locating, joined forces with Quantum, allowing Quantum to fund a CIC as a co-applicant for their intended development in what a former Councillor called "camouflage for a grubby land deal".

Specific to this LGS Consultation, the community feedback highlights two overall themes of this orchestrated and well-funded campaign to lobby the community: that it exploits an imbalance of power in relationships, most seriously between Doctor and patient and also between coach and parent in a sports team.

The use of the name of one of the companies involved (as an "officer" of Quantum Teddington LLP)- "Affordable Housing and Healthcare" - has also been criticised as a ploy purely designed to mislead people. The name Quantum has disappeared from CIC literature and been replaced with AHH without any public explanation. There is no detail forthcoming about the pricing and availability of apartments in the planned development, other than that "affordable" is claimed on the basis of an equity-share arrangement charged at 3% interest, there is no detail of prices, ground rents, service charges, one-off event charges etc. In a recent announcement on March 28th 2019 James Brokenshire, Minister for Housing, announced "an industry pledge to crack down on toxic leasehold deals" singling out the retirement sector, as part of the wider ranging review of leasehold practices by developers.

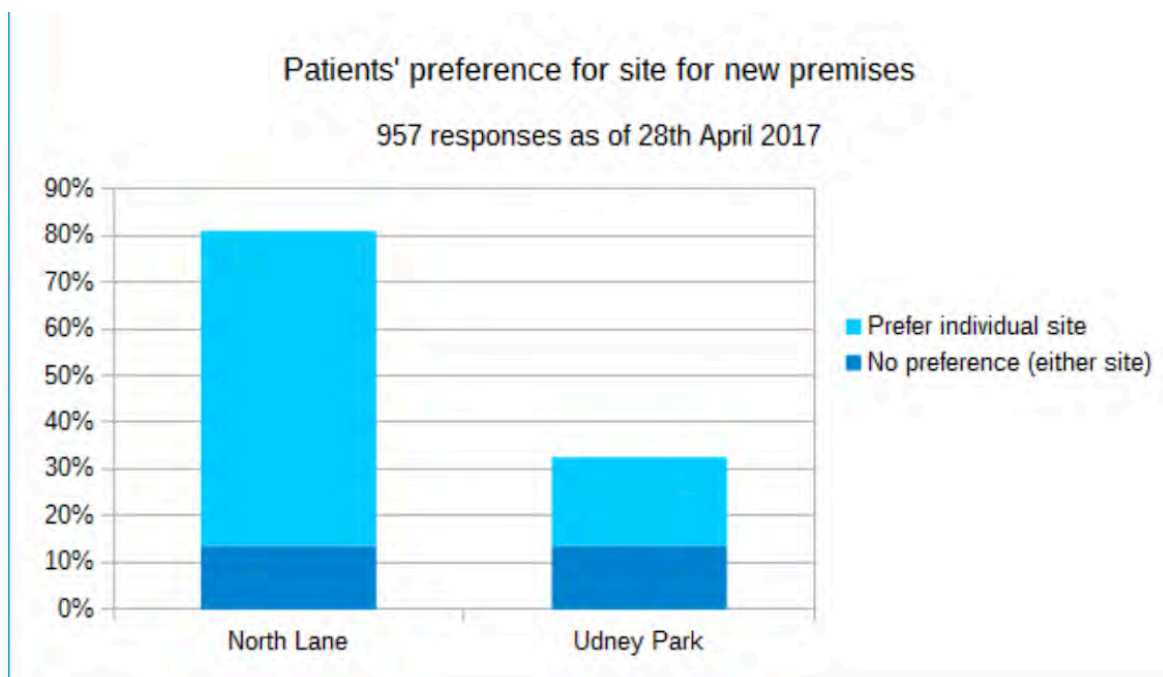
In the following sections

- 1) The Park Road Surgery, who were already reported to NHS England for persistent direct mail and emailing of patients and allowing Quantum to seek pro-forma signatures in their waiting room during the Planning Application Consultation, used their patient data for email and their waiting room to again lobby for Quantum's commercial interests.
- 2) "Research on behalf of a charity", which involved a selective script and researchers pressing for "support for affordable housing", possibly in breach of the Market Research Society's Code of Conduct.
- 3) Teddington RFC, a club that shares a Director with Quantum's CIC, sent out emails to members.
- 4) Teddington Athletic FC, the other club shares a Director with Quantum's CIC, sent out email to members

Appendix 11.1 Park Road Surgery inappropriate lobbying of patients

The Park Road Surgery, who were already reported to NHS England for persistent direct mail and emailing patients and allowing Quantum to seek pro-forma signatures in their waiting room, used their patient data to again lobby for Quantum's commercial interests and used their waiting room to gain signatures to documents that reveal very little about what the wider consequences of what people are being asked to support.

The nature of the involvement of Park Road Surgery has caused a great deal of concern. Park Road selectively use their own research to promote Udney Park, ignoring that their same research has a 3.5:1 ratio of patients against moving the surgery to Udney Park when expressing a preference between Udney Park and a location close to the existing surgery:



The financial considerations of Park Road Surgery moving to Udney Park are to the partners in Park Road Surgery. On the Surgery website it is possible to discover that two retired Doctors own the residential property that is currently leased to the Surgery. If the Surgery moves, they can then sell their property at C3 residential values, inherently greater than D1 Healthcare property values. The three partners remaining in practice have formed a company and agreed in principle to buy from Quantum land on Udney Park at the lower value of D1 Healthcare rates, subject to Planning Permissions. However, it is the lack of transparency in the lobbying for Quantum/CIC interests that has caused great concern, the relocation of Park Road Surgery and the creation of a “mega-surgery” by 3 of the GPs is being communicated to the community solely as a community benefit.

Many people have reported to us that there is arguably no incremental community benefit to a large surgery built on Udney Park. Whilst a larger premise would allow Park Road Surgery to expand and offer more services, including paid-for services like travel vaccines, it is notable that Park Road Surgery still accept new patients at the current premises. The other GP practice in Teddington is only 200m away from Udney Park. Most of the “additional services” that Park Road Surgery seeks to offer are already available in abundance locally at the recently expanded (in line with NHS Policy) Kirby Pharmacy 100m away which provides consultation rooms and at Teddington Memorial Hospital, a walk-in care centre operated by the local Clinical Commissioning Group.

The email below, sent to patients on March 15th, caused great alarm. Patients complained to the surgery, and to the Friends and Society. We are aware that this email has been raised as a formal complaint to the Information Commissioner, early informal advice suggests using patient records in this way is a GDPR breach. The second document is the letter patients are encouraged to sign in the waiting room

Letter sent to patients via email

From: ParkRoad (NHS RICHMOND CCG) <RICCCG.ParkRoad@nhs.net>

Sent: Friday, March 15, 2019 6:46:37 PM

To: ParkRoad (NHS RICHMOND CCG)

Subject: Park Road Surgery – consultation on Udney Park

I am writing to ask you to express your views to [the Council consultation](#) on whether Udney Park should be designated in planning terms as “Other Open Land of Townscape Importance” (OOLTI) or “Local Green Space” (LGS). You’ll probably be aware that we support the development as it would [include a new GP surgery for our 13,000 patients](#).

We support it retaining its current designation as OOLTI, which continues to offer it protection against inappropriate development while making a new GP surgery on the site more likely. We feel the proposals offer significant, funded benefits to the local community, and so would **ask you to support it remaining as OOLTI** in line with the [government planning inspector's original report](#) which was ‘unable to conclude that the designation [of Local Green Space] is justified’.

It may be helpful to consider what both involve: land which is **Other Open Land of Townscape Importance**: “will be protected and enhanced in open use; any changes must be linked to the functional use of the land and should not harm the character and openness of the land.”

Local Green Space is “[demonstrably special to a local community](#) and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife.”

I would therefore ask you to decide whether you know about and use Udney Park sufficiently that you’d regard it as “demonstrably special” to you and to your local community? Do you feel its beauty, historical significance, use as playing fields, tranquillity or the richness of its wildlife mean it was of particular significance to the community?

If you consider the overall proposals for Udney Park a benefit for the community, please oppose the redesignation as LGS and support the current designation as OOLTI. You can respond via e-mail to localplan@richmond.gov.uk, and have until 5th April 2019 to do so.

Many thanks,
Park Road Surgery

Letter distributed in the Surgery waiting room

Policy and Design
LB Richmond upon Thames
Civic Centre
44 York Street
Twickenham
TW1 3BZ

Re: Consultation on Proposed Main Modification in respect of the Local Green Space (LGS) designation at Udney Park Playing Fields, Teddington

Dear Sir or Madam,

I am writing to respond to the Council consultation on the Udney park Playing Fields, and whether the site should be designated as "Other Open Land of Townscape Importance" (OOLTI) or "Local Green Space" (LGS). **I support the site being designated as Other Open Land of Townscape Importance**, and oppose it being designated as Local Green Space.

Historically, I feel that the site has not been used sufficiently often or widely by the community to make me feel that it is "demonstrably special to a local community". By contrast, the proposed redevelopment of the site would put 9.5 acres of private land into community ownership and provide a new GP surgery.

As such, I support the designation of the site as OOLTI.

Yours faithfully,

Name:
Address:

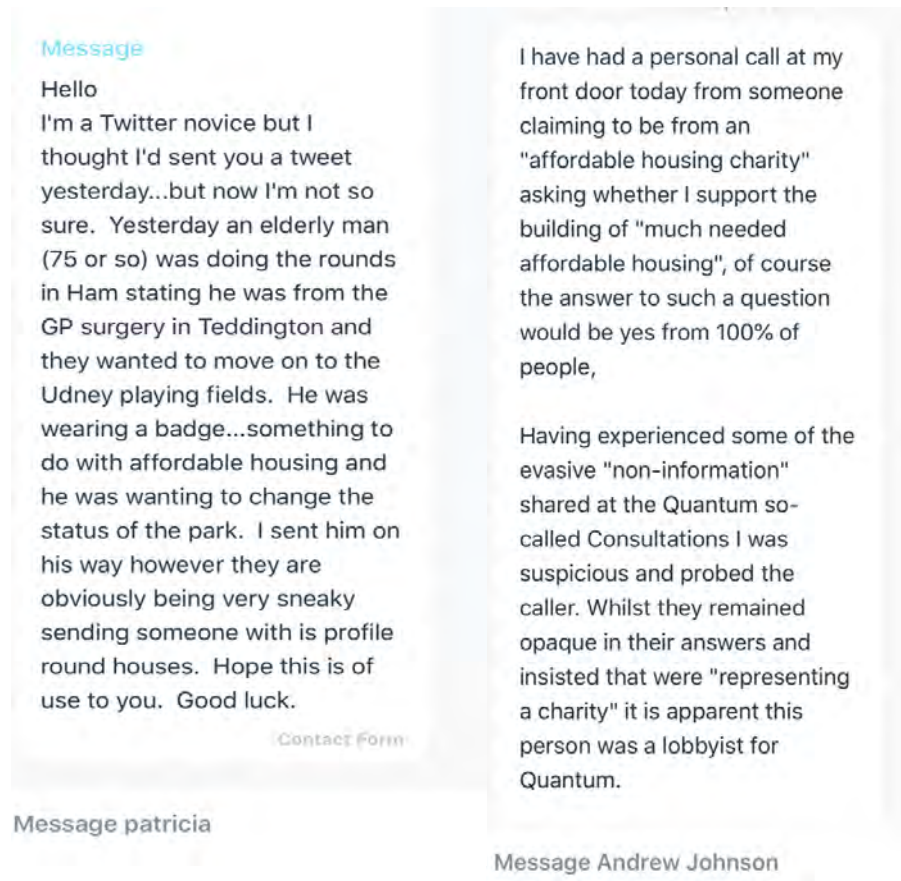
11.2 “Research” to produce a specific outcome in breach of MRS Code of Conduct

Evidence suggests that Quantum have employed a team of researchers to try and generate what is expected to be presented as a “majority” for removing Local Green Space. Concerns have been raised with the Friends that the “research” is a clear breach of the Market Research Society “Code of Conduct” which, for example, states that “Researchers shall be transparent as to the subject and purpose of data collection”. This research does not pass the most basic of validity and reliability tests, it appears to have been designed to produce a specific outcome.

People reported that the unless they were familiar with Udney Park a very one-sided scenario was being described with simple leading questions to which the answers would invariably be “yes”: for example, “do you support more affordable housing” and “do you think we need more playing fields”.

It has been reported to the Friends that the researchers began their “pitch” by stating they “worked for a Charity”, or are “from the GP surgery” which presumably infers the CIC and not Quantum. In the accounts with these researchers experienced by Friends and unsolicited reports sent to us there is no indication from the researcher that the “research” was commissioned by a developer with a significant commercial interest in the outcome.

This “research” has been door-to-door and pitch-side at sports fixtures, and also at locations some distance from Teddington where contextual knowledge of UPPF will be low.



Message

Hello
I'm a Twitter novice but I thought I'd sent you a tweet yesterday...but now I'm not so sure. Yesterday an elderly man (75 or so) was doing the rounds in Ham stating he was from the GP surgery in Teddington and they wanted to move on to the Udney playing fields. He was wearing a badge...something to do with affordable housing and he was wanting to change the status of the park. I sent him on his way however they are obviously being very sneaky sending someone with is profile round houses. Hope this is of use to you. Good luck.

[Contact Form](#)

Message patricia

I have had a personal call at my front door today from someone claiming to be from an "affordable housing charity" asking whether I support the building of "much needed affordable housing", of course the answer to such a question would be yes from 100% of people,

Having experienced some of the evasive "non-information" shared at the Quantum so-called Consultations I was suspicious and probed the caller. Whilst they remained opaque in their answers and insisted that were "representing a charity" it is apparent this person was a lobbyist for Quantum.

Message Andrew Johnson

11.3 Teddington RFC (TRFC) have heavily pressured their membership

TRFC have sought to generate support for removing LGS with communication containing at least partially misleading information about: why this consultation is happening, the strength and motives of the opposition to Quantum/CIC and the condition of the facilities.

TRFC describe the opponents to Quantum/CIC as the “self-interested few” – a very inaccurate statement when you consider the long list of united opposition: local people, other sports clubs, local schools, local senior leaders in sport, politicians from all local parties, the local MP who was originally involved with community efforts to run the Park, the Council, the GLA, Sport England and respectable independent NGOs and Governing Bodies in sport and the environment.

This communication is also clear evidence that despite the CIC claiming the sports facilities being “for the community” access to them will be controlled by the CIC and two clubs working with Quantum, who are suggesting to members they will have priority access if the development goes ahead.

The first letter is particularly selective and TRFC initially claimed this wasn’t distributed, however members of several age groups reported it to the Friends.

The second letter was distributed to all members via the Pitchero portal. TRFC promote the notion that UPPF has no future without Quantum and describe UPPF as “the closed, decaying private land that the site currently is”. This is incorrect, the pitches are in excellent condition (much better than the 3 pitches TRFC already lease in Bushy Park) and, whilst the Pavilion is tired, it could easily be modernised. TRFC know this is possible as they modernised their own pavilion 5 years ago raising £650,000 from members and grants.

The TRFC communications also play heavily on “affordable housing”, an emotive subject. Whilst the precise definitions of what Quantum are trying to build is unclear and was disputed with the Council when the Planning Application was submitted, the true cost of ownership of what Quantum intends to build is hidden. In the Planning Application Quantum state clearly that they are not providing affordable housing.

TRFC memo disseminated via some Age Group Managers to members

From: Barry Williams <B.Williams@indec.co.uk>

Sent: 26 March 2019 08:59

Subject: TRFC - PLEASE READ AND PASS ON TO YOUR AGE GROUPS

Dear All

PLEASE DO NOT IGNORE THIS. IT IS **ESSENTIAL** FOR OUR ONGOING TRAINING FACILITIES

The following note from the Club Committee needs to go out to all club members. Please could you send to all your age group and ask everyone (both parents if possible) to go to the site and object. We only have 2 weeks left. Please also pass on to friends and family – every objection counts!

ACT NOW TO HELP TEDDINGTON GET NEW SPORTS FACILITIES

As you know Teddington RFC has been supportive of the redevelopment of the former Imperial College Private Sports Ground in Udney Park Road for some time. The promise of a wonderful new sports ground, a floodlit 4G pitch and open spaces, gifted forever to the local community, is a once in a generation opportunity for Teddington and surrounding areas. With the support of Affordable Housing and Healthcare Group, the site owners, the proposal is to develop 9 of the 12 acres into sports and community facilities, whilst on the other three acres to build a new GP surgery and deliver affordable housing for the borough.

If you support this concept, the TRFC Board would like your help **by April 5th** as the local council consultation process grinds on.

Please visit www.teddingtonactnow.co.uk to learn more, or read on below.

After 100 years in private ownership and an appropriate designation in all the previous Local Plans, the Council decided 2 years ago after the land had been acquired by the current owners, to redesignate the land as Local Green Space in the 2016 Local Plan, making it the equivalent of greenbelt.

We can speculate on the reasons but this change would complicate and impede the planning application for any development on the site. The Local Plan was subject to review by the Planning Inspectorate who questioned this redesignation saying it was unjustified and the land currently remains subject to its original designation. Subsequently one of the local residents, for perhaps more obvious reasons, challenged this result in the High Court. As a result Richmond Council are required to re-run the consultation exercise.

The Board of Teddington RFC believe it is in the public interest to permit the development of much needed affordable housing and healthcare facilities, which in turn leads to the creation of a much needed community sports facility and open spaces, as opposed to the closed, decaying private land that we currently utilise. We recognise the impact on the residents surrounding the land, but would very much like your support to oppose the designation of the area as Local Green Space, since this is about the benefit to the many, rather than the self interest of the few.

As a result we would encourage all club members, if they are supportive of better local sports and community facilities, to go to this page and submit your objection. Each person in every household on the electoral register can take part to maximise the impact. The consultation exercise closes on 5th April, **so ACT NOW**

<https://teddingtonactnow.co.uk/support/>

TRFC memo disseminated via “Pitchero” to all members



Udney Park Road Sports Ground

ACT NOW TO HELP TEDDINGTON SECURE NEW SPORTS & COMMUNITY FACILITIES

As you know Teddington RFC has been supportive of the redevelopment of the former Imperial College Private Sports Ground in Udney Park Road for some time. The promise of a wonderful new sports ground, a floodlit 4G pitch and open spaces, gifted forever to the local community, is a once in a generation opportunity for Teddington and the surrounding areas. With the support of Affordable Housing and Healthcare Group, the site owners, the proposal is to develop 9 of the 12 acres into sports and community facilities, whilst on the other three acres to build a new GP surgery and deliver affordable housing for the Borough. If you support this concept, then please object to the Udney Park sports ground being re-designated as Local Green Space by April 5th.

Please visit www.teddingtonactnow.co.uk to learn more, or read on below.

After 100 years in private ownership and an appropriate designation in all the previous Local Plans, the Council decided 2 years ago after the land had been acquired by the current owners, to re-designate the land as Local Green Space in the 2017 Local Plan, making it the equivalent of greenbelt.

We can speculate on the reasons but this change would complicate and impede the planning application for any development on the site. The Local Plan was subject to review by the Planning Inspectorate who questioned this re-designation saying it was unjustified and they ruled that the land should retain its original designation. Subsequently one of the local residents challenged this result in the High Court. As a result, Richmond Council are required to re-run the consultation exercise. The Board of TRFC believe it is in the public interest to permit the development of affordable housing and healthcare facilities, which in turn leads to the creation of a much-needed community sports facility and open spaces, as opposed to the closed, decaying private land that the site currently is. We do of course recognise the impact on the residents surrounding the land, but this is about the benefit to the whole of the Teddington community and therefore would very much encourage you to oppose the designation of the area as Local Green Space.

If you are supportive of better local sports and community facilities that this development would provide, then please go to this page and submit your objection. Each person in every household on the electoral register can take part to maximise the impact. The consultation exercise closes on 5th April, so ACT NOW by visiting www.teddingtonactnow.co.uk/support

Thank you
The Board of Teddington RFC

11.4 Teddington Athletic FC (TAFC)

It appears that TAFC tried to be more accurate and less inflammatory, though the suggested “cause and effect” is still clear, pushing members to support removing LGS, to enable development and in turn to get priority access to pitch space for TAFC. It is worth noting that TAFC is a current winter tenant of Teddington Cricket Club, which is currently building a completely new pavilion at their joint home ground in Bushy Park. As with TRFC this new building is paid for members fund-raising and grants from the local community.

From: Teddington Athletic FC <tafc@webcollect.org.uk>

Date: 28 March 2019 at 14:16:01 GMT

To:

Subject: TAFC Udney Park Update - PLEASE READ AND ACTION ASAP

Reply-To: Teddington Athletic FC <membership@teddingtonathleticfc.com>



[Teddington Athletic FC](#)

[My TAFC Account](#)

Powered by



Dear TAFC Members

As you may know, the council rejected the planning application which we helped create for development of Udney Park. Quantum - now called AHH - then appealed to the Planning Inspector and the hearing will take place from June 25th to July 10th. Post that, we will know if the development will go ahead as proposed (more info below).

Through our cooperation with AHH and the CIC, TAFC has secured weekday early evening access to the floodlit 3G pitch proposed for the site. This would allow all of our teams to train at a high-quality facility in the heart of Teddington.

Obviously, this only happens if the proposed development goes ahead - and we now have a chance to influence that again. Your Club Management Team & Trustees need your assistance please - by looking at the following website - <https://teddingtonactnow.co.uk> - and expressing your support for maintaining the current level of planning protection for the site. **We need as many people as possible to do this before April 5th.** More details are below.

Thanks for your help

Bob Smith Chair, TAFC

Further Details

T AFC has been working with the Teddington Community Sports Ground CIC (of which I am Chair) for over 3 years to help secure a good deal for Teddington if AHH (formerly Quantum) develops Udney Park. Following agreement on the plans, the CIC & AHH are now partners in the development proposal, and one of the AHH staff sits on the CIC board, alongside community representatives.

To remind you. The proposal is to build:

- 1 - A full-size 3G floodlit football pitch - for rugby & football
- 2 - A full-size grass pitch shared between rugby & football
- 3 - A clubhouse with community meeting space
- 4 - A children's' playpark & coffee shop
- 5 - A floodlit MUGA - set up for 3 tennis courts & netball. cricket nets, pétanque courts, horse riding area, orchard, herb garden, a trim trail and open space

The above is provided free of charge to the community, along with financial support to make sure it is sustainable. In return, we lose 3 of the 12.5 acres at Udney (the part of the site which is currently fenced off, plus the car park & clubhouse) which will be turned into "extra care" apartments and a doctors' surgery.

You can see more about the proposed plans here: <https://www.teddingtonsportsground.com>

I recognise that this proposal stirs many emotions and understand that some of our members may feel unsure about supporting it. T AFC continues to believe that this is the best outcome that we can expect for the community as a whole because the land is private and owned by AHH, which is a developer. The proposed plan secures a lot of beneficial facilities for Teddington, and for T AFC, while any other outcome is very uncertain.

Why are we asking for help now?

The council recently lost a case in the courts and has been asked to re-run a consultation on the Local Plan - so we have a chance to express our views once again.

The Local Plan is a plan for the future development of the local area. It guides decisions on whether or not planning applications can be granted. It also enables residents to have a say in the future of their area. Recently, a new Local Plan for our borough was accepted by a Government appointed Planning Inspector and subsequently approved and adopted. Importantly for the current situation, the Inspector disagreed with the council's proposal to designate Udney Park Playing Fields as Local Green Space, preferring instead to maintain the current designation, which is "Other Open Land of Townscape Importance", or OOLTI.

Local Green Space (LGS) is a planning protection for Udney Park, similar to Green Belt. It makes any development of the site more difficult than under the current OOLTI designation. The council is re-running the Local Plan Consultation because the courts found that you, our local residents, were not properly consulted. The new consultation ends on April 5th.

So now we have a chance to act - to show the council that we are happy with the current OOLTI planning designation and thereby reduce the risk the LGS is applied to Udney, by doing this, we will assist AHH & the CIC to get planning permission for the proposed development. You can do this by following the instructions on the website: <https://teddingtonactnow.co.uk>

Thanks for reading to the end, and for your continued support of TAFC.

Bob

Subject: Urgent objection to loss of LGS protection at Udney Park.

The threat to Udney Park War Memorial Playing Fields is nothing short of outrageous, an unethical punt on a unique and special place donated in good faith for amateur sport forever by my Grandfather Lord Beaverbrook, one of the most significant figures in British political, military and industrial history in the last century.

To seek to build on any War Memorial Playing Field is a short-sighted and frankly anti-social investment, London needs imaginative regeneration not raids on its dwindling stock of sports pitches. Those wealthy folks that put money into schemes such as trying to build on Udney Park should be ashamed of themselves. No doubt the returns from building on Parks are enormous, the damage to legacy and society is much greater if they succeed and the public resources spent defending these unwelcome attacks could be better used elsewhere if the speculators respected Policy and protected playing fields.

Please allow me to provide a history lesson. Lord Beaverbrook was the only person to serve in BOTH war-time cabinets. He was a close confidant and best friend to Churchill for decades. In WW2 Lord Beaverbrook made a decisive contribution to the nation's defence (some historians argue the most significant contribution after Churchill himself) after Churchill appointed him Minister for Air Production when Britain was ill-prepared to defend itself. Beaverbrook transformed the entire manufacturing process dramatically increasing the air worthy fleet in time for the Battle of Britain, and subsequently was made Minister for Supply, responsible for the entire military logistics operation. Churchill said in his own war-time memoirs "***I felt sure our lives depended on the flow of new aircraft; Beaverbrook played a decisive part in our salvation***"

Udney Park was originally opened in 1922 in memory of the fallen by Viscount Cave, WW1 Home Secretary, you can still watch the ceremony on Pathe News. Lord Beaverbrook was a generous man whose benevolence rebuilt St Mary's Medical School in 1930's and he also bought and gifted Udney Park in 1937. The covenants, still on the deeds, state that Udney Park is donated with a single purpose for "amateur sport", and were written in the strongest terms permissible in English Law at the time of the gift by one of the leading industrialists of the period, Beaverbrook's permanent intentions for Udney Park could not be clearer.

I am delighted that the local community is showing such fighting spirit in the face of an enemy with deep pockets and eyes on a vast fortune, their commitment to saving Udney Park is clear evidence how special the Park is; how much the playing fields are needed and loved by the people of Teddington and by virtue of their donor come as a War Memorial with much historical significance. The Friends commitment to remember Lord Beaverbrook in a community-led future at Udney Park is to be commended, the least we should do is safeguard his generous gift in Teddington from unwelcome threats and commemorate his service to Britain. Hence, I urge those who decide, please do not remove Local Green Space protection at Udney Park

Jack Kidd, Brora, Inverness

Former ICL Private Ground, Teddington: Representations to the Richmond upon Thames Local Plan Examination 2017: Hearing 5, Questions 8, 10 and 12

Prepared on behalf of Quantum Group September 2017



Former ICL Private Ground, Teddington: Representations to the Richmond upon Thames Local Plan Examination 2017: Hearing 5, Questions 8, 10 and 12

Prepared on behalf of Quantum Group Barton Willmore LLP 7 Soho Square London
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Figure 1: Site Context Plan

APPENDICES

Appendix 1: August 2016 Representations Appendix 2: February 2017 Representations

Former ICL Private Ground Introduction

1.0 INTRODUCTION

- 1.1 Barton Willmore Landscape Planning and Design (BWLPD) have been commissioned by Quantum Group to provide representations to the examination of the London Borough of Richmond upon Thames (LBRuT) Local Plan ('the Local Plan'); specifically Hearing 5: Character and Design, Green Infrastructure and Climate Change.
- 1.2 Hearing 5 forms one of a number of matters being addressed by the Inspector to ascertain whether the submitted Local Plan is sound in accordance with National Planning Policy Framework (NPPF) paragraph 182, whereby the Local Plan must be:
- *"Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
 - *Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
 - *Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
 - *Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework."*
- 1.3 With reference to **Figure 1: Site Context Plan**, the Quantum Group own the former Imperial College London Private Ground, on Udney Park Road, Teddington ('the Site') and a number of the Inspectors questions raised in Hearing 5 are relevant to the Site, specifically with regards to its existing Other Open Land of Townscape Importance (OOLTI) designation and proposed Local Green Space (LGS) designation.
- 1.4 Quantum Group have previously submitted representations to the emerging Local Plan. Firstly in August 2016, Quantum Group submitted representations to LBRuT in relation to the Pre-Publication Consultation draft of the Local Plan. These representations are enclosed at **Appendix 1** for ease of reference. The representation proposed, amongst other things, an amended form of wording for Policy LP14 in respect of OOLTI. We submitted further representations on behalf of Quantum Group in February 2017 in response to the proposed LGS designation. We note from the Local Plan Guidance notes (ID/5) section 2 that the Inspector has been supplied with previous representations and that the Inspector will have equal regard to these, as well as the actual Hearing. The February 2017 Representations are included in **Appendix 2** for ease of reference for the Inspector.

- 1.5 For transparency, Quantum Group will be submitting a detailed Planning Application for the Site, and the relevant aspects of this are outlined in Chapter 2 of these representations.
- 1.6 These representations identify that the Local Plan is not sound, as the evidence base is neither justified nor effective.

2.0 SUMMARY OF INTENDED PLANNING APPLICATION

- 2.1 To aid the Inspector's understanding of the intended detailed Planning Application and the existing Site context, **Figure 1** demonstrates that the Site is situated within Teddington's residential settlement pattern, being bounded by built form on Kingston Lane, Cromwell Lane and Udney Park Road. The Site is not in public use and consists of 2 grassed sports pitches, hard surfaced tennis courts, clubhouse, and seating area. There are mature trees along the western and eastern edges of the Site, including TPOs on Kingston Lane and Udney Park Road. The visual envelope of the Site is very localised to the surrounding streets of Udney Park Road, Kingston Lane and Cromwell Road as a result of the surrounding built form.
- 2.2 The south-west part of the Site and wider townscape to the south of the Site are designated as an 'Area poorly provided with Public Open Space'. This is reflected in the LBRuT Open Space Assessment Report (April 2015) and LBRuT's Playing Pitch Strategy (August 2015), which both state the Site is 'under used' and 'not in use'.
- 2.3 The Site is considered to provide the opportunity for development as it is:
- not covered by any national landscape designations;
 - not within a Conservation Area, nor contains Listed Buildings or Scheduled Monuments;
 - visually well contained in relation to the wider townscape;
 - already characterised by playing fields which as a landscape/townscape feature are not rare or distinctive, and are not representative of 'beauty' in landscape/townscape terms;
 - not of historic significance;
 - does not exhibit any tranquillity due to the proximity to existing built form and road networks;
 - not publicly accessible and therefore a void in terms of recreational opportunities and connection to Green Infrastructure; and
 - **does not demonstrate a richness of wildlife, as supported by the Phase 1 Ecology Report that will accompany the Planning Application, which identifies that there are no protected species on Site and that the hedgerows do not qualify as 'important' under the 1997 Hedgerow Regulations. A copy of the Phase 1 Ecology Report can be provided should the Inspector require it.**
- 2.4 The Proposed Development will see the Site regenerated for a mixed-use development that will deliver high-quality sports and community facilities, alongside new public open space, affordable care led accommodation for Older People and a new GP surgery. This triple approach secures a sustainable, inclusive future for the Site, the benefits of which underpin the aims of national and local planning policy.

2.5 With the creation of a Community Interest Company (CIC), to which the sports and community facilities will be transferred in perpetuity for the use of the community, three areas will be established:

- Assisted living, extra care community, and new GP surgery;
- Open parkland with community Orchard and outdoor gym/trim trail, and paddock area; and
- Community sports facilities.

2.6 The proposed community sports facilities will comprise of the following:

- A full-size Third Generation artificial grass pitch (3G AGP);
- Natural grass playing pitch provision;
- Tennis Courts / MUGA; and
- Community pavilion containing changing rooms, kitchen, bar and server, flexible-use community rooms and crèche.



peachecology
& environmental services

**TEDDINGTON SPORTS GROUND
UDNEY PARK ROAD
TEDDINGTON
TW11 9BB**

Phase 2 Bat and Reptile Survey Report

Report Number: 0080

Issue Number: 01

Date of Issue: 11th July 2017

Peach Ecology
9 Elizabeth Road
Wilton
Wiltshire
England
SP2 0JH

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Appendix D: Manual bat activity survey results – Autumn 2016

Appendix E: Manual bat activity survey results – Spring 2017

Appendix F: Landscape mitigation and enhancements

Appendix G: Bat mitigation

Appendix H: Protected species legislation

1.0 Summary

The proposed scheme will see the site on Udney Park Road, Teddington, London, TW11 9BG, regenerated for a mixed-use development that will deliver high-quality sports and community facilities, alongside new public open space and affordable, care led accommodation for Older People. Peach Ecology was instructed to undertake a reptile survey of the land, bat survey of the building and bat activity survey of the site.

No reptiles were recorded during the survey and a single soprano pipistrelle bat was recorded roosting in the Pavilion, it is likely that features in the roof can be maintained for roosting bats with low levels of disturbance and a European Protected Species licence is not deemed necessary to proceed with any refurbishments although if the building was being re-roofed then a licence may be needed in order to proceed. As a precautionary measure twelve Schwegler 1FF bat boxes will be erected on retained trees along the boundary prior to any construction activities on site so bats always have an undisturbed place to roost away from any activities associated with the proposals.

The bat activity survey recorded at least 8 different species of bats within the site boundaries or high above, the vast majority of these were common and soprano pipistrelle although Noctule, Serotine, Brown Long-eared, Leislars, Myotis species and Nathusius Pipistrelle were recorded also. The boundary trees and hedgerows are important for foraging and commuting bats providing key linear features for flight routes and wildlife corridors and these must be protected during construction from harm and post construction from light splay associated with the proposals. The landscaping proposals have been designed to add value to the boundary where possible. The central open space consisting of amenity grassland had lower levels of bat activity however the loss will still need to be compensated for in the site design and by providing new diverse areas of planting and vegetation where possible. This has been achieved through extensive consultation between Peach Ecology and the design team.

2.0 Introduction

Background

- 2.1 Peach Ecology was commissioned in August 2016 to undertake Phase 2 bat (building and activity surveys) and reptile surveys of Teddington Sports Ground and Pavilion, Udney Park Road, Teddington, TW11 9BB, Grid Reference: TQ16351 70951. Lindsay Carrington Ecological Services Ltd undertook a Phase 1 Ecological Appraisal of the site which highlighted some interest for these species, this Phase 2 report follows on from that.
- 2.2 These reports will support the planning application being submitted to London Borough of Richmond upon Thames Council. The proposed scheme will see the site regenerated for a mixed-use development that will deliver high-quality sports and community facilities, alongside new public open space and affordable, care led accommodation for Older People. This triple approach secures a sustainable, inclusive future for the site, the benefits of which underpin national and local planning policy. With the creation of the Teddington Community Sports Ground Community Interest Company, three areas will be established :
- Assisted living, extra care, residential development;
 - Open parkland with community Orchard and outdoor gym;
 - Community sports facilities.
- 2.3 The proposed community sports facilities will comprise of the following: -
- A full-size Third Generation artificial grass pitch (3G AGP)
 - Natural grass playing pitch provision
 - Tennis Courts / MUGA
 - Community pavilion containing changing rooms, kitchen, bar and server, flexible-use community rooms and crèche

Brief

- 2.4 To undertake Phase 2 Bat and Reptile surveys of the site and provide advice on the impacts of the proposals and set out mitigation and enhancement measures as required.

3.0 Methodology

Bat building survey

- 3.1 A methodology was designed in line with the guidance in the Bat Conservation Trust Bat Surveys for Professional Ecologists, Good Practice Guidelines (2016). Five bat emergence surveys encompassing dusk and dawn surveys took place. Surveys started at least 15 minutes before sunset for the dusk survey and continued until 1.5 hours after, the dawn survey started 1.5 hours before sunrise and continued until just after. 1-4 surveyors were present during each survey positioned at vantage points that covered the most likely access points on the building. Equipment used included hand-held Elekon Bat Logger M bat detector/recorders. Sounds were analysed on Elekon Software. Details on the environmental conditions were taken at the time of survey. Davog McCloskey (Licence number 2015-11951-CLS-CLS) was present at all of the surveys with other experienced bat surveyors (Jack Hargreaves, Clare Halliday and Adrian Hickman). The survey covered the maternity season and carried on into the autumn to look at the buildings importance later in the season.

Bat activity survey - manual

- 3.2 A methodology was designed in line with the guidance in the Bat Conservation Trust Bat Surveys for Professional Ecologists, Good Practice Guidelines (2016). The aim of the study was to get an understanding of the level of bat activity during the active bat season from Summer (2016) to Spring (2017), to look at numbers of passes and different species and to establish how bats use the site and the different habitats. Surveyors walked the perimeter of the site in a 'zig-zag' route to cover the centre of the site as well as the boundary. A static bat detector was left along the eastern boundary during the summer survey to collect additional information and a single surveyor was used walking the perimeter of the site. During the autumn 2016 and the spring 2017 manual survey two surveyors were deployed, surveyor 1 walked the western and southern boundary and surveyor 2 walked the northern and eastern boundary.

Bat activity survey – static

- 3.3 Static bat activity surveys took place over 5 consecutive nights during spring, summer and autumn. Elekon batlogger A+ bat detectors were located pointing north and south out first floor windows of the Pavilion towards the centre of the site to record bat activity. Bat activity was recorded as the average number of bat passes per night to get an hourly pass rate for each season. All bat recordings were analysed and bat species was recorded to species level where possible. As the boundary habitat is proposed to be retained and enhanced the aim of the static surveys was to establish bat activity in more central areas away from the boundaries, focusing on the amenity grassland to the east of the Pavilion as a sample of the open grassland habitat.

Reptile survey

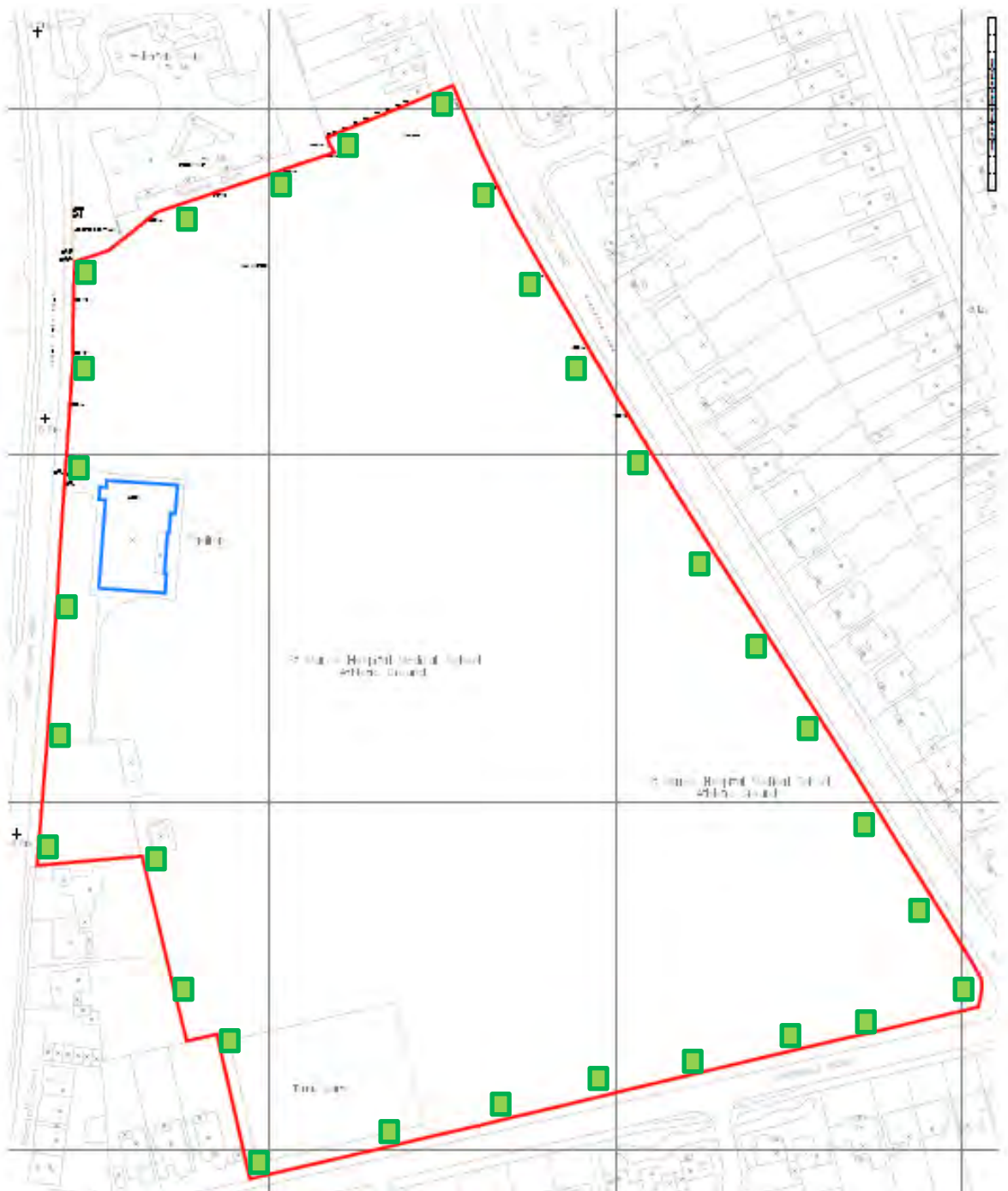
- 3.4 Habitat features suitable as hibernacula, foraging or basking areas were noted. Piles of logs, grass and compost heaps were all carefully examined to look for reptiles or for evidence of reptiles, including shed skins. A series of presence/likely absence surveys

were conducted within the site boundaries, targeting areas of habitat highlighted by the initial ecological survey as having potential to support reptiles. 30 Artificial refugia were laid out on the 11th August 2016 within the site boundaries and left for at least two weeks to settle and bed in before any surveys were carried out. A total of seven separate survey visits were then conducted between August and October 2016, under good weather conditions. All field surveys were undertaken by an experienced ecologist.

3.5 The surveys consisted of the following three methods, in accordance with current guidance (Griffiths and Inns, 1998; Froglife, 1999):

- Visual Search – The site was searched visually during each visit. Details of reptiles encountered basking in the open were recorded. Recorded data included; species, sex, age and location.
- Extant Refugia – Any existing potential refugia present within the site boundaries were carefully searched by hand for reptiles, these included brash piles.
- Artificial Refugia – Artificial refugia, consisting of 500mmX500mm squares of bitumen roofing felt were sited in areas of reptile habitat, the shrub beds and at the edges of mature vegetation as shown in **Plan 1** below. All refugia were lifted during each survey visit and all reptiles present on, under or next to each refugia were recorded.

Plan 1: Layout of artificial refugia



4.0 Results and Discussion

Site description in relation to bats and reptiles

Bats

- 4.1 The site is located in a residential area of London and is completely surrounded by residential housing and flats on all sides. The site can be divided into two main habitats (**Appendix A**), the mature boundary tree/hedge line which surrounds parts of the site and the open grassland which is well used and managed for sports in the centre of the site and is often floodlit during the evenings. The trees along the eastern boundary include oak, hazel, holly, silver birch, sycamore, sweet chestnut, lime, elm, hornbeam and other species, there is very little understorey or ground flora associated with the trees as the grass is managed by regular short cuts up to the base of the trees. The western side of the site has a tree lined avenue along Udney Park Road, this is just outside the site boundary. To the southern boundary is a partial hedgerow on the site side with a tree lined road on the other side of the boundary along Cromwell Road.
- 4.2 Although the site is relatively isolated by the areas of residential housing, there is some connectivity for bats into the wider landscape by the mosaic of different residential gardens nearby and by tree lined roads and the railway track. The nearest large areas of open space with a wide variety of optimal bat foraging habitats is located in Bushy Park less than 0.5km to the south-west and The River Thames and its associated riparian habitats are located within 0.5km to the north-east. Similar, relatively small areas of open space consisting or amenity grassland with trees at the boundary include St Mary's University Twickenham, just over 200m to the east and Collis Primary School, just over 100m to the south

Reptiles

- 4.3 The majority of the site is covered in short sward grassland with negligible value to reptiles (**Appendix B**). The boundary habitat including areas of hedgerow base would appear to be suitable habitat for reptiles although the site is isolated from any other nearby areas of reptile habitat by houses and roads. A small area of the site in the north-east corner is directly connected into a residential garden although this area has a high degree of fox activity and the grassland nearby is regularly cut short and disturbance will be high from activities associated with people and sport reducing the likelihood of reptiles being present.

Phase 2 building surveys

- 4.4 The emergence surveys took place over the maternity season and when it was clear that a maternity roost was not present the surveys extended into September and October to look for transitory bat roosts. Activity surveys of the site at other times of the year took place over 2016 and 2017 and these allowed the surveyors to add to the data collected from the building specific surveys, although the Pavilion was not the focus of these surveys. **Table 1** below shows a summary of the environmental data and times.

Table 1: Phase 2 bat building survey details

Survey Date	Survey type	Surveyors	Equipment used	Duration	Weather	Sunset /sunrise time
11 th August 2016	Dusk	DM, AH, JH, CH	Elekon X 3, Magenta x 1	2015 - 2200	10% cloud cover, wind force 1-3, no rain, 21°C at start of survey and 20°C at end.	2030
25 th August 2016	Dusk	DM, AH, JH, CH	Elekon X 3, Magenta x 1	1925 - 2130	0% cloud cover, wind force 1, no rain, 23°C at start of survey and 24°C at end, Hot day	2002
26 th August 2016	Dawn	DM	Elekon X 2	0430 - 0620	21°C at start of survey and 18°C at end, 1-2 wind, 10% cloud cover, rain previous night	0605
23 rd September 2016	Dawn	DM, CH, JH, AH	Elekon X 3, Magenta x 1	0520 - 0709	11°C at start of survey and 8°C at end, 0-1 wind, 0% cloud cover, no rain	0650
4 th October 2016	Dusk	AH	Elekon X 1	1815 - 2000	17°C at start of survey and 15°C at end, 2-4 wind, 0-10% cloud cover, no rain	1831

- 4.5 During the first survey no bats were recorded roosting in the Pavilion. Two soprano pipistrelle commuted in a south/north direction along the tree line to the west of the site at 2048, towards and past the Pavilion and then soprano pipistrelle activity was recorded regularly over the next 7 minutes within the locality, presumably from the same bats, mostly foraging round the trees to the west of the building, taking advantage of the dark corridor although a pass was noted past the east of the building once. A noctule/leislars was seen flying high from north-east to south-west high above the Pavilion at 2108. Common pipistrelle, soprano pipistrelle, noctule, leislars and a myotis species were all recorded during the survey with most of the activity to the west of the Pavilion along the tree line by individual bats.
- 4.6 During the second survey a single soprano pipistrelle was recorded emerging from the west side of the Pavilion at 2029 (**Photo 1**) and then flying north along the tree line. The bat emerged from the roof near the hanging tiles and did a few loops before disappearing north. A common pipistrelle flew from a north to south direction past the Pavilion along the western tree line at 2030, this may have emerged from a tree outside the site boundary. Soprano pipistrelle, common pipistrelle and noctule were all recorded during the survey.



Photo 1 – Soprano pipistrelle emerges from western side of building from location shown

- 4.7 During the third survey no bats were recorded roosting. A nathusius pipistrelle was recorded once just to the east of the Pavilion at the start of the survey hunting. There were periods of sustained activity to the west of the Pavilion by common pipistrelle along the tree line but this was only by small numbers of bats (approximately 1-3). Bats were recorded going in both directions along the tree line to the west. A soprano pipistrelle was recorded on a few occasions although the majority of activity was made up by common pipistrelle. Small numbers of individual bats were recorded during the survey.
- 4.8 During the fourth survey no bats were recorded roosting. A single pipistrelle was recorded commuting north to south along the tree line to the west at 0600, potentially making its way towards a roost. Bat activity was low, this was probably due to the colder weather towards sunrise.
- 4.9 During the fifth survey no bats were recorded roosting but bat activity was recorded at different locations around the Pavilion by soprano and common pipistrelle. The majority of the activity was along the tree line to the west. Many social calls were recorded by common pipistrelles during the survey indicating the importance of the tree line to bats at this time of year.
- 4.10 The building has been confirmed as a day roost for a single soprano pipistrelle bat, it is not being used as a maternity roost, however due to the complex roof structure the roof has the potential to be used by hibernating bats. It is proposed that the Pavilion will be retained although it will be converted internally. Although the conversion works may result in some dust, noise and vibration disturbance to roosting bats it is likely that the access points to roosts externally will be retained and bats will not be left without a roost in the long term. The Pavilion is not proposed to be re-roofed, if it was it could result in harm and disturbance to any bats present at the time. If re-roofing is to take place then a European Protected Species licence will need to be applied for to proceed with the works so that they can be carried out in a considerate and timely manner and so that it can be assured that new mitigation will be built in to compensate for any loss in roosting features or access points. It is recommended that the new proposals build

in a range of bat roosting features into new buildings at a range of different places and aspects to provide roosting opportunities for bats throughout the site in future.

Bat activity survey - manual

- 4.11 Manual bat activity surveys of the site took place in spring, summer and autumn, the results are annotated in the Appendices although it must be noted that the plans show the location of the surveyor at the time the bat was recorded and do not show the position of the bat. These surveys were supplemented with activity results taken while the building itself was being surveyed in summer and autumn 2016. **Table 2** below shows a summary of the environmental data and times.

Table 2: Phase 2 Manual bat activity survey details

Survey Date	Survey type	Surveyors	Equipment used	Duration	Weather	Sunset /sunrise time
16 th August 2016	Dusk	DM	Elekon X 2	2014 - 2221	1% cloud cover, wind force 1-3, no rain, 18°C at start of survey and 16°C at end.	2021
4 th October 2016	Dusk	DM & CH	Elekon X 2	1831 - 2031	5% cloud cover, wind force 1, no rain, 16°C at start of survey and 15°C at end.	1831
3 rd May 2017	Dusk	DM & CH	Elekon X 2	2027-2230	14°C at start of survey and 11°C at end, 1-2 wind, 100% cloud cover, rain earlier in the day	2027

- 4.12 In summer 2016 (**Appendix C**) a soprano pipistrelle was the first bat recorded at 2105 to the south-west corner of the site near the boundary, shortly after a soprano pipistrelle was recorded near the north-west corner, this may have been the same bat. A soprano pipistrelle was recorded in the north-east corner at 2116. At 2131 a soprano pipistrelle was recorded to the west of the Pavilion. At 2137 a soprano pipistrelle was recorded along the eastern boundary high in the canopy of the trees and at 2138 the first common pipistrelle was recorded in a similar location. At 2141 a soprano pipistrelle was recorded near the south-east corner of the site. At 2142 and 2151 a myotis species was recorded to the south-east and north-west respectively, close to the boundary. During the remainder of the survey, soprano and common pipistrelle were the only species recorded and these were found along the eastern and western boundary as individual bats foraging. Small numbers of bats were recorded during the survey, only one bat was recorded at a time and it is thought that the individual bats were foraging in loops along the trees at the boundaries. There was less bat activity to the southern boundary where it was more well lit from street lamps and there was less tree cover. Bats were recorded foraging for insects around the Pavilion, possibly attracted to insects which were in turn attracted to lights. The static bat detector left along the eastern boundary during the survey recorded more soprano pipistrelle passes at the start of the survey, between 2100 and 2220 soprano and common passes were approximately equal. The static bat detector had one recording of a myotis species at 2135, this bat may have been the same one that was recorded manually later during the survey indicating that it may have foraged briefly around the perimeter once during the survey period. During summer building surveys on 11th August 2016 a noctule bat was recorded flying high over the site commuting from north-east to south-west shortly

after sunset (approximately 50 minutes after), possibly to hunting habitat to the west. A myotis bat was recorded during the summer building surveys on the 11th August close to a surveyor to the west of the site and a Leislars was recorded but not seen on the 25th August. A nathusius pipistrelle was recorded once to the east of the Pavilion during a dawn building survey on the 26th August 2016.

- 4.13 In autumn 2016 (**Appendix D**) activity was generally lower than the summer survey and common and soprano pipistrelle were the only species of bat recorded except for a single recording of a noctule, common pipistrelle made up the majority of the recordings. All activity was at the site boundary and the majority of bat activity was recorded to the north-east corner and the western boundary with occasional recordings towards the south-east. The first bat recorded, a common pipistrelle, came from outside of the site at 1857 and flew into the site via the south-east corner. A soprano pipistrelle was recorded for the first time at 1902 to the western boundary. Social calls were recorded by common pipistrelle to the west of the Pavilion on several occasions. Floodlights were on during the survey due to sports activities. The recordings were from small numbers or individual bats foraging. During the building surveys on the 4th October 2016 foraging was recorded around the Pavilion by soprano and common pipistrelle on several occasions and activity was noted along the western boundary by individual bats.
- 4.14 In spring 2017 (**Appendix E**) activity was relatively low, much lower than summer 2016 and lower than autumn 2016. Soprano and common pipistrelle made up the vast majority of the recordings in roughly equal numbers and a single leislars bat was recorded at 2209. Two soprano pipistrelles were recorded on one occasion to the south-west corner. Bat activity was mostly confined to the western and eastern boundaries with only a couple of passes to the south and north by pipistrelles. The first bat recorded was a soprano pipistrelle at 2056 to the western boundary, a common pipistrelle was recorded at 2057 to the north-east corner. The recordings were from small numbers or individual bats foraging at the boundaries.
- 4.15 No activity was recorded towards the centre of the site, the majority of the recordings were amongst the tree canopy or within 5-10m of it. It would appear that the areas of short grassland provide minimal bat foraging value due to the lack of vegetation and cover and resulting lack of insects which bats feed on. Tree/hedge planting to the southern and northern boundary would enhance it and provide more cover and a buffer from light providing an enhancement for bats, similarly improving the value of the centre of the site with new areas of diverse structural planting would greatly benefit bats as long as these areas take light into consideration. Providing new areas for roosting bats within the centre of the site would entice bats to use areas not previously used, again providing an enhancement for roosting bats.

Bat activity survey - static

- 4.16 **Table 3** below shows a summary of the environmental data and times.

Table 3: Phase 2 Manual bat activity survey details

Survey Date	Survey type	Surveyors	Equipment used	Duration	Weather	Sunset /sunrise time (approx)
11-16 th August 2016 (Summer)	Dusk - Dawn	-	Elekon Bat Logger A+	5 consecutive nights	Suitable weather, no rain or high wind	2030 - 0542
4-5 th October 2016 (Autumn)	Dusk - Dawn	-	Elekon Bat Logger A+	5 consecutive nights	Suitable weather, no rain or high wind	1831 - 0708
3-8 th May 2017 (Spring)	Dusk - Dawn	-	Elekon Bat Logger A+	5 consecutive nights	Suitable weather, no rain or high wind	2027 - 0527

Summer 2016

- 4.17 During the first survey on 11-12th August 2016, 175 recordings of common pipistrelle were recorded from 0046 – 0054, the type of calls are similar to calls just before they roost so it is possible that common pipistrelle are roosting in the Pavilion to the eastern side although there is no visual recording of roosting. 284 recordings were picked up for this survey but the numbers are swayed by the large number of recordings, probably from one bat, in such a short period of time. An average of 23 soprano pipistrelle recordings were noted during this survey and a single noctule was noted.
- 4.18 During the survey from 12th – 13th August 2016 noctule was the first bat recorded at the start of the night at 2118, several calls were recorded, a noctule/leislars was only recorded briefly on two more occasions during the survey. Common pipistrelle were first recorded at 2116 and soprano pipistrelle were recorded at 2203. Brown long-ear were recorded for the first time at 0104, several calls were recorded in close succession indicating some foraging nearby and a myotis species (possible brandts) was recorded for the first time at 0405 as a single pass. At least 10 common pipistrelle social calls were recorded during the survey. Bat activity was relatively regular during the survey from dusk to dawn.
- 4.19 During the survey on the 13-14th August 2016 an average of 54 passes were recorded. Soprano pipistrelle made up the most recordings with common pipistrelle next, the first soprano pipistrelle was recorded at 2107 and the first common pipistrelle was recorded at 2118. Noctule/Leislars were recorded on several occasions. A noctule trill was recorded at 1950 which is reminiscent of a call made while roosting so it may be that one is roosting in a tree nearby. Noctules were recorded on approximately 10 occasions between 2150 – 0434, at 0319 they were recorded several times in the space of a minute, this may have been from one bat or from different bats communicating with each other. Noctule/Leislars social calls were recorded during the survey once and common pipistrelle social calls were also recorded once, soprano pipistrelle social calls were recorded on several occasions. One myotis bat (possible brandts) was recorded during the survey at 0134 indicating a commuting bat. A nathusius pipistrelle was recorded on one occasion also at 0338.
- 4.20 During the survey from 14th – 15th August 2016 an average of an average of 58 passes were recorded. Noctule was the first bat recorded at 2107, the first soprano pipistrelle was recorded at 2112, the first common pipistrelle was recorded at 2206, the first nathusius pipistrelle was recorded at 2246, brown long-ear were first recorded at 0035, a myotis bat (Possible brandts) was first recorded at 0211 and another (possible Daubentons) at 0446, and a Leislars was first recorded at 0234. Soprano and common pipistrelle social calls were recorded.

- 4.21 During the survey from 15th – 16th August 2016 an average of 53 calls were recorded. The first common pipistrelle was recorded at 2117, the first soprano pipistrelle was recorded at 2120, the first noctule was recorded at 2123 and the first Leislars was recorded at 2232. A social call was recorded by a noctule at 2214, possibly from a perched bat and possibly mating related. Soprano pipistrelle social calls (Type B and C) were also recorded. At 2300 two soprano pipistrelle bats were recorded flying close together, Type C social calls were recorded and these may have been from a mother and young bat.

Autumn 2016

- 4.22 During the survey from 4th – 5th October 2016 an average of 10 passes were recorded during the survey. Common and soprano pipistrelle bats were the only species recorded, a single soprano pipistrelle recording was made. The first common pipistrelle was recorded at 2136 and the soprano pipistrelle was recorded at 0059. Common pipistrelle social calls were recorded.
- 4.23 During the survey from 5th – 6th October 2016 an average of 13 calls were recorded, the calls were mostly from shortly after sunset and were all within 7 hours of sunset, the final recording (from a Nathusius pipistrelle) was at 0156, probably due to the colder weather in autumn. Small numbers of soprano and common pipistrelle were recorded, 3 Leislars recordings were made and a single call from either a noctule or leislars was noted. Nathusius pipistrelle was recorded on two occasions by both bat detectors indicating that it had flown past the eastern side of the building on two occasions at 0045 and 0156 so is likely to have been hunting nearby. Social calls were recorded from a Leislars bat, a call linked with foraging/mating activity. Leislars were the most common species recorded during the survey.
- 4.24 During the survey an average of 7 bat passes were recorded, 1 noctule/leislars, 1 soprano pipistrelle, 2 nathusius pipistrelle and 3 common pipistrelle. The recordings were made from approximately half an hour after sunset until 0357. A nathusius pipistrelle social call was recorded, possibly from an advertising male during the mating season (Type D social call). One of the nathusius calls was indicative of a call made close to a building due to the apparent reflection of sound noted in the recording.
- 4.25 During the survey from 7th – 8th October 2016 out of the 25 recordings made 17 of these were from nathusius pipistrelle, some of these included social calls. The calls were spread throughout the survey from 2033 – 0558 although 16 of these calls were over the space of 14 minutes approximately 2 hours after sunset. It is not possible to conclude that Nathusius pipistrelle are roosting in the building but it is likely it is roosting nearby and the results do show that Nathusius pipistrelle forages to the east of the Pavilion.
- 4.26 During the survey from 8th – 9th October 2016 Nathusius pipistrelle made up the majority of the recordings (7 out of a total of 19), they were recorded from 2014 until 0210 with the bulk of these between 1921 – 2014 although the last recording was made later at 0210. Soprano pipistrelle and common pipistrelle were recorded 5-6 times each during the survey and a single recording was made of a Leislars.
- 4.27 An additional recording on 9th – 10th October recorded nathusius pipistrelle, common pipistrelle, soprano pipistrelle and a single myotis species. All the recordings were made within 2 hours after sunset.

Spring 2017

- 4.28 During the survey from 3rd – 4th May 2017 soprano pipistrelle were recorded first at 2105, two nathusius pipistrelle recordings were made shortly after in quick succession at 2112 – 2113. Common pipistrelle were first recorded at 2120, a Leislers was first recorded at 2208 and what may have been a myotis species was recorded briefly at 0451 – this was the final bat call of the survey. An average of 8 passes were recorded during the survey and what appeared to be Nathusius pipistrelle social calls were noted.
- 4.29 During the survey on 4-5th May 2017 an average of 14 calls were recorded in total by four different species. Common pipistrelle made up the majority of the recordings and Leisler were recorded more to the north of the site than to the south.
- 4.30 During the survey from 5-6th May 2017 an average of 14 calls were recorded, these were made up of common and soprano pipistrelle although what may have been nathusius pipistrelle social calls were also recorded. Soprano pipistrelle were the first bat recorded at 2049 and common pipistrelle were recorded first at 2211. Bat activity took place throughout the night until 0438.
- 4.31 During the survey from 6th – 7th May 2017 an average of 26 bat passes were recorded including social calls from soprano pipistrelle. The majority of the calls were from soprano and common pipistrelle and individual calls were picked up from leislars and nathusius pipistrelle. Nathusius pipistrelle social calls were also recorded on several occasions during the survey. Bat activity took place throughout the night from 2124 – 0432.
- 4.32 During the survey five species of bats were recorded from 2119 – 0434 and an average of 25 bat passes were recorded. Nathusius pipistrelle social calls were noted on three occasions at different times more to the north of the site. The majority of the recordings were from soprano and common pipistrelle with approximately equal numbers of each.
- 4.33 **Table 4** provides a summary of the results from the static bat detector survey.

Table 4: Static bat activity results

Season	Average number of bat passes per hour	Bat species recorded
Summer	7.5	Common pipistrelle, soprano pipistrelle, Noctule, Brown long-ear, Myotis (Brandts or Daubentons), Nathusius pipistrelle, Leislars, Serotine
Autumn	1.0	Common pipistrelle, soprano pipistrelle, Noctule, Leisler, Nathusius pipistrelle, myotis sp.
Spring	1.9	Soprano pipistrelle, common pipistrelle, nathusius pipistrelle, Leislars, Noctule, myotis sp.

Summary analysis of bat activity surveys

- 4.34 As expected the numbers of bat passes per hour were significantly higher in the summer than in spring or autumn. The number of passes per season was still generally low at a national level however the figures need to be taken in context at the London level, and for a relatively urban site the low number of passes by a relatively high diversity of species shows that the site has importance, potentially as a commuting juncture where bats pass through and forage on their way to other sites in the locality. Although the surrounding area is relatively built up there are residential gardens

connected by tree lined corridors on all sides and further afield there are larger areas of open space, parkland and river corridors with greater bat foraging value, the development site is a stepping stone within this habitat. The number of recordings will include many passes by the same bat foraging around the area and is not representative of different individual bats passing. Most of the passes were from common species and it is likely that the site is used regularly for foraging by these species. It is difficult to be certain of the proximity of the passes from the detectors as the detectors will record bats up to at least 100m away and further for louder bats like noctule although this will depend on different factors including temperature, direction of travel and angle of flight. Some of the recordings were likely to be from bats very close to the detectors as there was some interference on occasions due to sound reflection from the Pavilion walls. When the manual activity surveys and building surveys took place no bats were recorded centrally within the site foraging or commuting (except for some noctule/leislars much higher up) so it must be assumed that the data from the static surveys were collected from bats closer to the Pavilion as opposed to more centrally within the open areas of grassland on the pitches, the open space does not provide high value habitat, this was supported by the manual bat surveys. Species like leisler and noctule are less dependant on wildlife corridors as they tend to fly higher and generally require less cover for commuting whereas other species recorded critically require higher levels of cover provided by the boundary trees.

- 4.35 The majority of bat activity was along the western and eastern boundaries where greater levels of cover are present with mature trees forming dark corridors. These dark corridors will need to be protected from loss or harm during construction and protected from light splay post construction as this can have a major effect on bat flight paths. The existing site is well lit throughout the year from floodlights after sunset although these tend to only light up more central areas of grassland and avoid the boundary habitat. The boundaries will need to be protected from light spillage associated with any external lighting post development on new buildings, roads or paths and lighting within the site will need to be kept to a minimum to maintain dark corridors for bats where possible. External lighting must be maintained below recommended levels around all areas of planting, trees and vegetation as these contribute to bat commuting and foraging corridors locally and external lighting should be directed away from any wildlife boxes or new bat roosting features installed on buildings or trees.
- 4.36 Species of bats recorded during the surveys included common pipistrelle, soprano pipistrelle, nathusius pipistrelle, noctule, leisler, serotine, brown long-ear and myotis species (possibly brandts and daubentons). The 2km data search of the local area has records of all the same bats apart from brandt's although confidence levels on this species are not high from the relatively small numbers of recordings taken and the difficulty of deciphering one myotis species from another.
- 4.37 It was clear that the site does contribute to bat foraging and commuting habitat locally. At least eight species were seen or recorded within the site or above it and it may be that all these species depend on vegetation within the site to some degree for foraging or commuting. The majority of bat activity was recorded around the boundaries signifying its importance – the majority of the boundary trees will need to be retained and protected during construction (including trees outside of the site boundary) and enhanced with new planting where necessary, any loss of trees or connectivity will need to be compensated for with new structural diverse planting – this has been shown on the proposed site plan and landscape plan and will need to be set out in detail in the final landscape plan, secured as a condition.

- 4.38 New diverse habitats will need to be created on site to mitigate for the loss of the species poor amenity grassland. The new habitats will consist of:
- New areas of parkland habitat
 - Wildflower grassland managed for biodiversity
 - New hedges linking boundary habitats east/west and north/south
 - New hedge planted along northern boundary
 - Tree planting to create new flight lines and foraging zones
 - Diverse ornamental planting around new buildings
 - Orchard planting
 - Infill planting and thickening of the boundary hedges where necessary with new woody species and native bulbs at base
 - Pond creation
 - Green and brown roofs on buildings where possible
- 4.39 Creating the new habitats will provide an initial boost to bat foraging and commuting habitat, these new habitats will need to be managed and maintained in the long term for them to be sustained in optimal condition for wildlife. This will require a management company to incorporate the management into a plan, this plan will need to be assessed by an ecologist to ensure that it is suitable.

Phase 2 reptile survey

- 4.40 The initial phase 1 site visit found that the site had several different areas of reptile habitat that would be lost or impacted by the proposals. These areas were mostly confined to the boundaries and the vegetation surrounding the tennis court and Pavilion.
- 4.41 A phase 2 reptile survey took place to determine if reptiles were present at the site, and if so where at, how many and which species in order that a suitable mitigation plan could be prepared if necessary. The reptile survey was set up in August and took place over summer and autumn during periods of suitable weather. The results of the survey including the environmental conditions are shown below in Table 1. Additional checks were undertaken at different stages during the bat survey and no reptiles were recorded then either.

Table 5: Summary of reptile survey results

Survey number	Survey date	Weather	Method	Location/Refugia ID (See Plan 2)	Species	Sex	Age	Quantity	Peak Adult Count
Survey set up	11.8.16	warm	Visual search	-	-	-	-	-	0
1	25.8.16	Start time :1830 Finish time:1900 Start temp °C:26 Finish temp °C:26 Wind speed (beaufort):1-2 Cloud cover %: 0 Rain: drizzle earlier Ground conditions: dry Observations:	-	-	-	-	-	-	0
2	26.8.16	Start time:0620 Finish time:0645 Start temp °C:19	-	-	-	-	-	-	0

		Finish temp °C: 19 Wind speed(beaufort):0-1 Cloud cover %: 5 Rain: None Ground conditions: dry Observations:							
3	10.9.16	Start time:1530 Finish time:1545 Start temp °C:19 Finish temp °C:19 Wind speed(beaufort):1-2 Cloud cover %: 100 Rain: light drizzle Ground conditions: wet Observations: JH surveyor	-	-	-	-	-	-	0
4	11.9.16	Start time:1800 Finish time:1815 Start temp °C:22 Finish temp °C:22 Wind speed(beaufort):1-2 Cloud cover %:0 Rain: none Ground conditions: dry Observations: JH surveyor	-	-	-	-	-	-	0
5	23.9.16	Start time:0900 Finish time:1000 Start temp °C:14 Finish temp °C:14 Wind speed(beaufort):1 Cloud cover %:0 Rain: none Ground conditions: dry Observations:-	-	-	-	-	-	-	0
6	4.10.16	Start time: 1630 Finish time:1700 Start temp °C: 17 Finish temp °C:16 Wind speed(beaufort):2-4 Cloud cover %:10 Rain: None Ground conditions: dry Observations:-	-	-	-	-	-	-	0
7	10.10.16	Start time:1300 Finish time:1330 Start temp °C: 13 Finish temp °C:14 Wind speed(beaufort): 1-2 Cloud cover %: 50 Rain: No Ground conditions: dry Observations:	-	-	-	-	-	-	0

- 4.42 No reptiles were recorded during the survey and it is likely that there are no reptiles on site. The surveys took place over a wide range of times from the end of summer through to autumn during the active reptile period and a larger number of artificial refugia were used to establish presence than is required. It is likely that reptiles are absent from the immediate area surrounding the site, the nearest record for reptiles is a slow worm record from 1998 less than 1km to the north. The majority of the site is covered in short grassland used as playing pitches so has negligible value for reptiles. The bases of the trees and areas of shrubs and hedges towards the boundaries and around the pavilion would typically be considered as reptile habitat however these have the grass on site cut extremely short right up to the edges and additionally there is a very active fox earth on site with resident population of foxes. These dig and burrow excessively along the eastern boundary and would decimate a population of reptiles if present. There is a lack of cover for foraging and basking reptiles and little or no features that could be used as hibernacula.
- 4.43 The impact of the construction stage of the proposals on reptiles is likely to be low to negligible. The proposals will result in much improvement to areas of vegetation on site that would benefit reptiles if they were present, new areas of planting giving structure to the site will take place and areas of wildflower meadow and a pond are proposed which would be an enhancement for reptiles and other wildlife.

5.0 Requirements and Recommendations

Landscape mitigation and enhancements

- 5.1 Any vegetation removal will need to take place outside of the bird nesting which runs from 1st March – 1st August inclusive unless an ecologist is present to ensure there are no birds nesting.
- 5.2 Any vegetation clearance should be used to create log and habitat piles within the retained areas of hedgerow for species like stag beetles. New log piles, half dug into the ground will be created in retained and protected parts of the site at the boundaries.
- 5.3 Appropriate fencing will need to be erected prior to construction to protect the retained hedges and trees, this will provide undisturbed areas of the site for nesting birds. All construction works taking place in the vicinity of retained vegetation, and particularly those close to existing buildings, should conform to British Standard 5837:2005 Trees In Relation to Construction.
- 5.4 A range of features for nesting birds will be incorporated into the new buildings on site for swifts, house sparrows and tits.
- 5.5 Infill planting of the boundary hedge to form a continuous wildlife corridor will be an enhancement for garden bird species, creating additional places to nest and forage in the local area. Native bulb planting with a variety of different species will be used to enhance the ground flora at the bases of the retained trees and hedges at the boundaries.
- 5.6 A Landscape Plan has been designed in consultation with the Landscape and Design Team, for further details please see the Final Landscape Document. **Appendix F** shows an indicative plan which incorporates:
 - Green and brown roofs.
 - New tree and hedge planting
 - Wildflower meadow creation and management
 - Diverse areas of ornamental planting
 - New areas of parkland, orchards and herb gardens
 - New wildlife corridors
 - A new pond
- 5.7 A Landscape Management Plan for the site will be reviewed by an ecologist and secured as a condition of planning.

Bats

- 5.8 Twelve Schwegler 1FF bat boxes will be erected on retained trees along the western boundary prior to any renovation work on the Pavillion (**Appendix G**).
- 5.9 The new buildings will have a range of bat roosting crevice features built in at different aspects.

- 5.10 Any work effecting any part of the roof of the Pavillion from soffit level up will be undertaken under strict ecological supervision with a licensed bat worker present, this will include any retiling or work on soffits etc.
- 5.11 A European Protected Species (EPS) licence will be required if the Pavillion is being re-roofed. It may be possible to avoid the need for the licence if any re-roofing works can be undertaken and completed during the period March/April or September/October under strict ecological supervision. Further consultation will be required with the design team to establish the need for and scheduling of roofing works.
- 5.12 At least 10 new bat roosting features will be incorporated into the new renovated Pavillion, these can include bat boxes and tiles.
- 5.13 New landscaping will benefit bats. The landscape proposals have been designed in conjunction with the landscape team to benefit wildlife wherever possible on site. See the Landscape Proposals and Landscape Biodiversity Mitigation Strategy for further details.

Pollution prevention and drainage

- 5.14 It is important that the proposals follow appropriate pollution prevention guidelines (PPG 6) and drainage guidelines (Defra guidelines for Sustainable Urban Drainage) to protect groundwater and other habitats connected hydrologically.

Fencing and wildlife corridors

- 5.15 Any new fencing proposed for the site will not prevent movement at ground level for species like hedgehogs or amphibians to move easily north/south or east/west through the site. Gaps of at least 100mm high and 100mm wide will be located through the site near to vegetated areas.

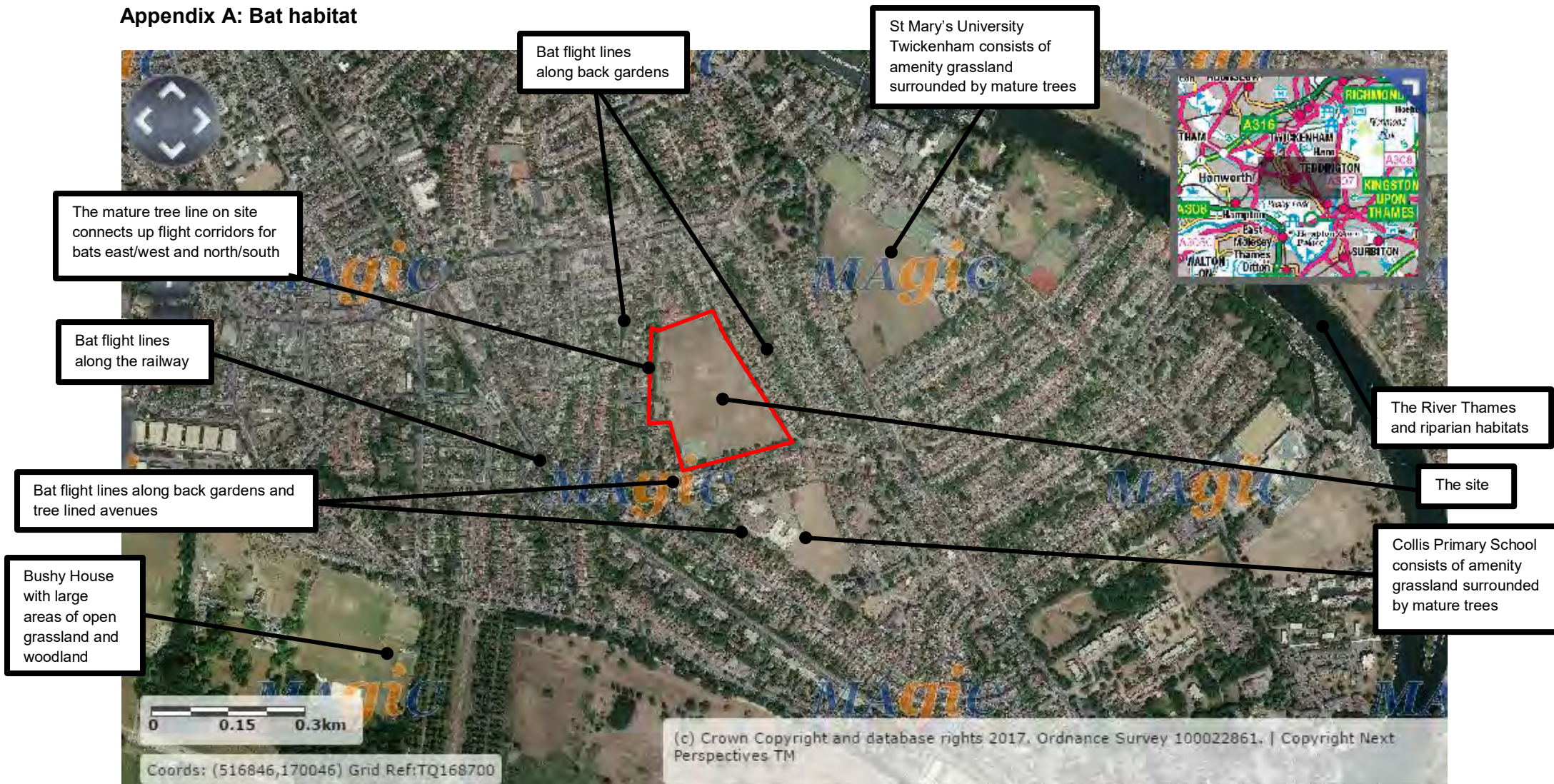
Lighting

- 5.16 Any new external lighting associated with the proposals will need to avoid splaying onto any of the boundary vegetation. Lighting from new external lighting sources must not exceed 1lux and only be directed to where it is needed.
- 5.17 New tree planting will be used where possible to create dark corridors to minimise impact of lighting from new development and proposed flood lighting.
- 5.18 A lighting plan will be secured as a condition of planning.

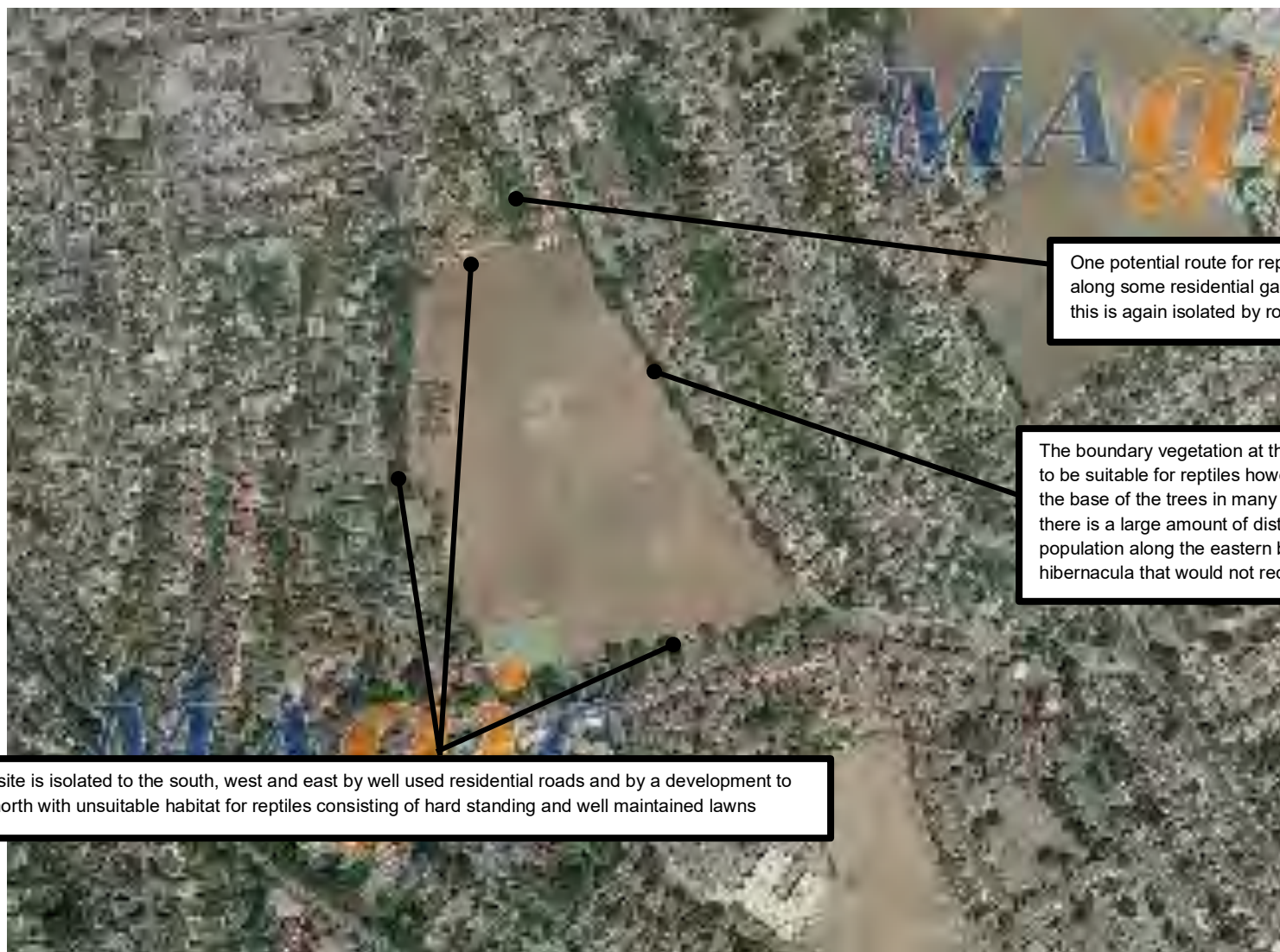
Other

- 5.19 A follow up site visit will be required to determine if there are any changes to the ecological status of the site after a year from the original survey. During this time the bat roosting potential can change significantly.

Appendix A: Bat habitat



Appendix B: Reptile habitat



One potential route for reptiles exists into and out of the site along some residential gardens to the north-east although this is again isolated by roads further along to the north.

The boundary vegetation at the base of the trees would appear to be suitable for reptiles however it is well managed right up to the base of the trees in many places by regular grass cuts and there is a large amount of disturbance from a very active fox population along the eastern boundary. There are very few safe hibernacula that would not receive high levels of disturbance.

The site is isolated to the south, west and east by well used residential roads and by a development to the north with unsuitable habitat for reptiles consisting of hard standing and well maintained lawns

Appendix C: Manual bat activity survey results – Summer 2016



Common pipistrelle	●
Soprano pipistrelle	●
Myotis sp	●

Appendix D: Manual bat activity survey results – Autumn 2016



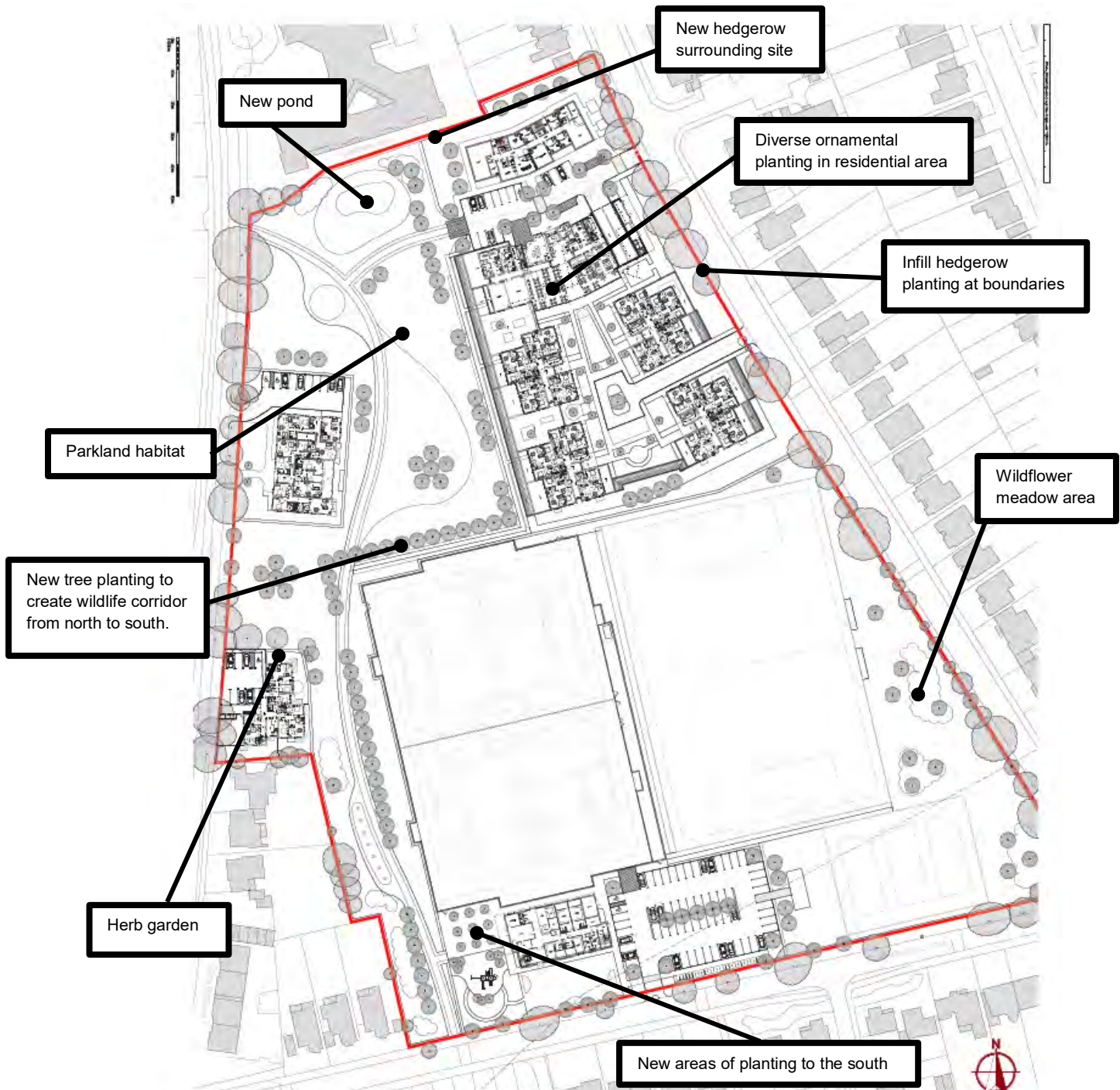
Common pipistrelle	●
Soprano pipistrelle	●

Appendix E: Manual bat activity survey results – Spring 2017



Common pipistrelle	●
Soprano pipistrelle	●

Appendix F: Landscape mitigation and enhancements



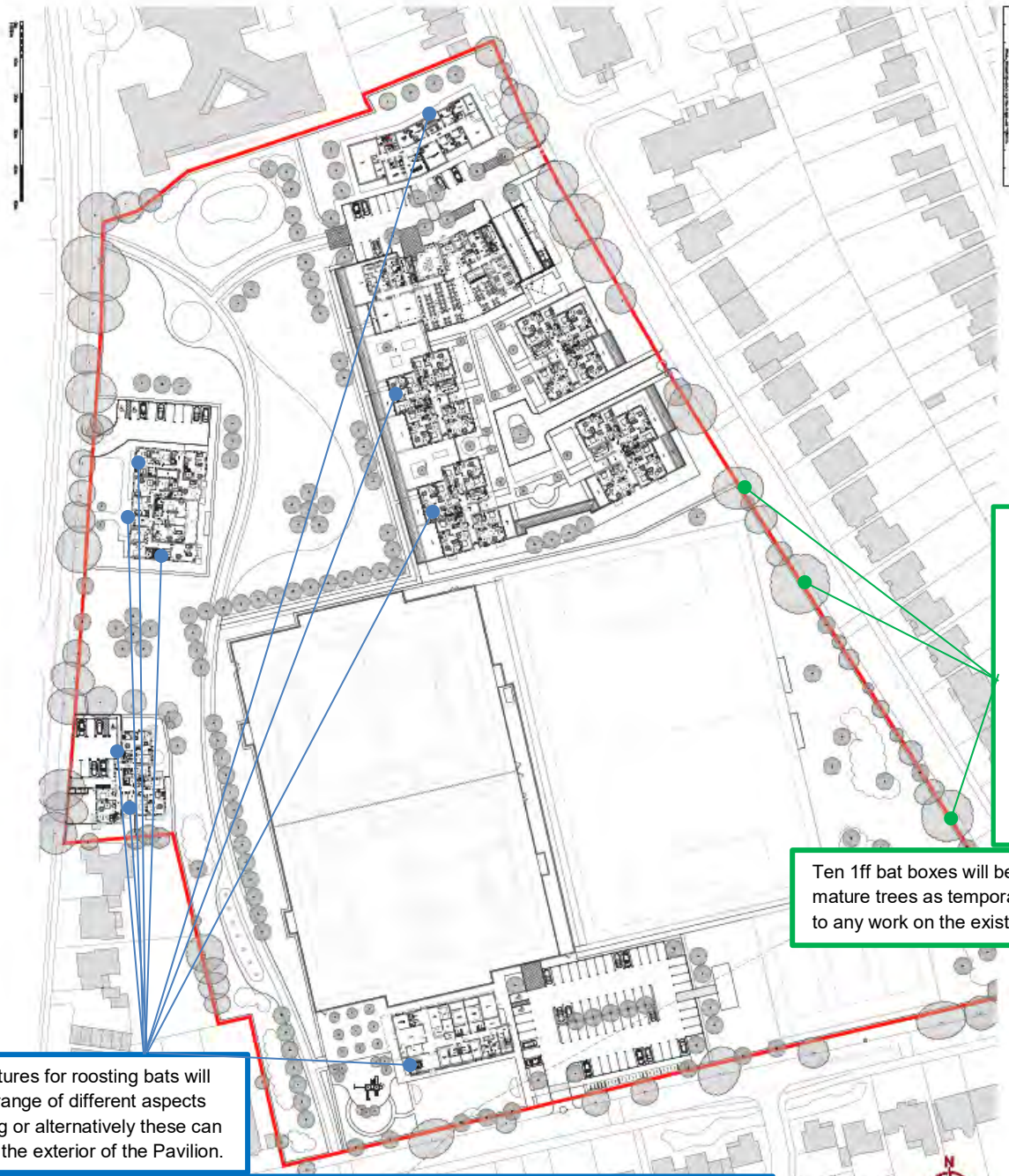
Quantum Group
 Former Imperial College
 Private ground, Uxney Park
 Road, Teddington
 Proposed Site Plan
ARCHITECTURAL
 JC SH
 1:500(0/A1) JULY 2017
 900-SK02 A

Rev	Description	Date
1	Issue for Planning	2017/07/01



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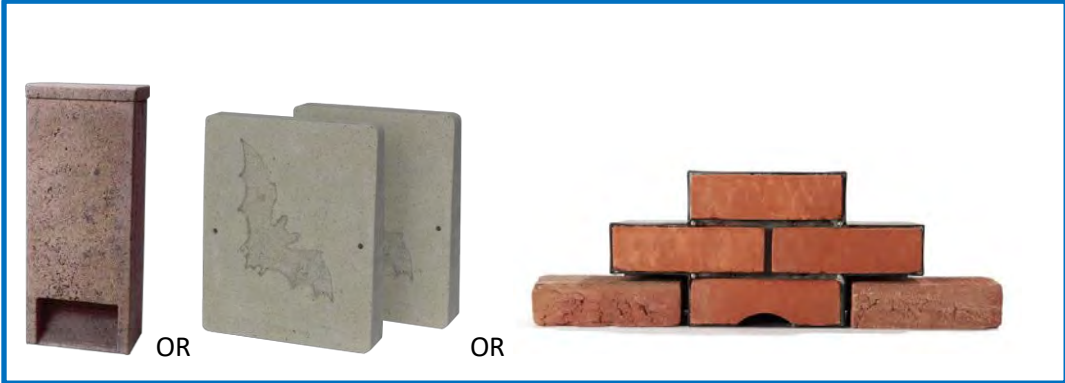
Appendix G: Bat mitigation



At least 10 features for roosting bats will be built into a range of different aspects on new building or alternatively these can be attached to the exterior of the Pavilion.



Ten 1ff bat boxes will be hung on retained mature trees as temporary mitigation prior to any work on the existing Pavilion



PLANNING

Appendix H: Protected species legislation

European Protected Species

Bats

These species are listed in Schedule 5 of the *Wildlife and Countryside Act 1981* (as amended) and Schedule 2 of the *Conservation of Habitats and Species Regulations 2010*. They are afforded full protection under Section 9(4) of the Act and Regulation 41 of the Regulations. These make it an offence, *inter alia*, to:

- deliberately capture, injure or kill any such animal;
- deliberately disturb any such animal, including in particular any disturbance which is likely:
 - to impair its ability to survive, breed, or rear or nurture their young;
 - to impair its ability to hibernate or migrate;
 - to affect significantly the local distribution or abundance of that species; or
- damage or destroy a breeding site or resting place of any such animal; or
- intentionally or recklessly disturb any of these animals while it is occupying a structure or place that it uses for shelter or protection; or
- intentionally or recklessly obstruct access to any place that any of these animals uses for shelter or protection.

In addition, five British bat species are listed on Annex II of the Habitats Directive. These are:

- Greater horseshoe bat (*Rhinolophus ferrumequinum*);
- Lesser horseshoe bat (*Rhinolophus hipposideros*);
- Bechstein's bat (*Myotis bechsteinii*);
- Barbastelle (*Barbastella barbastellus*);
- Greater mouse-eared bat (*Myotis myotis*).

In certain circumstances where these species are found the Directive requires the designation of Special Areas of Conservation (SACs) by EC member states to ensure that their populations are maintained at a favorable conservation status. Outside SACs, the level of legal protection that these species receive is the same as for other bat species.

Nationally Protected Species

Breeding Birds

With certain exceptions¹, all wild birds, their nests and eggs are protected by section 1 of the *Wildlife and Countryside Act 1981* (as amended). Therefore, it is an offence, *inter alia*, to:

- intentionally kill, injure or take any wild bird;
- intentionally take, damage or destroy the nest of any wild bird while it is in use or being built; or
- intentionally take or destroy the egg of any wild bird.

These offences do not apply to hunting of birds listed in Schedule 2 subject to various controls.

Bird species listed on Schedule 1 of the Act receive further protection, thus for these species it is also an offence to:

- intentionally or recklessly disturb any bird while it is nest building, or is at a nest containing eggs or young; or
- intentionally or recklessly disturb the dependent young of any such bird.

Reptiles

The four widespread² species of reptile that are native to Britain, namely common or viviparous lizard (*Zootoca vivipara*), slow worm (*Anguis fragilis*), adder (*Vipera berus*) and grass snake (*Natrix natrix helvetica*), are listed in Schedule 5 of the *Wildlife and*

¹ Some species, such as game birds, are exempt in certain circumstances

² The other native species of British reptile (sand lizard and smooth snake) receive a higher level of protection under the *Habitats Regulations 1994* and (in England and Wales only) the *Wildlife and Countryside Act 1981* (as amended). However, the

Countryside Act 1981 (as amended) and are afforded limited protection under Section 9 of this Act. This makes it an offence, *inter alia*, to:

- intentionally kill or injure any of these species.

distribution of these species are restricted to only a very few sites. All marine turtles (Cheloniidae and Dermochelyidae) are also protected.