



## **Consultation on Proposed Main Modification in respect of the Local Green Space (LGS) designation at Udney Park Playing Fields, Teddington**

### **Council's Statement for Submission to Planning Inspectorate**

#### **1. Consultation 22 February to 5 April 2019**

- 1.1 Following the [Court Order](#) (dated 8 February 2019), public consultation was undertaken from 22 February to 5 April 2019, encompassing:
- a [consultation document](#) (including the schedule of the proposed change) and an [Addendum to the Sustainability Appraisal of the Publication Local Plan](#) were published on the Council's website and the Council's consultation portal, and hard copies were made available in the Council's main libraries and the Civic Centre;
  - a letter or email was sent to respondents since the Publication stage who had commented/taken part in discussions on the Local Green Space at Udney Park Playing Fields; and
  - advertised in a public notice in the Richmond & Twickenham Times on 22 February 2019
- 1.2 The Council received responses from 1859 consultees which are set out in the [Schedule of All Responses](#) to Consultation on Proposed Main Modification in respect of the Local Green Space (LGS) designation at Udney Park Playing Fields (UPPF), Teddington (22 February to 5 April 2019) and accompanying [Appendices](#).

#### **2. Council's Position**

##### ***Summary of Local Plan development and examination into UPPF***

- 2.1 The Teddington Society and the Friends of UPPF applied for the designation of UPPF as LGS on 23rd September 2016 and their application for Local Green Space status was dealt with as a Pre-Publication Consultation response on the Local Plan. The [Proposals Map Changes](#) (SD-002) consulted on alongside the Publication Local Plan from 4 January to 15 February 2017 (Regulation 19) included the proposed designated of Udney Park Playing Fields as LGS. In addition, it set out in detail the Council's reason for designation as LGS in paragraphs 2.2.2 and 2.2.3.
- 2.2 Following submission of the Plan and the Proposals Map Changes to the Secretary of State, the appointed Inspector, as part of his identified [main issues and questions](#) (ID-006A) for the examination, asked "Is the evidence base supporting Policies LP12, LP13 and Local Green Space (LGS) robust?" and "Are Policies LP12 and 13 clear in 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?"
- 2.3 In response, the Council's Written Statement for [Hearing 5: Green Infrastructure \(Document version: 8/9/17\)](#) (LBR-LP-016) set out how it considered the application for a LGS designation of Udney Park Playing Fields met all of the criteria as set out in LP 13 of the Local Plan policy as well as the policy and guidance set out within the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

Appendix 1 to the Statement set out further details in relation to the evidence for designating Udney Park Playing Fields and how this had been assessed against NPPF and LP 13 criteria for designation (see attached extract of Appendix 1 to the Council's Written Statement for Hearing 5 only for reference). The purpose of the separate Appendix was to demonstrate to the Inspector how the designation is considered to meet all of the criteria of the NPPF as well as the additional criteria proposed by the Council as part of LP13, which were based on guidance from the PPG. It also highlighted the importance of the UPPF as sporting ground and referred to the Council's evidence in that regard, i.e. the Borough's Playing Pitch Strategy (2015).

2.4 The Inspector's proposed Main Modification MM7 included in the [Schedule of proposed Main Modifications to the LB Richmond upon Thames Local Plan \(22 December 2017\)](#) (LBR-LP-034) the change "Delete last three bullet points of para 5.2.10 i.e. removing some of the proposed criteria which the Council considered when assessing the designation of the LGS, for the reason "To ensure clarity and effectiveness consistent with national policy."

2.5 For ease of reference, the proposed modification to para 5.2.10 was as follows (text shown in italics, with the deletion shown as struck through text):

*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.*~~

2.6 The [Inspector's Report on the Examination of the Richmond upon Thames Local Plan and Main Modifications \(26 April 2018\)](#) (ID-011) at paragraph 68 stated that the rationale for the Council's additional criteria was not clearly explained, and retained the LGS references within the Plan subject to modification to ensure clarity and consistency with national policy. The following criteria remain relevant and are taken into account when designating LGS, as set out in paragraph 5.2.10 in the adopted Local Plan:

- The site is submitted by the local community;
- There is no current planning permission which once implemented would undermine the merit of a LGS 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.

### ***Changes to the NPPF***

- 2.7 The NPPF guidance on the designation of land as LGS through local plans has been updated in July 2018. Whilst the Richmond Local Plan and policy LP13 were considered against the 2012 NPPF by the last Inspector, it is evident that current NPPF guidance, including criteria for LGS designation, is now contained within the February 2019 [NPPF](#), which states at paragraph 100: “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.”
- In contrast, the 2012 NPPF stated at paragraph 77 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.”

### ***Updated Council evidence base in relation to sport***

- 2.8 Appendix 1 to the Council’s Written Statement for [Hearing 5: Green Infrastructure \(Document version: 8/9/17\)](#) (LBR-LP-016) referred to the Council’s Playing Pitch Assessment and Playing Pitch Strategy (PPS) (2015). The Inspector was made aware of the forthcoming update to the PPS, as referred to on page 14 in the [Council’s Written Statement – Hearing 2 – Community Facilities \(8 September 2017\)](#) (LBR-LP-012). In June 2018 (after the close of the Examination) the new updated [Playing Pitch Strategy](#) (March 2018) and [Playing Pitch Assessment](#) (March 2018) were published by the Council (also available at [www.richmond.gov.uk/sport\\_open\\_space\\_and\\_recreation\\_needs\\_assessment](http://www.richmond.gov.uk/sport_open_space_and_recreation_needs_assessment)).
- 2.9 The 2018 PPS and Assessment both recognise that that the playing pitches at Imperial College / Udney Park have not been widely used by the community in the past. However, the Strategy confirms 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. Further, whilst the site may have limited public access and is underused, this does not warrant the loss of these facilities or justification for building on them. “Given the shortfalls identified within the PPS, it is determined that both Udney Park Playing Fields and Stag Brewery are required to meet both current and future demand. As such, if these pitches were to be permanently lost, replacement provision to an equal or better quantity and quality will be necessary given the overall shortfalls evident” (PPS 2018, page 11).
- 2.10 The updated PPS therefore continues to provide a robust evidence base as set out in the original assessment against the LGS criteria. The Council is committed to attending meetings with Sport England and the various sporting National Governing Bodies (NGBs), commonly referred to as ‘Stage E meetings’, to ensure the delivery of the recommendations and action plan outlined within the PPS. The last Stage E

meeting took place on 28 March 2019, at which it was agreed that the position outlined above and as contained within the 2018 PPS remains appropriate for the site.

***New evidence in relation to biodiversity and wildlife***

- 2.11 One of the criteria in the NPPF (both the 2012 and 2019 version) for consideration of LGS designation include “richness of its wildlife”. At the time of writing Appendix 1 to the Council’s Written Statement for [Hearing 5: Green Infrastructure \(Document version: 8/9/17\)](#), there was no specific ecological evidence relating to this site.
- 2.12 An [Ecological Appraisal](#) (March 2016, Lindsay Carrington Ecological Services Limited) and [Phase 2 Bat and Reptile Survey Report](#) (July 2017, Peach Ecology) were submitted to the Council under [18/0151/FUL](#) (see Appendix 2 to this Statement for details of planning history updates and the timeline). The submitted Peach Ecology Phase 2 Bat and Reptile Survey shows 8 different species of bats, including myotis species. This 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 Council’s Planning Committee report for 18/0151/FUL considered that this site could be designated as a SMINC for its bat interest, size and connectivity.
- 2.13 Furthermore, in respect of the current appeal to [18/0151/FUL](#), there have been recent submissions of an Updated Phase 2 Bat and Reptile Survey Report (December 2018, Peach Ecology) <http://images.richmond.gov.uk/iam/IAMCache/2943191/2943191.pdf> and a letter from Peach Ecology 12<sup>th</sup> April 2019 <http://images.richmond.gov.uk/iam/IAMCache/2943481/2943481.pdf>. These are to inform consideration of the appeal.
- 2.14 The process for designating Sites of Importance for Nature Conservation is through the Local Plan and the evidence base (including consultant ecologist surveys to assess the status and potential grade) will be undertaken to inform the next review of the Richmond Local Plan (which will be commenced later in 2019). The Council would like to point out that sites of Metropolitan Importance are the best examples of wildlife sites in London and are selected by the Mayor of London and his officers at the Greater London Authority through the London Wildlife Sites Board. Notwithstanding, Local Plan Policy LP15 seeks to protect and enhance the borough’s biodiversity, in particular, but not exclusively, the sites designated for their biodiversity and nature conservation value. In addition, the policy affords weighted priority in terms of their importance to protected species and priority species. Therefore, there is now very strong evidence that this site also meets the “richness of its wildlife” criterion.
- 2.15 In addition, the Inspector should also note the new Richmond Biodiversity Action Plan (2019), available at [https://swlen.org.uk/wp-content/uploads/2019/06/LBRuT\\_BAP\\_2019-06-06\\_version.pdf-resized.pdf](https://swlen.org.uk/wp-content/uploads/2019/06/LBRuT_BAP_2019-06-06_version.pdf-resized.pdf), which confirms that bats are a priority species in Richmond.

**3. *Responses by statutory consultees***

- 3.1 Sport England (Comment MM Rep No. 1833) have submitted representations in response to the public consultation undertaken from 22 February to 5 April 2019.

These reiterate their support, initially expressed in their Local Plan Examination Written Statement (REP-266-01), for the designation of Udney Park Playing Fields as Local Green Space, and includes an assessment of the Local Green Space criteria set out under paragraph 100 of the NPPF.

- 3.2 Natural England were consulted previously and also responded to this additional consultation relating to the LGS designation (Comment MM Rep No. 1837). They state that the area holds a range of ecological interests, of particular note the eight bat species that use the area for commuting, foraging and roosting. More strategically the green open space plays a significant role in the provision of a mosaic of linked and related greenspace across the area that serve a range of important functions for both wildlife and people. Udney Park is identified as acting as a stepping stone site for wildlife along with Bushy Park, the river corridor and Richmond Park. Access to nature for local communities, climate change adaptation benefits, and intrinsic biodiversity value are all important elements at this site. Natural England believe designation as LGS is important and would help to ensure these functions are recognised and retained as part of the green infrastructure of the Borough for the future.

#### **4. *Planning application history and latest updates on this site***

- 4.1 The Council has previously advised the appointed Local Plan Inspector, Andrew Seaman, of key updates on planning applications on major designated sites, including in the [Schedule of consultation responses to the proposed Main Modifications with Officer comments \(9 February 2018\)](#) (LBR-LP-039) that an application on the Udney Park Playing Fields site had not been validated as awaiting further required information. Further since the close of the Examination it is of general context to note the following update on the planning application on the site (see Appendix 2 for the full planning history since April 2018):

- [18/0151/FUL](#) 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. Appeal Lodged on 06/07/2018. The Council's officer report to [Planning Committee 26 September 2018](#) summarises at paragraph 28 that in response to consultation on the application 1494 objections were received, 2985 comments expressing support, and 20 general comments were made. Paragraph 30 also states a petition objecting to any development on Udney Park Playing Fields was received, with 484 signatures (some of the signatories have objected individually as well).

#### **5. *Council's Position conclusion in light of updated / new evidence***

- 5.1 The Council's justification and evidence base, including the assessment against the criteria set for defining LGS (in Policy LP13) and against national policy and guidance, remains relevant. The Council therefore maintains its position that the LGS designation for UPPF should be retained, particularly in light of:
- a) a new updated NPPF (2019) and criteria for LGS designation, whereby it should be noted that the more limiting sentence from paragraph 77 of the 2012 NPPF, i.e. that "*The Local Green Space designation will not be appropriate for most green areas or open space*", has been removed from the current (2019) NPPF;

- b) an updated Playing Pitch Strategy and Assessment (2018), which confirm the continued importance of this site to meet both current and future demand (a position which is strongly supported by Sport England); and
- c) new evidence in relation to the richness of its wildlife and ecological value of the site (this position is confirmed by Natural England).

5.2 In addition, the Council considers that the criterion of “demonstrably special to a local community” continues to apply and is indeed substantiated by strong local community support, as shown in the recent public consultation. The Council acknowledges that a large number of respondents to the recent consultation do not support the LGS designation for this site; however, most respondents in favour of the removal of the LGS designation have expressly supported the current redevelopment proposal for the site (i.e. [18/0151/FUL](#)), which is not of relevance for the purpose of considering the LGS designation with respect to the Local Plan’s soundness.



## Appendix 1: Extract of Council's Written Statement for Hearing 5: Green Infrastructure (Document version: 8/9/17) (LBR-LP-016)

### 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: Planning History (since April 2018): Imperial College Sports Ground  
Udney Park Road Teddington**

<b>Ref</b>	<b>Proposal</b>	<b>Received</b>	<b>Valid</b>	<b>Appeal lodged</b>	<b>Dec Date</b>
18/015 1/FUL	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.	16/01/2018	09/03/2018	06/07/2018	