

**Submission to the LBRUT Draft Local Plan Inspector  
for consideration during the Richmond Local Plan Inspection  
commencing 25<sup>th</sup> June 2024**

**Regarding the  
Designation of the  
Car Parking Area within Udney Park Playing Fields  
as  
Other Open Land of Townscape Importance  
and as  
Local Green Space,  
and  
For the whole of  
Udney Park Playing Fields (including the Car Parking Area)  
to be designated a Conservation Area**

**submitted by the  
Udney Park Playing Fields Trust**

**20<sup>th</sup> April 2024**

## 1. Introduction

- 1.1 This document is submitted by the Udney Park Playing Fields Trust (the recognised “Rule 6 Party” representing the communities’ interest in Udney Park) and has three purposes:
1. To seek designation of the portion of Udney Park used as a Car Parking Area (the “Car Park”) at Udney Park Playing Fields as Other Open Land of Townscape Importance (“OOLTI”), addressing an ambiguity making the draft Plan unsound;
  2. To seek designation of the Car Park at Udney Park Playing Fields as Local Green Space (“LGS”), addressing an ambiguity making the draft Plan unsound, and
  3. To seek designation of the entirety of Udney Park Playing Fields (including the Car Park) as a Conservation Area, after a failure in the draft Local Plan consultation process to consider the draft Conservation Area Appraisal submitted by the Trust.
- 1.2 The three modifications are justified from page 13 below. The vexed Planning history of Udney Park, an Asset of Community Value (“ACV”) since 2015, is provided first.
- 1.3 In the Policies Map for the Local Plan, the Car Park is shown: i) as the white unbuilt trapezoidal shape half way down the western boundary of the Fields in the Local Plan Policies Map under section “2.2 Local Green Space”, (“LGS”), (extract copied at Paragraph 3.1 below). ii) as part of the area of green crosses that signify Site for Boroughwide Importance for Nature Conservation (SINC) status but outside the diagonal green hatched lines that signify LGS, and outside the green shaded area that signifies OOLTI, on the Teddington Inset Map from the revised Policies Map, (extract copied at Paragraph 2.9 below).
- [https://www2.richmond.gov.uk/docs/localplan/sd\\_010\\_richmond\\_local\\_plan\\_regulation\\_19\\_policies\\_map\\_december\\_2023\\_low\\_resolution.pdf](https://www2.richmond.gov.uk/docs/localplan/sd_010_richmond_local_plan_regulation_19_policies_map_december_2023_low_resolution.pdf)
- 1.4 It is important to note that the Car Park is not an enclosed and separate part of Udney Park with hand standing as the Policies Map implies. At 1.5 the aerial photo (see the yellow circle) shows that the Car Park is visually and vegetatively contiguous with the playing fields. At 1.6 the photo shows a light gravel surface for around 50 % of the its surface area, and without a hard boundary between the playing fields and Car Park.

1.5 Aerial view of the Car Park and the rest of Udney Park, demonstrating contiguity



1.6 Ground view of the high level of vegetation



1.7 The ambiguity of designations makes decisions based on the Local Plan inefficient.

Designation pertaining to Udney Park in the Local Plan	Rest of the Park	Car Park
Asset of Community Value	Yes	Yes
Other Open Land of Townscape Importance	Yes	No
Strategic Site in Playing Pitch strategy	Yes	Yes
Local Green Space	Yes	No
Local View (new in 2024 Local Plan)	Yes	Yes
Site for Boroughwide Importance for Nature Conservation	Yes	Yes
Heritage listing as Teddington War Memorial Sports Ground	Yes	Yes
Tree Preservation Order T0912	Yes	Yes

## **2. Background and Planning History relevant to the three modifications proposed**

- 2.1 Udney Park Playing Fields (“UPPF”) is a 12.5-acre green field in Teddington. Since 2014 this War Memorial playing field has been wilfully neglected and remains under threat of permanent loss from speculative owners. It is essential that this Local Plan removes any ambiguity regarding the protections of public amenity at Udney Park. Richmond has a deficit of pitches so local clubs without a home ground must turn away new members.
- 2.2 In 1922 UPPF was opened as the Teddington War Memorial Sportsground by the Old Merchant Taylors War Memorial Trust. In 1937 Udney Park was donated by Lord Beaverbrook to St Mary’s Hospital Medical School RFC with a covenant for “the playing of amateur sport”. In 2014 Imperial College London sold UPPF to a speculator called Quantum. Udney Park has been used for community sport continuously since 1922 as a World War I and then later also a World War II Memorial. It still is a War Memorial.
- 2.3 Quantum sought planning permission to build residential units on Udney Park and spent (according to their published accounts) £4m in fighting the Local Council’s refusal of permission. Udney Park now has a very high level of public amenity protection in the Local Plan though there remains some ambiguity on the car parking area.
- 2.4 Udney Park features in the Council’s Playing Pitch Strategy Assessment Report of May 2015 where it is called the “Imperial College (Teddington Sports Ground)” site. This strategy document was adopted by the Council in June 2015 and is an integral part of preparing the Local Plan.  
[https://www.richmond.gov.uk/media/6524/playing\\_pitch\\_strategy\\_assessment\\_report.pdf](https://www.richmond.gov.uk/media/6524/playing_pitch_strategy_assessment_report.pdf), and also in its strategy paper of August 2015  
[https://www.richmond.gov.uk/media/6525/playing\\_pitch\\_strategy.pdf](https://www.richmond.gov.uk/media/6525/playing_pitch_strategy.pdf).  
(search for “Imperial College” in document), although the original 2015 paper has now been superseded on line by the 2018 paper.

It also features in the Council’s 2022 update:

[Playing Pitch Strategy - Action Plan update January 2022 \(richmond.gov.uk\)](#)

- 2.5 In both earlier Playing Pitch Strategy documents Udney Park is regarded as “Strategic”, and it is recognised as available for hire by the public though with space capacity. In the 2022 update it is stated to be a “Key” centre (the phrase “Strategic Centre” no longer being used) and together with Bushy Park as a “Hub Site”. Overall, there remains a deficit in playing field capacity in Richmond Borough. The Council have through the actions since the change of ownership in 2014 sought to protect the public amenity of Udney Park by enforcing the Local Plan planning designations.

2.6 A summary of the changes in planning restrictions over the last decade are as below.

### **2014/15**

- UPPF (but now it seems, not the Car Park) was designated as an Other Open Land of Local Importance (“OOLTI”), an important Local protection concerned with open views across land that should be maintained in built-up areas.
- Udney Park is listed as a Major Site in the Local Plan Playing Pitch Strategy. LBRUT gave clear planning advice to Imperial College in 2015 that they would protect the public amenity of Udney Park as a playing field.
- In this first sale in 2015, the then owner, Imperial College London (“ICL”), employed Jones Lang LaSalle (“JLL”) to prepare a Planning Brief as a supplement to the estate agents (Knight Frank) marketing campaign. JLL met LBRUT planners and then published a Planning Brief which misrepresented LBRUT regarding potential for C2/C3 usage. LBRUT intervened and ICL were forced to require JLL to issue an Addendum to the original Planning Brief. (Appendix 1).
- Knight Frank ran a comprehensive marketing campaign that resulted in a single unconditional speculator bid, from Quantum, who went on to purchase the land from ICL for £6m after the tender period with three community bids had closed.
- Udney Park becomes the first Asset of Community Value in Richmond in 2015.
- The Richmond Council Leader said in 2015, “Quantum (the previous owners of Udney Park) knew they bought a Park in a Borough that protects green spaces, it was a foolish purchase”.
- The London Mayor said in 2015, “Udney Park was given for amateur rugby, development [of it] would be a scandal and disgrace”.

### **2015-20**

- Quantum propose to build on these playing fields and apply for planning permission to do so. LBRUT firmly reject this application. Quantum persist with their plans and spend £4M on planning consultants and lawyers, fighting an appeal. This appeal results in a comprehensive defeat at Public Inquiry. The Inspector refused Quantum’s “planning balance” case and gave no wriggle room for any future “mixed use” application. ([Heading 9 \(39essex.com\)](#)).
- Quantum were represented by the leading Planning QC in London, who admitted afterwards that the strength of the decision ruled out any future development.
- The Council, Sport England and the Teddington community (through the Trust as a “Rule 6” Party) were each represented by QCs at the 14-day Public Inquiry and the expensive team put together by Quantum lost every argument.

- Local Green Space (“LGS”), a national designation for especially sensitive green areas in urban locations, was awarded by a Planning Inspector after a High Court case following the last iteration of the Local Plan when the LGS status of UPPF was unclear. ([Jopling v Richmond-Upon-Thames London Borough Council & Anor \[2019\] EWHC 190 \(Admin\) \(08 February 2019\) \(bailii.org\)](#)). The LGS status was re-confirmed by a separate report by a different Planning Inspector: [lbrut redetermination final report.pdf \(richmond.gov.uk\)](#)

## 2021-22

- Tree Preservation Orders protect the boundary and rule out new access points.
- Richmond Council re-designates Udney Park as an ACV, after the original ACV period ends. ACV is a national designation for Assets intended to move to community ownership and operation, with rights for communities to trigger a Compulsory Purchase Order procedure for “owners unwilling to sell”.
- Site of Boroughwide Importance for Nature Conservation (“SINC”) has been proposed in the new Local Plan, after the presence of 9 protected species of bats was confirmed by conservation experts during the Quantum planning application.
- The Pavilion has been designated a Building of Townscape Merit and all of Udney Park is re-recognised as a War Memorial, the highest tier of local heritage protection and confirmed by LBRUT.
- In the Local Plan Playing Pitch Strategy, Udney Park remains a “Strategic site” and the Borough has a deficit of pitch capacity.
- Savills, a commercial estate agent, ran a marketing campaign when instructed to sell UPPF by Quantum that resulted in an unprecedented complaint from an LBRUT Director that the marketing instructions were misleading.
- In this second sale process in 2021, Savills did not provide a Planning Brief and also marketed Udney Park as a “feasible development proposition” (Appendix 2), despite the clear outcome of the Public Inquiry in 2020.
- In July 2021 LBRUT were obliged to make an intervention to address some of the inaccuracies in the Savills brochure in the form of a letter from Paul Chadwick, the LBRUT Director responsible for Planning. Paul Chadwick, having requested a meeting with Savills which was declined, firmly intervened and wrote a Planning Brief to Savills stating clearly the planning designations on Udney Park that Savills had stated were misleading and referring back to the Public Inquiry findings (Appendix 3). Mr Chadwick focuses on the ambiguity surrounding the Car Park.

- The Chadwick letter to Savills provides Planning Advice based on the Richmond Local Plan explicitly to counter the issue of residential development on the Car Park. Savills had claimed the Car Park was a “feasible development proposition”:

**Savills claim in the brochure on behalf of Quantum (Appendix 2)**

*The car park is free from the policies applied to the wider site and we therefore consider it to be a feasible development proposition.*

**Mr Chadwick’s June 2021 rebuttal letter to Savills (Appendix 3)**

Given the lack of engagement prior to, and since, the publication of your current marketing details I have therefore chosen to write to you as a matter of public record as follows:-

You have made the following statement:

“The planning inspector commented that the very special circumstances necessary to justify the development were not met. In other circumstances, development of playing fields or urban green space has been justified through the public benefit that such development might enable. Redevelopment of the existing car park and pavilion lots would appear warranted if linked to improvements to the existing facilities, but partial development of the wider property may also be justifiable. Further commercialisation of the existing playing fields would also appear possible.”

I do appreciate that you have stated that interested parties should form their own opinion and take professional advice; however, I want to point out the following pertinent information about that statement.

Although the car park is excluded from the Local Green Space (LGS) and Other Open Land of Townscape Importance (OOLTI) designations, the pavilion is not. The Planning Inspector stated in the appeal decision that in the case of OOLTI, if not related to the functional use of the site, future development would be restricted to the replacement of or minor extension to existing built facilities and must not harm the character and openness of the land. This was reinforced by the LGS designation, which requires a similar approach to that for Green Belt land in relation to preserving openness. Whilst this does not rule out some form of development related to the pavilion, in our view it would severely restrict such development.

Both the car park and the pavilion are included in the Asset of Community Value designation, which resists the loss of social or community infrastructure and is underpinned by planning policy. I therefore find it difficult to see how development of the car park and pavilion, which provide the only significant on-site parking and the only changing room facilities for the site, could be justified in relation to the retention of existing social/community infrastructure which serves the local community and, indeed, is very much valued.

- Mr. Chadwick is specific about the lack of policy justification for residential development on the Car Park, and referenced the Public Inquiry outcome.



## 2023 to April 2024 New designations in the draft Local Plan

- 2.7 In further support of designating the Car Park as OOLTI, the draft 2024 Local Plan contains a Supplementary Planning Document (SPD) on Local Views. These capture wide panoramas of visual interest generally along the River Thames as well as across open areas of landscape. The views capture a wide setting for the view helping to place the view in the context of landscape and built environment.

[https://www.richmond.gov.uk/media/25276/consultation\\_draft\\_local\\_views\\_spd.pdf#page=24](https://www.richmond.gov.uk/media/25276/consultation_draft_local_views_spd.pdf#page=24)

In “Draft Local Views SPD” (p281) of the 2024 draft Local Plan, the Car Park is part of the land which is nominated as a Local View. This is clear from the plan referred to (Consultation draft page 24/ B2.1) and the fact that the “Viewing Place” is stated to be “Surrounding Roads” rather than any particular single location.

Local Views SPD – 2022 (DRAFT)

<p>Character Area Name: <b>Teddington Residential</b></p> <p>View Name and Reference: <b>Udney Park Playing Fields (B2.1)</b></p> <p>View Type: <b>Prospect</b></p> <p><b>Description of View</b></p> <p>Sequential view from surrounding roads (Udney Park Road, Cromwell Road and Kingston Lane) across Udney Park Playing Fields to surrounding residential properties; a locally valued open green space framed by the surrounding urban fabric to act as a 'Village Green'. Setting contributes to the overall view value.</p> <p>Hampton Wick and Teddington Village Planning Guidance SPD: 'A number of houses back onto the playing fields (to the south of Udney Park Road) with much of the perimeter kept clear, allowing for important views across the playing fields.'</p>	 <p><b>View: B2.1</b></p>  <p><b>GIS Mapping: B1.1</b></p> <p>Viewing Place: Parkscape view (wide): playing field prospect</p>
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The Car Park is a visually contiguous part of Udney Park, there is no barrier, either man made or natural between the Car Park and the playing pitch area. The view should clearly be across the Car Park as well. If there is any building on the Car Park that part of the view will be lost forever.



2.8 The 2024 draft Local Plan also confirms Udney Park is a Site of Boroughwide Importance for Nature Conservation (“SINC”). The entirety of Udney Park, including the Car Park, is a SINC. The Car Park is only 50% covered with rough gravel and surrounded by unkempt hedges, wild grasses and shrubs and is a known foraging area for bats. The distinct boundary drawn around the Car Park and playing pitch area shown on the Policies Map is not a real hard or soft boundary distinction on the ground, for humans or nature. This map confirms the entirety of Udney Park is a SINC including the Car Park.



**Policy Legend**

-  Borough Boundary
-  Green Belt (Policy 35, National Policy)
-  Metropolitan Open Land (Policy 35)
-  Other Open Land of Townscape Importance (Policy 36)
-  Local Green Space (Policy 35)
-  Historic Parks and Gardens (Policy 29)
-  Public Open Space (Policy 37)
-  Public Open Space Deficiency Area (Policy 37)
-  Thames Policy Area (Policy 40)
-  Site of Special Scientific Interest (Policy 39)
-  Site of Importance for Nature Conservation (Policy 39, Appendix 4)
-  Site of Importance for Nature Conservation Candidates (Policy 39, Appendix 4)

[https://www2.richmond.gov.uk/docs/localplan/sd\\_010\\_richmond\\_local\\_plan\\_regulation\\_19\\_policies\\_map\\_december\\_2023\\_low\\_resolution.pdf](https://www2.richmond.gov.uk/docs/localplan/sd_010_richmond_local_plan_regulation_19_policies_map_december_2023_low_resolution.pdf)

- 2.9 As part of the 1998 planning permission granted to Fullerton Court (adjacent to Udney Park Playing Fields) a Section 106 Agreement was imposed to protect the Open Landscape of Townscape Importance (and now Local View) of Udney Park from the neighbouring residential streets. In the s106 Agreement parts of the boundary fence were required to be open iron railings with beech hedging limited to 900mm height behind to protect the openness. This s106 Agreement is still enforced on the current owner to protect the views from surrounding streets, as recently as 2024, by LBRUT.

**Recent Developments highlights the need for these three modifications to the Local Plan**

- 2.10 Udney Park was sold again on 4th August 2022 for £3.5m to a secretive offshore company based in the British Virgin Islands.
- 2.11 The present owner signalled to the Council in March 2023, some seven months after purchase, that it proposes to sell the Fields, triggering the six month “moratorium period” for this ACV. That moratorium period, during which an owner can sell only to an ACV-qualifying bidder (essentially a charity) expired on 15th March 2024. A charity, so an ACV-qualifying bidder, submitted a bid at playing field value but was rejected.
- 2.12 Against this background the Trust seek to remove any possible inconsistency in the status of the Car Park on UPPF by asking that it be designated as OOLTI and LGS as are the rest of the Fields. Udney Park has eight designations in the Local Plan, six are the entire site, two add unhelpful ambiguity by not applying to the Car Park. Extending OOLTI and LGS to include the Car Park are the first two of the three modifications proposed in this submission to the draft Local Plan.
- 2.13 The third proposed modification is regarding the nomination of Udney Park as a Conservation Area. As part of the draft Local Plan consultation process, the Trust nominated that the entire UPPF (including the Car Park) be designated as a Conservation Area (“CA”) and made a detailed submission including a peer-reviewed draft Conservation Area Appraisal to LBRUT in this regard in October 2022 (Appendix 4 attached). The need for extra protection of the heritage amenity is because all of Udney Park and the Pavilion are being intentionally neglected by the first and second speculative owner, a cumulative deterioration ongoing from 2014. The draft Conservation Area Appraisal was rejected out of hand by the Council at the Meeting of Environment, Sustainability, Culture and Sports Committee, on Tuesday, 17 January 2023. The Committee determined that the Council did not have resources to consider it, and that to include Udney Park in the review of Conservation Areas for the 2024 draft Local Plan would force another draft Conservation Area out of the 2024 draft Local Plan.

2.14 During the Consultation on Draft Conservation Areas Appraisals for Teddington and Hampton (between 20 June and 14 July 2022), the Council ran a "Teddington and Hampton Hill Draft Conservation Area Consultation Q&A Event" and posed three questions to the community: "Have we sufficiently identified what's special about your area. Have we identified all the risks or threats? Is there anything else about your area you want to tell us?". The Trust answered those questions with our draft Conservation Area Appraisal (Appendix 4). The Trust contends that this "one in one out" approach as a justification for refusing to assess the Udney Park draft Conservation Area Appraisal is a failure of the Council's duty to consult in good faith with the community during the Conservation Area section of this draft Local Plan cycle. The Committee Minutes from the Meeting of Environment, Sustainability, Culture and Sports Committee, on Tuesday, 17 January 2023 confirm the basis upon which this decision to exclude Udney Park Conservation Area nomination from this Local Plan cycle was taken.

In the event of officers agreeing that the (Conservation Area) criteria are met, it would be required to go through statutory public consultation before it came to committee for adoption, a process which would take six to nine months. This process would entail officer time being diverted from Appraisals which the Committee had previously agreed to resource and prioritise, including areas where appraisals are out of date and for areas which are facing development pressures, such as around East Twickenham; and also from designated Conservation Areas where there is currently no draft Appraisal.

The Chair clarified that Committee would need to vary the agreed Conservation Area work programme to consider this Appraisal for Udney Playing Fields as the resources available to the team are finite for a finite period.

Committee ended their discussions agreeing to look at including the suggested Conservation Area Appraisal for Udney Park Playing Fields at the end of the current programme, which runs until end of financial year 2023/24, noting that considering inclusion of the Appraisal at this time would require delaying other Area Appraisals which cover a large number of buildings where there are fewer existing protections.

Minutes of the Meeting of Environment, Sustainability, Culture and Sports Committee, on Tuesday, 17 January 2023 <https://cabnet.richmond.gov.uk/mgAi.aspx?ID=45567>

2.15 In conclusion, the history of public amenity protections of Udney Park is extremely hard fought. Speculators absorb Council resources defending public amenity in the Local Plan. The community response to consultations about the Udney Park Public Inquiry was the highest recorded of any controversial project in the Borough in the last 30 years.

## **END OF INTRODUCTION AND BACKGROUND PLANNING HISTORY**

The following Sections propose three Modifications to the Local Plan to address the issues of soundness and adequate consultation on the three key subjects raised in this submission

**1.OOLTI status extended to include the Cap Park**

1.1 There is some ambiguity about the OOLTI status of the Car Park. At the Public Inquiry in 2019 that Refused the Planning Application for Udney Park, the Council Planning Officers Witness Statement said the “entire” site is covered by OOLTI status. “Entire” would include the Car Park which was proposed to be built on in the Application. However, the current Proposals Map is unclear, in this map which introduces LGS into the adopted Local Plan, paragraph 2.2.2 states that “UPPF are already designated as OOLTI and benefit from designation as an Asset of Community Value”, but the Car Park is excluded from OOLTI and included in ACV.

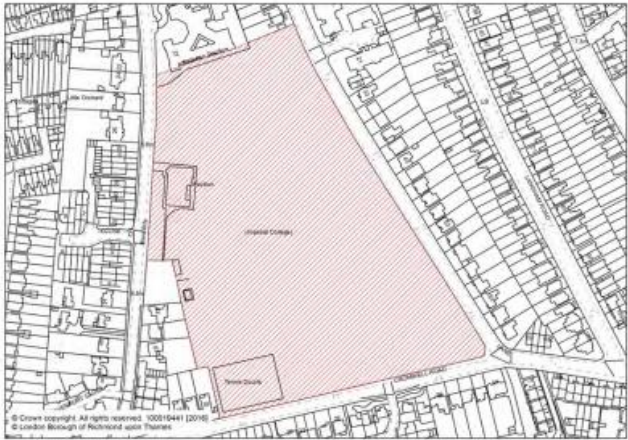
Proposals map Changes for Publication Local Plan

**Reason for change to Metropolitan Open Land**

2.1.2 Whilst the Council is not reviewing MOL or Green Belt boundaries as part of this Local Plan, this change was agreed by Full Council in March 2014, when approval was sought for publication, consultation and submission of the Publication Version of the Site Allocations Plan. At that time it was recognised and acknowledged that the cluster of buildings in the south-western corner of the site can be clearly distinguished from the predominately open character of the remainder of the site.

**2.2 Local Green Space**

2.2.1 Udney Park Playing Fields, Teddington are to be designated as Local Green Space as shown in the map below.



**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;

(Proposals Map Changes for the current adopted Local Plan).

- 1.2 The equivocal status of the Car Park is undesirable, and for the sake of clarity and soundness of the new Local Plan, the Trust submits that OOLTI status should be extended to the Car Park.
- 1.3 In further support of designating the Car Park as OOLTI, the draft 2024 Local Plan also contains a Supplementary Planning Document (SPD) on Local Views, and includes views across the entirety of the Fields as a “Local View”.
- 1.4 Crucially in this determination, the Local Plan Policy 14 Definition of OOLTI does not distinguish between green and non-green surfaces.

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.
- Value 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 and meets one of the above criteria.

(Draft 2024 Local Plan page 50, underline added for benefit of next paragraph)

- 1.5 At Udney Park, there is no difference in OOLTI qualification between the Car Park and the rest of the Park. At least two of the Local Plan Policy criteria for OOLTI are easily met by the Car Park and the rest of the Park. These two OOLTI criteria are confirmed by the two new Designation in the 2024 draft Local Plan, that are both for the entirety of Udney Park:
  - i) “immediate or longer views into and out of the site” are confirmed by the designation of a Prospect Local View in the 2024 Local Plan that is for the entirety of Udney Park, including the Car Park.
  - ii) “value contribution to a network of green spaces” are confirmed by the designation of a Site of Boroughwide Interest for Nature Conservation that is for the entirety of Udney Park, including the Car Park.
- 1.6 Given two of the OOLTI criteria are confirmed by complementary designations that cover the entirety of Udney Park Playing Fields, it follows that the entirety of Udney Park Playing Fields should be OOLTI. The Trust seek this change as a Minor Modification at the 2024 Local Plan Public Inspection.

- 1.7 The Trust submits that this matter is urgent, and should be addressed by the Inspector because Udney Park, as an ACV, has just entered a period of 12 months on 16th March 2024 where the owner is free to sell the Fields to an entity that is not a “Community Interest Group” (such as a charity) under the ACV legislation. The Trust considers that any ambiguity or inconsistency may lead to a third speculative owner of Udney Park denying the community this amenity for yet longer than the 10 years already lost and further wasting Council resources defending their Local Plan against future Policy-breaching Planning Applications.
- 1.8 The Trust accordingly submits that the ambiguity over the OOLTI status of Udney Park Playing Fields Car Park makes the draft Local Plan unsound and to remedy this, the Car Park should also be designated as OOLTI and that the Inspector should make the necessary Minor Modification to the Draft Local Plan to suit.

## **2. LGS status extended to include the Cap Park**

2.1 Udney Park was designated LGS following the High Court case after the last Local Plan Inspection removed the original proposed LGS designation in the 2018 draft Local Plan without consultation as part of Minor Modifications process. In the subsequent review by a second Planning Inspector, he decided that the Fields easily met the necessary criteria for LGS (see Background and Planning History above). The second Inspector stated:

*“To summarise, it is abundantly clear that UPPF meet the criteria for LGS designation set out in paragraph 77 of the Framework, on the basis of the evidence before me.”*

2.2 LGS is a designation akin to Green Belt and derives from the National Planning Policy Framework (“NPPF”) paragraphs 102-106. These were paragraph 76 and 77 of the previous NPPF. The Policy intent behind them has not altered.

2.3 The Trust submits that, although used as a car parking area as a necessary adjunct to the Fields’ main purpose as sports fields, the Car Park is open green space and has no “hard boundaries” to the playing fields area. Only 50% of the Car Park has loose gravel, the whole area including the Car Park is within the SINC area (see 2.9 in Background document above) and, if incorporated into the whole LGS area, the gravelled area would amount to a tiny proportion of the whole, as is clear from a cursory view of the aerial photo of Udney Park (see page 3 above).

2.4 In any event, “hard” landscaping is no bar to inclusion of the land as LGS as the Pavilion, a permanent brick structure, is within the LGS designation. Other LGS areas include features such as canal tow paths, which are mix of vegetation and harder materials.

2.5 The Trust accordingly submits that the ambiguity over the LGS status of Udney Park Playing Fields Car Park makes the Local Plan unsound, and to remedy this, the Car Park should also be included in the area designated as LGS and that the Inspector should make the necessary Minor Modification to the Draft Local Plan to suit.

### **3. Conservation Area**

- 3.1 In response to the public consultation the Trust submitted a comprehensive draft Conservation Area Appraisal to the Council on 17 October 2022 (Appendix 4). This document outlined the case for Udney Park to become a Conservation Area and the Policy justification for why the Council should collaborate with a recognized community body in the preparatory work for Conservation Area Appraisals.
- 3.2 The Trust had drafted the Udney Park Conservation Area Appraisal using LBRUT precedent style for Conservation Area Appraisals and had it peer reviewed by the London Historic Parks and Gardens Trust (as recommended by Council Officers) and also Stephen Levrant Heritage Architects. Both of these experts then endorsed the submission (see Section 3 of the submission itself in Appendix 4). The published guidance for Councils anticipates that local communities will provide active assistance in identifying possible Conservation Areas, and actively encourages them to carry out surveys and help the Local Authority prepare draft Appraisals. All this guidance to Councils about community involvement in the production of draft Conservation Area Appraisals is set out in the CA submission itself.
- 3.3 The Trust, mindful that resources are finite, not only carried out the necessary preparation work, but also completed a full draft Appraisal. The Council had invited community feedback on Conservation Area Appraisals at public events. The Trust reasonably expected that the draft Appraisal would be reviewed by LBRUT and accepted in full (as all the necessary work had already been carried out by the Trust and peer reviewed by the very body recommended to the Trust by Officers), accepted after modifications or rejected with reasons given for that rejection.
- 3.4 Officers said there was no capacity to review the Udney Park Conservation Area Appraisal without removing another Conservation Area Appraisal from the draft Local Plan. Despite a mail to the Councillors on 16 January 2023 from the Chair of the Trust (Appendix 5), the Committee rejected the draft Conservation Area Appraisal at its meeting on 17 January 2023 without assessing its merit.
- 3.5 The Trust argues that this “one in, one out” justification represents an unsound public consultation for the draft Local Plan and must be modified. Councils are encouraged in LGA Policy guidance to collaborate with community groups on preparing draft Conservation Area Appraisals. The Trust accordingly submits its third modification, that the entirety of Udney Park Playing Fields, including the Car Park, should be designated as a Conservation Area and that the Inspector should make the necessary Minor Modification to the Draft Local Plan to suit.



## Appendix 1

JLL issue update to Planning Brief after misrepresenting their meeting with LBRUT Planning Officers after an instruction by the then disposing owner, ICL

18<sup>th</sup> March 2015

### Planning Position Statement update

Imperial College London  
Teddington Sports Ground



Imperial College  
London



## Planning Position Statement update

### Introduction

This update note has been produced by JLL on behalf of Imperial College London ('Imperial'), further to the Planning Position Statement produced by JLL earlier in March 2015.

The purpose of this update note is to summarise JLL's understanding of London Borough of Richmond's (LBR) planning policy position following a further pre-application meeting with LBR officers.

This update note should be read in conjunction with the original Planning Position Statement, which sets out the opportunities for the site's development. These are the views of JLL and have not been endorsed by LBR.

### Planning Policy Overview

Teddington Sports Ground is protected from future development as it is allocated as 'Other Open Land of Townscape Importance' under Policy DM OS3 of the Development Management Document. This Policy allows development subject to three criteria being taken into account:

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; and
3. In addition to 1 or 2, it does not harm the character and openness of the open land.

This site specific policy is also supported by local, regional and national policy directives which seek to protect open land, playing pitches and recreational facilities from development. In light of this policy, LBR is likely to have an in principle objection to any form of development at the site unless it meets the above criteria.

LBR is in the process of producing a new Playing Pitch Strategy which is expected to be published in May 2015. The Playing Pitch Strategy will analyse the specific needs and opportunities in LBR according to the current and projected future population size and the existing open spaces and sport facilities within the borough. Whilst this document is only in draft form and has yet to be adopted, the assessment includes Teddington Sports Ground. The assessment indicates that the facilities at Teddington Sports Ground should be retained in their entirety as there is a strategic need for sports and recreational facilities in this area.

LBR would be required to consult statutory bodies as part of any planning application. This would include Sport England, who would also have an in principle objection to the loss of playing pitches.

Any form of development, with the exception of that meeting the criteria in Policy DM OS3, is likely to be unacceptable to LBR in this location. In this respect, LBR may consider that the loss of playing pitches and recreational space would not outweigh the benefit of opening up the facilities to the local community (which is currently restricted). If the case were put forward, LBR is likely to consider that the circumstances would have to be exceptional to allow the irreversible loss of an area of 'Other Open Land of Townscape Importance'.

### Other considerations

A key consideration for LBR would be the intensification of vehicular movements at the site and any scheme would need to demonstrate that it would not lead to an unacceptable increase in traffic.

LBR published an 'Older People's Supported Accommodation Review' in March 2008. This document demonstrated that there is adequate provision for Care Homes in LBR. The report factored in growth so LBR is likely to be of the view that there is no identified need for additional Care Homes in LBR.

Further, in the unlikely event that LBR were to consider residential forms of development on site acceptable, LBR's preference is likely to be for affordable housing.

## Appendix 2

Savills Brochure April 2021



### FORMER IMPERIAL COLLEGE PRIVATE GROUND Udney Park Road, Teddington, TW11 9BG

For Sale - A Unique South West London Development & Investment Opportunity



Former Imperial College Private Ground Udney Park Road, Teddington, TW11 9BG

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#### OPPORTUNITY SUMMARY

A unique opportunity to purchase a significant landholding in The London Borough of Richmond upon Thames with both development and investment potential.

The key highlights of this rare opportunity are as follows:

- The site will be sold freehold with an ability to secure vacant possession.
- Located in the heart of Teddington, the site benefits from good transport links and access to the local amenities on Teddington High Street, green open spaces and The River Thames
- The broadly rectangular site extends to approximately 5.19ha (12.84 acres)
- The site is currently in use as sports playing fields, alongside a pavilion building, car park and tennis courts.
- The existing pavilion extends to approximately 712 sq m GIA (7,663 sq ft) and is configured as changing room facilities on the ground floor, with a C3 residential apartment on the first floor.

#### LOCATION

This south west London site falls within the jurisdiction of London Borough of Richmond upon Thames.

The Site is accessed from Udney Park Road which connects Teddington High Street in the north to Cromwell Road in the south. The surrounding area is predominantly residential, providing a mixture of terraced and detached housing. Teddington High Street is 160 m (0.1 miles) north of the site and offers a range of local & independent retailers, food stores, restaurants and cafes. Bushy Park is 950 m (0.6 miles) south west of the site and provides in excess of 1,000 acres of green space and waterways.

The transport connections are good. Teddington Station (South Western Railway) is located 600 m (0.4 miles) west of the site, providing services to Clapham Junction (25 minutes), Vauxhall (30 minutes) and Waterloo (35 minutes). There are a number of nearby bus routes providing services to Richmond, Kingston, Twickenham, Heathrow and Croydon. The site has a PTAL rating of 2. (Source: TfL).

Teddington is an affluent south west London centre, popular with families and couples due to the good local state and independent schools, proximity to the river, large open spaces and the local leisure and retail amenities.

#### DESCRIPTION

The broadly rectangular site extends to approximately 5.19 ha (12.84 acres) and is largely green open space in use as sports playing fields. A sports pavilion, which is not currently in use, is situated on the western side of the site adjacent to the car park. There are three tennis courts situated in the south western corner of the site.

The site is currently designated as an Asset of Community Value (ACV).



### TOWN PLANNING

A planning application was made in 2018 (Ref:18/0151/FUL) for an extra-care community and GP surgery, with new public open space and improved sports facilities. The application proposed extensive redevelopment of the site, which was refused, appealed and then dismissed.

The planning inspector commented that the very special circumstances necessary to justify the development were not met.

Most of the site is designated as Local Green Space and Other Open Land of Townscape Importance.



Proposed site layout of refused scheme (Ref:18/0151/FUL)

### DEVELOPMENT POTENTIAL

Whilst an extensive redevelopment of the site is an unlikely outcome under current planning policy, we believe there is an argument for some redevelopment on the existing car park and pavilion building.

We also believe that there is an opportunity for further commercialisation of the existing playing fields, which are currently not accessible to the public. Uses such as horse riding, allotments, temporary event spaces and intensifying the existing use as sports facilities, subject to obtaining the necessary consents where required.

### Car Park Site

The car park is free from the policies applied to the wider site and we therefore consider it to be a feasible development proposition. The proposals for this element of the site in the failed application were for a 3 storey block containing 9 apartments. The site measures approximately 0.09 ha (0.22 acres). The Planning Inspector was satisfied that the proposals would not result in an overbearing effect for nearby residents and that the design would not be harmful out of keeping with the area.

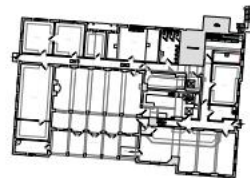


View looking north west from the south eastern corner of the car park site

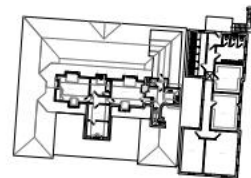
### Pavilion Site

The existing pavilion building is included in the 3 key policy allocations (Local Green Space, Other Open Land of Townscape Importance and Asset of Community Value) and plays an important role as an accompanying use to the playing fields. We believe there is an enabling development argument for the redevelopment of the pavilion, funded through development on and around the car park and pavilion sites. Any redevelopment will be subject to agreement with the LPA.

The existing pavilion extends to approximately 712 sq m G/A (7,663 sq ft) and is configured as changing room facilities on the ground floor, with a C3 residential apartment on the first floor.



Existing Pavilion Ground Floor



Existing Pavilion First Floor



Existing South West Elevation



Existing South East Elevation



Existing East Elevation



Existing North Elevation

Existing Pavilion Elevations



**METHOD OF SALE**

The site will be sold by way of informal tender (unless sold prior). Offers are invited on an unconditional basis.

**VAT**

We understand the site is not elected for VAT

**TENURE & TITLE**

Freehold (Title no. MX50258)  
 Sold subject to existing lease. Vacant possession can be secured with six months notice.  
 Lease and Title documentation can be found in the data room.

**VIEWINGS**

Interested parties wishing to view the site are asked to provide prior notification to the sole selling agents

**FURTHER INFORMATION**

A dedicated project room has been set up at and interested parties are able to register at: <https://sites.savills.com/Teddington/>

**CONTACT**

For further information please contact:

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 020 7409 8114

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 020 7409 5987



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## Appendix 3

### Letter from Paul Chadwick to Savills

Official



Paul Chadwick  
Director of Environment and Community Services  
Email: [REDACTED]

FAO Robert Pollock  
Email: [REDACTED]

19 July 2021

Dear Rob

**Former Imperial College Private Ground, Udney Park Road, Teddington, TW11 9BB**

I refer to our previous email exchange on 28 June 2021 and regarding your marketing information for the Former Imperial College Private Ground, Udney Park Road, Teddington.

Following your confirmation that you would be happy to speak to Robert Angus, Head of Development Management, over our concerns with the released marketing information, I note that you subsequently cancelled that meeting. I understand this was on instructions from your client and we've had no contact from you since. This is particularly disappointing in the light of the level of public concern about the future of the site.

Given the lack of engagement prior to, and since, the publication of your current marketing details I have therefore chosen to write to you as a matter of public record and as follows:-

You have made the following statement:

*"The planning inspector commented that the very special circumstances necessary to justify the development were not met. In other circumstances, development of playing fields or urban green space has been justified through the public benefit that such development might enable. Redevelopment of the existing car park and pavilion lots would appear warranted if linked to improvements to the existing facilities, but partial development of the wider property may also be justifiable. Further commercialisation of the existing playing fields would also appear possible."*

I do appreciate that you have stated that interested parties should form their own opinion and take professional advice; however, I want to point out the following pertinent information about that statement.

Although the car park is excluded from the Local Green Space (LGS) and Other Open Land of Townscape Importance (OOLTI) designations, the pavilion is not. The Planning Inspector stated in the appeal decision that in the case of OOLTI, if not related to the functional use of the site, future development would be restricted to the replacement of or minor extension to existing built facilities and must not harm the character and openness of the land. This was reinforced by the LGS designation, which requires a similar approach to that for Green Belt land in relation to preserving openness. Whilst this does not rule out some form of development related to the pavilion, in my view it would severely restrict such development.

[www.richmond.gov.uk](http://www.richmond.gov.uk)

London Borough of Richmond upon Thames  
Civic Centre, 44 York Street, Twickenham TW1 3BZ  
Tel 020 8891 1411 Fax 020 8891 7703

Both the car park and the pavilion are included in the Asset of Community Value designation, which resists the loss of social or community infrastructure and is underpinned by planning policy. I therefore find it difficult to see how development of the car park and pavilion, which provide the only significant on-site parking and the only changing room facilities for the site, could be justified in relation to the retention of existing social/community infrastructure which serves the local community and, indeed, is very much valued.

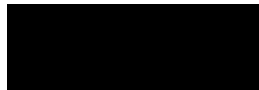
The rest of the site is covered by all three designations and what must also be taken into account is the conclusion of the recent appeal decision, which stated that the whole of the appeal site represents a playing field in an area where there is shown to be a deficit against Policy LP 31 of the Local Plan, indicating that playing fields will be protected and where possible enhanced. I therefore consider that your suggestion that partial development of the wider property may be justifiable is unrealistic, to say the least.

It is also relevant to your proposition of the possibility of further commercialisation of the existing playing fields that the Planning Inspector found that the effect of the permanent floodlights as proposed would have a harmful effect on local character. The all-weather pitch and other formal sports uses were found to result in harm to the living conditions of the occupiers of neighbouring properties. Mitigation in the form of acoustic barriers, which should be provided, may have reduced these effects for some occupiers, but this would not be possible for all. To avoid adverse effects, the Planning Inspector concluded the end of the operational hours should be brought forward to 2100 hours. The effect of these works and other paraphernalia was viewed as being substantially harmful to the collegiate character of the area. The increased sporting development, including permanent lighting, was also considered to be significantly harmful to protected species, bats and to the overall connectivity between habitats in the area.

The caretaker's flat is not considered to be an independent Class C3 (residential) use, it has always been an ancillary use to the overall site.

I would be grateful if you would, in the interests of openness and transparency, provide this letter to interested parties alongside a copy of the Planning Inspector's decision letter which we regard as being very comprehensive and thorough. In that way there can be no misunderstandings arising in future from any potential buyer claiming that they were unaware of the challenges to any future development of this site.

Yours sincerely



Paul Chadwick  
Director of Environment and Community Services  
London Borough of Richmond-upon-Thames



## Appendix 4

Trust Submission for Udney Park Playing Fields to become a Conservation Area

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### Draft Conservation Area Appraisal for Udney Park

As part of the Richmond Council 2022 Conservation Area Public Consultation held in June/July 2022 a new Conservation Area for Teddington was nominated

The Teddington Society and the Udney Park Playing Fields Trust have combined to represent the community interests on numerous matters relating to Udney Park.

17th October 2022

This submission carries three Sections:

1. Policy rationale:
    - a) for community involvement in the preparation of a Conservation Area Appraisal, and
    - b) the justification for Udney Park becoming a Conservation Area.
  2. Draft Statement of Significance and Conservation Area Appraisal
  3. Peer Review endorsements of the Conservation Area Appraisal from London Gardens Trust and Levrant Heritage Architects
-



## **Section 1. Policy rationale for community involvement in:**

### **a) the Conservation Area Appraisal and**

### **b) the justification of Udney Park becoming a Conservation Area.**

Prepared by The Teddington Society and the Udney Park Playing Fields Trust, this combination of Interested Parties was recognised by the Planning Inspector as representative of the community as a Rule 6 Party at the Public Inquiry and in the determination of Local Green Space (“LGS”).

“The LGS designation was suggested by the Teddington Society and the Friends of UPPF who can, in my view, be taken to represent the local community”, para 33.

[https://www.richmond.gov.uk/media/18608/lbrut\\_redetermination\\_final\\_report.pdf](https://www.richmond.gov.uk/media/18608/lbrut_redetermination_final_report.pdf),

The Conservation Area Appraisal has been peer reviewed by Levrant Heritage Architects and the London Gardens Trust, independent subject matter experts.

This document accompanies the draft Conservation Area Appraisal for Udney Park War Memorial Playing Fields and makes the case, in Local and National Policy terms, that:

- a) the Council has an obligation to “protect, preserve and enhance war memorials” through

the deployment and enforcement of heritage listings,

- b) that communities have the right to nominate Conservation Areas and that LPAs are encouraged to collaborate with communities to produce Conservation Appraisal Areas,

- c) that Udney Park Playing Fields and the Pavilion are interdependent functioning heritage assets that are part of single War Memorial,

- d) Udney Park is a “significant” candidate for the Conservation Area Appraisal attached, that it is “at risk of neglect”, though has potential for “conservation and enjoyment”, which are the key National Planning Policy criteria.

## **Background**

1. The Udney Park Pavilion is a non-designated heritage asset. In Richmond this local listing is called a Building of Townscape Merit. The Historic England listed War Memorial is the “War Memorial Grounds”, which means the Pavilion and Playing Fields are a living, functioning commemoration of WW1 and WW2, and in particular the fallen from Merchant Taylor’s School and St Mary’s Hospital Medical School. The “War Memorial” as funded by its original donor intends not just a static edifice as a silent reminder of the fallen but includes the active playing of sports on the Fields themselves as the act of remembrance of those who did not return to play sport again.
2. The Richmond Local Plan has a presumption towards protecting the settings of heritage assets, hence the Playing Fields are themselves worthy of a heritage protection status. Udney Park Playing Fields are listed by the London Gardens Trust, further independent evidence of their heritage value. Udney Park has also been accepted for Historic England to join the Greater London Heritage Environment Register. [Udney Park War Memorial Playing Fields \(londongardenstrust.org\)](http://www.londongardenstrust.org).
3. The adopted Richmond Local Plan is clear that the settings of heritage assets will be “preserved, and where possible enhanced”, a commitment which applies to “particularly war memorials”.

#### **Policy LP 4 Non-Designated Heritage Assets**

The Council will seek to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit, memorials, particularly war memorials, and other local historic features.

[https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf)

#### **Involvement of the Teddington Society and the Udney Park Playing Fields Trust**

4. Communities have a right in Policy to nominate heritage assets, propose Conservation Areas and collaborate on the production of Conservation Area Appraisals, in addition to consultation rights.

There are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes and conservation area appraisals and reviews. Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence.

(<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>, para 40)

“An initial consultation exercise could ask residents and local businesses, amongst other things, to identify a feature of the area that should be given particular consideration for conservation in decision-making, or to identify an issue they feel has detracted from the area’s historic character in the recent past.” <https://historicengland.org.uk/images-books/publications/neighbourhood-planning-and-historic-environment-advice-note-11/heag264-neighbourhood-planning-and-historic-environment-2nded/>, para 35

“New conservation areas .....may be identified in a number of ways, including:...local communities ...identifying areas which have a special interest and character or appearance possibly meriting consideration for designation by the LPA.

“Appraisals are often prepared by LPAs but partnership with local communities and local community bodies is increasingly being found useful in such work”

“Local communities will also be helpful in providing proactive assistance in identifying the general areas that merit conservation area status” <https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/heag-268-conservation-area-appraisal-designation-management/>, para 14, 20 and 28

5. The nominee understands that the Council has many priorities, and that Local Plan preparation is resource intensive. LPAs are encouraged in Policy to willingly accept the assistance offered by communities in plan making and specifically in Conservation Area nominations and appraisals.

“In terms of the cost of preparation, integrating proposals..... for local plan preparation and conservation area appraisals minimises costs. Community engagement can support the LPA in gathering the requisite information and increase 'ownership' of the emerging designation. In some circumstances concerned residents’ associations and amenity societies have contributed to the cost of surveying areas and preparing reports.

“Communities can also undertake a great deal of the survey work to identify features that contribute to the area’s character or appearance, particularly where appraisals are initiated by local groups. From their survey data, they can help the LPA develop a full appraisal in draft form. They can carry out conservation area reviews ...and celebrate the special interest of their area”

<https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/heag-268-conservation-area-appraisal-designation-management/>, para 7 and 28

6. Having established in paragraphs 4 & 5 that a collaborative approach to Conservation Area Appraisal is justified and positively encouraged in Policy Guidance, it is then necessary to consider what Policy Based criteria does the Appraisal have to meet to enable Udney Park to be designated a Conservation Area?

### **Policy based Criteria for Conservation Area**

7. The Policy has two broad tests as defined in the first sentence of the National Planning Policy Framework (“NPPF”) para 190, and Udney Park should be tested against both of these:

“Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.” <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

### **NPPF Test: is there a “positive strategy for conservation and enjoyment of the historic environment?”**

8. Udney Park is an Asset of Community Value (“ACV”), and as such it enjoys special status intended to protect the ACV if it is sold. If a “Qualifying Bidder” expresses an interest in purchasing the ACV then a moratorium period is imposed during which period the ACV can be sold only to a Qualifying Bidder, although there is no requirement in English Law for the owner to sell to that bidder. Such a bidder, the Udney Park Community Fields Foundation, has emerged and proposed not only a purchase proposal which would require no capital contribution from the Council, but also a regular and viable business plan which would return all of the Fields to sporting use by local clubs and at no revenue cost to the Council.

9. The “positive strategy” should consider heritage and the other criteria in NPPF para 190 b). The Foundation shows Udney Park has a viable future providing “social, cultural, economic and environmental benefits” as a community playing field and social hub, and also a Site of Boroughwide Importance for Nature Conservation, bringing environmental benefits. That test is already met by the Council’s own assessment and confirmation that Udney Park “serves the social-wellbeing of the community”, the definition of an Asset of Community Value (ACV). The status of Udney Park as an ACV was established in 2016 and renewed through a new assessment in 2021 by LBRUT.

- “a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
  - c) the desirability of new development making a positive contribution to local character and distinctiveness; and
  - d) opportunities to draw on the contribution made by the historic environment to the character” <https://www.gov.uk/government/publications/national-planning-policy-framework--2>, para 190

10. There is a Management Plan in the Conservation Area Assessment that refers to the operating model proposed by the Foundation, developed with input from Sport England and endorsed by Sport England and the three primary pitch sport National Governing Bodies. This Management Plan shows that Udney Park could thrive if conserved as a community asset operating as a War Memorial Playing Field, as its donors intended in 1922 and 1937. If the heritage of Udney Park is preserved then Udney Park has the potential to be a viable not-for-profit operation meeting community needs, per HMG Policy Guidance:

It is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in unnecessary harmful changes being made to the asset. <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>, para 15

11. To conclude, paragraphs 8-10 show that Udney Park clearly meets the first test in NPPF para 190 test of a “positive strategy for enjoyment” to bring “wider social, cultural, economic and environmental benefits”. Hence, given the potential of Udney Park to serve unmet community demand in the Local Plan every effort to “preserve and where possible enhance” (per Richmond Local Plan Policy LP4) should be made by the LPA, in collaboration with the community.

**NPPF Test: is the “heritage assets at risk through neglect, decay or other threats?”**

12. Udney Park is demonstrably “at risk through neglect, decay or other threats”, and the evidence is set out below and in more detail in the draft Conservation Area Appraisal. There can be no serious debate that the Playing Fields are presently being neglected and allowed to decay. The pavilion is already in a parlous state and has been subject to vandalism and will require much expenditure to bring it back to a state where it can be used and meet the minimum welfare standards of Sport England and the National Governing Bodies. The overwhelming majority of the playing fields themselves are also in a state of unkempt wilderness, with the once proud cricket square indistinguishable from the rest of the unmown grass, 1m high weeds and unmaintained boundaries. It is impossible to tell that barely 10 years ago the ECB invested £10,000 on upgrading the cricket square.
13. It is disappointing that through the ACV disposal process a non-compliant ACV bidder recently acquired Udney Park, so the Park continues to deteriorate in the ownership of speculators who restrict access. However, the status of public access is irrelevant to the Conservation Area analysis. The Park was widely used from its opening until 2021 (although less so since its sale in 2015). Udney Park played a key role in the pandemic as open space. It has the potential to be available for structured sports (as intended by the original donors of the War Memorial Grounds) and casual visitors once again.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>, para 13

14. Historic cricket pavilions have been lost to fire at Twickenham CC and Hampton Hill CC, further evidence that Udney Park is at risk. That the Park is currently held in private ownership that appears intent on pursuing a policy of “neglect” through attrition with the Council and allowing the Park and Playing Fields to fall into a state of disrepair, increases the Council’s obligation to “conserve”.

Disrepair and damage and their impact on viability can be a material consideration in deciding an

application. However, where there is evidence of deliberate damage to or neglect of a heritage asset in the hope of making consent or permission easier to gain the local planning authority should disregard the deteriorated state of the asset in any decision.

<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>, para 14

15. As the Park was largely abandoned by the previous owner it attracts regular anti-social behaviour. Udney Park is a heritage asset under immediate threat from vandalism, lack of security and maintenance and has been the subject of regular Police call outs. The fabric of the Pavilion has been damaged by regular graffiti and damage to the roof caused by people accessing the building from the first floor, which has allowed the elements in through the gaps in the waterproof envelope of the building.
16. The longer-term threat is exacerbated by an absent new owner, who since August 2022 has failed to confirm that it has no speculative intentions that conflict with the preservation of the heritage of the Udney Park. This owner is a property “investment management” vehicle registered in the British Virgin Islands and based in Chongqing, China and to date has failed to engage at all with local stakeholders.
17. To conclude, paragraphs 12-16 show that Udney Park clearly meets the second NPPF test in the opening part of NPPF para 190 to “include heritage assets most at risk through neglect, decay or other threats”.
18. Combining the evaluation of community benefit in paragraphs 8-11 and evaluation of the threat to the heritage asset in 12-17, both the of the tests in NPPF paragraph 190 are met comfortably in the Conservation Area Appraisal.

#### **Further Relevant Documents from Historic England**

19. To explain the NPPF paragraph 190 definitions, Historic England produce specific guidance for Plan Makers for Conservation Area Appraisal Designation Management. The attached Appraisal also demonstrates that Udney Park meets the key criteria for a “positive strategy” towards Conservation Areas because it is evidently “at risk of decay” although it retains value as a heritage asset with potential for “positive use ..to improve the vitality of areas” (see HE definition of a “positive strategy” below).

The potential for the conservation of Udney Park to “improve the vitality of the areas” is embodied in:

- a) its Asset of Community Value status which means it is legally recognised to have potential to serve the “social well-being of the community” by Richmond Council themselves, and
- b) its Local Green Space status, where Inspector Griffiths concluded “it is abundantly clear that UPPF meet the criteria for LGS designation”, they are “demonstrably special to the community”.

[https://www.richmond.gov.uk/media/18608/lbrut\\_redetermination\\_final\\_report.pdf](https://www.richmond.gov.uk/media/18608/lbrut_redetermination_final_report.pdf), para 45

The Historic England Conservation Area Appraisal, Designation and Management advice note states:

“When considering what a ‘positive strategy’ will include for conservation areas it is recommended that the following points are considered: Which conservation areas are most at risk of decay, neglect or other threats and how should these be addressed by specific policies to encourage positive use of buildings and spaces and improve the vitality of areas and support necessary controls such as Article 4 directions where required?” <https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/heag-268-conservation-area-appraisal-designation-management/>, para 83

20. Udney Park clearly meets the key criteria for a “positive strategy” for the conservation and enjoyment of the historic environment. Having established in the draft Conservation Area Appraisal that Udney Park meets the tests defined in the NPPF and clarified by Historic England, the decision-making body is LBRUT. The Richmond Local Plan LP4 refers to “significance”. Is the Park and Pavilion in combination a “significant” heritage asset worthy of Conservation Area status as a complement to the Building of Townscape Merit status of the Pavilions? This peer reviewed Analysis makes the significance clear.

21. Historic England submissions to the LGS Public Consultations define the whole Park and Pavilion are a single functioning War Memorial that is a heritage asset of “considerable interest”. The term “the site” is specified by Historic England as the “practical, functional War Memorial” consisting of the Park and the Pavilion requiring protection as a Heritage Asset, enhanced by its purpose and “pattern of use” as a functioning War Memorial Ground:

As a practical, functional War Memorial donated by Lord Beaverbrook, the site certainly does have historic interest and in our view would constitute a non-designated heritage asset. The site does make a positive contribution to the local character of the area and is evidently of considerable interest to the local community. (Historic England submission to LBRUT)

Assessment should key attributes of the heritage asset itself and patterns of use  
<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets>, page 26

22. The Planning Inspector in the Local Green Space determination also confirms the heritage significance and overall significance across all the of the Local Green Space criteria.

“There is abundance of evidence to show that the UPPF have historic significance”, (para 41).  
“There is more than enough evidence before me to show that the UPPF are demonstrably special to the local community and hold a particular significance.” (para43).  
[https://www.richmond.gov.uk/media/18608/lbrut\\_redetermination\\_final\\_report.pdf](https://www.richmond.gov.uk/media/18608/lbrut_redetermination_final_report.pdf)

23. Udney Park and Pavilion was opened as the War Memorial Ground almost 100 years ago, on November 25<sup>th</sup>, 1922, by Viscount Cave of Richmond. That commemoration is inherently additional “significance”, enhanced by the Pavilion design by a prominent architect at the time and the Pavilion featuring in the 1924 Royal Academy Summer Exhibition, evidenced in the Conservation Area Appraisal. Historic England provides clear Planning Guidance about the enhanced significance and “Conservation and Management of War Memorial Landscapes”, the following points are particularly relevant to the Conservation of Udney Park:

**“The aim for all memorial landscapes is to ensure the dedication is honoured and conserved.**

### **Key Steps**

The aim of conservation is to preserve the historic significance of the design and its original features, and to improve the condition and long-term management of the site so that future generations can continue to enjoy and appreciate it. (page 3)

**Local Lists.** As well as the national designations, war memorial landscapes could also be included in local authority non-statutory local lists. (page 14)

### **Conservation Areas**

War memorials can also be included in Conservation Areas designated by LPAs (page 14)

### **Statement of significance**

All memorials have inherent significance due to their commemorative purpose. However, some memorials will have a higher level of significance because they are the work of a noted landscape designer, architect or surveyor or include works by a sculptor or artist, or they are a significant example of national interest. (page 28)

### **Protecting sites**

Memorial landscapes are often prime sites for re-development. It is important that they are adequately protected against inappropriate development and that the community is given an opportunity to comment on all plans. Memorial landscapes may be protected by statutory designations and/or by a charitable status. (page 38)“

<https://historicengland.org.uk/images-books/publications/conservation-management-war-memorial-landscapes-updated/heag005-war-memorial-landscapes/>

### **Conclusion**

24. It is encouraged in Policy that LPAs work with communities to produce Conservation Area Appraisals, before they are assessed. The Udney Park Appraisal has been produced by a recognised “Rule 6” Party and independently peer reviewed by London Gardens Trust and Levrant Heritage Architecture. Udney Park Playing Fields clearly surpasses the required criteria to be classified as a Conservation Area. It is recommended that the Council instigate the necessary process, including any public consultations, to designate the Udney Park War Memorial Playing Fields as a new Conservation Area in the Borough. This status should be enacted with urgency given the immediate threat to Udney Park.

## References

National Planning Policy Framework

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Historic Environment Planning Policy Guidance

<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>

LBRUT Local Plan

[https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf)

Determination of Local Green Space status for Udney Park by the Planning Inspectorate

[https://www.richmond.gov.uk/media/18608/lbrut\\_redetermination\\_final\\_report.pdf](https://www.richmond.gov.uk/media/18608/lbrut_redetermination_final_report.pdf)

Historic England The Settings of Heritage Assets

<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets>

Historic England Conservation and Management of War Memorial Landscapes

<https://historicengland.org.uk/images-books/publications/conservation-management-war-memorial-landscapes-updated/heag005-war-memorial-landscapes/>

Historic England Neighbourhood Planning and Historic Environment

<https://historicengland.org.uk/images-books/publications/neighbourhood-planning-and-historic-environment-advice-note-11/heag264-neighbourhood-planning-and-historic-environment-2nded/>

Historic England Conservation Area Appraisal Designation Management

<https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/heag-268-conservation-area-appraisal-designation-management/>



## **Section 2. Statement of Significance and Conservation Area Appraisal**

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### **1. Summary of special architectural and historic interest of the conservation area.**

Udney Park War Memorial Playing Fields (“Udney Park”) consists of 13 acres of grass playing fields, bounded by some open iron railings to allow views across the Park. There are mature trees around the boundary. The built environment consists of two adjacent but structurally independent Pavilions, one opened in 1922 and one opened in 1965, 3 tarmac tennis courts and 2 cricket nets. Udney Park is listed on the official register of War Memorials recognized by Historic England, number 223923, protected by the London Gardens Trust and accepted for inclusion by Historic England on the Greater London Historic Environment Register. The surviving 1922 Pavilion has special architectural significance, having featured in the 1924 Summer Exhibition at the Royal Academy as “a special example of its type”. The Pavilion is now a Building of Townscape Merit since its designation in November 2021.

Udney Park Playing Fields, tennis courts and Pavilion were opened by local MP and WW1 Home Secretary Viscount Cave of Richmond as the “War Memorial Grounds” on November 25<sup>th</sup>, 1922. The Park was funded by donations raised by a dedicated War Charity to open a memorial ground in memory of the fallen from Merchant Taylors School. The Charity bought the land in use at the time as allotments which meant it had been protected from development when the railway arrived. The construction of the Pavilion was funded by a loan from the RFU. In 1937 Lord Beaverbrook, the only man to serve in both wartime cabinets, donated Udney Park to St Mary’s Hospital Medical School. Eminent sports people are connected with Udney Park, for example Ronald Cove-Smith who captained the British Lions Tour in 1924 whilst playing club rugby at Udney Park and Sir Roger Bannister who was a St Mary’s Medical School student when training for and running the 4-minute mile.

In February 2020 a Planning Inspector, when granting Local Green Space status on Udney Park, confirmed the significant historic interest:

41. Turning then to the second criterion, there is an abundance of evidence to show that the UPPF have historic significance: the site has associations with significant sporting figures, notably Sir Roger Bannister; the site was donated by Lord Beaverbrook, an important historical figure, in 1937; and while the memorial carrying their names may have gone, the War Memorial Pavilion was built from 1919 as a tribute to fallen fathers from Merchant Taylor’s School. Furthermore, Udney Park itself was opened by Viscount Cave in 1922 and dedicated as a War Memorial.



Figure 1 Pavilion. To the left is the original Pavilion opened in 1922. To the right is the second Pavilion added in 1965 (2014 condition)



Figure 2 Aerial view of Udney Park looking North

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## 2. Introduction

Further to the Conservation Appraisal public consultations in mid-2022 the local community decided to review the case for a Conservation Area on a new location not in the Council's earlier proposals. Udney Park has been under threat since 2015 when it was sold to the private sector for the first time since opening in 1922 . In the 7 years of private ownership Udney Park survived a Public Inquiry that would have destroyed the heritage, ecology and function of the Park had Permission been granted. The Council, community groups and sport Governing Bodies, backed by Sport England, Natural England and Historic England have all contributed to the preservation of the potential of Udney Park to serve our community. Udney Park is one of the highest profile issues in the Borough, measured by responses to public consultations. The demand from nomadic clubs for playing pitch space and the respect for Udney Park as War Memorial Ground means that local sentiment towards preserving the Park for "conservation and enjoyment" is high.

Udney Park has changed ownership again in August 2022, the original UK-based speculator has now sold the Park to a company registered in the British Virgin Islands and based in China. The condition of the Park continues to deteriorate though some of the playing field is still used for public recreation as a training location for a local rugby club and the tennis courts are open and managed by Tennis for Teddington.

In response to the notification by the previous owners to Richmond Council in February 2021 that the Park was available for sale, obliged in the Localisation Act for an Asset of Community Value ("ACV"), an ACV compliant-bidder emerged called the Udney Park Community Field Foundation (the "Foundation"). The emergence of such a funded and credible bid is the intended legislative consequence of the six month moratorium on a sale that is part of the Act. Sadly, the estate agency selling Udney Park and the previous owners refused to engage with the Foundation despite the prompting of Munira Wilson MP.

The Foundation has achieved complete unity of the local community clubs and has the backing of all the professional rugby clubs in the Borough. The Foundation has a Management Plan developed in detail with Sport England, the RFU, the FA and the ECB. This Management Plan shows a viable future for Udney Park as a Not-for-Profit community asset serving local demand without the needs for public subsidy of running costs, exactly as the ACV legislation intends. The Foundation and their Management Plan is also committed to protecting the heritage and ecology of the Park.

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### 3. Planning Policy Context

The Planning Policy designations underpin the significance of Udney Park.

The National Planning Policy Framework paragraph demands that:

“Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.” (NPPF paragraph 190)

Udney Park is at risk of further decay as its current owners are opaque and absent. However, there is a positive strategy for the management and conservation of Udney Park in Section 7 (below) .

Udney Park is recognised with several statutory designations which underpin its significance to the community:

- it is an Asset of Community Value as it “serves the social well-being of the community”, confirmed by LBRUT in 2016 and 2021.
- it is a Local Green Space as it is “demonstrably special to the community” due to its heritage, playing field capacity and ecology, confirmed by the Planning Inspectorate in 2020.
- the Pavilion is a Building of Townscape Merit, confirmed by the Council in 2020.
- it is a Site of Boroughwide Importance for Nature Conservation in the draft Local Plan.

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### 4. Location and Setting

Udney Park Conservation Area is the largest area of green space in central Teddington, consisting of 13 acres. Udney Park is bounded by Fullerton Court, Udney Park Road, Cromwell Road and Kingston Lane and all four of these roads enjoy uninterrupted views across the Park, designated as an Other Open Land of Townscape Importance. Udney Park has been used as a playing field for pitch sports and tennis courts for 100 years. The general condition has been allowed to deteriorate due to neglect by speculative private owners, though Udney Park retains potential to serve the community if conserved.

Location OS Sheets: 1671



Figure 3 Map showing Teddington in wider context

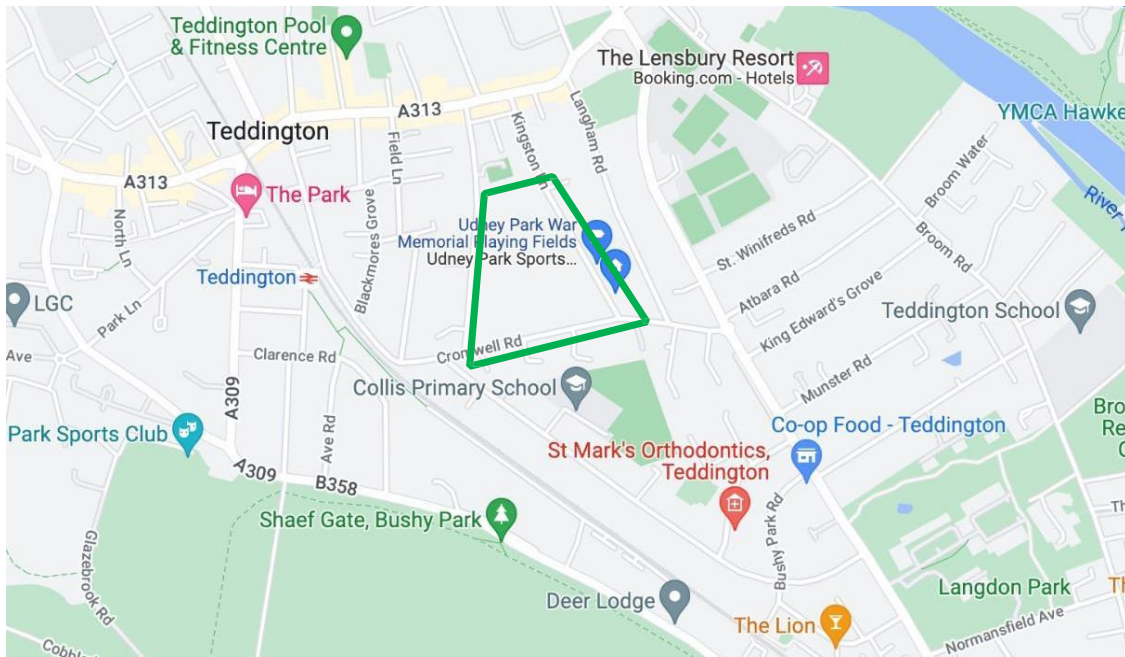


Figure 4 Focused map of Teddington

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## 5. Historic Interest

The riverside village of Teddington dates from at least the Anglo-Saxon period, with its associated name 'Tudas Farm'. The Medieval period witnessed the first significant development of Teddington, seeing it expand westwards from the riverside.

Previously the property of Westminster Abbey, Teddington became part of Henry VIII's hunting estate in the 16th century. The land returned to use as an independent manor in the years following Henry's reign.

During the 17th and 18th centuries the appealing riverside setting of this area and the nearby Royal parkland attracted wealthy residents. As a result, many large houses were built such as Manor House, Udney House and Teddington Place (later named Udney Hall). Sadly, none of these houses survive, though the former grounds and gardens of Udney House became Udney Park War Memorial Playing Fields.

The arrival of the railway in 1863, which cut through the village pond, resulted in Teddington becoming a viable commuter area for London. This resulted in intensified development, with many older buildings being remodelled or replaced with new housing and shopping parades. However, the land that became Udney Park War Memorial Playing Fields was protected from post-railway development, initially as allotments and from 1922 as playing fields.

### 5.1 18th Century History

John Rocque's map from 1754 below marks the area where Udney House Estate was built. On the map Park Road is clearly marked extending northwards from Bushy Park. The route structure survives in its 18th Century form:

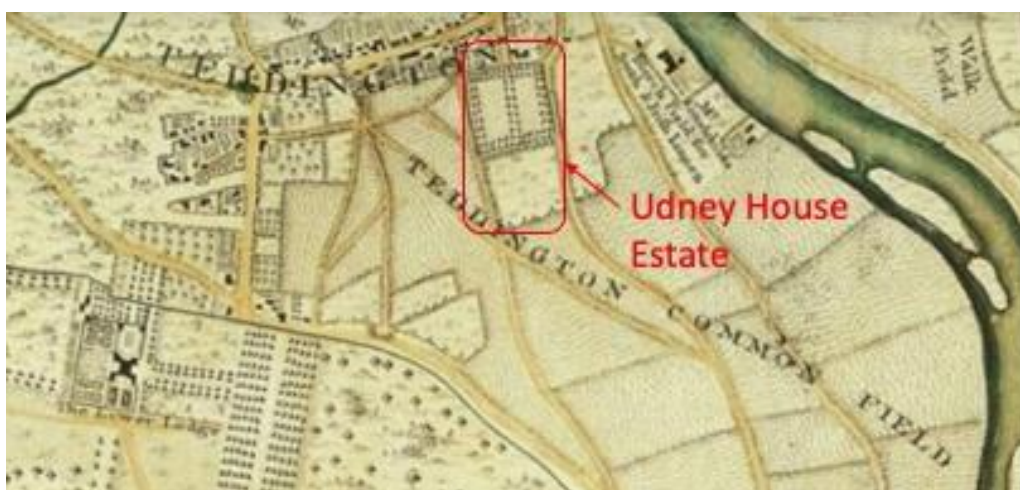


Figure 5 The lower SW corner of the map shows the Northern boundary of Bushy Park, with a swathe of Teddington Common Field between Bushy Park and the village

Whilst it is believed a house was on the site in the 17th century, in 1757 Leonard Hammond inherited the property and sold it in 1764, at which time it consisted of

“two houses and ancient edifice, situate in Teddington leading from Teddington Street to the Southfield”. (source, Teddington in 1800, P Ching, 1983)

The land tenure was “copyhold”, licence was granted to the new owner John Kent to renew the buildings provided he paid the same rent to the Lord of the Manor. By 1768 there was firm evidence that a new property called Udney House was built for the merchant Robert Udney:

“Udney House, also on the south side of the High Street, to the west of Kingston Lane, bore the date 1768 and the initials J. K. It was chiefly remarkable for the fine collection of paintings made by Robert Udney (d. 1802).” (source: 'Teddington: Introduction', in A History of the County of Middlesex: Volume 3, ed. Susan Reynolds, London, 1962, pp. 66-69).

Udney House was reported to be a good specimen of the pleasure house, fashionable in the 18th century. All the principal rooms faced South overlooking lawns, gardens and meadows to Bushy Park. This view from Udney House was later to be protected through the period of future urbanization of Teddington to become Udney Park War Memorial Playing Fields.



Figure 6 Udney House

## 5.2 19th Century History

In the Teddington Enclosure Award of 1800, an Act of Parliament passed on 15th December 1800, Robert Udney owned a house, office, yard and gardens of 6.0 acres and was awarded freehold land totalling 11 acres that was formerly part of "Southfield". Henceforth, this land formed the "Udney House Estate" and was sold again in 1852. Lot 1 and allotments H and G in the map below eventually formed the Udney Park Playing Fields. The picture gallery was demolished around 1825. By the 1894 OS Map (below right, Figure 7), it shows that Cromwell Road has been added as an East-West route to the new Teddington Station and the current and surviving curtilage of Udney Park has been formed.

In 1899 Udney House was demolished as part of the urbanization of Teddington and replaced with shops and residential apartments. The northern half of the Udney House Estate, which was later to form Udney Park was protected from development the Council and initially retained as public allotments.

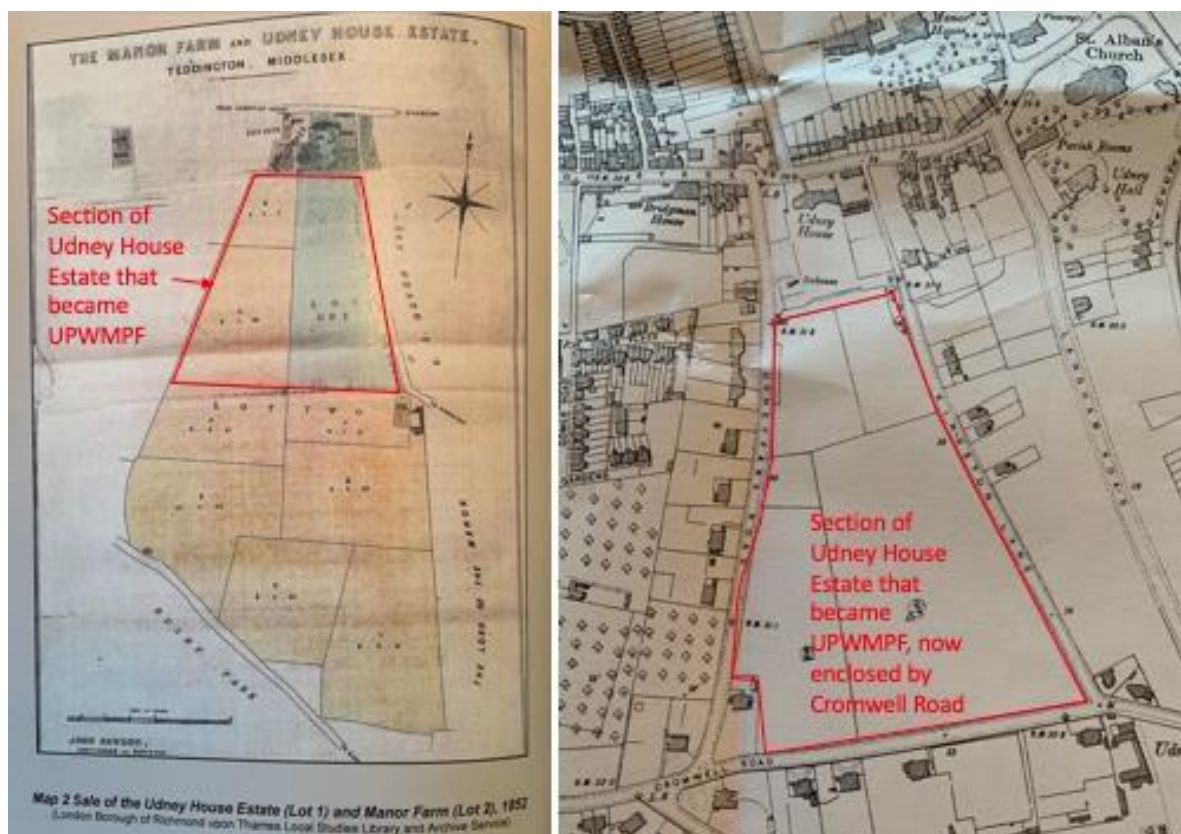


Figure 7 Udney House Estate in 1852, and on the right, he enclosed allotments now separate from Udney House in 1894 and forming the enclosed land which became Udney Park with the completion of the new E-W route to Teddington Station, Cromwell Road



### 5.3 20th Century History

In the early part of the 20th century much of the undeveloped land was now owned by Belgravia Freehold Land Society, though they were still prevented from developing housing on the Udney Park parcel of land, at the time used as allotments, as the Council sought to protect the fast-diminishing open space.

In 1920, a former pupil of Merchant Taylors School ("MTS"), Captain H.M. Wyatt, acquired Udney Park as the site for the "War Memorial Grounds". This had arisen because of a meeting of Old Merchant Taylors (OMT) and parents in October 1917 to 'consider the most fitting method of perpetuating the memory of OMTs who have fallen in the war'. The meeting resolved 'that a Committee be formed for the purpose of inviting donations to a fund to be applied as a lasting and visible record for those OMTs who have fallen in the war' with two purposes: 'paying for the education of any son of an OMT who has fallen in the war or has been disabled' and the 'erection of a permanent memorial'. A new charity was registered under the War Charities 1916 Act and the Fund subsequently bought 12 acres of land in Teddington in use for recreation and allotments that were part of the Udney Park Estate. The land cost £3,257 and a further £4,359 was invested to adapt them for playing fields. Further funds were raised in a new Pavilion Fund, which cost £5,058, including a £2,000 loan from the RFU.

Viscount Cave of Richmond, WWI Home Secretary and Lord Chancellor, opened Udney Park and dedicated it as a 'War Memorial Sports Ground' on 25<sup>th</sup> November 1922. Among those present were two OMT Victoria Cross holders, A.O. Pollard and J.

C. Barrett; a third holder of the VC, S-L Drury, had lost his life, and in all 311 fallen OMTs were commemorated on the memorial that was unveiled.

Following the opening ceremony, the OMTs played Rosslyn Park FC, their former co-tenants from Old Deer Park, the match ending in a 0-0 draw. The event was significant enough to be covered by Pathé News and the national press.

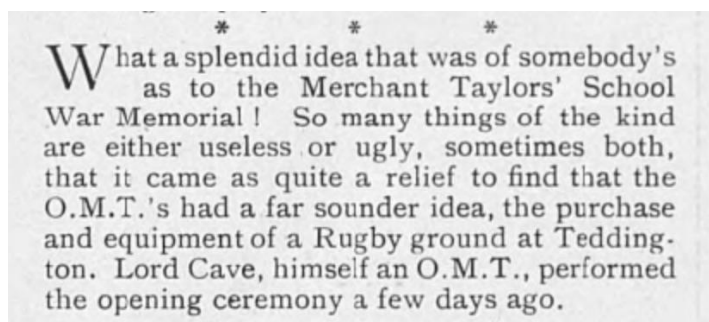


Figure 8. The opening of the “War Memorial Ground” celebrated as a “splendid idea”



Figure 9. Viscount Cave of Richmond, The Lord Chancellor and WW1 Home Secretary opening the “War Memorial Ground” was national news on 25<sup>th</sup> November 1922

Viscount Cave of Richmond has no known memorial anywhere and none in his home Borough of Richmond. Clearly, he was a locally based historic figure who made “nationally important” contributions of Historic Significance for his role as the senior legal mind and Home Secretary during WWI and for his part in extending democracy to women and serving soldiers in his period of office after WWI.



Figure 10. The programme from the Opening Ceremony of the “War Memorial Ground” on 25<sup>th</sup> November 1922

In the local magazine “Swan and Stag” the following appeared in 1924 confirming that the new sports facilities in Teddington were always available to the public:

“Old Merchant Taylors’ Ground, Kingston Lane, Teddington

Three rugby and football grounds, 2 cricket grounds and 6 tennis courts. Tennis courts are open to local residents who can also become season ticket holders of the Club, with access to the ground throughout the year”

Old Merchant Taylors RFC was a significant local rugby club in this era and had been based in Richmond in a ground-sharing agreement at Old Deer Park with Rosslyn Park FC until they moved to their new ground at Teddington. The Captain of Old Merchant Taylors was Ronald Cove-Smith, who played for England 29 times whilst playing his club rugby at Udney Park and most notably was Captain of the British Isles Tour to South Africa in 1924, where he played in 4 Test matches. This was the first Tour when the team used the nicknamed “the British Lions”.

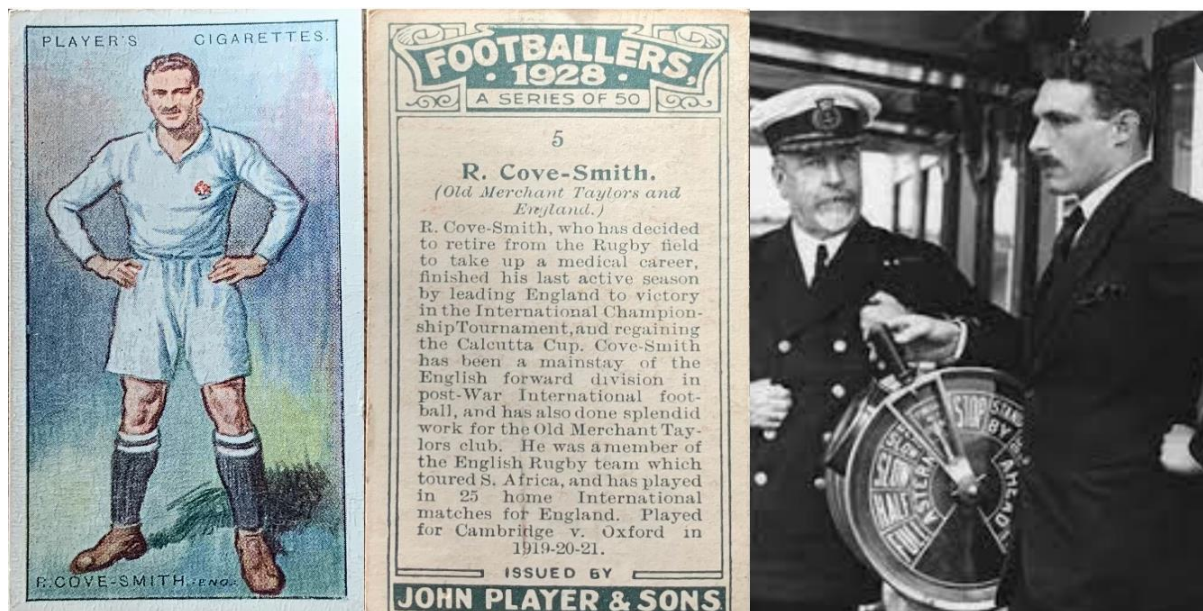


Figure 11 Ronald Cove-Smith played for England 29 times, including as Captain, and was Captain for the 1924 British Lions to South Africa, seen here with the Captain of the ship that took the touring squad to Cape Town. Throughout his international career he was also Captain of Old Merchant Taylors and played his club rugby on Udney Park.

Around 1935 Merchant Taylors School moved from central London to Northwood, vacating the "War Memorial Grounds" in Teddington, as their new site in the suburbs was blessed with its own playing fields.

In 1928 Lord Moran was Dean of St Mary's Medical School, which was in a "terrible state". Moran treated Lord Beaverbrook at St Mary's and then shared his vision for reforming the teaching of medicine. Moran found an ally in Beaverbrook who donated £63,000 to rebuild the Medical School in 1933. Beaverbrook later introduced Churchill to Lord Moran, and he became Churchill's personal physician through WWII when maintaining Churchill's health was crucial. Beaverbrook also introduced Aneurin Bevan to the "model" St. Mary's and of course Bevan went onto to create the NHS as Health Secretary in 1947.

At Lord Moran's prompting, in 1937 Lord Beaverbrook stepped in to save Udney Park by donating the Park to become the playing fields for St Mary's Medical School and complete the renaissance of the Medical School. Sourcing a playing field was a very deliberate act by Lord Moran, related to his own war-time service. Lord Moran spent WW1 as a Doctor in the trenches, developing a "calculus of mental strength" to assess whether men could return to battle. Hence, Lord Moran was determined to secure Udney Park for meaningful reasons, as Heaman records (p238, 2007):

"After WWI sport was to Moran related in some important way to war, it brought in young men the battlefield character and courage they need to survive as soldiers in the trenches. He came to demand that a man should play for his side not for himself".

Lord Beaverbrook's vision for Udney Park was explicit, with covenants written in the strongest possible terms available to him in English Law in 1937, stating that Udney Park must not be used for:

"any other purpose during the appropriate season than as a sports ground for the playing of games by Amateurs." (Land Registry).

Lord Beaverbrook went on to become the only man that served both Wartime cabinets, playing a crucial role as Minister for Military Supplies in WWII. Through the remainder of the 20th century Udney Park was used by the students of St. Mary's Medical School for pitch sports, most notably St Mary's Hospital RFC, an early member club of the RFU, and athletics.

Amongst the significant St Mary's sporting alumni are JPR Williams, Wales and British Lions legend, and Sir Roger Bannister, who was a St Mary's Hospital Medical School student when he trained for and completed the 4-minute mile and who mentions Udney Park in his autobiography.

## 5.4 21st Century History

Imperial College London ("ICL") subsumed St Mary's Hospital Medical School in 1997 and continued to use Udney Park until 2014 as the home ground for the re-named Imperial Medicals RFC. Udney Park was also used increasingly by local clubs and schools; providing recreational facilities to Collis School, Newland House School, Richmond Cricket Club and a host of other local interest groups such as Scouts, MacMillan Cancer, and summer holiday camp operators.

In 2014, having acquired the British Airways Sports Club at Heston, ICL decided that Udney Park was surplus to requirements and set up a sale process. The Friends of Udney Park was established to ensure that Udney Park remained in not-for-profit ownership and available for the community. Three local community bids emerged, however a late bid from a speculative property company called Quantum Group was successful, despite the intervention of Dr. Vince Cable, MP.

From 2015-2020 Quantum Group pursued a Planning Application ("the Application") to build apartments on the northern part of Udney Park. The Friends of Udney Park incorporated into the Udney Park Playing Fields Trust (the "Trust") to

raise funds to pay for professional advice to take part in the Planning process. The Application was determined by a Public Inquiry in November 2019 and February 2020, where the Trust and The Teddington Society were jointly a "Rule 6" party, combining with Sport England and Richmond Council to oppose the Application. The level of public interest from the community was reported as the largest for decades, with over 2000 objections to the Application to build 100+ residential units on Udney Park. The Application was comprehensively refused by the Planning Inspector.

Since 2016, the following protections were added to Udney Park:

- 1) Asset of Community Value ("ACV") in Richmond, a designation for locations for which the primary purpose is "to further the social well-being of the community",
- 2) Local Green Space, after a High Court case, a protection granted for locations that are "demonstrably special to a local community and holds a particular local significance, because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife" and is a status equivalent to "green belt",
- 3) the Pavilion is a Building of Townscape Merit,
- 4) the Park and Pavilion are listed as a War Memorial,
- 5) Site of Boroughwide Importance for Nature Conservation due to the presence of 9 protected species.

In 2022, a charity called the Udney Park Community Fields Foundation was formed by several nomadic local sports clubs to be an ACV-compliant acquirer and operator of Udney Park should Quantum make Udney Park available for sale. On August 25th, 2022, it was confirmed that Quantum had sold Udney Park to a company based in the British Virgin Islands which is apparently financially backed by a Mr. Wu of the Chongqing Kunji Real Estate Development Co. Limited, a company based in a province in SW China. Since the change of ownership there has been no engagement with the beneficial owner and so the threat to the heritage of Udney Park has increased.

In conclusion, Udney Park was from its inception a War Memorial Ground, has added heritage significance due to its association with historic figures: from its design in 1924 by noted Architects, the opening performed by Viscount Cave of Richmond, the presence of sporting legends like Ronald Cove-Smith, the first British Lions captain, the Park being saved by Lord Beaverbrook, and then further sporting connections with legends such as Sir Roger Bannister and JPR Williams.

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## 6. Architectural Details

### 6.1 Architectural Quality and Built Form

There are two pavilions located on Udney Park. They support the community purpose of the Park as a playing field and have capacity to host community events themselves. The Pavilions are not statutorily listed nationally, they have been awarded a Building of Townscape Merit local heritage listing.

Architecturally, the 1922 Pavilion is a single-story mock-Tudor red brick building with attic level and dormers with leaded windows. The main central cell is flanked with two smaller wings. The roof is clay tiled with a hipped roof construction, at the rear (overlooking the playing fields) is a large central dormer functioning as a clock tower, faced with mathematical tiles.

The architects of the "Merchant Taylors' Sports Club, Teddington" were C. Reeves and Stanley P. Schooling. Their Pavilion design for Udney Park was included in 2 prestigious Architectural publications and the Royal Academy Summer Exhibition:

"The Smaller House: selected examples of the latest practice in modern English domestic architecture", (RIBA Architectural Press 1924).

"Academy Architecture and Architectural Review", (p48, Volume 55,1922).

Of the architects, Schooling is nationally notable, immediately prior to designing this pavilion, he was Assistant Architect for Housing at the HM Office of Works, a prestigious appointment. He was articled to Hart and Waterhouse and won a first prize for one of his designs selected for the famous 1911 Exhibition of Houses at Romford Garden Suburb, as well numerous pavilions for the Wembley Exhibition in 1924/5. Thus, the building was designed by an architect of significant national standing and has a high architectural interest.

# THE SMALLER HOUSE

## BEING SELECTED EXAMPLES OF THE LATEST PRACTICE IN MODERN ENGLISH DOMESTIC ARCHITECTURE <sup>13</sup>

### A Sports Pavilion at Teddington

Designed by C. Westcott Reeves, F.S.I., and Stanley P. Schooling,  
A.R.I.B.A.

**T**HIS pavilion has been erected for the Old Merchant Taylors' Sports Club on their new ground at Teddington. The ground and pavilion form a part of the Merchant Taylors' School War Memorial, and were recently opened by the Lord Chancellor, the Right Hon. Viscount Cave, G.C.M.G., who, at the same time, unveiled a memorial in the pavilion. This latter memorial, which is inscribed with the names of more than 300 Old Boys who fell in the war, takes the form of a fireplace in the tea-room. Centrally over the fireplace is the school's coat-of-arms, and the name panels are on either side. The arms and panels have been executed in English oak, and the coat-of-arms is carved in bold relief and emblazoned to the design of the architects. The pavilion provides accommodation for two teams and their visitors, and has been planned to admit of future extension. It is faced with multi-coloured red bricks, is fitted with standard metal windows, and the roof is covered with hand-made sand-faced tiles. Ample washing arrangements are provided and two large pools are sunk in the floor of the bathroom. A tea-room, 40 ft. by 20 ft., is the central feature of the plan, with a veranda facing the cricket ground. The kitchen is placed at one end of the tea-room, while immediately over is a self-contained flat for the resident groundsman.

Architecturally the pavilion makes a very effective composition, the veranda, with its well-proportioned colonnade, tying the two wings together, besides serving the very practical purpose of an open shelter and a possible extension of the tea-room. The entrance front is more simply composed.

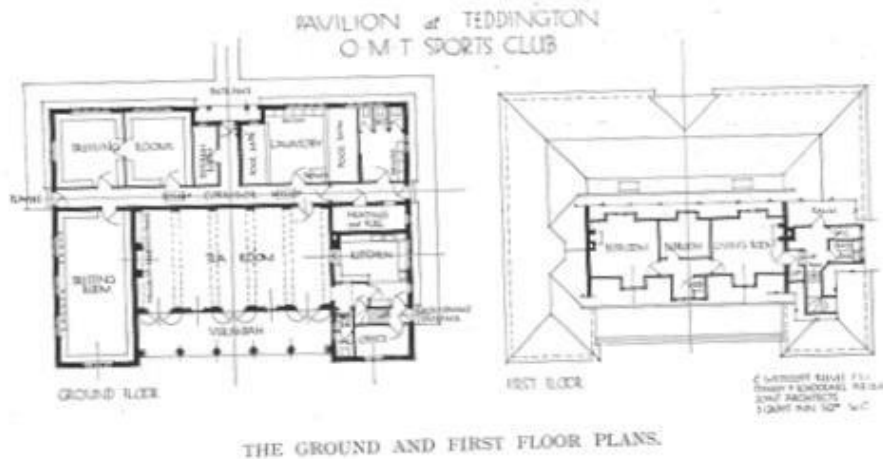


Figure 12. Description and floor plans from "The Smaller House, the latest practice in English domestic architecture"

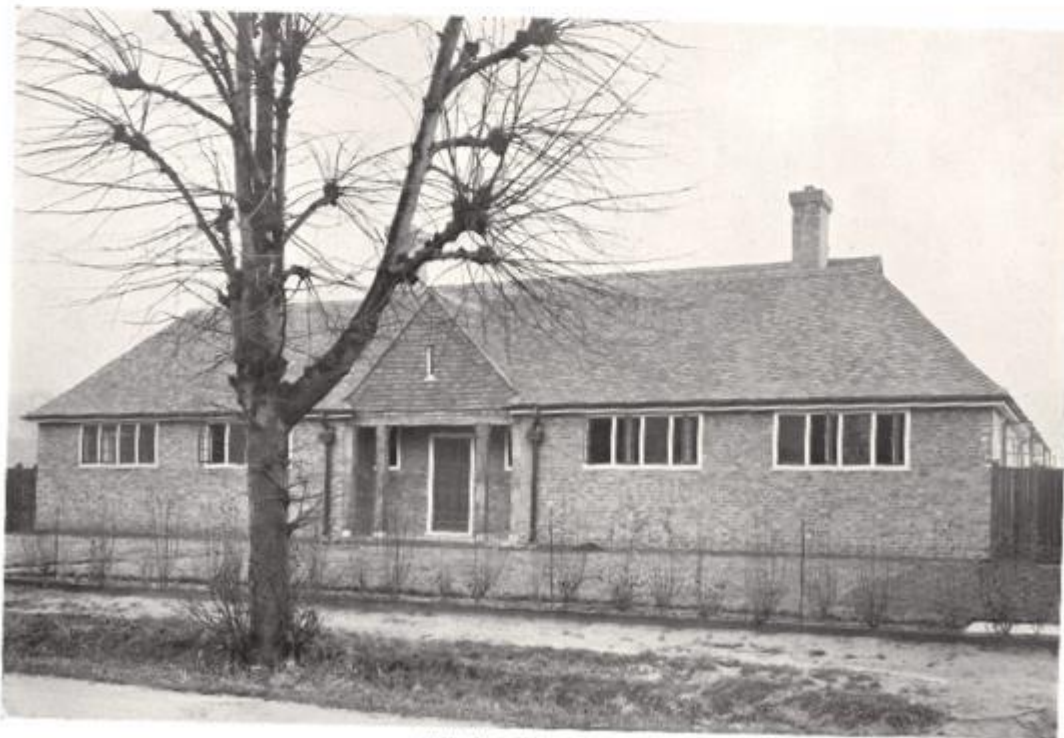




THE FRONT, FACING THE PLAYING FIELDS.

C. WESTCOTT REEVES AND STANLEY P. SCHOOLING

165 164



THE ENTRANCE FRONT.

A SPORTS PAVILION AT TEDDINGTON

Figure 13 Photographs of the elevations from "The Smaller House, the latest practice in English domestic architecture"



Figure 14 This drawing of the Udney Park “The Pavilion, Teddington” is by Hanslip Fletcher (1874-1955), an important perspectivist and illustrator with many books, captures the beauty of the Pavilion. He was lauded for his drawings of bombed parts of London; thus, he also has a link to the war memorial ethos of Udney Park.

## 6.2. Architectural Details

Reeves and Schooling used architectural details to make Udney Park distinctive, there are two cast iron guttering junctions, one cast with “OMTSC”, the Old Merchant Taylors Sports Club and another with “1922” the year of the opening.



Fig 15 “OMTSC” cast iron gutter on the Udney Park Road elevation



Fig 16 “1922” cast iron gutter on the Udney Park Road elevation



Fig 17 The war memorial clock face

## 7. Open Space, Parks, Gardens and Trees

Udney Park is a pleasant area of green space, at 13 acres the largest in central Teddington. The Park is designated by Richmond Council as an Asset of Community Value, confirming its purpose to serve the social well-being of the community.

The boundary features several mature trees which are protected by a Tree Preservation Order. The boundary is a mixture of lapboard fencing and open iron railings and trees that were planted when the Park was created between 1920 and 1922.

Udney Park is included in the London Parks and Gardens' ("LPG") inventory. LPG is affiliated to The Gardens Trust ("TGT", formerly the Garden History Society and the Association of Gardens Trusts), which is a statutory consultee in respect of planning proposals affecting sites included in the Historic England Register of Parks and Gardens of Special Historic Interest. LPG is the gardens trust for Greater London and makes observations on behalf of TGT in respect of registered sites, and may also comment on planning matters affecting other parks, gardens and green open spaces, especially when included in the LPG's Inventory of Historic Spaces and/or when included in the Greater London Historic Environment Register (GLHER), as is the case at Udney Park. The LPG listed the Park on its inventory in September 2022 and started the process for listing Udney Park on the GLHER based on the Historic England's *Conservation Principles, 2008*. <https://historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/conservationprinciplespoliciesandguidanceapril08web/>

### 1) Historic Interest:

- a. The Park's association to Viscount Cave of Richmond, Lord Beaverbrook and notable historical sporting figures.
- b. Since opening as 'War Memorial Sports Ground' in 1922 the Park has

retained its original use.

### 2) Communal Value:

- a. As a WWI memorial the Park has commemorative and symbolic value.
- b. As a space for recreation, the Park has significant social value, reflected in its designation as an Asset of Community Value and Local Green Space.

Udney Park has landscape value due to the porous boundary, protected by a Section 106 agreement that mandates areas of open fencing and hedging maintained to 900mm in height. Udney Park is an Other Open Landscape of Townscape Importance to protect the landscape views from the boundaries.

Udney Park was assessed by the Council Conservation Officer. 9 protected species are present and Udney Park is an important part of the Thames Riverside ecology network for wildlife. Udney Park is nominated as a Site for Boroughwide Importance for Nature Conservation. Local ecologists have tracked significant wildlife activity recorded through GIGL and Natural England submitted the following evidence to the Planning Inspectorate:

Natural England is a delivery body with a statutory duty to advise on biodiversity, landscape and access to nature and open space, and the contribution that spatial planning can make to further these elements. A key part of our purpose is also to support social and economic well-being through management of the natural environment.

Our vision is conservation which reconnects people with their environment; restores and recovers ecosystems and landscapes; and where a thriving economy with a rich and resilient natural environment is integral to everyday life.

We are keen to underline that areas such as Udney Park are significant in several ways in relation to Natural England's remit. The area holds a range of ecological interests of particular note the bat species (9 in total) that use the area for commuting, foraging and roosting. Taken more strategically green open space such as this 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 both for wildlife and people. (Bushy Park, the river corridor, Richmond Park and a range of additional greenspaces including Udney Park act as important 'stepping stone' sites for wildlife). Access to nature for local communities, climate change adaptation benefits, intrinsic biodiversity value are all important elements at this site. We believe designation as Local Green Space is important and would help to ensure these functions are recognised and retained in the future as an important element of green infrastructure within the Borough.

During the pandemic, after pressure from Munira Wilson MP, Udney Park served the community as an open space to exercise. From September 2021 the owners secured the boundary as a pre-cursor to selling Udney Park. In Spring 2021 the Council served an enforcement notice on the previous owners to maintain the "Open Landscape" by reducing the beech hedges to the height specified in the section 106 notice though with new owners have allowed the site to deteriorate further and the boundary is already unkempt and obscuring views of the open landscape from the surroundings streets.

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## 8. Management Plan

The published Management Plan produced by the Udney Park Community Fields Foundation outlines how the community intend to preserve and enhance the character and appearance of the conservation area in future and use the Park for the intended purpose of a war memorial playing field.

### 8.1 Problems and pressures

Udney Park is an Asset of Community Value, a legislation that intends that the Park be used for “the social well-being of the community”. Unfortunately, since the 2020 Planning Inquiry refusal and despite the increased protections on Udney Park, the owners have allowed the playing pitches and Pavilion to deteriorate.

### 8.2 Opportunities for enhancement

In February 2021 the owner triggered the Asset of Community Value disposal process. This law requires that the owner run a 6-month moratorium to enable the community to raise funds and make a credible bid to purchase the ACV. In Scotland an owner is then compelled to sell the ACV, in England, the owner is free to sell to whomever they choose during a 12 month “protected period”.

During the moratorium period a funded bid emerged to buy and operate Udney Park as a community playing field, with several local cricket, football and rugby clubs as members. This new bid was then offered to the owner by a new ACV-compliant charity, the Udney Park Playing Fields Community Foundation. Most the of those clubs are “nomadic”, they have no home grounds of their own, and so have to limit membership. The operating model and Management Plan of the Foundation were developed in consultation with Sport England. The Foundation plan also includes a commitment to refurbish the Pavilion with fundraising and grants from sporting bodies, protect the ecology of the Park and commemorate the significant history of the “War Memorial Grounds” with a small museum inside the Pavilion to commemorate Viscount Cave of Richmond, Lord Beaverbrook and the fallen of Old Merchant Taylors and St Mary’s Hospital and other local wartime events.

The Foundations plan was also backed by all of the professional sports teams in the Borough, by the National Governing Bodies (the RFU, the FA and the ECB), and the original MTS War Memorial charity, which still exists today.

## Section 3. Peer Review endorsements of the Conservation Area Appraisal from London Gardens Trust and Levrant Heritage Architects



Email: [REDACTED]

London Borough of Richmond  
c/o Mr Mark Jopling  
Chair  
Udney Park Trust

27<sup>th</sup> September 2022

To Whom it May Concern

### **Udney Park War Memorial Playing Fields - Conservation Area Appraisal**

Thank you for consulting the London Historic Parks & Gardens Trust (trading as London Parks and Gardens LPG). LPG is affiliated to The Gardens Trust (TGT, formerly the Garden History Society and the Association of Gardens Trusts), which is a statutory consultee in respect of planning proposals affecting sites included in the Historic England (English Heritage) Register of Parks and Gardens of Special Historic Interest.

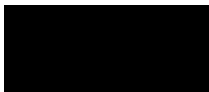
LPG is the gardens trust for Greater London and makes observations on behalf of TGT in respect of registered sites, and may also comment on planning matters affecting other parks, gardens and green open spaces, especially when included in the LPG's Inventory of Historic Spaces (see <https://londongardentrust.org/conservation/inventory/>) and/or when included in the Greater London Historic Environment Register (GLHER).

We were delighted to review and comment on the Conservation Area Appraisal. I am also pleased to confirm that the site is included in our Inventory: <https://londongardentrust.org/conservation/inventory/site-record/?ID=RIC090a&sitename=Udney+Park+War+Memorial+Playing+Fields>

In future, this means we will have the basis for commenting on planning applications that may impact the future heritage quality and amenity value of this space in accordance with the NPPF.

The review of information was undertaken by a member of the LPG Planning and Conservation Working Group, whose considerable experience includes working with the World Monuments Fund Britain. This was supported by the Keeper of the Inventory Sally Williams whose expertise has resulted in an accumulation of archival material on the heritage of London Parks.

Yours sincerely,



Helen Monger  
Director  
For and on behalf of the Planning & Conservation Working Group

cc.

- Emma Sweeney and Sally Williams at London Parks and Gardens
- The Gardens Trust

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London Historic Parks and Gardens Trust is a registered charity n° 1042337  
and a company limited by guarantee registered in England & Wales n° 2935176.



## **Udney Park War Memorial Playing Fields**

### **Statement of support for UPWMPF Conservation Area Designation**

**September 2022**

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Stephen Levrant Heritage Architecture is the continuation of a specialist practice originally founded in 1948. At our three offices in London, Bristol and Manchester, we work in planning, urban design, and on practical projects in construction, within the historic environment. Our work is exclusively with historic buildings and within conservation areas. Our surveys, appraisals and inspections are renowned for an intricate and holistic approach using detailed knowledge and experience of historic methods of construction, decoration and furnishing.

Our established methods have enabled us to confidently tackle the restoration, re-use and development of many heritage assets and sites. Fundamentally, we conform to the belief that effective conservation requires detailed knowledge of the particular heritage asset, not least to inform a well-considered programme of maintenance.

We adopt the SPAB principles of conservation and repair rather than replacement and renewal. Our knowledge and experience of historic methods of construction, decoration and furnishing, is extensive; and historical accuracy is fundamental to our heritage projects. We adopt a holistic approach when carrying out surveys, appraisals and inspections; and we pride ourselves on the fact our reports/statements are drafted with integrity and attention to detail.

We have been approached by Udney Park Playing Fields Trust in relation to the Udney Park War Memorial Playing Fields (UPWMPF) application for a Conservation Area designation, have provided subject matter expert review of the Conservation Area Appraisal Statement of Significance for UPWMPF and recommend its adoption as a Conservation Area.

**Stephen Levrant: Heritage Architecture Architects and Heritage Asset Consultants**



## Appendix 5

### Trust Complaint to Councillors at Rejection of Submission for Udney Park Playing Fields to become a Conservation Area

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From: **Mark Jopling** [REDACTED] >

Date: Mon, 16 Jan 2023 at 21:35

Subject: Environment, Sustainability, Culture and Sports Committee 17th January, Udney Park Trust representation.

[REDACTED]

To the Committee for Environment, Sustainability, Culture and Sports ("ESCS")

Myself and Philip Barnes are booked to speak to the ESCS Committee on 17th January regarding the Agenda Item "Approval of draft Conservation Area Appraisals". I am the Chair of the Udney Park Playing Fields Trust (the "Trust") and Mr Barnes is a fellow Director of the Trust.

The purpose of our representation is to overturn the Officers recommendation in 3.20 that the Council will not assess the draft Conservation Area ("CA") Appraisal for Udney Park War Memorial Playing Fields that was submitted by the Trust as part of the 2022 public consultation process run by the Council. As this is an important decision regarding a location with the highest level of public interest and considerable commitments in various manifestos of our elected representatives we ask that you prepare if time permits with this context. I attach the document submitted to the Council Officers referred to in 3.20 which the Council are recommending to the Committee that they do not review. In the attachment there are the following documents:

1. Policy Rationale for community involvement in the preparation of a Conservation Area Appraisal, and the justification for Udney Park becoming a Conservation Area.
2. Draft Statement of Significance and Conservation Area Appraisal
3. Peer Review endorsements of the draft Conservation Area Appraisal from London Gardens Trust and Levrant Heritage Architects

This email is a truncated version of the document 1, the Policy Rationale stating why communities are encouraged to nominate CAs and engage in the production of draft CA Appraisals. The draft CA Appraisal and peer reviews are in the attachment, note that the draft CA Appraisal is in the exact format used by the Council in the draft CA Appraisals they produced for existing CAs.

## **Rationale for community involvement in the Conservation Area Appraisal and justification of Udney Park becoming a Conservation Area.**

The Udney Park Playing Fields Trust (the "Trust") has been recognised as representative of the community by the Planning Inspectorate on two occasions. The Trust is the incorporation of the Friends of Udney Park and has raised and deployed over £130,000 in the pursuit of preserving the Park as a community playing field as its original donors intended. The Trust made a submission to the Local Plan Consultation on Draft Conservation Areas Appraisals for Teddington and Hampton (between 20 June and 14 July 2022) recommending that Udney Park should be an additional Conservation Area and followed up by preparing a draft CA Appraisal with a leading heritage architect and the London Gardens Trust.

The Richmond Council "Teddington and Hampton Hill Draft Conservation Area Consultation Q&A Event" in July 2022 posed three questions to the community:

1. Have we sufficiently identified what's special about your area?
2. Have we identified all the risks or threats?
3. Is there anything else about your area you want to tell us?

The Council have not **"sufficiently identified what's special about your area"** as Udney Park is a significant heritage asset that is omitted.

The Council have not **"identified all the risks or threats"** as the ownership change to an offshore Chinese-owned investment vehicle in August 2022 has prolonged the threat to Udney Park.

This submission answers the Council's 3rd question, **"is there anything else about your area you want to tell us?"**.

This document shows that, in Local and National Policy terms, that:

- a) The Local Plan is clear that the settings of heritage assets will be "preserved, and where possible enhanced", a commitment which applies to "particularly war memorials".
- b) that communities have the right to nominate Conservation Areas and that LPAs are encouraged to collaborate with communities to produce Conservation Appraisal Areas.

### **Background**

1. Udney Park was opened in 1922 as the "Teddington War Memorial Grounds" by Viscount Cave of Richmond, who was the WW1 Home Secretary and local MP. The notable Pavilion (exhibited at the Royal Academy Summer Exhibition in 1924) and the 13 acres playing fields provided high quality playing pitch capacity through to 2014. The War Memorial Grounds were originally funded by a War Memorial charity and the RFU and then in 1937 when under threat they were saved by Lord Beaverbrook and re-donated under covenant for amateur sport. The "War Memorial Grounds" consists of the building and the playing fields, is not just a static edifice as a silent reminder of the fallen but rather intends the active playing of sports on the Fields themselves as the act of remembrance of those who did not return to play sport again.

2. In 2015 Imperial College, who had inherited Beaverbrooks gift of Memorial Playing Fields in the late 1990s, sold Udney Park to a property speculator called Quantum based in Bournemouth. In 2016 Udney Park was approved as an Asset of Community Value ("ACV") by the Council, a law intended for certain assets that "serve the community" to become owned and managed by community groups.

3. From 2015 usage of the Park declined. Cricket was abandoned as a “dying sport”. Quantum began a campaign to wear down the Council, National Governing Bodies and the community to seek to build luxury apartments in return for “gifting” half the area to the community. Quantum’s speculative Planning Application was comprehensively refused after united opposition from the Council, Sport England and the Trust at a 14 day Public Inquiry in November 2019. In August 2022 Udney Park was sold again to a non-ACV compliant anonymous British Virgin Island company.

#### **Outcome of 2022 Conservation Area consultation**

4. The Council website states on the general nature of Consultation: **"We carry out consultations with our residents, businesses and others with a local interest to ensure we have fully taken into account their views before making decisions that affect them"** <https://www.richmond.gov.uk/consultation>

5. The Council cannot ignore the response of any consultation if it does not fit with their prior preferences. Indeed, on the website page pertaining to Draft CA Appraisal for Teddington the Council commits that "At the end of the consultation period, we will carefully review all the feedback we have received". We repeat the question from the presentation at the Council Draft CA Q&A public event in Teddington in July 2022: **Have we identified all the risks or threats?** No (<https://haveyoursay.citizenspace.com/richmondcecs/caa-22/>)

6. A Council review of existing CAs must include being open to new CAs. The Trust commented in the June 2022 CA consultation window for Teddington that Udney Park was missing and then prepared a CA Appraisal, a process which Officers were aware of. When rejecting the draft CA Appraisal, the Council email on 18th November replied: "the recent consultation was in respect of existing CAs and did not seek suggestions for additional Conservation Areas". Indeed, in both the Richmond and Teddington Draft CA Consultations in 2022 the Council have only re-appraised existing CAs, However, the Planning Act (Listed Building and CAs) 1990 clause 69.2 demands the Councils also consider designating new CAs.

**It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.** (<https://www.legislation.gov.uk/ukpga/1990/9/section/69>)

7. Your professional advice that the Conservation Area offers no more protection from inappropriate additional development than Local Green Space, the strongest planning designation possible, is reassuring. However, the draft Conservation Area Appraisal serves a different purpose in Policy, a key function of a CA is the protection of the existing heritage value: "the desirability of preserving or enhancing the character or appearance of the area" (p4, HE Guide to CA Appraisal) <https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/heag-268-conservation-area-appraisal-designation-management/>

Hence, the draft CA Appraisal for Udney Park is about heritage protection and conservation, not preventing inappropriate development. For example, being sited within a Conservation Area offers more protection against the loss of the War Memorial Pavilion and deterioration of Playing Fields so they no longer serve their memorial purpose. The War Memorial Pavilion has suffered severe vandalism internally and has major water egress due to a damaged roof from persistent climbing to access from the 1st floor. The playing fields and boundary remain unfit for purpose and do not meet basic standards of the National Governing Bodies

8. The draft CA Appraisal is completed in the EXACTLY the same format as the other CA Appraisals the Council has produced themselves, building on heritage evidence already accepted at the Public Inquiry and overseen by one of London's leading Heritage Architecture practices and the London Gardens Trust. Of course reviewing the Udney Park draft CA Appraisal is extra work, though given all the preparation in the community, that extra work is marginal compared to the Council preparing their own CA Appraisal and does not need be at the expense of other CA Appraisals as claimed.

9. At every election since 2014, for Westminster, the GLA and Richmond Council, candidates of all parties have made commitments to protect Udney Park. The preservation and future potential of Udney Park remains a priority of local people, and the threat to the future ability of Udney Park to serve the community as intended in Policy and as promised in campaigning has now worsened. The public response to the Public Inquiry was understood to be the largest since the loss of the Ice Rink, with over 2000 personal individual objections.

### **Involvement of the Udney Park Playing Fields Trust in CA Appraisals**

10. Communities have a right in Policy to nominate heritage assets, propose Conservation Areas and collaborate on the production of Conservation Area Appraisals, in addition to consultation rights.

**There are a number of processes through which non- designated heritage assets may be identified, including the local and neighbourhood plan-making processes and conservation area appraisals and reviews. Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence.**

(<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>, para 40

**“An initial consultation exercise could ask residents and local businesses, amongst other things, to identify a feature of the area that should be given particular consideration for conservation in decision-making, or to identify an issue they feel has detracted from the area’s historic character in the recent past.”** <https://historicengland.org.uk/images-books/publications/neighbourhood-planning-and-historic-environment-advice-note-11/heag264-neighbourhood-planning-and-historic-environment-2nded/>, para 35

**“New conservation areas .....may be identified in a number of ways, including:...local communities ....identifying areas which have a special interest and character or appearance possibly meriting consideration for designation by the LPA.**

**“Appraisals are often prepared by LPAs but partnership with local communities and local community bodies is increasingly being found useful in such work”**

**“Local communities will also be helpful in providing proactive assistance in identifying the general areas that merit conservation area status”** <https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/heag-268-conservation-area-appraisal-designation-management/>, para 14, 20 and 28

11. The nominee understands that the Council has many priorities, and that Local Plan preparation is resource intensive. LPAs are encouraged in Policy to willingly accept the assistance offered by communities in plan making and specifically in Conservation Area nominations and appraisals.

**“In terms of the cost of preparation, integrating proposals..... for local plan preparation and conservation area appraisals minimises costs. Community engagement can support the LPA in gathering the requisite information and increase 'ownership' of the emerging designation. In some circumstances concerned residents' associations and amenity societies have contributed to the cost of surveying areas and preparing reports.**

**“Communities can also undertake a great deal of the survey work to identify features that contribute to the area's character or appearance, particularly where appraisals are initiated by local groups. From their survey data, they can help the LPA develop a full appraisal in draft form. They can carry out conservation area reviews ...and celebrate the special interest of their area”** <https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/heag-268-conservation-area-appraisal-designation-management/>, para 7 and 28

12. Having established in paragraphs 10 & 11 that a collaborative approach to Conservation Area Appraisal is justified and positively encouraged in Policy Guidance, it is then necessary to consider what Policy Based criteria does the Appraisal have to meet to enable Udney Park to be designated a Conservation Area?

#### **Policy based Criteria for Conservation Areas**

13. The Policy has two broad tests as defined in the first sentence of the National Planning Policy Framework (“NPPF”) para 190, and Udney Park should be tested against both of these:

**“Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.”** <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

#### **NPPF Test: is there a “positive strategy for conservation and enjoyment of the historic environment?”**

14. Udney Park is an Asset of Community Value (“ACV”), and as such it enjoys special status intended to protect the ACV if it is sold. If a “Qualifying Bidder” expresses an interest in purchasing the ACV then a moratorium period is imposed during which period the ACV can be sold only to a Qualifying Bidder, although there is no requirement in English Law for the owner to sell to that bidder. Such a bidder, the Udney Park Community Fields Foundation, has emerged and proposed not only a purchase proposal which would require no capital contribution from the Council, but also a regular and viable business plan which would return all of the Fields to sporting use by local clubs and at no revenue cost to the Council.

15. The “positive strategy” should consider heritage and the other criteria in NPPF para 190 b). The Foundation shows Udney Park has a viable future providing “social, cultural, economic and environmental benefits” as a community playing field and social hub, and also a Site of Boroughwide Importance for Nature Conservation, bringing environmental benefits. That test is already met by the Council's own assessment and confirmation that Udney Park “serves the social-wellbeing of the community”, the definition of an Asset of Community Value (ACV). The status of Udney Park as an ACV was established in 2016 and renewed through a new assessment in 2021 by LBRUT.

- “a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;**
- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;**
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and**
- d) opportunities to draw on the contribution made by the historic environment to the character”** <https://www.gov.uk/government/publications/national-planning-policy-framework--2>, para 190

16. To conclude, paragraphs 14-15 show that Udney Park clearly meets the first test in NPPF para 190 test of a “positive strategy for enjoyment” to bring “wider social, cultural, economic and environmental benefits”. Hence, given the potential of Udney Park to serve unmet community demand in the Local Plan every effort to “preserve and where possible enhance” (per Richmond Local Plan Policy LP4) should be made by the LPA, in collaboration with the community.

**NPPF Test: is the “heritage assets at risk through neglect, decay or other threats?”**

17. Udney Park is demonstrably “at risk through neglect, decay or other threats”, and the evidence is set out in more detail in the draft Conservation Area Appraisal. The pavilion is already in a parlous state and has been subject to vandalism and the playing fields themselves are also in a state of unkempt wilderness, with the once proud cricket square indistinguishable from the rest of the unmown grass, 1m high weeds in summer and unmaintained boundaries. The Park has deteriorated further under the new mystery offshore ownership. As the Park was largely abandoned by the previous owner it attracts regular anti-social behaviour. Udney Park is a heritage asset under immediate threat from vandalism, lack of security and maintenance and has been the subject of Police call outs

18. Historic cricket pavilions have been lost to fire at Twickenham CC and Hampton Hill CC, further evidence that Udney Park is at risk. That the Park is currently held in private ownership that appears intent on pursuing a policy of “neglect” through attrition with the Council and allowing the Park and Playing Fields to fall into a state of disrepair, increases the Council’s obligation to “conserve”.

19. To conclude, paragraphs 17-18 show that Udney Park clearly meets the second NPPF test in the opening part of NPPF para 190 to “include heritage assets most at risk through neglect, decay or other threats”.

20. Historic England provides clear Planning Guidance about the enhanced significance and “Conservation and Management of War Memorial Landscapes”, the following points are particularly relevant:

**The aim for all memorial landscapes is to ensure the dedication is honoured and conserved.**

#### **Key Steps**

The aim of conservation is to preserve the historic significance of the design and its original features, and to improve the condition and long-term management of the site so that future generations can continue to enjoy and appreciate it. (page 3)

**Local Lists.** As well as the national designations, war memorial landscapes could also be included in local authority non-statutory local lists. (page 14)

#### **Conservation Areas**

War memorials can also be included in Conservation Areas designated by LPAs (page 14)

#### **Statement of significance**

All memorials have inherent significance due to their commemorative purpose. However, some memorials will have a higher level of significance because they are the work of a noted architect

#### **Protecting sites**

Memorial landscapes are often prime sites for redevelopment. It is important that they are adequately protected against inappropriate development and that the community is given an opportunity to comment on all plans. Memorial landscapes may be protected by statutory designations and/or by a charitable status. (page 38)

#### **Conclusion**

21. It is encouraged in Policy that LPAs work with communities to produce draft Conservation Area Appraisals, before they are assessed. The Udney Park draft CA Appraisal has been produced by a recognised “Rule 6” Party and independently peer reviewed by London Gardens Trust and Levrant Heritage Architecture. Udney Park Playing Fields clearly surpasses the required criteria to be classified as a Conservation Area. It is recommended that the Council instigate the necessary process, including any public consultations, to designate the Udney Park War Memorial Playing Fields as a new Conservation Area in the Borough. This status should be enacted with urgency given the immediate threat to Udney Park.

Mark Jopling

Udney Park Trust