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## Inspector's appraisal and conclusions

The replacement of 'specific community need' by 'justified community benefit'.

9.5. The modification recognises that the retention of a community use should only be required if a need or public use be identified. I agree it is a stronger prescription than the original expression of encouragement. The notion of justification in the objector's suggested wording is not appropriate; it is an uncertain term. To my mind the Council's preference for residential development in the event of a site or premises which are not retained is consistent with the scale of housing provision needed in the Borough. At the same time I am satisfied that the compensating intention expressed in the replacement explanatory paragraphs 10.46 and 10.47 to issue supplementary planning guidance regarding any shortfall of community facilities would be an important support for provisions essential to the community.

The insertion after 'has been identified' of 'taking into account the importance of community uses ..... so it can return to public ownership'.

9.6. On this issue I am inclined to agree with the LPA that that is not necessary in the UDP to expatiate on the general social benefits of community facilities. Furthermore, financial considerations attending the disposal of property, be they environmental or proprietary, are inappropriate in the UDP though they might alternatively be germane to the council's corporate policies. In any case, no justification for the arbitrary 25 year term is suggested.

### RECOMMENDATION

**9.7. I recommend that the Plan be modified by D/CCE3/2.**

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<b>Policy/Para</b>	<b>CCE 05</b>	<b>Loss of Health Facilities</b>
<b>Modification ref:</b>	<b>D/CCE05/1</b>	

### Issue

The identified spelling mistake should be corrected.

### Inspector's appraisal and conclusion

9.8. Neither the Policy nor the supporting text to Policy CCE05 contains the spelling mistake identified by the objector. There is no need therefore to amend the Policy further.

### RECOMMENDATION

**9.9. I recommend that the UDP be modified by D/CCE05/1.**

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<b>Policy/Para</b>	<b>CCE 08</b>	<b>Educational Premises</b>
<b>Modification ref:</b>	<b>D/CCE08/2</b>	

### Inspector's note

I deal with Richmond upon Thames College as the site-specific Twickenham Proposal T37 in Chapter 11 of this Report. I turn here to the general town planning consequences arising from the Council's proposals as Local Education Authority. Most of these concern the future of post-16 education in the Borough. They underlie Proposals in the Local Areas part of the UDP Review

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Modifications for the de-designation of MOL at several secondary school sites and generated so large a number of objections as to become in total one of the 2 matters which generated most representations on the Review Modifications as a whole. I have not therefore traced this common issue at length in relation to the individual sites in Chapter 11 but deal with it as a general concern relevant to Policy CCE8. My comments on individual sites cover only those which were the subject of objections.

**Issues**

- (i) Reference should be made to the reorganisation of post 16 education and more specifically the masterplan proposals for Richmond upon Thames College.
- (ii) The use of designated open land for education purposes.

**Inspector's appraisal and conclusion**

Reference should be made to the reorganisation of post 16 education and more specifically the master plan proposals for Richmond upon Thames College.

9.10. Although I recognise that the review of post sixteen educational needs in the Borough has yet to be completed, I find that the fact that such a review is taking place is a relevant consideration for the UDP's supporting text, as it is likely to have implications for the future use of land. I have not considered it appropriate for me to comment on any educational philosophy inherent in the proposals. However to include specific details of Richmond College's master plan here would involve this Report in an unnecessary level of detail and the matter is pursued in Chapter 11.

The use of designated open land for education purposes.

9.11. The Council's annually updated Community Plan includes the aims of investment in education, arts, and leisure and also in the environment. Large numbers of objections were received to the proposed UDP Review Modifications affecting the Policy ENV 4 Metropolitan Open Land status of land at or adjoining Grey Court School, Heathfield School, Teddington School, and Russell School and the Policy ENV 6 Other Open Land of Townscape Importance of land at Collis School and Waldegrave School. A proposal for a new school on the former Mereway allotments (Proposal T34) was withdrawn.

9.12. The background is explained in the Council's Core Proof 3 as an unprecedented demand in the previous 10 years for primary school places which has largely but not fully been addressed. As the increasing numbers of primary school pupils feed into the secondary school stream there is a need for significant investment to provide additional accommodation, to update the school infrastructure, to offer post-16 education under the LEA aegis, and to achieve the designation of all of the Borough's secondary schools as specialist schools.

9.13. The Borough's Education Asset Management Plan identifies a backlog of secondary school building repairs to a value of over £14 million. Taking into account curriculum requirements and current teaching methodology the complete rebuild of Teddington School and older buildings at Whitton School is considered desirable by the LEA. Some redevelopment of parts of other school sites, estimated to cost £7.5 million, is deemed necessary to deal with deficiencies in existing buildings. In broad terms, the Council's aims are to provide for a reduction in primary school class sizes, the raising of educational standards generally, the taking on board of new initiatives in education, provision for special needs pupils, social inclusion, post-16 facilities, and a new Training and Professional Development Centre.

9.14. Forecasting the demand for school places in the Borough is complicated by the percentage of in-borough pupils not enrolling in Richmond LEA schools (53% of 11 year olds in 2001) and the balancing percentage of out-borough pupils enrolling. Any developments affecting the relative

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attraction of Richmond LEA schools could affect these proportions over the period to 2011/12 for which the LEA is attempting to plan.

Reception year enrolment.

9.15. The Borough has hitherto been distinguished by the high proportion of resident children educated either in private schools or in schools of other LEAs so that the take up of entry level places in Borough schools is about 67%. An increase of 5% would require 3.5 new forms of entry and could be motivated by parents' financial insecurity, increased popularity of the LEA schools on account of the perception of their quality, lack of capacity in independent schools, and the redevelopment of housing at increased density. While the 1999 primary school expansion programme has provided 2 new schools and expanded 4 others the shortage of such places at Teddington underlies the proposal for the expansion of Collis School by one form of entry.

Secondary education enrolment.

9.16. About 61% of the Borough's primary school pupils currently enter its secondary schools. Apart from demographic trends the entry to secondary education is influenced by parental perception of such factors as a school's ethos reflected in its record of attainment, its buildings, the behaviour of its pupils, the existence of selective grammar schools in neighbouring LEA areas, the lack of post-16 provision in the Borough's LEA schools, and the absence of voluntary-aided schools, notably for Roman Catholics.

9.17. The LEA is required to have a proportion of surplus places to allow for parental choice, flexibility, and family mobility. Currently this is about 1.5% whereas the OFSTED report on the LEA suggests a range of 4% to 8% appropriate, in which case the requirement would fall in a 181 to 468 range. Whereas 4% could cater for current needs the LPA considers 8% is required to deal with possible changes in demand. That represents a need for an additional 94 year 7 places each year but is refuted in a detailed assessment by Mr Hern, whose median figure I consider more realistic.

The secondary places requirement.

9.18. The LEA calculates that 8042 secondary school places will be required by 2011/12, including Christ's College, which had an unusually low enrolment in recent years when it was being considered for closure and had an abnormal out-of-Borough intake. Current capacity is 7791 plus 600 at Christ's College, resulting in a 2011/12 shortfall of 251 equating to 29 new places in each academic year. If the annual shortfall in surplus of 94 were to be added the result is an annual shortage of 123 places for 11-16 pupils or 612 overall in the period.

Funding strategies.

9.19. The LEA looks to the Private Finance Initiative to fund school development. That would carry benefits for the wider community, including life-cycle maintenance of buildings and grounds in contracts likely to be of 30 years' duration. In the absence of PFI support the programme would suffer delay. In recent years the Council has sought section 106 contributions to school building in connection with residential development. However, those do not meet the full cost either of new buildings or such facilities as libraries.

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The planning policy context.

9.20. PPG12 counsels planning authorities to employ a strategic approach to the provision of infrastructure, which includes development for educational purposes. Policy 3.21A of the Draft London Plan emphasises the need for Boroughs to make adequate provision for education in their UDPs based on a criteria approach taking account, among other considerations, of the protection of MOL and other open spaces. PPG17 urges the strongest protection of open space of value to the community and RPG3 defines the criteria for MOL designation, notably that it should be of significance to London as a whole and further states that development harmful to the open character of such land should only be allowed in very special circumstances. That guidance also advises that proposals for development not normally acceptable on MOL should be dealt with through specific alterations to UDPs. In the case of this UDP the LPA has thought expedient the de-designation of MOL at school sites as a group to be considered as modifications in the UDP review.

Review of sites and options for further provision.

9.21. A review of school sites was undertaken in 2002 to identify sites where expansion or development could take place, sites where significant change in educational practice could enhance communities, and sites where planning constraints conflicted with education provision. The available options were to be assessed in relation to changes necessary in the UDP site designations to achieve them. A 'do nothing' option was rejected as likely to lead to the LEA failing in its statutory obligations including those under the Class Size Reduction legislation; the quality of education would suffer; as would also provision for special needs education; and opportunities for wider community use of school premises would be lost; and increasing diversity of post-16 education would be lost.

Options involving existing sites.

9.22. Teddington is the locality most in need of primary school accommodation. I note that Collis School is well located in relation to its catchment and has a site comfortably in excess of the DfES recommended area for a school with a roll which would be increased to 630. Expansion could take account of the replacement of temporary classrooms. The relation of the open part of the school site to the bordering residential property is such that in my view the proposed revised adjustment of the OOLTI area within the school curtilage would not obscure any public view of open land.

9.23. Teddington School site is relatively small for the size of the school and its buildings are not efficiently laid out. It nevertheless accommodates extensive community activity consistent with the LEA's dual use policy (UDP Policy CCE 9). The LEA considers it a candidate for complete rebuilding with capacity to accommodate post-16 pupils. Indeed, some objectors express agreement with this in principle. The LEA's indicative sketch plan observing the proposed revised MOL boundary in the further modification D/D14/2 shows how that might be achieved by clearing and converting the south eastern half of the area now occupied by buildings to an all-weather sports pitch and reconstructing the school on the rest of its footprint and an approximately equivalent area of existing open land to its north east.

9.24. In effect there would be an exchange in the axis of the footprint of the buildings from north west – south east to a south west – north east one. That would open up a view from neighbouring houses on the west side of Broom Road. So far as concerns any effect on houses in Melbourne Road that would depend on the height and distance of the school building from dwellings. There is, however, an existing line of mature conifers within and close to the school boundary. I also bear in mind that the sketch is not a formal commitment at the present time though I understand objectors' concerns that it might become formalised without public consultation. So far as concerns the loss of MOL it appears to me that that part of the site rates poorly if at all in terms of the criteria identified in UDP Policy ENV 1 and that the educational need merits greater weight as a special circumstance.

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9.25. Grey Court School is eccentrically located in relation to the Borough as a whole and recruits significantly from Kingston upon Thames. It has a generous site by DfES standards. Expansion could take place by the replacement of the old single storey building to the south of the main buildings. I consider that, given the enclosed nature of the site from public view, a single form of entry and enhanced facilities could be accommodated without any significant loss of MOL.

9.26. In Ham I consider modest expansion at Russell School, filling out its footprint to a full rectangle within existing building lines, could take place without any damage to important views or significant loss of MOL.

9.27. Though it is an existing site I regard the Proposal for redevelopment at Heathfield raises considerations more appropriate to a new site which I consider below in the context of this Policy.

A new site option.

9.28. I accept that acquisition costs are likely to rule out new sites on private land and that there is little land suitable in extent for school building which is not already in public use. Detailed feasibility studies led to the deletion of the Proposal to build a new secondary school on the former Mereway allotments. The only new secondary school site advocated by the LEA in the UDP Review Modifications is the redevelopment of the Heathfield schools site.

9.29. I agree with the LEA's view that the existing buildings of Heathfield Infant and Junior Schools do not occupy the site or use energy efficiently. The Proposal W15 as proposed to be further modified by D/DW15/2 would, it is claimed, provide more efficient buildings making better use of the site and accommodate a needed secondary school. No loss of MOL would be involved though the south eastern strip of Heathfield Recreation Ground, while remaining open, would be taken into the school curtilage. That is also related to the proposal for dual use of the Recreation Ground. As objections highlight the use rather than the openness of the MOL I do not consider its essential characteristic affected by the Proposal.

9.30. There is an open area of 5,529m<sup>2</sup> designated as OOLTI adjoining the nursery unit of the infant school and facing Powdermill Lane. While it would be lost under Modification D/PMAP/13 I accept that it would be balanced by the comparatively large, and in terms of the sketch layout presented by the LPA, coherent open space area within the schools site.

9.31. Notwithstanding the above, there remained a large degree of uncertainty on the part of the LEA at the time of the inquiry regarding the possibility of siting a new voluntary aided secondary school at Heathfield which could ease the problem of expansion elsewhere. The Roman Catholic Diocese of Westminster has identified a need in the Borough as a whole which because of the wide nature of the catchment of a Voluntary Aided school could be more footloose in terms of its location than the LEA secondary schools. Alternatively, Whitton School, the oldest parts of which are commonly agreed to be in poor physical condition, could be replaced at Heathfield and be replaced by a Voluntary Aided school. However, it appears to me that none of the alternative considerations for the type of secondary school development involve a loss of MOL. That is not, of course, to say that there are not other considerations concerning the public open space status of Heathfield Recreation Ground which I consider in Chapter 11.

9.32. In summary, I support the claim that in the cases brought before me the need for education development is a specially compelling circumstance justifying the use of designated open land for education purposes, provided that the LEA's assumptions, save for the margin of surplus places, holds good. However, because the LEA's plans are still in discussion and some volatility in the demand for places in the Borough's schools through the Plan period is likely I consider it prudent that the matter be kept under continuous review in the planning arena. For example, issues attendant on a proposal to locate a Roman Catholic secondary school at Heathfield would be likely to differ on grounds of location from those relevant to an LEA secondary school. More general issues which will call for resolution include the future out-of-borough demand for secondary school places in general, the

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accommodation of Special Needs Education, and the reconciliation in some cases, but especially at Heathfield, of community and school interests in dual use.

**RECOMMENDATION**

**9.33. I recommend that the UDP be modified by D/CCE08/2 and by deleting the final sentence of paragraph 10.57 and replacing it with the following text:**

**Post sixteen education is provided by Richmond upon Thames College, an independent institution, and is currently undergoing review.**

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<b>Policy/para</b>	<b>CCE 15</b>	<b>Retention of Indoor Recreational, Cultural,</b>
<b>Modification ref:</b>	<b>X/CCE15/2</b>	<b>and Entertainment Facilities</b>

**Issue**

'Offers at a reasonable market price shall be accepted' should be inserted after 'advertising boards etc' in paragraph 10.77 in recognition of the fact that a property may be initially marketed at the upper end of the vendor's expectations.

**Inspector's appraisal and conclusions**

9.34. The proposed modification X/CCE/15/2 accords with the Inspector's recommendation in his Report on the previous inquiry. In my view the words 'all reasonable efforts.....reasonable open market price' inserted in paragraph 10.77 by X/CCE15/3 adequately meet the objection and no amendment of D/CCE15/2 is necessary. I consequently support the modification.

**RECOMMENDATION**

**9.35. I recommend that the UDP be modified by X/CCE15/2.**

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<b>Policy/Para</b>	<b>CCE 16</b>	<b>Provision of New Indoor Recreation Facilities</b>
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**Modification ref: D/CCE16/1**

**Issue**

Whether the proposed modification D/CCE16/1 should be changed, restoring the reference to 'a site for an ice skating facility' in paragraph 10.81 and identifying a site in the Old Deer Park.

**Inspector's appraisal and conclusion**

9.36. The objectors consider the reference to consideration of any proposals for a new ice rink is too weak and advocate a firm reference to the provision of a new facility, identifying a site at the Old Deer Park.

9.37. After 65 years in operation, Richmond Ice Rink, a highly valued ice skating centre of excellence of both regional and national importance, closed in 1985 and was demolished in 1991. The objectors claim that replacement provision of such a facility has broad support in the Borough. There is no easily accessible alternative facility for a population of about 3.5 million in West London. For its replacement a site close to Richmond station is needed as this would not be a purely local

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facility and it should preferably be located on Crown land on the car parking area or adjoining the swimming pool at the Old Deer Park. It would be of Olympic standard and generate income for the Borough.

9.38. Although a previous ice rink site at East Twickenham for which planning permission was given in 1989 for redevelopment, has been developed for housing it is in my view clearly inappropriate for the LPA to require the building of an ice rink. I note that in spite of informal discussions having taken place it has not been possible over a 10 year period to identify an appropriate alternative site. The swimming pool at the Old Deer Park is now a listed building and the objectors agree it is not realistic to demolish it. A sketch design for an adjacent site for The International School of Ice Skating produced by Mr Brampton shows a proposed building on Metropolitan Open Land. Contrary to the belief of the objectors it would not be acceptable on MOL in the area subject to the Old Deer Park Landscape Strategy. In the circumstances I concur with the previous Inspector's Report that in the absence of a suitable site there is no justification to amend the Plan. I therefore support the LPA's proposed deletion of reference to an ice rink.

**RECOMMENDATION**

**9.39. I recommend that the Plan be modified by D/CCE16/1.**

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<b>Policy/Para</b>	<b>CCE 21</b>	<b>Public</b>
<b>Conveniences</b>		
<b>Modification ref:</b>	<b>X/CCE21/01</b>	

**Issue**

Public conveniences should not be closed.

**Inspector's appraisal and conclusion**

9.40. The modifications to this Policy have already been endorsed by the Inspector at the previous inquiry and are therefore not a matter for my report.

**RECOMMENDATION**

**9.41. I recommend that the UDP be modified by X/CCE21/01.**

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<b>Policy/Para</b>	<b>CCE 22</b>	<b>Waste Collection</b>
<b>and Disposal</b>		
<b>Modification ref:</b>	<b>D/CCE22/2</b>	
<b>Further modifications ref:</b>	<b>D/CCE22/6</b>	

**Issue**

Account should be taken of the 2000 Strategic Waste Management Assessment for London and minor errors corrected.

**Inspector's appraisal and conclusion**

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9.42. Both the objector and the LPA agree that the paragraph is out of date and should be modified to reflect new information on waste production in *Strategic Waste Management* in its response *Assessment for the West London Area*. The objector has also identified a series of detailed errors. I consider that discrepancies between the UDP and London-wide information published in *capitalwastefacts.com*, a GLA sponsored web site based on information directly provided by London Boroughs as part of the DEFRA municipal waste management survey, are not acceptable. However, the Council proposes to modify the UDP by D/CCE22/6 which replaces and updates the first part of paragraph 10.99 by referring to the most up to date and accurate information available, including the correct citation of the weight of arising, and the deletion of the erroneous inclusion of the London Borough of Hammersmith and Fulham. I consider that modification meets the reasonable concerns of the objector.

**RECOMMENDATION**

**9.43. I recommend that the UDP be modified by D/CCE22/6.**

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**Modification ref: D/CCE22/5**

**Waste Collection**

**Issue**

The GLA strategy should be referenced and there should be added 'Incineration is not a Borough policy because of the danger of dioxins etc from the burning of plastics and cadmium batteries'.

**Inspector's appraisal and conclusion**

9.44. The objector suggests collection points be provided to increase the rate of collection of used cadmium batteries. It is not envisaged that the costs would be borne by the Council but the Waste Electrical Equipment legislation would require allocation of some land for the storage of electrical equipment before recycling.

9.45. It appears to me that the question of electrical waste transfer is an operational matter. However, the Council is not an independent authority in waste disposal matters but it undertakes to incorporate the GLA Waste Strategy when it is adopted. So far as they fall to be determined under planning legislation any proposals for waste disposal facilities would require to be assessed on their merits according to the criteria in Policy CCE22. However, as incineration is a method of disposal included in the national waste hierarchy I do not consider it appropriate to amend the Plan further in the manner suggested by the objector.

**RECOMMENDATION**

**9.46. I recommend that the Plan be modified by D/CCE22/5.**

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