

**MOUNT CLARE CAMPUS,
MINSTEAD GARDENS, ROEHAMPTON GATE,
SW15 4EE**

APPEAL STATEMENT OF CASE

LPA REF: 2025/0074

CONTACTS

MANDIP SINGH SAHOTA BA DIPTP MRTPI

Partner

ms@ntaplanning.co.uk



NTA PLANNING LLP
TOWN PLANNING CONSULTANTS

LONDON (HEAD OFFICE)

46 JAMES STREET,
LONDON
W1U 1EZ

T: +44 (0)20 7636 3961

HARROGATE

CLARENDON HOUSE
VICTORIA AVENUE
HARROGATE
HG1 1JD

T: +44 (0)75 96896216

WWW.NTAPLANNING.CO.UK
INFO@NTAPLANNING.CO.UK

Ref: 1286

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1.0 INTRODUCTION

- 1.1 This statement accompanies a Planning Appeal in regard to Mount Clare Campus, Minstead Gardens, Roehampton Gate, SW15 4EE (“the **Site**”). The Property falls within the London Borough of Wandsworth (“the **Council**”).
- 1.2 The 1.59ha Site, is located adjacent to Richmond Park (Grade I Registered Park and Garden/Metropolitan Open Land) and the Borough’s boundary with the Royal Borough of Richmond, to the south and west. The Site falls within the Alton Conservation Area.
- 1.3 The Site comprises Mount Clare House, albeit no works are proposed to this building. The property is a Grade I listed ‘Palladian’ building and was last in use as offices/administration, by Roehampton University, in association with the former student hostel use of the Site.
- 1.4 To the east is Picasso Hall/House, a two storey 1960s block. The building provided ancillary facilities serving adjacent living accommodation at ground and basement levels, together with a citizen advice bureau office. The building also accommodated eight cluster flats at first floor level, comprising 32 rooms.
- 1.5 To the south lies Residential Accommodation, comprising five clusters of post-war, two-storey blocks, each accommodating 36 rooms. Each cluster comprises 3 buildings, with 15 blocks in total (180 rooms). The buildings are named Albers, Andre, Appell, Balla, Bellini, Blake, Calder, Catlin, Cornell, Eakins, Epstein, Etty, Dali, Degas, and Dufy (buildings A-D). The Accommodation comprises 180 bedrooms with shared bathrooms and bedrooms within each block.
- 1.6 Beyond these structures and towards the southern tip of the Site lies Mount Clare Temple (Grade II* listed), a dilapidated Bungalow and other Dilapidated Outbuildings (garages).
- 1.7 On 10th January 2025, planning application ref 2025/0074 was submitted to LB Wandsworth, which sought *“Use of existing buildings for temporary accommodation with associated landscaping.”*
- 1.8 On registering the application, the LPA sought additional material and clarifications prior to validation which was duly provided, see correspondence at Appendix 1. The application was subsequently validated on 8th April 2025. The following revised description was agreed with the LPA - *“Use as hostel accommodation (Sui Generis) with associated landscaping and cycle parking.”* Validation letter attached at Appendix 2.
- 1.9 The statutory determination period ended on 8th July 2025. Dialogue with the LPA has been limited, and following reallocation of the application to a new case officer, Pedro Rizo, who joined LB Wandsworth on 28th July 2025, correspondence between 8th August and 21st August 2025 (see Appendix 3, 4) has resolved that officers are unlikely to support the development, though how much it was consulted on internally is unclear.
- 1.10 Accordingly, having regard to the comments raised to date, and the differing opinions between the parties, this appeal has been submitted against the Council’s failure to determine the application within the statutory period. This appeal sets out the Appellants initial grounds of appeal, having regard to the comments received from the LPA to date, and third-party comments made on the submitted application.

2.0 PLANNING HISTORY

2024/0183

- 2.1 In March 2024, the Appellants sought planning permission under application ref. 2024/0183, for the *temporary* change of use of the Site for a period of five years from student accommodation and associated use to temporary housing. The Appellants proposed to change the use of Picasso House and the Student Accommodation to provide temporary housing (*Sui Generis*). It was not proposed to use Mount Clare House - the Grade I listed building - for living accommodation. It was expected that Mount Clare House would be used for associated administration/management of the living accommodation, similar to its use when last in occupation.
- 2.2 Through discussions with the Council's housing team, the Appellants were aware of the Council's acute need for this specialist form of housing. In a Report by the Executive Director of Housing and Regeneration providing an update on Housing Servicing activity in the borough, and presented to the Housing Committee on 23rd January 2024, the report confirmed that at the end of November 2023, when temporary accommodation stood at 3,717 placements (compared with the start of year position of 3,590 and to the approved end of year forecast of 3,647), at the same date, the overall supply of accommodation becoming available for letting was 252 properties behind forecast, with lettings across the housing queues also 252 lettings behind forecast.
- 2.3 The Appellants considered that the Site would lend itself well for such a use. Through the proposed change of use (if even deemed required), utilising the existing living accommodation available across the relevant building, there was capacity for up to 212 units to be made available to Wandsworth on a first refusal basis.
- 2.4 Despite interest from the Council's housing team and the council bidding on this property for its own use as a hostel, the planning department resolved to refuse the application on 26 September 2024, for two reasons, namely:
- *Provision of insufficient evidence to justify the proposed loss of existing accommodation.*
 - *The proposed development would result in an overconcentration of HMOs and other single person accommodation at a local level, which would not have access to good levels of public transport (PTAL 4 or higher), and it has not been demonstrated that there would be satisfactory access to shops and services appropriate to the needs of the intended occupiers. It was also considered that an identified need had not been demonstrated for the proposed accommodation, and that due to the size and layout of the proposed units, development would not provide a good quality of accommodation in accordance with relevant best practice standards. Provision of insufficient evidence to demonstrate the transport impacts of the development and that car-free development is appropriate in this location.*

2024/0199

- 2.5 Listed building consent (2024/0199) was granted for minor enabling works in connection with the use for temporary accommodation.

2024/2089

- 2.6 Prior to the determination of application 2024/0183, in June 2024 the Appellants submitted application 2024/2089, which sought ‘*Application for a certificate of lawfulness for use as temporary housing (Use Class sui generis)*’.
- 2.7 Following legal advice, the Appellants sought a lawful development certificate to confirm that a change from the existing use of the Site temporary accommodation, would not require planning permission on the basis that such a change would not constitute a material change of use. In support of that application, the Appellants enclosed an Opinion prepared by Saira Kabir Sheikh KC, of Francis Taylor Building. The Opinion stated that the intended use as temporary accommodation would not comprise a material change of use and would therefore be lawful without the need for any prior planning permission.
- 2.8 The property was stated to have been consented in 1959 as hostel accommodation without restriction on occupier and has remained in that use ever since.
- 2.9 The application was refused on 22 October 2024, for one reason, namely that “*The proposal constitutes development under the Town and Country Planning Act 1990 and the local planning authority is not satisfied that, based on the documents and drawings submitted as part of the application, this proposal falls within any class of 'permitted development' specified within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and that the proposal constitutes a material change of use and requires planning permission*”.

Appeal 3358768

- 2.10 The decision to refuse application 2024/2089 was appealed to the Planning Inspectorate on 13 January 2025 (PINS ref: 3358768). The appeal was subject to a 6 day Inquiry, but ultimately dismissed on 11 July 2025. PINS decision at Appendix 5.
- 2.11 The Inspector found the lawful use of Mount Clare was as student accommodation, not an unrestricted hostel and that over time, parts of the Site were used for offices, storage, creating a mixed-use planning unit. The proposed use as a hostel was for temporary accommodation was found to be materially different, and therefore required fresh planning permission. The appeal was dismissed as the proposed use was not lawful without new planning consent.
- 2.12 The Appellant contends that the subject property was granted permission under deemed consent without condition. This condition would need to be explicit and there is no evidence at the time this was the practice. Since this refusal at appeal the consent for the Alton Estate has been discovered. This is attached at Appendix 6 and shows how simple the deemed consent process was and how it is planning condition light. This is further evidence that was not before the previous Inquiry, that there were unlikely to be planning conditions attached to the original planning consent of Mount Clare in c1960.
- 2.13 The appeal decision is currently subject to challenge (ref: AC-2025-LON-002743), copy at Appendix 7. The Appellant contests that:
1. Unlawful uses cannot displace extant permission: The Inspector wrongly treated incidental office/storage uses as creating a lawful “mixed use,” thereby extinguishing the established hostel permission. No clear explanation or legal basis was given for why an unlawful

composite use supplanted the permitted student hostel use. It is also considered that the Inspector misapplied the materiality test, and that simply moving from a mixed use to a single use is not automatically a material change. The Inspector failed to assess whether the small ancillary uses in parts of some buildings materially altered the character of the land.

2. Error in assessing material change between student hostel and temporary hostel. The Inspector relied on differences in residents' social commitments, leisure use, arrivals/departures, and potential presence of children. These do not define land use character in planning terms. The Inspector compared the proposal against how the Site had in practice been used by Roehampton students, rather than the permitted use (hostel). Both uses are residential hostels with broadly similar impacts (noise, healthcare, traffic) and the minor differences identified could not reasonably justify a finding of "material change."
- 2.14 Overall, the Appellant contests that the Inspector misdirected himself on the lawful baseline and misapplied the law on material changes of use. His reasoning was legally flawed, inadequately explained, and irrational. A decision on this challenge is awaited.

3.0 THE PROPOSED DEVELOPMENT

3.1 The proposed development, subject to this appeal, seeks use of the existing buildings for hostel accommodation with associated landscaping and cycle parking. The proposals comprise use and internal renovations to the following existing buildings:

- Picasso House
- Albers, Andre, and Appell Houses (A Block)
- Balla, Bellini, and Blake Houses (B Block)
- Cornell, Catlin, and Calder Houses (C Block)
- Dali, Degas, and Dufy Houses (D Block)
- Eakins, Epstein, and Etty Houses (E Block)
- Bungalow

3.2 The proposals aim to improve the quality of the existing buildings, which have fallen into a state of disrepair. The scheme will provide temporary accommodation, which is much needed.

3.3 In respect of landscaping, the proposals seek to retain the verdant grounds which have generally been well maintained and comprise a variety of tree species. Accordingly, the landscape works include for external Sheffield stands outside of entrances to the existing buildings, as well as natural play space in the form of boulders, stilts, balance beams, and climbing pyramid for the benefit of future residents. The proposed landscaping element is not extensive and includes some amenity grassland and a compacted gravel path.

PICASSO HOUSE

3.4 Picasso House is a 2-storey building originally built in the 1960s. At the first floor level, it currently accommodates 8 self-contained apartments which comprise a range of sizes from 2 bedrooms, up to 8 bedrooms, each apartment self-contained and served with requisite bathroom and kitchen facilities. There are approx. 32 rooms at this level. The ground floor level comprises a Citizens Advice Bureau in part, and part unused, and the majority currently used for storing paraphernalia that would appear to be taken from the other vacant buildings on the Site.

3.5 The proposed development seeks to convert the ground floor into four units, comprising 1 x 2 bed and 3 x 4 bed units, together with concierge, bike store, laundry room, communal kitchen and common room, WCs and bike storage.

3.6 At basement level, the proposals provide associated plant space, refuse storage, additional bike storage, and associated stores.

3.7 The submitted ground and basement plans were updated in July 2025 after it has been brought to our attention that part of the basement in Picasso House was not accessible and therefore needed to be omitted from the proposal. This influenced the proposed layout of the proposed basement level and ground floor level of Picasso House. The submitted revision A of the

Proposed Basement and Ground Floor resulted in the loss of 3 units overall (2x 3 bed and 1x 4 bed = Loss of 10 bedspaces).

ACCOMMODATION BLOCKS (BLOCKS A – E)

- 3.8 The 5no. 1960s accommodation blocks have fallen into a state of disrepair and require renovations. Each block is formed of identical, 2-storey square modules, grouped in threes. The scheme proposed identical renovations to each square module, updating them to meet contemporary comfort and safety standards for temporary accommodation, providing a mix of single bed units with ensembles and two-bed units with ensembles.
- 3.9 The proposed units in these blocks range between 12 sqm and 20 sqm in area and are all well in excess of the required standards.
- 3.10 The proposals will refurbish the existing residential units to a good quality standard. The units will be formed of well-designed repetitive modules. The proposed units will comprise well designed storage solutions, be well lit, adaptable, and contain areas allowing personalisation, independence and allow an occupant privacy and dignity.
- 3.11 Each of the proposed modules contain kitchenettes and an ensuite shower room, providing more comfort and privacy, as opposed to shared facilities, which are fairly standard expectations for current day temporary accommodation

BUNGALOW

- 3.12 The existing bungalow, at the southeastern corner of the Site has fallen into a state of disrepair. It is proposed that the bungalow is restored to provide additional temporary accommodation. The bungalow comprises 5 bedrooms, with associated en-suite/bathroom facilities, as well as communal kitchen/living.
- 3.13 The total number of units proposed across the Site, accounting for the revisions to Picasso House, amounts to 207no. units. These units will deliver a total of 264no. bedrooms across all blocks. There is no increase in the floor areas.

MOUNT CLARE HOUSE

- 3.14 Mount Clare House and the Temple, the listed buildings on the Site, are unaffected by the works. However, the funds generated through the temporary accommodation use will allow for the wider Site to be more actively managed, kept secure, and to avoid further degradation until a more permanent and appropriate uses can be found. The two listed buildings will be subject to further planning and listed building applications in due course.

ACCESS

- 3.15 The proposals will maintain vehicular access as existing. Vehicular access is facilitated from Minstead Gardens to the Site. 25no. parking spaces are available to the northwest of Mount Clare and Picasso House, with space for 27no. on street vehicle parking spaces along Minstead Gardens. Parking space provision will remain as existing.
- 3.16 Existing pedestrian paths across the landscape on-site will be retained.
- 3.17 In terms of cycle parking, there is some existing provision on Site, however this will be substantially improved. External Sheffield stands will be added outside each of the accommodation block entrances, improving cycle access onsite. The existing sheltered cycle store outside of Picasso House will be retained together with a new, internal store is provided with lower ground level of Picasso House, together providing a total of 106no. spaces.
- 3.18 In respect of waste storage and collection, a new bin and recycling store is proposed in the basement of Picasso House. This will be accessed from the Minstead Road entrance to accommodate servicing. The basement of Picasso House is accessible by a ramped entrance, thereby allowing refused bins to be easily wheeled out and collected from the parking/serving area along the northern boundary of the Site. Emergency access will remain unchanged.
- 3.19 Natural child play space is proposed to be integrated between A, B and C accommodation blocks, to serve residents of the temporary accommodation.

4.0 GROUNDS OF APPEAL

- 4.1 This appeal is made against the Council's failure to determine the application.
- 4.2 Correspondence with the LPA has been limited. The application was initially allocated to Miss Joney Ramirez, with whom there was essentially no dialogue. She subsequently left the Council in July 2025.
- 4.3 The application was reallocated to Mr Pedro Rizo, who joined the LPA on 28 July 2025. An online meeting was arranged on 4th August 2025 to discuss the application. This was followed by email correspondence setting out the Council's assessment of the application. A copy of that correspondence is attached at Appendix 3 which raises several issues with the application. A response was provided to the LPA, at Appendix 4. Despite several matters being capable of resolution through planning conditions, following a subsequent conversation with Mr Rizo on 22 August 2025, it is clear that the LPA do not support the proposed use in principle, it is unclear if they have been through the information supplied and if the application is understood.
- 4.4 Accordingly, the Appellants have resolved to appeal against the Council's failure to determine the application within the statutory period. The correspondence at Appendix 3 and 4 forms the basis of the Appellants grounds of appeal at this stage, and is advanced below. Should the LPA resolve to raise further issues under this appeal, the Appellants respectively request the opportunity to address all matters.

Description of the Application

- 4.5 The LPA suggest that to reflect the dismissed appeal decision in respect to Certificate of Lawfulness Ref. 2024/2089, that the description of development should be changed to: *"Change of use of existing buildings from mixed use comprising office, student accommodation and storage to hostel for temporary accommodation to accommodate 264 rooms with common facilities, alongside the replacement of existing bungalow building and provision of ancillary refuse/cycle stores, landscaping, play space and associated works"*.
- 4.6 The Appellant contests that whilst the Inspector noted other uses on Site, he did not conclude that these were in any way the lawful uses and the recent University of Roehampton letter would point to these uses not being lawful. Furthermore, as outlined in section 2 of this Statement, this appeal decision is subject to challenge on the basis that the Inspector misunderstood the law, unlawful mixed use cannot extinguish extant lawful permission and it was accepted at appeal this property would have been developed under a most likely deemed consent. His reasoning was inadequate and failed to assess materiality properly. Furthermore, in comparing student hostel use with temporary accommodation, the Inspector relied on irrelevant/immaterial factors. He compared the proposal against how the site was used in practice, rather than against the permitted use.

- 4.7 The Appellant consider that the description of development is satisfactory, and should any further qualifications or restrictions of use be required, that these can suitably and appropriately be addressed through planning conditions.

Principle of Development

- 4.8 The LPA argue that the scheme represents a loss of student accommodation, contrary to Policy LP28 (Local Plan) and Policy H15 (London Plan). They argue no evidence has been provided to show the Site is not needed for students. This is despite evidence being provided that there is no demand and the University of Roehampton having a supply in excess of demand.
- 4.9 With regard to the proposed use, policy LP31 of the Local Plan requires development proposals for 'Specialist Housing and Vulnerable People' to demonstrate that the accommodation meets an identified need, having regard to the evidence set out in the Council's most up to date Local Housing Needs Assessment. Additionally, the policy seeks for high quality accommodation that meets best practice guidance in sites that have good access to levels of public transport and shops, services and leisure facilities that meet the needs of intended occupiers. Officers states that in this instance, concerns are raised over how the proposed accommodation would not have access to good levels of public transport (PTAL 1b) and to shops, services and leisure facilities intended to future occupiers.
- 4.10 The Appellant fundamentally disagrees that the loss of student accommodation should be resisted in this case and that no evidence has been provided. The evidence clearly shows that the Site is unattractive for student housing, with no realistic prospect of future student demand. Conversely, there is demonstrable need for temporary accommodation, as identified in the Council's own Housing Needs Assessment and wider London-wide evidence. The proposed use aligns with Policy LP31, which provides flexibility for specialist housing to meet acute local needs.
- 4.11 Policy LP28, part B states that the loss of existing student accommodation will be permitted when it is demonstrated that the facility no longer caters for current or future needs and the floorspace is replaced by another form of residential accommodation that meets other Local Plan housing requirements. Proposals for a change of use of existing student accommodation which result in the net loss of residential floorspace will only be permitted when: 1. The loss of student accommodation would be solely at ground floor level; 2. The development would replace the ground floor student accommodation with active ground floor uses; and 3. The proposed ground floor uses would pass the sequential test for main town centre uses in accordance with Policy LP43 (Out of Centre Development).
- 4.12 London Plan Policy H15 states more generally that boroughs should seek to ensure that local and strategic need for purpose built student accommodation is addressed, provided that at the neighbourhood level, the development contributes to a mixed and inclusive neighbourhood.

- 4.13 The Appellant states that the Site is not viable or attractive for student occupation in its current form – the market evidence points strongly towards declining demand for this type of outdated stock. Officers have not acknowledged the letter that was submitted by Spring4 (see Appendix 8), referring to the lack of demand. The letter, dated 22 July 2025 states that Mount Clare Estate was let to the University of Roehampton, and previously to the University of Surrey, from 2001 onwards. Over the course of these leases, the University's use of the student accommodation at Mount Clare declined significantly, ultimately leading to the effective mothballing of all fifteen student accommodation blocks.
- 4.14 During this period, the University of Roehampton invested in developing new, purpose-built student accommodation within its own campus boundary. It is understood that the University has struggled to fully occupy these new on-campus residences. Given this surplus of on-campus accommodation, it is difficult to envisage any substantial demand from University of Roehampton students for additional accommodation at Mount Clare, which is approximately a fifteen-minute walk from the main campus.
- 4.15 Beyond the University of Roehampton, the nearest universities are Kingston University and St Mary's University in Twickenham. Both institutions have been approached by Spring4 and offered the Mount Clare accommodation on either a lease or nominations agreement. Connor Wilson is the Director of Estates at Kingston University and was contacted on 22nd July 2025. The accommodation team at St Mary's University was contacted on 17th July 2025. The letter confirms that neither university has any requirement for additional student accommodation in the foreseeable future citing both a reducing number of international students coming to study in the UK and the increasing trend for domestic students to live at home and commute to campus. In any event, public transport travel times from Mount Clare to these institutions are approximately one hour, making it an impractical and unattractive option for their students.
- 4.16 Furthermore, Spring4 are not aware of any local non-university institutions that require residential student accommodation, nor any for whom Mount Clare would represent a viable or desirable location.
- 4.17 In light of (i) the lack of demand from students at the University of Roehampton, and (ii) the absence of any other local higher education institutions requiring student accommodation, Spring4 believe there is no realistic prospect of sufficient demand to support student housing at Mount Clare.
- 4.18 The letter adds that the University of Roehampton has no apparent need for additional student accommodation, and it is highly unlikely that any other institution would enter into a lease or a nominations agreement where they were committed to supplying a guaranteed minimum number of student occupants for Mount Clare.
- 4.19 Additionally, the University of Roehampton have made representations on the application, in correspondence dated 21 August 2025 (see Appendix 9). That correspondence adds that although the University is the current occupant of Mount Clare, they ceased letting this

accommodation to students in 2021 because of low demand. Since 2014, they have replaced and re-provided some of their older student accommodation with purpose-built student accommodation on their main campus. This resulted in a significant increase in the number of bedrooms overall. In the 2024-25 academic year, the University experienced a materially higher number of voids than normal, with the void rate currently running at 10% (excluding the Mount Clare bedrooms which are no longer used). In addition, in 2020 they mothballed all 142 student bedrooms in Lee House on their main campus. The University is therefore satisfied that there is low demand in the local area for the student accommodation at Mount Clare, and that removing this accommodation would not create any shortfall for the University. Over the last number of years, the Mount Clare accommodation has been re-provided on campus. The student accommodation being “lost” here has been re-provided many times over on campus.

- 4.20 The Appellant contests that Policy LP28, part B has been met, and that the loss of existing student accommodation should be permitted as it is demonstrated that the facility no longer caters for current or future needs and the floorspace is replaced by another form of residential accommodation that meets other Local Plan housing requirements. The proposed use is discussed below.
- 4.21 The remainder of part B of Policy LP28 is not considered to be relevant as it only applies to proposals for a change of use which result in the ‘net loss of residential floorspace’. There is no net loss of residential floorspace in this case. The proposed development provides a socially valuable use (temporary accommodation – specialist housing) in line with London Plan objectives for specialist housing and addressing homelessness.
- 4.22 With regard to the proposed use, the LPA state that policy LP31 of the Local Plan requires development proposals for ‘Specialist Housing and Vulnerable People’ to demonstrate that the accommodation meets an identified need, having regard to the evidence set out in the Council’s most up to date Local Housing Needs Assessment. Additionally, the policy seeks for high quality accommodation that meets best practice guidance in sites that have good access to levels of public transport and shops, services and leisure facilities that meet the needs of intended occupiers. In this instance, officers state that concerns are raised over how the proposed accommodation would not have access to good levels of public transport (PTAL 1b) and to shops, services and leisure facilities intended to future occupiers. However we stress at this point that the accommodation has been a hostel for 65 years, the appellant position is this was granted use as a hostel in c1960 without restriction and has been used as a hostel ever since, in some part for students, however this should have little weight. The PTAL concern should have no weight, a transport and local facilities assessment has occurred and there is substantial provision under both aspects, the PTAL in this situation is misleading. Of significance too is the PTAL condition applies to student accommodation and hotel accommodation equally.
- 4.23 Officers state that additional details with respect to the type of temporary accommodation are required, to establish the time-period involved for the intended temporary accommodation (how long it is expected that each resident would stay) and how the operation of the Site would

be dealt with accordingly. Further clarifications in respect to the intended temporary use and the operational strategy of this use are also sought.

- 4.24 The Council's Housing and Homelessness Strategy (2023-2028) sets out the plans for its housing and homelessness services, which includes tackling homelessness and rough sleeping and supporting vulnerable residents. According to Wandsworth's Temporary Accommodation Allocation Guidelines 2023/24, the Borough, in common with most London boroughs, and certainly with inner London boroughs, is facing rising demand for statutory homelessness services and has done so since 2010/11. Securing private rented properties which are affordable to homeless households in Wandsworth is extremely (and increasingly) challenging. Private rents are amongst some of the most expensive in London and most homeless households have low incomes. As at 31/03/2023, the Council was providing temporary accommodation for 3,590 households (all households sizes); which increased from 3,198 a year earlier and from 424 at 31/3/2010. Within that increase, homelessness from the private rented sector, in common with regional trends, has risen sharply to be largest single cause of homelessness.
- 4.25 The Allocation Guidelines further note that at the end of March 2023, 53% per cent of all temporary accommodation used was located within the Borough, with a further 12% per cent located in other Southwest London Boroughs (principally the adjacent borough of London Borough of Croydon and London Borough of Lambeth), with 24% elsewhere in London or outside. During 2022/23, 3,307 people made a homeless application, increasing from 2,888 (an increase of 13%) 1,204 households were placed into temporary accommodation, around 23 households week.
- 4.26 In a Report by the Executive Director of Housing and Regeneration providing an update on Housing Servicing activity in the borough, which was presented to the Housing Committee on 23rd January 2024, this report confirms that at the end of November 2023, when temporary accommodation stood at 3,717 placements (compared with the start of year position of 3,590 and to the approved end of year forecast of 3,647), at the same date, the overall supply of accommodation becoming available for letting was 252 properties behind forecast, with lettings across the housing queues also 252 lettings behind forecast.
- 4.27 The Council aims to procure as much private accommodation in Wandsworth or as close to it as practicable as it can. However, most London boroughs face similar challenges and often need to find accommodation outside of the borough, resulting in residents leaving their family network, established schools etc.
- 4.28 Based on the response received to date, there appears to be no dispute about the acute need for the type of accommodation proposed.
- 4.29 Officers appear to aim there concerns over how the proposed accommodation would not have access to good levels of public transport (PTAL 1b) and to shops, services and leisure facilities intended to future occupiers, and that additional details with respect to the type of temporary accommodation are required, to establish how long it is expected that each resident would

stay and how the operation of the Site would be dealt with is sought. We give further consideration to the relevant matters below.

Lawful Use

- 4.30 Despite the findings of the appeal decision ref 3358768, the Appellant remains of the view that that the Site benefits from an existing broad hostel use. The appeal decision is currently under challenge. The Appellants position remains that the Site has an extant planning permission for use as a student hostel (granted and implemented in the 1960s). That permission remains the lawful use of the land today. Alleged subsequent office or storage activity on parts of the Site was at most unlawful ancillary use and cannot extinguish or displace the hostel permission, this is further supported by the detailed University of Roehampton letter. Therefore, the correct baseline lawful use for a single use as a hostel (student accommodation), not a “mixed use.” The challenge argues that the Inspector wrongly treated unlawful mixed uses as the current lawful position and failed to recognise that planning permission “enures for the benefit of the land” and cannot be abandoned except by lawful superseding permission or passage of time leading to immunity. AKA Capability’s case is that the Site lawfully remains a hostel under the original permission, and that permission was never lost, extinguished, or lawfully supplanted.

Access/PTAL

- 4.31 Notwithstanding the above, and in the event that the challenge does not succeed, despite the relatively low PTAL score, the Appellants contests that in reality the accommodation will have access to good levels of public transport, and to shops, services, and leisure facilities, appropriate to the needs of the intended occupiers.
- 4.32 A Transport Statement, produced by Mode was submitted with the application. Of further relevance is the Proof of Evidence prepared by Velocity, which was considered as part of the Planning Inquiry under 3358768. Both are considered here. See also see ‘Transport and Servicing’ which is discussed later in this section.
- 4.33 The submitted materials demonstrates that the Appeal Site is situated in an accessible location and provides site users with access to a range of shops, services and amenities within a convenient walk or cycle. The Appeal Site therefore provides site user with a genuine choice of modes of travel, in accordance with the principles of national, regional and local transport planning policy objectives and the PTAL of 1b/2 is not a true reflection of how accessible this Site is.
- 4.34 The evidence also demonstrates that there will be no changes to the access, parking or servicing arrangements of the Appeal Site as part of the proposals. Furthermore, the Appeal Site will be managed and operated in a manner comparable to its existing use. The evidence demonstrates that there would be no material difference in transport terms of the access and parking arrangements at the Appeal Site and no material difference in how the Appeal Site will be managed in transport terms.

- 4.35 The evidence has also shown that the sustainable transport needs of student accommodation are comparable to those of temporary accommodation, with both benefitting from access to convenient, low-cost and sustainable travel choices. Furthermore, site users for both land uses benefit from proximity to key services and facilities such as local shops, health facilities and community amenities

User/Length of Stay

- 4.36 As noted above, the proposed hostel accommodation will be offered on a first refusal basis to Wandsworth Housing Team, with whom discussions are ongoing. Other local authority housing departments would be contacted in the event Wandsworth do not continue to express interest.
- 4.37 A key factor which defines a hostel is the short term nature of letting. The standard duration for an excluded licence agreement is twelve months duration. This is accepted practice across the sector. The length of occupancy is unlikely to be extended owing to the temporary nature of the accommodation. This is in line with the legislative and regulatory requirements for a hostel.
- 4.38 With regard to operational elements of the accommodation, including management etc, this is discussed further under section 'Employment Strategy and Operational Statement, below.

Quality of Accommodation

- 4.39 Officers acknowledge that the Technical Housing Standards – Nationally Described Space Standards (2015) would not be applicable for the proposed temporary accommodation, as the proposed development does not include self-contained permanent dwellings. The LPA also state that there are no minimum spatial standards for the temporary habitable rooms, however the London Plan seeks for appropriately sized and functional habitable floorspace for any form of residential development.
- 4.40 Officers add that notwithstanding the fact that the Technical Housing Standards – Nationally Described Space Standards (2015) and the minimum floor areas required by policy 3.5 of the London Plan 2021 would not be applicable, in their view, the development would involve rooms that would be occupied by unrelated individuals with shared facilities and the proposal should therefore, in their view, be compliant with the Wandsworth Minimum Amenities Standards for Houses in Multiple Occupation.
- 4.41 Officers have further asserted that although additional communal spaces are provided within Picasso House, this in their view would be limited. Similar concern is raised with regards to the standard of accommodation for the bungalow building.
- 4.42 Officers also refer to policy D7 of the London Plan (2021) which seeks for at least 10% of dwellings to meet Building regulations requirement M4 (3) 'wheelchair user dwellings' for all dwellings, however again this does not relate to temporary housing/hostel.

- 4.43 The Appellant considers that the application of HMO standards is, with respect, misplaced. The scheme is not a conventional HMO but a managed, staffed facility with communal kitchens, lounges and operational oversight. As acknowledged by the LPA, the London Plan NDSS does not apply, and the relevant test is whether the accommodation provides a safe and functional environment for short-term occupiers.
- 4.44 In designing the layout of the proposed accommodation, the architects have used the 'Setting the Standard' guidance note for STS Inspection Officers and Local Authorities (October 2020). The hostel rooms, served with en-suites and kitchenettes is how modern hostels are being designed, with a conscious move away from communal bathrooms etc, to provide improve quality of life and dignity to its residents, albeit temporary accommodation. The Appellant can point to numerous examples of approved schemes that have been designed on this basis. On that basis, the Appellants maintains that the layout and provision is appropriate and well in excess of minimum standards.
- 4.45 Considering the layout and design of the existing buildings which are being repurposed, accessible units are provided where possible, at the ground floor level of Picasso House. The other buildings are not step free.
- 4.46 The units at the first floor of Picasso House will be refurbished to include ensuites. The ground floor will provide a series of dedicated wheelchair accessible units, with level thresholds and level access throughout. Communal facilities will be provided at the ground and basement level of Picasso House, including a bike store, laundry room, common room, kitchens and dining spaces.
- 4.47 All of the proposed 1 – 2 bedroom units range between 12 – 20 sqm in area. The proposed units within Picasso House range between 52 – 158 sqm in area. All units receive natural light through appropriate windows with good aspect and outlook. With regard to the former accommodation blocks, these are proposed to be reconfigured internally as shown in typical floorplans outlined in Section 4 of this Statement, to provide ensuite and kitchenette facilities, as requested through discussions with the Council's housing team.
- 4.48 The proposals will make a significant and much needed contribution towards the Borough's needs. The accommodation will be offered to Wandsworth Council on a first refusal basis.
- 4.49 The accommodation available is considered to be of an appropriately high quality to meet relevant best practice guidance for this type of accommodation, and in support of the guidance set out within the Housing Act (1990).

Transport and Servicing:

- 4.50 Officers note that the proposed uplift of cycle parking provision to 106 cycle parking spaces stated in the submitted Planning and Heritage Statement (paragraph 6.83) and Transport Statement (paragraph 4.4.3) and note that this is welcomed.
- 4.51 In the application form it is stated that a total of 86 cycle parking spaces are proposed, contrary to the 106 spaces referred to above. The application form features a minor error where the existing 20 spaces have not been added to the additional spaces proposed. The provision of 106 spaces is proposed and can be secured by way of condition.
- 4.52 Officers advice that additional information about the intended occupiers to assess the trip generation analysis should be provided, and that Transport Officers have raised concerns over the lack of an on-street vehicular parking stress survey. Officers confirm that no objections in principle are raised with regards to servicing and refuse collection, as the current arrangement at Picasso House would be basically replicated. However, consideration on arrangements for waste storage, particularly within Blocks A – E would be required. Details in connection to recycling appear to be also missing, but these details could be dealt with via condition.
- 4.53 Most of the points raised have already been addressed in the submitted Transport Statement, including a parking survey and justification for levels of car and cycle provision. A stress survey was undertaken and the results are set out in the Transport Statement.
- 4.54 As noted above, the recent Inquiry case was supported by further transport assessment by Velocity, and there transport Proof of Evidence is provided as part of this appeal given the material relevance between the applications. The assessments undertaken by Velocity are transferrable to this case.
- 4.55 Where minor inconsistencies exist (e.g. the application form), these are clerical errors which can be rectified easily. Velocity has prepared further trip generation analysis, and the car-free nature of the scheme is wholly consistent with London Plan objectives.
- 4.56 The NPPF (2024) paragraph 116 notes that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be *severe*, taking into account all reasonable future scenarios. That is not the case here.
- 4.57 In summary, the submitted Transport Statement and subsequent assessment by Velocity has identified the following:
- The Site is well positioned to benefit from sustainable travel accessibility, including walking, cycling, and public transport infrastructure.

- PTAL and TIM analysis have been undertaken to demonstrate that the Site has good sustainable transport links, and a number of key areas can be reached within 60 minutes of travel.
- Access to the Site will remain unchanged for the temporary accommodation units, which can all be accessed from Minstead Gardens and Tunworth Crescent.
- Servicing will be undertaken from the Minstead Gardens access. Deliveries will remain as existing with loading and unloading being undertaken in the designated parking bay.
- The Site will provide cycle parking above the London Plan and LBW parking standards, with 106 cycle parking spaces provided.
- The proposal to retain the existing car parking provisions is deemed suitable for this development and will not pose an impact on the local highway network, including in relation to trip generation, as agreed to be the case with the LBW highways officer.

4.58 The Statement concludes that it is considered that the proposals are acceptable in transport terms and are in accordance with National, Regional, and Local Policy. Therefore, there are no transportation reasons why planning consent should not be granted.

Landscaping

- 4.59 Officers consider that the submitted Design and Access Statement provides very limited information in connection to the proposed landscaping strategy. Whilst some details with regards to cycle parking, street furniture, play equipment are included within the submitted Landscape Plan (Drawing No. 0101), officers state that additional information should be provided to activate the external amenity areas around the buildings and introduce planting and seating edges that create social spaces around the site, alongside a lighting strategy.
- 4.60 the proposals seek to retain the verdant grounds which have generally been well maintained and comprise a variety of tree species. The Appellants consider that additional landscaping is not strictly required as part of this development given the extant condition. Accordingly, the landscape works include for external Sheffield stands outside of entrances to the existing buildings, as well as natural play space in the form of boulders, stilts, balance beams, and climbing pyramid for the benefit of future residents. The proposed landscaping element is not extensive and includes some amenity grassland and a compacted gravel path to facilitate and improve access.
- 4.61 Should further landscaping improvements be sought, the Appellant has no issue with any forthcoming consent being subject to a landscape condition to enhance the landscaping strategy further.
- 4.62 As already stressed this application is not the last for this Site and substantial landscape works could form part of later applications involving extensions or the listed buildings.

Employment Strategy and Operational Statement:

- 4.63 Officers note that the submitted documents mention that the proposed temporary use would require five direct operational jobs. Justification on this number is required by officers, to understand how the temporary accommodation would operate in terms of management and maintenance, including communal areas. Specifications on entry systems, anti-social behaviour measures and CCTV should also be considered as part of this information.
- 4.64 The Appellant acknowledges that effective management is central to the successfulness of the proposed hostel accommodation. The overarching strategy has been set out in the Planning Statement submitted with the initial application. We provide a summary:
- 4.65 A management office/concierge is provided as part the proposals at the ground floor of Picasso House.

Screening and Selection Process

- *Temporary accommodation is only used for households where household is eligible; reason to believe' that there is a priority need for accommodation. There are also a number of emergency categories, such as fire or flood, which also place a household into this category. Placements into temporary accommodation are made when homelessness cannot be prevented, such as a household being evicted by a private landlord.*
- *A Temporary Accommodation Request Form is completed by the Homeless Officer. This form not only confirms the reasons for the placement but also details any history of anti-social behaviour, other violence and or rent arrears. The Homeless Officer must be satisfied, as much as is reasonably possible, that a household is able to live independently, pay their accommodation charges and look after the property they are given.*

Security

- *The proposed will accommodate a manned Security Desk in Picasso House. The buildings will have 24 hour CCTV cameras, covering the perimeter of the building and all access and exit points, and central courtyard.*
- *There will be an on-site management presence at the premises 24 hours a day, 7 days a week. The likelihood of anti-social behaviour is minimal from these households given their precarious status whilst in emergency accommodation. Any such behaviour will lead to eviction.*
- *Households are issued and are required to sign a non-secure licence, given rules and regulations which they must follow, including restrictions on visitors. The licence can be ended with 'reasonable notice' or with immediate effect for any serious incidents. It is distinct from a short hold tenancy where it would be more difficult to remove a disruptive individual.*
- *Residents will be expected to observe the rules and regulations of the premises, this will include, but is not limited to, noise, visitor restrictions and anti-social behaviour. In this regard, a definition of 'anti-social behaviour' is provided and details given for the process of managing problematic residents.*

- *Residents are not expected to own a car and therefore it is not expected for there to be any significant additional comings and goings to and from the site by personal vehicles.*

Zero Tolerance to Anti-Social Behaviour

- *The Applicant will operate a zero-tolerance attitude to anti-social behaviour.*
- *Residents are made aware of the consequences of not adhering to the terms and conditions of the License Agreement and any additional rules and regulations*
- *Residents must not engage in anything that may cause discomfort/inconvenience to other residents or anyone living in close vicinity. Anti-social behaviour can include but is not limited to the following, noise, harassment and damage.*
- *Any act or failure to act which is intended to harm the peace and comfort of anyone or to inconvenience them in any way.*
- *The Appellant upholds the importance of ensuring that all residents feel safe, and their wellbeing is not compromised at any time by anyone residing on or visiting the premises.*
- *There will be zero tolerance to any illegal activities occurring on the premises and will actively work with the Police to ensure the perpetrator is dealt with appropriately and that their accommodation is withdrawn, this includes the use of illegal substances and the selling of them on the premises.*

Checks/Visits

- *Managers will be on site daily. A security guard will be on reception duty 24 hours a day, 7 days a week.*
- *Support Workers, who are responsible for cleaning and maintaining the property will be on the premises Monday to Friday.*
- *Regular health and safety visits are carried out which includes a monthly check of each unit of accommodation. Other visits, including 'occupancy' checks and welfare visits are carried out regularly and on an ad hoc basis.*

- 4.66 With a robust plan in place, it is considered that the proposed accommodation will be actively managed to avoid the potential for harm to neighbouring amenity. A more detailed management plan can be secured by condition, which will be developed further in consultation with the Council's housing team. This can include proposed staffing levels are appropriate to the nature of the use, and issues such as CCTV, access control and ASB management.

Fire Safety

- 4.67 Policy D12 of the London Plan 2021 requires the submission of a Fire Strategy for all major forms of development, which should incorporate measures to minimise risks of fire. Officers acknowledge that section C of the submitted Planning Statement mentions the requirements of policy D12, and provides outline considerations from a fire perspective. Officers state that A third-party and independent report should be submitted, to include review of the fire safety systems, fire prevention measures, and accessibility for firefighting and advises that these

details could be dealt with via a condition to ensure high standard of fire safety in accordance with policy D12 of the London Plan 2021.

- 4.68 The proposed use seeks to repurpose the existing accommodation for use as temporary accommodation. The existing buildings are already served with appropriate signage, emergency exits and alarm systems. These would be further review prior to occupation of the development.
- 4.69 The Site is served with a principal access/car park to the north of Mount Clare House, which provides access to the principal listed building, Picasso House and the northern accommodation blocks. The Site benefits from a secondary frontage along Minstead Gardens which runs the length of the Site. A fire appliance would be able to park in these locations, providing unobstructed access to the Site. The various buildings on Site are linked through a series of paved walkways. The Site is served by a number of refuge points, marked in orange.
- 4.70 Notwithstanding the above, we agree with the LPA that a fire strategy can be secured by condition.

Energy and Sustainability:

- 4.71 The LPA state that the application is a major application and therefore should be consistent with policy SI 2 of the London Plan (2021) that requires a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the development. However, officers do acknowledge that the submitted Planning Statement addresses this requirement and notes that the proposal would only seek to use existing buildings for temporary accommodation.
- 4.72 As noted earlier in this Statement, the proposals seek use of the existing buildings for temporary accommodation for vulnerable individuals on the Council's housing waiting list. The proposals seek to retain the existing buildings with internal reconfiguration proposed. The limited works and retention and re-use of the existing building, and embodied carbon, will minimise carbon impact. The retention of all of the existing structures and taking a fabric first approach is encouraged by all tiers of policy to minimise the effects on embodied carbon. The quality of the existing structures will be further invested, improving the overall sustainability and efficiency of the buildings.
- 4.73 The Appellants recognises that more detail on energy/sustainability is sought but are confident the Site can achieve the necessary carbon reduction targets through retrofitting and renewable technologies without undue difficulty, and a condition could secure these details appropriately. Should it be contested that a condition to secure the relevant details would not be sufficient, the Appellants reserve the right to address this matter further at the inquiry.
- 4.74 Again, in the points above the LPA have failed to accept these buildings have been in hostel use since c1962 without incident or being bad neighbours. Just because the Appellant is changing the demographic of the occupier should not lead to an imposition of condition. Fire conditions, security, management and energy are all the same and should not need condition.

5.0 THIRD PARTY REPRESENTATIONS

- 5.1 A number of representations were received in relation to the application. These have considered and the Appellant's responses are set out below.
- 5.2 Miss Susan Marks (39 Swaythling House) submitted two letters of objection. Her concerns centred on the adequacy of the proposed accommodation, the lack of amenities and transport, absence of clear management structures, and a failure to engage with the local community. She expressed particular concern over small unit sizes, inadequate communal space, and potential community tensions arising from placing a large number of vulnerable individuals in Roehampton.
- 5.3 The Appellant contents that the accommodation meets relevant space requirements standards. The lawful previous use of the Site accommodated a comparable number of residents, without evidence of the adverse community impacts suggested. Local shops and bus routes remain available, and travel patterns will be very similar to those of the student population who occupied the site for over twenty years. A professional management partner, operating under a clear and enforceable plan will ensure round-the-clock supervision, welfare checks, and enforcement of a zero-tolerance policy on anti-social behaviour. The Appellant has made clear its willingness to engage with residents' associations as part of the scheme's implementation and ongoing management.
- 5.4 Ms. Edyta S. (9 Swaythling House) objected on the basis of anti-social behaviour from existing tenants in the area and fears of further pressure on local services such as GP provision. These matters have been addressed above.
- 5.5 Mr. Stephen Lang (26 Minstead Gardens) raised concerns regarding the proximity of vulnerable older residents in sheltered housing, questioned whether works had already commenced, and noted that not all residents had been consulted due to lack of internet access. The appellant confirms that no unlawful works have taken place, and that the statutory consultation process has been fully observed, including site notices. The concerns for elderly neighbours are noted; however, the scheme's management will ensure that residents' behaviour is appropriately controlled, with 24/7 on-site supervision providing reassurance for the local community.
- 5.6 Mr. George Mills (40 Swaythling House) questioned who would be accommodated at the Site, raising concerns that it could become a "dumping ground" for individuals with complex needs, and noted the absence of consultation. The scheme will be let under time-limited licences, preventing indefinite occupation and ensuring turnover. Priority will be given to homeless applicants within Wandsworth, directly addressing local housing pressures. The management ensures that will residents receive appropriate support and are not left without engagement or services.
- 5.7 Anne Kearns cited Roehampton's saturation with HMOs and temporary accommodation, the short-term nature of the proposal, and the need for family housing rather than single units.

Whilst these points are acknowledged, the appeal proposal makes efficient use of vacant buildings pending longer-term redevelopment, addressing urgent local need for single-person accommodation. The lawful historic use of the site as student hostel provides a direct precedent for the appeal proposals. Safeguarding and welfare will be robustly managed through with professional oversight.

- 5.8 The Charcot House Residents' Association, via Ms. Lila Palmer, objected. Their concerns focused on the potential for pressure on already stretched local services, the absence of on-site welfare officers, quality of accommodation and inadequate consultation. These matters have been addressed above.
- 5.9 By contrast, the University of Roehampton submitted a letter in support of the application. The University confirmed that Mount Clare historically housed around 250–300 students on licences of up to one year, with numbers, demographics, and local service usage directly comparable to the proposed hostel use. They emphasised that students were integrated within the local community, used the same facilities, and were subject to effective on-site management including wardens and security patrols.
- 5.10 The University also confirmed that it no longer requires Mount Clare for student use, that demand for student accommodation in the locality is low, and that the Site's repurposing would not prejudice the University's needs.
- 5.11 Finally, the Gardens Trust raised comments relating to the Registered Park and Garden designation of Alton West Estate, emphasising that landscaping proposals must not harm the historic integrity of the designed landscape. They accepted that any harm would be "less than substantial" and outweighed by public benefits, provided that works are reversible. In response, the appellant confirms that the landscaping proposals are modest, reversible, and respectful of the historic landscape, and would not cause permanent harm.
- 5.12 London Parks and Gardens offered a neutral comment, stating that they had no objections to the current proposals but reserved the right to comment further should new information arise. The appellant welcomes this neutral stance and confirms its willingness to engage further if required.

6.0 SUMMARY AND CONCLUSIONS

- 6.1 The appeal proposals represent the efficient reuse of vacant hostel accommodation buildings at Mount Clare previously used to house students, providing urgently needed temporary accommodation in Wandsworth. The lawful use of the site as hostel accommodation is well established, and the University of Roehampton and others have confirmed there is no ongoing demand for student use.
- 6.2 The scheme will deliver 264 managed rooms with appropriate communal facilities, high standards of design and management, and robust safeguards for residents and neighbours. Technical matters raised by the Council, including landscaping, fire safety, energy, and operational management, can all be addressed through planning conditions where necessary and appropriate.
- 6.3 In transport and servicing terms, the Site is demonstrably sustainable and comparable to its former student use, with no unacceptable impacts identified. Heritage and landscape impacts are “less than substantial” and outweighed by the clear public benefits of meeting acute housing need.
- 6.4 On balance, the proposal is fully consistent with national, London Plan and local planning policy objectives to make best use of existing buildings, deliver specialist housing, and address pressing homelessness needs, in an environmentally friendly way.
- 6.5 The planning gain here is significant and the planning benefits to the community are substantial, housing 260+ people in buildings that are deteriorating and putting them back into use in a location where housing demand is immense.
- 6.6 Accordingly, the Inspector is respectfully invited to allow the appeal and grant planning permission.

APPENDICES