

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

STATEMENT OF COMMON GROUND - DRAFT

LPA REF: 2025/0074

APPEAL REF: APP/H5960/W/25/3371729

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Date: 27/10/2025

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Date: 27/10/2025

1.0 INTRODUCTION

- 1.1 This Statement of Common Ground ("SoCG") is prepared jointly by the Appellant and the London Borough of Wandsworth ("LPA") in connection with the appeal against the LPA's failure to determine planning application ref. 2025/0074 in respect of Mount Clare Campus, Minstead Gardens, Roehampton Gate, SW15 4EE ("the Site").
- 1.2 This SoCG comprises a written statement containing factual information about the appeal proposal and its purpose is to identify areas of agreement and matters in dispute to assist the Inspector in the fair and efficient determination of the appeal.

2.0 SITE AND SURROUNDINGS

- 2.1 The Site is approximately 1.57 ha in area, and is situated immediately adjacent to Richmond Golf club and Richmond Park to the south. The Site is located within the Alton Conservation Area. The majority of the Site is within the 'Landscaping to Alton West Estate Registered Park and Garden' which was listed as Grade II (park and garden designation) by Historic England in 2020 and includes trees covered by a Tree Preservation Order reference TPO 248/99. The Site contains two listed buildings, Mount Clare House, which is Grade I listed and the Temple in the grounds which is Grade II* listed.
- 2.2 The Site contains the following buildings:
 - Mount Clare House: Grade I listed two storey building constructed in 1770-72 as a country residence, originally set within an open landscape setting, designed by Capability Brown. Although no works to Mount Clare House are proposed, the building is part of the agreed planning unit (please see paragraph 7.1 below).
 - Picasso House/Hall: A two-storey 1960s building that contains a Citizens Advice Bureau. The first floor accommodates eight cluster flats comprising 32 rooms.
 - Blocks A-E: Fifteen 1960s accommodation blocks, clustered into five groups of three. These are all two-storey buildings containing twelve bedrooms, with one shared kitchen and two shared bathrooms in each. There are a total of 180 bedrooms. The buildings are named individually, in clusters A-E: Albers, Andre, Appell, Balla, Bellini, Blake, Calder, Catlin, Cornell, Dali, Degas, Duffy, Eakins,

Epstein and Etty. Blocks A-E are purpose-built accommodation buildings that have most recently been used by the University of Roehampton, who also occupy Picasso House and Mount Clare House.

- The Bungalow: A derelict brick building adjacent to the Temple originally described as the principal's residence. There are other small outbuildings adjacent to the Bungalow, including garages.
- Temple in the Grounds of Mount Clare: Grade II* listed temple building with decorative features internally and externally, built 1762-1769 but only brought to the grounds of Mount Clare in 1913. Although no works to the Temple are proposed, the building is part of the agreed planning unit (please see paragraph 7.1 below).

3.0 PLANNING HISTORY

3.1 A key issue between the parties is that no planning permission document has been produced to substantiate the terms of any grant of planning permission for the Site. This matter has been explored in some detail under appeal 3358768, under which further detail can be found.

3.2 The relevant, recent planning history is set out in detail below:

26th June 2018 (2018/2260): Erection of 3m high mesh fence around the Mount Clare Temple and the erection of 1.8m high timber fence around other derelict structures on site. APPROVED (*Condition 3 states that the permission is for a limited period of three years and that the use shall cease by 25th June 2021 and the land be returned to its former condition.*)

21st June 2021 (2021/1652): Retention of a fence (3m) around the Mount Clare Temple and the retention of a fence (1.8m) around other derelict structures on site. APPROVED (*Condition 3 states that the permission is for a limited period of three years and that the use shall cease by 21st June 2024 and the land be returned to its former condition.*)

26th September 2024 (2024/0183): Temporary change of use for a period of five years from student accommodation and associated use (Use Class sui generis) to temporary housing (Use Class sui generis). (See associated listed building consent application ref. 2024/0199.) REFUSED

26th September 2024 (2024/0199): Listed building consent application for minor enabling works. APPROVED

22nd October 2024 (2024/2089): Certificate of lawfulness application for use as temporary housing (Use Class sui generis). REFUSED

11th July 2025 (2024/2089) (APP/H5960/X/25/3358768): Certificate of lawfulness application for use as temporary housing (Use Class sui generis). REFUSED. APPEAL DISMISSED (referred to as 'LDC Application').

4.0 DESCRIPTION OF DEVELOPMENT

- 4.1 The application was submitted on 10th January 2025. On registering the application, the LPA sought additional material and clarification in respect to the LPA's validation requirements prior to validation, which was duly provided. The application was validated on 8 April 2025 as "Use as hostel accommodation (Sui Generis) with associated landscaping and cycle parking." The LPA made the Appellant aware that whilst consultations were carried out with a description that did not acknowledge the change of use, this approach was considered necessary to validate the application and that this would need to be re-visited once the appeal decision on the LDC Application was received.
- 4.2 The Appellant considers that the description is appropriate, and that any operational details may be secured by condition. The LPA's position is that the description of development should include reference to a change of use, should refer to the accommodation being for the homeless, and may also need to include reference to the development of the bungalow. The LPA acknowledges the Appellant's position that works to the bungalow constitute restoration and refurbishment. The LPA is considering its position on this point, following the Appellant's provision of plans on 08/10/2025 and clarification on 21/10/2025.

5.0 THE PROPOSED DEVELOPMENT

- 5.1 The Appellant states that the proposal seeks to refurbish existing accommodation blocks, convert Picasso House, bring the bungalow back into use, and to deliver 264 bedrooms. The provision of ancillary cycle parking (106 spaces), refuse storage, play space, associated works and landscaping are also proposed. No works are proposed to Mount Clare House or Temple.
- 5.2 The LPA considers that the proposed development involves the permanent change of use of the existing buildings to accommodate 264 rooms with communal facilities, together with the works to the bungalow. The LPA is considering the works of the bungalow further, in light of the plans provided on 08/10/2025 and the Appellant's clarification on 21/10/2025.
- 5.3 The submitted planning statement describes the proposed use as 'providing temporary accommodation for homeless people', which would be offered to the London Borough of Wandsworth (LBW) on a first refusal basis to use as temporary accommodation. It is noted that a permanent planning permission is sought for this use, but it is not known on what terms or to what duration the temporary accommodation would be offered to LBW or any other operator.
- 5.4 The parties agree that the number of bedrooms being provided is 264 bedrooms and that on the basis of the submitted material that no listed building works form part of

this appeal. Without prejudice to either party's case, conditions will need to be agreed by both parties.

6.0 PLANNING POLICY CONTEXT

The Parties agree that the development plan comprises the Wandsworth Local Plan (2023), the London Plan (2021). The National Planning Policy Framework (2004) is also a weighty material consideration.

7.0 COMMON GROUND

- 7.1 Part of the Site is previously developed land, and the proposed scheme would reuse existing vacant buildings that are currently in poor condition. The parties agree that the correct planning unit for the Site includes the entirety of the red line boundary and that it contains all the buildings on the Site. For the avoidance of doubt, this includes Mount Clare House and the Temple.
- 7.2 The Parties agree that there is need for temporary accommodation in the Borough. The level of need and the complexion of that need will be addressed by the parties in their evidence.
- 7.3 The plans that were submitted with the planning application indicate that there is no proposed increase in built footprint, with scale and massing unchanged, subject to LBW's review of the new plans for the bungalow.
- 7.4 Cycle parking provision of no less than 106 spaces is proposed and it is for the Appellant to demonstrate that the off-street long and short-stay cycle parking spaces can be provided. Whilst the quantum of cycle parking provision is acceptable in principle, the submitted Transport Statement conflicts with the submitted plans with regards to the number of cycle parking spaces that would be accommodated. The application drawings were amended during the course of the application, including alteration to ground and basement of Picasso House. The final plans illustrate a total of 146 cycle parking spaces.

8.0 UNCOMMON GROUND

- 8.1 The Appellant asserts that the lawful use of the Site is an extant hostel use. 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 Appellant's position remains that the Site has an extant planning permission for use as a hostel (granted and implemented in the 1960s). That permission remains the lawful use of the land today and further clarity has been provided by the University of Roehampton on use in their letter submitted as part of the appeal.

- 8.2 The LPA disagrees with the Appellant's assertion that the lawful use of the Site is an extant hostel use. In light of the appeal decision and given the lack of evidence put forward by the Appellant, the LPA considers that a) the lawful use of the Site does not incorporate/cover the Appellant's proposed use, and, in any event b) the Appellant has not established that the Site benefits from any lawful use given the many different uses which have occurred over the time in which the University of Roehampton has been in occupation. The LPA agrees with the Inspector with regards to the certificate of lawfulness appeal that the original grant of planning permission (in around 1960) would have been for student accommodation. The Local Planning Authority agrees that since that point in time, the Site has likely materially changed use to a mixed use. The LPA considers that the Appellant has not demonstrated that the Site benefits from any lawful use.
- 8.3 The Parties disagree as to whether Picasso House accommodates 'storage facilities'. The Appellant considers that it does not. The LPA considers that it does.
- 8.4 The Parties disagree as to whether Blocks A-E constitute "student" accommodation blocks. The Appellant considers that they are not limited to "student", having regard to the planning history (para 8.1 above). The LPA considers that if a lawful use exists at the site then the use would include student accommodation. The LPA considers that there is no lawful general hostel use on site.
- 8.5 With regard to the principle of development, the Appellant considers that there is no demand for student accommodation and that the lawful loss is justified under LP28. The Appellant also considers that there is an acute need for temporary housing in the borough and reuse of existing building is supported by policy (fabric first).
- 8.6 Although demand for student housing is not disputed, the LPA considers that the development would not optimise the capacity of the Site and provide the most appropriate use for the Site, in line with a design-led approach that optimises capacity as required by policy D3 of the London Plan (2021), considering the Site's context and the wider aims to provide permanent housing. The LPA considers that the principle of development has not been established and conflicts with various LPA policies which are being set out further in the LPA's Statement of Case and officer report.
- 8.7 The LPA considers that insufficient information has been provided to properly assess the impact on heritage assets. Further, although elevations of the proposed Bungalow have been provided at appeal stage, these have not been subject to consultation, although it is acknowledged that the Appellant considers that the proposals do not seek to demolish and replace the bungalow, but rather to restore. The LPA reserves its position with regard to the bungalow, subject to review of the new plans.
- 8.8 The Appellant contends that detail in regard to the hostel operation, management and maintenance has been set out in their Planning Statement and subsequently in

their Statement of Case. The Appellant considers there to be a positive impact on heritage assets given the lack of external changes proposed and no works to the listed assets within the Site. The Appellant also note that LBC has previously been granted under 2024/0199, for similar works associated with the use of the Site for temporary accommodation. The funds generated from the building and them being occupied would make the protecting and repair of the listed buildings possible. The LPA consider there to be an absence of details relating to both the impact of the scheme on the listed assets and registered park and garden together with proposals for those assets. On the level of information currently provided, the LPA considers that there would be likely to be less than substantial harm to the listed assets on the Site. In the absence of details of the long-term management and maintenance of the Temple and Mount Clare buildings, and the number of interventions within the landscape of the Site, there is an inability to identify the impact and potential harm on heritage assets within the Site.

- 8.9 Regarding the quality of the proposed accommodation, the Appellant considers that standards are exceeded and neither HMO nor NDSS standards are applicable to the hostel use proposed. The Appellant considers that the 'Setting the Standard' guidance note for STS Inspection Officers and Local Authorities (October 2020) contains the applicable standards and that these are exceeded.
- 8.10 The LPA considers the temporary accommodation to be a Sui Generis use which would accommodate unrelated individuals with shared facilities and that this is a 'hostel type HMO' or a 'bedsit type HMO' use. The LPA is therefore of the view that the Wandsworth Minimum Amenities Standards for Houses in Multiple Occupation are applicable, as well as the "Licensing and Management of Houses in Multiple Occupation Regulations 2006" and Statutory Instrument 2018 No. 616 "The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) Regulations 2018". The LPA considers that even if it were the case that those standards do not apply then the proposed accommodation is substandard, and considers that the units are cramped and do not meet any space standards which can be said to apply to the application. The LPA further considers that the communal facilities are inadequate for the development proposed.
- 8.11 The Appellant considers that a robust management plan in respect of operational management considerations would be in place. The Appellant considers that it has set out detailed principles of management within the Planning Statement, and within their Statement of Case.
- 8.12 The LPA considers that a management plan with details of how the temporary accommodation would be managed and maintained including mitigation measures should have been submitted as part of the application and is not to be secured by condition. The LPA is of the view that this information is essential for reaching a view as to whether the proposal is considered acceptable, with regards to amenity, transport implications and heritage impact.

- 8.13 The LPA consider that the application should have included further details regarding the impact of the scheme upon heritage assets and the long-term management or maintenance of the Site including a sufficient landscaping strategy in order to enable a full assessment of the application. The long-term management and maintenance of the Temple are also required to secure its future role, as required by the Local Plan Site Allocation Policy RO2. The Appellant considers that, despite what it considers to be limited changes to the existing landscaping, a suitably worded planning condition would allow appropriate long term management or maintenance requirements for the landscaped areas of the site.
- 8.14 The LPA considers that the application does not include details of energy reduction measures to meet the required carbon dioxide reduction targets. The LPA did not request an Energy Report at the time of submission and the application was validated without it, by reason that the description of the development involving a change of use would be re-visited, as agreed during the validation process with the Appellant, as appeal decision reference APP/H5960/X/25/3358768 had not been issued when the application was submitted. Although the Appellant has advised in writing that the development could achieve the necessary carbon reduction targets through retrofitting and renewable technologies without undue difficulty, an Energy Report dated 03/10/2025 was submitted after the appeal was lodged.
- 8.15 The Energy Report states that the proposed savings when compared to the Part L 2021 Building Regulations rate of buildings would not meet zero carbon and therefore there would be a shortfall that should be liable to a carbon offset financial contribution. Given when the Energy Report was submitted, it has not yet been possible for the LPA to reach a view and verify its contents, nor consider the need to secure any potential planning obligations on energy and sustainability. The LPA does not currently consider that these issues can be resolved by condition. The Appellant considers that during the course of this Appeal/Inquiry, the LPA will have ample time to review the contents of the Energy Report and to consider relevant planning conditions/obligations necessary.
- 8.16 The LPA consider the application does not consider any potential provision of affordable housing and the maximum level that the development could deliver, considering that the proposal constitutes a major application and the proposal includes housing based on the definitions within the Housing Act 2004. The Appellant reserves their position on this matter having regard to; a) the ongoing challenge of appeal decision ref 3358768, under which the Appellant's position remains that the Site has an extant planning permission for use as a hostel (granted and implemented in the 1960s) and that remains the lawful use of the land today; and b) until the LPA Statement of Case of received, as no details on this matter has been provided by the LPA to date.

- 8.17 The LPA consider the above matters to be fundamental to the assessment of the application. The Appellant contest whether these aspects can be further secured by conditions or if matters raised are relevant.
- 8.18 No planning obligations are currently proposed, but the Appellant states that these may be explored further if requested by the Inspector. The Appellant awaits feedback from the LPA on what obligations may be sought.