



LONDON BOROUGH OF WANDSWORTH

Town and Country Planning Act 1990 (as amended)

Planning and Compulsory Purchase Act 2004

**The Town and Country Planning (Inquiries Procedure)
(England) Rules 2000 (as amended)**

PROOF OF EVIDENCE

prepared by

Mr Dave Worth

on behalf of London Borough of Wandsworth

Site: Mount Clare Campus, Minstead Gardens, Roehampton Gate, SW15 4EE

Planning Inspectorate reference: APP/H5960/W/25/3371729

LPA Reference: 2025/0074

Appendices

Appendix	Document
A	Homelessness advice - Shelter England
B	PowerPoint presentation on temporary accommodation occupancy

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1. **QUALIFICATIONS AND EXPERIENCE**

- 1.1. I am Dave Worth, currently employed as the Council's Director of Housing Services in a full-time capacity. In this role, I hold Chief Officer responsibility for various statutory and non-statutory housing functions. I have held this role since February 2002.
- 1.2. For this appeal and this proof of evidence, specifically I hold responsibility for the Council's compliance and implementation of its duties and powers toward homeless persons, within the framework of the Housing Act 1996 at Part VII (as amended).
- 1.3. These include the duties to provide suitable temporary accommodation to those homeless families that qualify for it, and the duty to provide such accommodation within the Council's own district 'as far as is practicable'.
- 1.4. I first became involved in these proposals for this site in late 2023/early 2024 via an unsolicited contact from Mr Andrew Gillick on behalf of his company, seeking to discuss the site's possible use as temporary accommodation by the Council to meet the duties referred to above.
- 1.5. Through subsequent conversations and, from memory, one face to face meeting, my involvement was focused on the housing, rather than the planning, aspects. As set out below, our discussions were high level and to a large extent theoretical insofar as the issue of planning approval or otherwise was, at that time, unresolved.
- 1.6. I have now been asked by the Local Planning Authority whether I will provide evidence to the appeal from the perspective of the Local Housing Authority. In particular, I have been asked to provide evidence with regards to the need for temporary accommodation in the borough, a broad overview of how a person who is in need of temporary accommodation is housed and whether, in my opinion, the accommodation which is being proposed by the Appellant is suitable for temporary accommodation and whether the Local Housing Authority would 'take on', or administer, that accommodation.

- 1.7. The evidence that I have prepared and provide for this appeal is true. I can confirm that the opinions expressed are my true and professional opinions".

2. **PREVIOUS INVOLVEMENT OF THE LOCAL HOUSING AUTHORITY WITH THIS SITE**

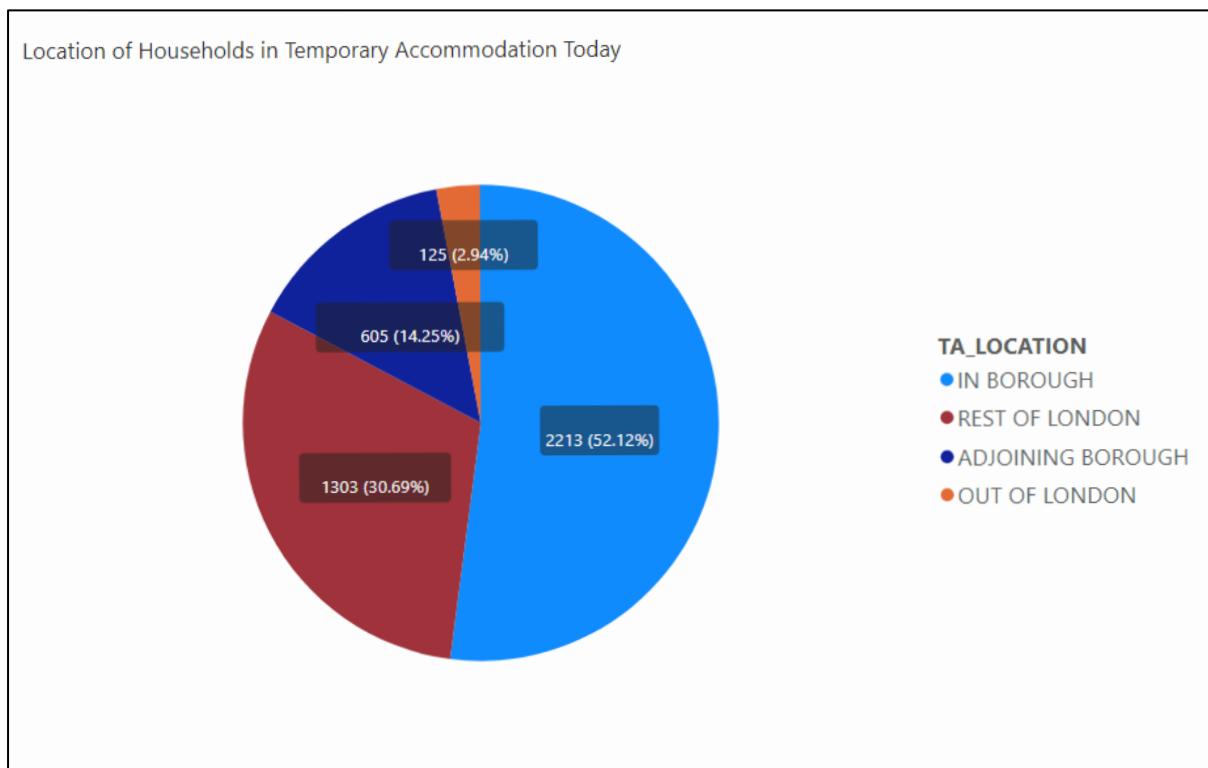
- 2.1. It is correct that the Council's Housing Team previously indicated an interest in the site (around three years ago). I was involved in discussions at the time.
- 2.2. At the time, I visited the site and I expressed the view that it could have been possible to site an 80 self-contained unit scheme at the site. I considered that this would be beneficial from the perspective of reducing the use of out-of-borough temporary accommodation and also from a financial perspective.
- 2.3. I would comment that an 80 unit scheme is a very different prospect from what is now proposed as the largest temporary accommodation proposal in the borough. Below I explain that the current scheme is too dense, with units that are too small. Further, I explain that this is not a sustainable location to site such a large facility. Those considerations would be less pressing for a smaller scheme because a minority of homeless families originate from the wider Roehampton area and so would be keener to remain there notwithstanding the lack of connectivity.
- 2.4. The Council ended up making a low offer to purchase the site. I understand that this was more to register an interest in case a sale did not proceed. Further, at the time the Council was at an earlier stage of an ambitious and ongoing plan to regenerate the wider Alton Estate and the bid also had the advantage of potentially being able to acquire the land for a low price for wider site assembly reasons.
- 2.5. I can confirm that so far as I am aware the housing team did not seek or receive support from the Planning Department prior to making its low offer.

2.6. Finally, as mentioned above, Mr Gillick contacted me directly to discuss his proposal to develop a temporary accommodation scheme on the site, with most contact being by email exchanges with one face to face meeting at council premises, also attended by my housing colleagues. I can confirm that the Council's housing team did not confirm that any proposals put forward by Mr Gillick would be considered suitable by them.

3. THE DUTY TO PROVIDE TEMPORARY ACCOMMODATION AND THE NEED IN WANDSWORTH

3.1. Firstly, I confirm that the Council has an ongoing need for good quality, appropriately sized and well managed temporary accommodation units, and ideally for any new provision to be within the borough, given both the target duty to do so and for the convenience of homeless families occupying the units.

3.2. At present, the Council has nearly half of all placements located outside the borough as per the chart below:



- 3.3. Obviously, being placed outside of the borough can cause inconvenience for the households concerned with for example additional commuting time and costs to ensure continuity of medical treatment and/or education or work.
- 3.4. Where someone is required to be housed in temporary accommodation, as I set out below, it is necessary to consider the fact that they may well need to access facilities which are required for their day to day lives. For example, when entering into temporary accommodation a person is not expected to be required to move work places, move schools or stop attending medical/treatment facilities. Rather, it is important to try to ensure that they are able to access those facilities from the temporary accommodation. Placing households outside of the borough has the potential to cause inconvenience in relation to this. However, as I set out below, that does not mean that all in-borough placements will necessarily be more convenient from this perspective than outside of the borough placements. This is relevant when it comes to considering the accessibility of this particular site.
- 3.5. In terms of household demographics, around half of those currently placed into temporary accommodation are single/childless households with the remainder being families with children. Details of family size, time spent in temporary accommodation and the current financial challenges as well as other data, is shown at Appendix B, as provided to the Council's Housing Overview and Scrutiny Committee at its meeting of the 27th of November 2025.
- 3.6. The Council's duties around housing the homeless are set out in the Housing Act 1996 at Part VII as most recently amended by the Homelessness Reduction Act 2017. In brief summary, the duties are engaged whenever a household approaches a local council believing themselves to be at risk of homelessness and their circumstances give the Council 'reason to believe they may be homeless'.
- 3.7. This is a low test albeit the duty to provide temporary accommodation is not universal as it only arises where the Council also has reason to believe someone may be in priority need, which is the key legal test in the legislation

as far as entitlement is concerned. There are several classes of person who have a priority need, some of which are objective e.g. being pregnant or having dependant children resident with the applicant, while others are more subjective e.g. whether someone is vulnerable as a result of ill health or other prescribed factors. I have attached as Appendix A a summary of the duties provided on Shelter's website. This provides a good summary of the duty which it is unnecessary for me to repeat.

- 3.8. In Wandsworth, as an inner London borough with some of the highest rental and property prices in the country, housing pressures are chronic, and homelessness pressures are rising at the present time. In the current year it is expected that over 4,000 households will approach the Council and the borough's use of temporary accommodation is currently at an all-time high, with over 4,500 placements in one or other form of temporary accommodation at the current time.
- 3.9. Despite the pressures, the Council complies with its duties and, for example, is proud of being one of a minority of boroughs that successfully avoids the use of bed and breakfast accommodation for families with children, which is unlawful except in an emergency and then for no longer than 6 weeks. Over recent years, maintaining that compliance has become harder with more out of borough provision becoming necessary, as indicated in the chart above.

4. THE SUITABILITY OF TEMPORARY ACCOMMODATION

- 4.1. The legislation also requires that temporary accommodation provided must be 'suitable' in almost all circumstances.
- 4.2. Whilst there are limited examples of where Parliament has prescribed in regulations what is and is not suitable e.g. using bed and breakfast type accommodation for families with children, except in an emergency and then for no longer than 6 weeks, mostly such issues are decided by a council on a case-by-case basis. Issues commonly considered are size and layout,

location, accessibility, distance from services e.g. schools and health services and affordability.

- 4.3. Suitability is sometimes described as a 'floating' legal test insofar as a property which may be suitable for very short-term use will not be suitable for medium or longer-term use. Given the pressures the borough is experiencing, the term 'temporary' accommodation is something of a misnomer, as the average time in such accommodation at the present time is measured in years, not months. On that basis, it is important to consider any new proposals for temporary accommodation such as this one with the expectation that residents will not be there for only a few nights but will be resident for many months or possibly years. I understand that the Appellant has previously acknowledged that its proposal would be expected to house people for many months and possibly for more than a year.
- 4.4. The legislation grants applicants (for temporary accommodation) the right to seek a senior officer review of suitability which is then subject to appeal to the County Court on a point of law. Further, the Local Government and Social Care Ombudsman have delivery of homelessness duties in their remit and suitability is a frequently decided matter of complaint. Thus, placing those in need of temporary housing in unsuitable accommodation is not a solution for the Housing Authority. In the event that accommodation is considered to be unsuitable and the Housing Authority sought to place people in accommodation then it can be expected that a significant number of complaints, reviews and appeals would arise.
- 4.5. In respect of suitability, there are minimum standards around space and amenity that apply to houses in multiple occupation and the London boroughs have cooperated to create an inspection and enforcement framework under what is known as the 'Setting the Standard' initiative, which is focused on what is known as the 'nightly paid and bed and breakfast' temporary accommodation marketplace and not on longer term leasing arrangements such as was being sought at Mount Clare. It is important to recognise this because even if Setting the Standard standards (**CD/I15**) are met that does

not mean that the accommodation is suitable to accommodate households for more than a few nights. It is important to consider the length of stay when considering the issue of suitability.

4.6. As regards to relevant requirements relating to HMOs, I note that licensing requirements would not apply if the local council were directly managing the housing. However, that would not be the case here as I set out below.

5. **WHETHER OR NOT THE PROPOSAL FOR ACCOMMODATION IS “SUITABLE” FROM THE PERSPECTIVE OF THE LOCAL HOUSING AUTHORITY**

5.1. Turning now to the Mount Clare scheme as proposed, I confirm I have reviewed the plans. As I have noted above, previous discussions with Mr Gillick were a) limited and b) somewhat abstract in that the planning issues was unresolved so there was little benefit in getting to the fine details whilst that remained the case.

5.2. Now that I have had an opportunity to review the proposal, I have profound concerns that the scheme as currently designed would not be capable of providing suitable housing to enable routine compliance with our legal duties.

5.3. My concerns are that: (a) the scheme is too dense; (b) the units are too small/crammed; (c) the risk of management problems are significant, and the probability of frequent refusals and/or legal challenge/complaints around suitability is too high; and (d) the location is not sufficiently sustainable. As I further note below, under a leasing scheme, the Council takes on the financial risk and higher than expected void levels would jeopardise its financial viability.

5.4. First, with regards to density, the proposal is for more than 260 households placed within relatively small building footprints. This is a major concern particularly given the demographic of people to whom the Council owes a temporary accommodation duty.

- 5.5. For context, if the scheme were to be brought into being, it would be the largest single temporary accommodation scheme in the borough by a significant margin.
- 5.6. There is a high proportion of those on the temporary accommodation waiting list which either have children or are expecting children, and the fact that many others would be single people with a mix of vulnerabilities including physical or mental ill health issues, substance misuse issues, and/or a combination of life experiences rendering them less able to find and keep their own accommodation. The proposal to house people in such a dense manner is of concern and this is particularly the case given the demographics of the temporary accommodation list.
- 5.7. The proposal seeks to squeeze what would likely be a high number of vulnerable people into the existing buildings at the site. It is considered that the density of placing these people in such close proximity to each other would not be suitable and would add to the difficulties of managing this site (which I comment upon below).
- 5.8. Second, the individual accommodation units are too small. As set out above, it is important to remember that the households would be in the accommodation for many months, stretching possibly to years. The evidence of Mr Smith addresses the physical dimensions of the units and whether or not space standards are met.
- 5.9. As set out above, Setting the Standards applies to nightly accommodation and should not, in any event, be considered to set a standard for temporary accommodation of this type which would be used for months/years.
- 5.10. The rooms will be extremely cramped. I note that many of the rooms appear to have a shower area of little more than 1 square metre (including a toilet)". There is also proposed to be a kitchenette within the rooms which will additionally take up space.

- 5.11. When considering the size of rooms it is necessary to bear in mind that individuals and families will have no other accommodation available. They may well have all their household possessions with them.
- 5.12. I consider that the very small rooms are not mitigated by the provision of some limited communal facilities within Picasso House, as many families would not wish, in my experience, to use them regularly and in any event are no substitute for more generous accommodation in one's own home. Further, I note that the location of the communal facilities would require residents to walk outside to access them. This is further reason why they are unlikely to be used regularly.
- 5.13. In addition to the issue of size, the proposed units, most of which are accessed by internal communal stairs, would not be suitable for disabled households. The Council's Specialist Housing Occupational Therapist provided a consultation response in relation to this issue as part of the Officer Report (**CD/D2**). I agree with the points raised.
- 5.14. Third, I have significant concerns regarding the management of the site. The density of the site and the number of people which are proposed to be housed is a real concern. This is particularly the case given the vulnerabilities which many people on the temporary housing list display. In practice, I consider that this site is likely to be very difficult to manage. In my opinion and experience, disputes over lifestyle choices amongst so many people with differing vulnerabilities would be common. It is for this reason that I mentioned to the owners that we would expect security and concierge provision as part of any arrangement that may have been agreed all other things being to the Council's specification and satisfaction, including the planning question. However, even with security and concierge provision I consider that this site would be very difficult to manage given its density.
- 5.15. Finally, I consider that the location of the site is also unsuitable for siting what would be the largest temporary accommodation facility in the borough. As set

out in the evidence of Mr Smith, the site is in one of the least well connected parts of the borough. It is served by only 2 or three bus routes and/or according to the evidence of Mr Lewis, provided with the Appellant's appeal statement, the nearest railway station is Barnes station, which is approximately a 30-minute walk away. Given this is such a large facility it is very unlikely that most of the residents would be from the nearby area and content to be housed here on that basis.

- 5.16. The lack of connectivity is likely to mean that access to schools for continuity of education or regularly accessed support or health services, and access to places of employment, would be very difficult for most residents. It is considered that this means that the site is not suitable to accommodate the largest temporary accommodation facility in the borough.
- 5.17. In addition to this, the scheme is located at the end of a long road running downhill from the main entrance to the estate on the junction of Danebury Avenue and Roehampton Lane. At present, and aside from local convenience store, the main shopping and socialising amenities are as far away from the accommodation units as they could be. Their location would cause real difficulties for less mobile applicants and or parents with buggies etc.
- 5.18. Overall, I can confirm that based upon all of the above, the Council's Housing Authority does not consider that the site represents a suitable location on which to site the largest temporary housing facility in the borough. Furthermore, the size of the units and their layout also render the proposal unsuitable.
- 5.19. I can confirm that the Council would not be prepared to take on and manage the facility proposed by the Appellant. Further, it is not considered that it would be suitable to house people on the temporary accommodation waiting list even if it were managed by a different entity. On that basis, I consider that this proposal would not meet needs for temporary accommodation in the borough.

6. **SUMMARY AND CONCLUSIONS**

- 6.1. My proof of evidence has set out the context for this appeal in terms of: (a) the need for temporary accommodation; and (b) the duties upon the housing authority. There is a significant need for temporary accommodation in the borough but this accommodation must be suitable.
- 6.2. Having reviewed the Appellant's proposals I can confirm that the proposed accommodation is not suitable.
- 6.3. The size of the proposed units are too small to be comfortable, given that occupants would be there for many months. In particular, the size of the shower unit is inadequate for that long term use. I would anticipate many challenges by occupants on grounds of suitability.
- 6.4. Further, I have some significant reservations about the location insofar it is probably the least well-connected area of the borough, being served by bus only and being located at the far end of the wider Alton Estate.
- 6.5. Thirdly, it is too dense in my view, as having other 260 homeless households, some of which would comprise families, and many of which would comprise single, vulnerable individuals, in one place would be very likely to result in increased management problems, including anti-social behaviour.
- 6.6. Overall, the Local Housing Authority considers that the proposal is not suitable to meet the need for temporary accommodation in the borough. The Local Housing Authority has significant concerns and can confirm that it would not take on and operate the accommodation itself.
- 6.7. As presented and proposed by the Appellant, the scheme is not one that the borough would support from a meeting housing needs perspective.