



WANDSWORTH BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

Planning and Compulsory Purchase Act 2004

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

PROOF OF EVIDENCE

**BARRY SELLERS MA (UD), BA (HONS ARCH), BA (HONS) TP, DIP UD, MRTPI,
IHBC, RECOGNISED PRACTITIONER URBAN DESIGN
on behalf of London Borough of Wandsworth**

Site: Mount Clare, Minstead Gardens, SW15 4EE

PINS Ref: APP/H5960//W/25/3371729

LPA Ref: 2025/0074

Appendices

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1. QUALIFICATIONS AND EXPERIENCE

- 1.1. My name is Barry Sellers. I am a Principal Planner (Urban Design) who formerly managed the Urban Design and Conservation Team for both Wandsworth and Richmond Councils. I joined Wandsworth Borough Council in April 1988 and have 37 years' experience working in the borough.
- 1.2. I am a Chartered Town Planner since 1981, holding a BA degree in Town Planning. I am a Recognised Practitioner in Urban Design, which I have held for the last 10 years, and have both a Diploma and a Masters' degree in Urban Design. I am also a Chartered Member of the Institute for Historic Building Conservation (IHBC) since its formation in 1997, and previously a member of the Association of Conservation Officers (ACO) from 1981 to 1997.
- 1.3. I have worked in Urban Design and Conservation in the London Borough of Lewisham and Southampton City Council as well as as a planning officer with Rushmoor Borough Council. Altogether I have over 48 years of experience in local government. For the last 37 years I have worked in Wandsworth and for most of that time as Principal Planner (Urban Design & Conservation) for the local authority and have had responsibility for Richmond since 2016 as part of a Shared-Service arrangement.
- 1.4. I was Chair of the Urban Design Group in 2004-2006 and have given lectures in urban design both in the UK and overseas, during which time I wrote an article for Context, the IHBC professional magazine.
- 1.5. The evidence which I have prepared and provide for this appeal in this proof of evidence is true and has been prepared and is given in accordance with the guidance of my professional institutions the RTPI and IHBC and I confirm that the opinions expressed are my true and professional opinions.

2. INTRODUCTION

- 2.1. This appeal is against the non-determination of planning application 2025/0074 in respect of a site at Mount Clare Campus, Minstead Gardens, Roehampton Gate, SW15 4EE.
- 2.2. The application involves a permanent change of use of the existing buildings to temporary accommodation as a hostel (sui generis use class) 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.
- 2.3. A delegated officer's report has been prepared and had it been presented to Planning Committee for a decision, the application would have been recommended for refusal. The proof of evidence should therefore be read in conjunction with the officer's report, the Council's Statement of Case and the Statement of Common Ground (SoCG). In addition, this proof of evidence should also be read alongside the other Proofs of Evidence that have been prepared on behalf of the Council, by Mr. Nik Smith (Nexus Planning), Mr Dave Worth (Director of Housing Services, Wandsworth Borough Council) and Ms. Siri Thafvelin (Principal Planning Officer, Wandsworth Borough Council).

Putative Reason for Refusal

- 2.4. My Proof of Evidence will address Putative Reason for Refusal 6, reproduced below:

"The Application has failed to provide sufficient information to properly assess the impact of the proposal upon relevant heritage assets, which include Mount Clare House, the Doric Temple, the Registered Park and Garden and the Conservation Area. The Application has not considered the future role of the Doric Temple in terms of its long-term management and maintenance, nor the potential for the re-instatement of the pond in front of the Temple. Further, there is a clear risk to Mount Clare House and the Doric Temple of further degradation/deterioration without any proposals for their proper management

and protection. The proposed development has failed to demonstrate that it meets the requirements set out in the Local Plan (2023) site allocation RO2 (Mount Clare, Minstead Gardens, Roehampton, SW15), policies D3 and HC1 of the London Plan (2021) and Local Plan policy LP3. The application has also failed to demonstrate how it would comply with s66(1) and 72(1) Planning (Listed Building and Conservation Areas) Act 1990.”

Site Details

2.5. The application site comprises an irregular parcel of land of approximately 1.57 hectares in area that is bounded to the west by Richmond Park, with the Richmond Park Golf Club immediately adjacent along the park boundary, and fronts a stretch of Minstead Gardens, towards the northeast side. The site accommodates the Mount Clare campus and sits within the Alton Conservation Area and contains two listed buildings: Mount Clare House (Grade I) and the Temple (Grade II*). Most of the site is also situated 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.

2.6. The site is occupied by the following complex of buildings:

- **Mount Clare** (House) is a two-storey building, which was constructed between 1770 and 1772, as a country residence, and originally set within an open landscaped setting. The building is Grade I listed, and it is understood it was last used as offices by the University of Roehampton and then as a film set. I frequently attended meetings on the first floor with Dr. Ghazwa Alwani-Starr, the then Director of Estates and Campus Services between 2010 and 2016. My understanding at the time was that this building was in use by the entirety of the University of Roehampton and not simply ancillary to the student accommodation at the appeal site. The list description is:

“MINSTEAD GARDENS SW15 1. 5033 Mount Clare TQ 27SW 3/11 14.7.55
I 2. 1772 probably by Sir Robert Taylor, enlarged with portico and other

enrichments. 1780 by Columbani, 2-storeys and basement. Five-bays. Stucco, with rusticated stone basement. Three-bay projecting centre with pediment and wood Doric tetrastyle balustraded portico with modelled plaster ceiling and WI railings raised above arched basement and approached by 2 curved flights of stone steps with WI railings. Dentil cornice. Rear elevation of 2-storeys with semi-octagonal projection in centre. Entrance hall has vaulted and shallow coffered ceiling. Geometrical stone staircase with WI balustrade. Octagon drawing room with good delicately modelled ceiling and niches. Marble fireplaces and other good interior features. In the grounds are the dismantled remains of a circular Composite temple, the columns of which are stored in the basement. The marble capitals of 2 columns are Roman. Built by George Clive, cousin to Lord Clive. The gardens were laid out by Capability Brown" (CD/I4).

- **The Temple** in the Grounds of Mount Clare is a folly building with external and internal decorative features. The building was built between 1762 and 1769 and is Grade II* listed. The building is also on Historic England's 'At Risk' register. The list description is:

"MINSTEAD GARDENS SW15 1. 5033 Temple in grounds of Mount Clare TQ 27SW 3/12 14.6.55 II* 2. Stone. Circa 1762-69 Greek Doric style, modelled on illustration from Stuart and Revett: 'The Antiquities of Athens'. Sculptured panels in portico and interior and coved frescoed ceiling. Brought here from Bessborough House in 1913 and thus was possibly designed by Sir William Chambers the architect of that building" (CD/I4).

- **Picasso House/Hall** is a two-storey building with a basement, which was built in the 1960s, and was originally designed to accommodate a dining hall with ancillary facilities at ground floor level, together with twenty-eight residential rooms that were accommodated at first floor level. Land Registry records indicate that a branch of the Citizens Advice Bureau has been operating at Picasso House since 2019.

- **Blocks A-E** are fifteen almost identical student blocks, which were built in the 1960s, that are clustered into five groups of three. The buildings are two-storey in height and contain twelve student bedrooms, with one shared kitchen and two shared bathrooms each. The blocks therefore accommodate 180 bedrooms and are named individually, in clusters A to E (Albers, Andre, Appell, Balla, Bellini, Blake, Calder, Catlin, Cornell, Dali, Degas, Duffy, Eakins, Epstein and Etty). The last known use of these buildings is as student accommodation.
- **The Lodge (Bungalow)** is a brick building, which sits adjacent to the Temple, which was used as a house for the principal of Garnett College. The building is in a derelict condition and inaccessible. It is not known when it was last used. The Inspector at the recent Appeal against a refusal to grant a lawful development certificate for the site (Appeal Ref: APP/H5960/X/25/3358768) said in his report, *‘Evidently, something was built in broadly that location, but the present-day remains are barely recognisable as a dwelling.’* A survey report by Rapleys who were commissioned by the Council to independently report on the condition of the Lodge found, *“the property is currently in poor condition, not fit for occupation or habitation. Roof structures have collapsed in places, many windows and doors missing and the suspended timber floor largely absent. There are limited finishing materials which remain in situ; plaster has fallen from the walls and since there are no floors or ceilings, there are no floor coverings or ceiling finishes to comment upon.”* The Council in its submissions report to the Inspector dated 5 December said, *“It is clear that the lodge requires substantial building operations”*. The Appellant’s own structural report concludes that significant parts of the Lodge require re-building (roof, floor structure, windows and doors). This is the case whether or not parts of the building can be retained. In my view, the works go far beyond maintenance, improvement and alteration but in any event, they will evidently materially affect the external appearance of the building. They therefore do not fall within s55(2) TCPA 1990. It is understood that these works may be the subject of an enforcement investigation. The Inspector

has confirmed that for the purposes of the present appeal, there is no operational development to the Lodge, but solely the use applied for. I address the relevance of this in my evidence below.

- **The ‘Garage’** is a small building, adjacent to the Lodge, which was originally built as garages to the principal’s house. The building is also in a state of disrepair, and its last use is not known.
- **The ‘Outbuilding’** is a small building with one open side located adjacent to the Garage. The building is also in a state of disrepair, and its previous use is not known.

2.7. The site is subject to a number of constraints

- Roehampton Archaeological Priority Area.
- Alton Conservation Area
- Grade II registered park and garden: Landscaping to Alton West.
- Grade I listed building: Mount Clare
- Grade II* listed building: Temple in grounds of Mount Clare
- Site Specific Allocations: PM7 Roehampton and Alton Estate Regeneration Area, and RO2 Mount Clare, Minstead Gardens, Roehampton SW15.
- Tree Preservation Order 248/1999.

2.8. The designated heritage assets are described in section 4 of this proof of evidence, in terms of their heritage significance.

3. **POLICY BACKGROUND**

NPPF

3.1. As part of my proof of evidence I will refer to the national policy background provided by the National Planning Policy Framework, as published on 12 December 2024. I will also refer to National Policy Guidance as well as Historic

England guidance, the Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition). In addition, I will refer to Historic England Guidance Statements of Heritage Significance Analysing Significance in Heritage Assets Historic England Advice Note 12.

- 3.2. Paragraph 207 of the NPPF says that *‘in determining applications local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.’*
- 3.3. Paragraph 210 says, *‘In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness’.*
- 3.4. Paragraph 215 says, *‘where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use’.*
- 3.4A I note that a consultation draft of the NPPF was issued on 16 December 2025 and that the Inspector has requested that the parties address that document in their proofs of evidence. I have therefore sought to do this.

London Plan - Policy D3

- 3.5. Parts of London Plan Policy D3 are relevant to heritage considerations. Part A states that, *'All development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity (as set out in Policy D2 Infrastructure requirements for sustainable densities), and that best delivers the requirements set out in Part D.'*
- 3.6. This sits alongside Local Plan policies PM7 and RO2, which I address below. These policies encourage a plan-led regeneration of the site that would involve reconsideration of the 1960's buildings and the proposal for a high-quality scheme that preserves and enhances the significance of the designated heritage assets.
- 3.7. The Relevant parts of Part D state:

"Development proposals should:

Form and Layout

1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

[...]

Quality and character

11) respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.”

- 3.8. I note also that Part E states that, “*Where development parameters for allocated sites have been set out in a Development Plan, development proposals that do not accord with the site capacity in a site allocation can be refused for this reason.*”

Policy HC1

- 3.9. Policy HC1 is also relevant to my evidence:

“A Boroughs should, in consultation with Historic England, local communities and other statutory and relevant organisations, develop evidence that demonstrates a clear understanding of London’s historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to, and interpretation of, the heritage assets, landscapes and archaeology within their area.

B Development Plans and strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings. This knowledge should be used to inform the effective integration of London’s heritage in regenerative change by:

- 1) setting out a clear vision that recognises and embeds the role of heritage in place-making
- 2) utilising the heritage significance of a site or area in the planning and design process

3) integrating the conservation and enhancement of heritage assets and their settings with innovative and creative contextual architectural responses that contribute to their significance and sense of place

4) delivering positive benefits that conserve and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing.

C Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

D Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets. The site is partly within the Roehampton Archaeological Priority Area, and any excavations would require an assessment.

E Where heritage assets have been identified as being At Risk, boroughs should identify specific opportunities for them to contribute to regeneration and place-making, and they should set out strategies for their repair and reuse."

Wandsworth Local Plan

- 3.10. The Council prepared a Local Plan which was Adopted by the Council in July 2023. The Council's Local Plan sets out policies and guidance for the

development of the borough over the plan period of 2023 to 2038. It sets out the Council's proposed Vision, Objectives and Spatial Strategy. It includes Area Strategies, Policies and Site Allocations which will support their delivery. It identifies where development will take place and how places within the borough will evolve through the application of placemaking principles to guide change and support Inclusive Growth over the next 15 years.

- 3.11. Whilst facilitating the management of development, the Local Plan will also protect and enhance what is good and special about Wandsworth, including its culture, sense of community, heritage, neighbourhood character, open spaces, quality parks, schools and community facilities, and thriving small businesses. It is notable that the site-specific policies set out below have expressly addressed the future conservation and enhancement of the heritage assets on the appeal site.

PM7 Roehampton and Alton Estate Regeneration Area (Strategic Policy)

- 3.12. Policy PM7 is relevant to my evidence.
- 3.13. Paragraph 9.1 of the explanatory text to PM7 in the Local Plan says, "*The Area Strategy for Roehampton and Alton Estate Regeneration Area identify opportunities to create an improved sense of place for the area, including celebrating the existing heritage assets in the area and improving connections to Roehampton High Street.*"
- 3.14. Paragraph 9.10 states, "*Although the atmospheric landscaping, historic layout and architectural quality of the buildings is valued by local communities, the Alton Estate is cut off from its surroundings by the A3 and Roehampton Lane, as well as continuous fences along Richmond Park and an adjacent golf course. These features contribute to poor legibility and connectivity. The area has also suffered from additions and demolitions over the years, obstructing views, and infilling of vacant sites with poor quality developments. The incremental change*

has eroded the overall vision and sense of place and compromised the openness, harmony and connectivity of the estate”.

Vision

3.15. Paragraph 9.12 of the explanatory text sets out a ‘Vision’ for the area. It states:

“The Area Strategy for Roehampton and Alton Estate Regeneration Area will meet the Vision and Objectives of the Local Plan by:

1. Creating a mixed and inclusive community with new and improved high-quality housing that will widen housing choice;
2. Promoting the replacement of poor-quality building stock with well-considered new buildings of high architectural merit and sustainable design, which contribute to climate change mitigation;
3. Supporting the adoption of a placemaking approach which protects, strengthens and repairs the special qualities of the estate;
4. Delivering benefits to the wider community through the provision of new and improved community facilities, an improved retail offer, affordable workspace and enhanced open space and play facilities;
5. Protecting and enhancing existing heritage assets and the special character of the Alton Estate and Roehampton”.

Placemaking and People First

3.16. PM7 itself provides, as relevant to my evidence:

“A. Placemaking

1. Development proposals should conserve and enhance existing heritage assets and their settings and respond sensitively to the special character and qualities of the area. Development should maintain and enhance the parkland setting of the Alton Estate.

[...]

5. Development proposals will be required to respect and enhance the valued views and vistas established in Map 9.1 Spatial Area Map: Roehampton and Alton Estate Regeneration Area.”

[...]

C. People First

1. Development should ensure that biodiversity, and the recreational, leisure, play and amenity functions of open spaces are enhanced for the benefit of new and existing residents, and the quality of the public realm is improved.

2. The heritage and special character of the area should be reflected in the design of new development and the public realm. The regeneration of the Alton Estate will require the preparation of a Cultural Strategy which will include a range of initiatives to promote genuine community engagement and participatory design processes.

3. Development will be required to contribute towards the creation of a network of green infrastructure throughout the area and the provision of improved links from Roehampton Lane to Richmond Park. The regeneration of the Alton Estate should maintain the openness and contribute to improvements to Downshire Field and include provision for sensitive landscaping proposals, improved play facilities, management and maintenance and an activity strategy.”

Site Allocation R02

- 3.17. The site is located east of Richmond Park within the Alton Estate Regeneration Area. It is bounded to the north and east by Minstead Gardens and the west by Tunworth Crescent. Site Area: 1.57ha. The site allocation envisages the whole site coming forward including Mount Clare and the Temple (as part of the wider

regeneration area). It does not provide any support for a piecemeal approach to the site. When read together with PM7 and other policies it envisages a solution for the regeneration of the entire site which would include the preservation and enhancement of the designated heritage assets.

- 3.18. I note the site allocation is for mixed-use development with residential uses. Further, parts of the policy provide that:

“9.30 Uses - Any proposals must consider the future role of the Doric Temple and provide a scheme for its long-term management and maintenance.

9.31 Natura 2000 Sites Impact - Assessment of the impact of emissions from traffic (construction and occupation) on Richmond Park Natura 2000 site to determine appropriate mitigation. Promote introduction or enhancement of Stag Beetle habitats in consultation with Natural England’s Discretionary Advice Service (DAS).

9.32 Identity and Architectural Expression - Any replacement of the 1960s buildings should seek to re-assess the landscape significance of the site and seek to inform and re-interpret the principles of the Capability Brown landscape.

9.33 Massing - Any development will need to respect the scale and setting of the heritage assets.

9.34 Nature - Redevelopment should consider reinstating the pond in front of the Temple to improve the biodiversity value of the site.”

Policy LP3

- 3.19. Policy LP3 is also relevant to my evidence. It states, as relevant:

“A. Development proposals will be supported where they sustain, preserve and, wherever possible, enhance the significance, appearance, character, function

and setting of any heritage asset (both designated and non-designated), and the historic environment. The more important the asset the greater the weight that will be given to its conservation. Proposals should demonstrate that consideration has been given to the following:

1. The conservation of features and elements that contribute to the heritage asset's significance and character.
2. The reinstatement of features and elements that contribute to the significance of the heritage asset which have been lost.
3. The conservation and, where appropriate, the enhancement of the space in between and around buildings including front, side and rear gardens.
4. The removal of additions or modifications that are considered harmful to the significance of any heritage asset. This may include the removal of pebbledash, paint from brickwork, non-original style windows, doors, satellite dishes or other equipment.
5. Securing the optimum viable use for the heritage asset (being that which is likely to cause the least harm to its significance).
6. Adaptations to allow people with disabilities access to, or use of, a heritage building or asset and that these have been sensitively and appropriately designed.

[...]

C. Development proposals will be required to positively contribute to and, whenever possible, enhance the setting and integrity of strategic and local views (as set out in the London Plan and in Table 14.1 below) and valued views and vistas (as identified in the Spatial Area Maps). Appropriate supporting

evidence will be required to demonstrate acceptable visual impact on protected views.

D. The substantial or total demolition of buildings in Conservation Areas that make a positive contribution to the character of the area will be resisted unless it can be demonstrated that the tests set out in Part E have been fully complied with.

E. Development proposals involving substantial harm to (or total loss of significance of) designated heritage assets will be refused unless it can be clearly and convincingly demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

F. Proposals for development involving ground disturbance in Archaeological Priority Areas (as identified on the Policies Map), or heritage assets of archaeological interest will need to be supported by a desk based archaeological assessment and may also require appropriately supervised field evaluation. The recording and publication of results will be required and in appropriate cases, the Council may also require preservation of assets in situ, or excavation.

G. Proposals affecting non-designated heritage assets (including locally listed buildings) will be assessed on the scale of the harm relative to the significance of the asset, in accordance with national policy and guidance.

H. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, any consequential deteriorated or damaged state will not be taken into account in any decision.

I. Proposals for alterations and adaptations in order to provide for climate change mitigation alterations and adaption will be supported where it has been demonstrated that the requirements of Part A to this policy in particular have been met.”

- 3.20. The London Borough of Wandsworth commissioned Arup in 2019 to produce an Urban Design Study (Appendix E), providing a townscape character assessment alongside an assessment of the borough's capacity for tall buildings and small sites. This study enables the Council to deliver a design led approach to meeting its housing targets through the emerging Local Plan. Bringing together the values, character and sensitivity of different parts of the borough with the reality of future development pressures, it provides a robust evidence base to inform future planning.
- 3.21. The Urban Design Study sets out the key characteristics of Roehampton. Roehampton Residential Estates encompasses the buildings and parkland occupied by the Alton East and Alton West Estates, a pioneering 20th century social housing scheme set in a historic landscape and interwoven with historic buildings.
- 3.22. A palimpsest landscape, made up of different layers of historic developments from the Georgian, Victorian and post-war eras. Historically the area was occupied by Georgian country estates reflecting Roehampton's popularity as a destination for aristocratic summer residences close to Richmond Park. Several of the country estates in their landscaped parkland settings still survive (notably Mount Clare, grade I listed, Parkstead House, also grade I and Downshire House, grade II*), although many have been altered, extended or part demolished. The Victorian era saw development of villas, in subdivided estate plots.
- 3.23. The Study sets out the valued features of the Alton Estate at p. 134, among them being the following:
- The unique historic and cultural interest of the Alton Conservation Area and its setting, comprising the surviving layers of development from successive eras (Georgian, Victorian and post-war) in a parkland setting. The special

sense of place resulting from the atmospheric landscaping, historic layout and architectural quality of the buildings.

- Mount Clare and Parkstead House, both grade I listed Georgian villas, and Downshire House, grade II* listed, valued for their historic interest.
- The scenic, cultural and historic value of the Nationally listed gardens at Parkstead House and Minstead Gardens at Mount Clare, designed by Capability Brown, bringing a feeling of tranquillity.
- The parkland landscape and mature trees which provides a strong setting to the large tower blocks, important for maintaining a sense of openness.
- Cultural value of the Alton Estate, a highly influential post-war conception of towers in a parkland setting and important reference in the history of housing development in the UK, particularly the landmark slab and point blocks (grade II listed), and the grade II listed historic parks and gardens designated in June 2020.
- The relationship with and the role the area has in providing a setting to Richmond Park (grade I registered park and garden), including views from the park to the character area (noting the design vision of the Alton Estate blocks to form distinctive landmark elements on the skyline).

3.24. The Study sets out the “Character Area Design Guidance” at p. 137. Among the design principles are the following:

- Respect the heritage assets and their settings, including the listed buildings, gardens and conservation area.
- Maintain and enhance the parkland character of the landscape, ensuring that any new development in the area does not diminish the openness and harmonious balance of buildings and open spaces.
- Enhance the biodiversity, scenic and recreational amenity function of the green and public open spaces.
- Improve building maintenance and condition.

4. **SIGNIFICANCE OF DESIGNATED HERITAGE ASSETS**

- 4.1. Noting again para. 207 of the NPPF (see para. 3.2 above), in this section of my evidence I consider the significance of the heritage assets which are relevant to this appeal. I note that this requirement is continued in the draft NPPF (policy HE5).

Mount Clare

- 4.2. Please see para. 2.6 above for the list description.
- 4.3. **Architectural Significance:** Mount Clare represents a Classical Georgian villa symmetrical in composition with a raised entrance portico supported by four Doric columns with curved stepped access stairs each side. The central portion of the house projects forward and is crowned by a spectacular triangular pediment. It is of two storeys with a basement. Of 5 bays to front and rear and 3 to the sides. Cast iron railings decorate the staircases and between the four columns to the podium deck. At the rear is a two storey semi-octagonal bay with 12 pane Georgian windows to the ground floor and 9 pane windows to the first floor and arched semi-circular windows to the basement.
- 4.4. **Historical significance:** The building is also of considerable associative historical value in consequence of the involvement of Robert Taylor and Lancelot 'Capability' Brown.
- 4.5. **Setting to Mount Clare:** The building's immediate setting to the front is a spectacular memorial to Hugh Colin Smith and his wife Constance Smith, née Adeane. It is a statue of a woman surrounded by three children surmounted on a stone pedestal and steps. The statue is curtilage listed and proposed for separate local listing. It is located centrally in front of Mount Clare. There are important views from Mount Clare across the valley to the north towards Downshire House. There are also important views from the rear of Mount Clare towards Richmond Park. Mount Clare sits within the Historic Park and Garden, which contains layers of Georgian and Twentieth Century landscape. Capability Brown was involved with the landscape in 1774-75. The Cedar of Lebanon to

the front may have been planted at that time. Although it died recently a replacement tree has been planted. Prior to 1950 the landscape setting wrapped around to include The Temple and the large pond in front. The historic association of Mount Clare with the Temple has now been compromised by the 1960's development of student blocks and the facilities building. These have impacted on the intervisibility between Mount Clare and the Temple. They have a negative impact on the significance of the setting of the designated heritage assets.

Temple to Mount Clare

- 4.6. Please see para. 2.6 above for the list description.
- 4.7. **Architectural significance:** The building is reputed to date from 1762-69. It is a square building with four Greek Style Doric columns supporting an entablature crown with a triangular pediment. Inside are sculptured panel and coved fresco ceiling.
- 4.8. **Historic interest:** It is reputed to have been designed possibly by Sir William Chambers, who designed Bessborough House (Parkstead House). The Temple was moved from Parkstead House in 1913 and located beside the large pond (see photograph below Fig. 1). Its relocation beside the large pond was no doubt inspired by the quintessential Stourhead Registered Park and Garden (Grade I) created by Henry Hoare II (1705-85) (see image below Fig 2).



Figure 1



Figure 2



Figure 3 – Copyright Andrew Catto – Putney Society

- 4.9. The photograph above (Fig. 3) was taken in 2019 when the Temple was presented to the public as part of the Open House Festival, despite it needing repairs.
- 4.10. The 2025 Heritage at Risk Register was published by Historic England on 6 November 2025. It lists the Temple to Mount Clare as below (see Appendix A):

Assessment Information

Assessment Type: Building or structure

Condition: Very bad

Vulnerability: High

Trend: Declining

- 4.11. Council officers liaise with the Heritage at Risk officers at Historic England. Meetings took place in 2018 when a schedule of repairs were proposed by architects acting for the Roehampton University who had responsibility for the maintenance and repair of the Temple.
- 4.12. A planning application (2018/2260) was made to protect the temple from further wanton vandalism by erecting a 3 m high mesh fence around the Temple. This was approved for a temporary period of 3 years and expired in 2021. This has been subsequently renewed in 2018 and again in 2024 (ref 2024/1472).
- 4.13. An email from Gilly King (see Appendix B) in July 2024 referred to some repair works to the Temple as below:
- “Crown Lead Works have taken five weeks to restore the roof and downpipes. These are the like-for-like repairs, as we discussed, and all the work has been overseen by Martin Ashley Architects. It was fortuitous that we found an original temple hopper stored in Mount Clare House, and as you may remember we had all the original downpipes - which have been restored.”

- 4.14. The email also refers to the next stage of works which will be to restore the pivot door and existing window frames - this work is planned for late autumn. The remaining schedule of repairs will be shared with the future owners of the site.

Landscaping to Alton West Estate

- 4.15. Landscaping to Alton West Estate, 1954-1961 by the LCC Architect's Department. The site incorporates two adapted C18 landscapes, including the remnants of one by Capability Brown of around 1774-1775.
- 4.16. I refer below in my evidence to extracts from Historic England's publication of the Registered Park and Garden designated Grade II in June 2020 (see Appendix C).
- 4.17. **Historic Significance:** “* Influence: as a showcase estate by the largest and most influential architect's department in the world in the 1950s, including young architects who went on to have international careers. The estate is regarded as being amongst the most important examples of low-cost mass housing to be built in the period and the landscaping is an integral component of the quality of the overall design.
* Landscape type: as a demonstration of a remarkable juxtaposition of innovative post-war housing with landscapes begun in the mid-C18. The carefully composed mix of distinguished architecture and the integrated elements of earlier landscaping, planting and vistas are of particular interest.”
- 4.18. **Design interest:** “* as a manifestation of the architectonic approach inspired by the work of Le Corbusier in its architecture and landscaping which, in competition with the softer Swedish humanist idiom represented at Alton East, was a major influence on the LCC Architect's Department into the 1950s.”
- 4.19. **Survival:** “* the significance is that the landscape survives well, with the estate plan and the principal buildings, views, planting and structural elements all remaining appreciable, albeit with more trees planted and several new features introduced.

4.20. **Group value:** “* the significance derives from the coherence and well-preserved ensemble of listed buildings and public sculptures distributed throughout the estate.”

4.21. Appendix C also sets out that, “An exceptional element of the Alton West scheme was the opportunity presented by existing C18 landscapes associated with Mount Clare and Downshire House. The LCC Architect's Department considered important views, approaches, mature trees and the topography of the landscape carefully in determining the placement of key buildings within the estate. To these ends, an accurate scale model showing every tree was used to inform the design process.

Alton West was at the time of its design the largest and most complex embodiment of the idea of ‘mixed development’ planning, a principle notably espoused by J H Forshaw (architect to the council in 1941-1945). By introducing eleven-storey blocks, there was more land for family houses and pensioners’ bungalows, and possibilities for greater visual variety in social housing than was possible before. The tall flats and maisonettes also allowed more of the landscape and many existing trees to be retained, particularly seen in the slope of land between Mount Clare and Downshire House. Forshaw’s own pioneering scheme at Woodberry Down, now largely demolished, was the first to experiment with mixed development, and in 1950 Colin Lucas devised a tall point block at the Ackroydon Estate in Wimbledon, but Alton constituted what H J Whitfield Lewis (then LCC Principal Housing Architect) referred to as the ‘full flowering of the idea’ (AA Journal, January 1957, p. 142).

[...]

LANDSCAPING

The Alton West architects acknowledged from the start that the quality and scale of landscaping was a major factor in the layout and design of the estate.

The area slopes consistently, sometimes gently, sometimes quite dramatically, from north-east to south-west, with land at its highest around the five slab blocks. Danebury Avenue acts as a spine through the estate, from which the landscape opens out to green spaces on the slopes to either side. Downshire Field, the centre point of the estate, was remodelled so that there was a slight valley rising against the hill towards the north. In the original scheme a single copse of trees was planted in front of the five slab blocks, leaving a vast expanse of green to dominate views from the foot of the hill - 'aiming at a feeling of endlessness to the grass carpet' as John Partridge put it (Twentieth Century Architecture, p118). However, since the 1990s additional trees have been planted which have softened the impact of the contrast between the open landscape and the monumental slab blocks. There were always more trees in among the point blocks, the grouping of which was arranged to work with pre-existing open vistas and mature trees. To the south-west, several mature trees shield the seven point blocks when viewed from Danebury Avenue.

To the south of the estate the dominant feature in the landscape is Mount Clare. The villa overlooks an unbroken sloped green, with some later obstructive planting having been added. This is an open public space, although it also visually reads as a formal vista up towards the villa, giving it a sense of distinction within the estate. Only the trunk remains of the very large Cedar of Lebanon tree that stood to the west of the house until the 2000s, but many other mature trees do survive, these being important legacies of the 1770s estate planting that defined boundaries, framed views and formed secluded walks. A notable later approach which was created in the early C20 as a private drive to Roehampton Court (now Maryfield Convent) is retained as Harbridge Avenue; this was formalised in the LCC estate plan through the planting of lime trees bordered by granite setts to flank the road. The soil throughout Alton West is heavy London clay."

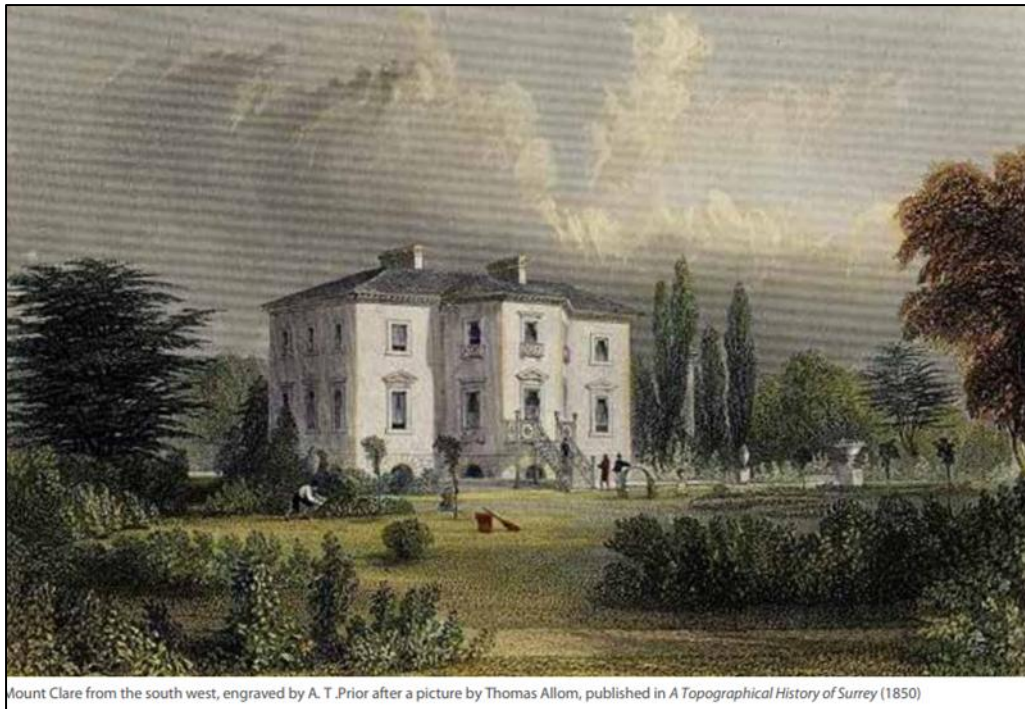


Figure 4

- 4.22. The above image (Fig. 4) illustrates the rear garden of Mount Clare in 1850 with the pristine well-maintained lawns up to the rear of the house.
- 4.23. The Georgian houses that survive within the Alton Conservation Area were all sited to take advantage of the gently rising slope to obtain commanding views across Richmond Park. This was the case with Mount Clare. The views from the rear of the house afforded extensive views across Richmond Park.
- 4.24. The view corridor to the rear of Mount Clare was undoubtedly the reason why the student blocks were spatially located to fan out at the rear (see Fig. 5 below). However, the view is compromised by both the blocks and the trees that have grown up in recent years.



Figure 5

- 4.25. As can be seen in the above 3D image (Fig. 5) from Bing Maps, the green grass setting to Mount Clare extends up to the rear of the house and up to the facades of the former student blocks without any intervention in the landscape.
- 4.26. The other significant view is from the front of Mount Clare over the statue towards Downshire House across Downshire Field and the reciprocal view from Downshire House is also important.
- 4.27. Both views are referred to in the Alton Conservation Area Appraisal as well as in Policy PM7 where it says, '*development proposals will be required to respect and enhance the valued views and vistas established in Map 9.1 Spatial Area Map: Roehampton and Alton Estate Regeneration Area*'.

Alton Conservation Area

- 4.28. I refer in my evidence to extracts from the Alton Conservation Area Appraisal approved in August 2023 (**CD/I12**), which provide the follow summary:

“Summary of Special Character

The Alton Conservation Area was designated on the 15th March 2001. It covers 58.1 hectares and has more listed buildings, in particular Grade I and Grade II*, than any other conservation area in the borough. The importance of buildings is emphasised by their listed status, and some of those in the Alton Conservation Area are among the finest listed buildings in the borough - Mount Clare and Parkstead House (formerly Manresa House) are listed Grade I. Downshire House and the Temple to Mount Clare are Grade II* as are the five 'slab' residential blocks in Highcliffe Drive ((Binley, Winchfield, Charcot, Denmead and Dunbridge Houses) and the Bull statue at the foot of Downshire Field. There are many other Grade II listed buildings as well, including the distinctive bungalows of Minstead Gardens.

In June 2020 the landscape component of both the West and East Estates was Registered as a Historic Park & Garden by the Government at Grade II. This further extends the heritage protection across the Conservation Area and now means that the majority of the area is covered by national designation. This includes the garden to Mount Clare and supersedes the local listing.

What gives the Conservation Area its special sense of place is the environment created by its atmospheric landscaping, historic layout and the architectural quality of buildings. The areas built form, while contemporary with the surrounding area, derives from the range of building scales and overall consistency and use of materials. The special character of this Conservation Area is derived from these unique characteristics expressed in its architectural and urban qualities.

Developments of distinct historical eras and styles of architecture (Georgian, Victorian and Post-War/Modernist) are expressed alongside the distinctive landscaping, creating areas of important open space. The Alton's character is of substantial historical and architectural interest and derives from the layers of significance encapsulated by distinguished individual buildings from the eighteenth, nineteenth and twentieth centuries, all set within an outstanding historic landscape, largely based on the Council's Alton Housing Estate and the gardens of the surviving Georgian villas.

Examples of other impressive but unlisted individual buildings are: Ibstock Place School, Maryfield Convent, Cedars Cottages and Hartfield House. Generally, those areas that fall outside the Conservation Area simply do not have the same consideration, in terms of architectural or historic interest and care of detailing and landscaping that are strong and consistent with those that fall within the Conservation Area.

Some of the unlisted point block buildings are now considered for candidacy for the local list due their group interest as part of the original estate masterplan and their own interrelationship with the listed landscape."

- 4.29. The Alton Conservation Area has two sub areas, Alton East and Alton West. The Mount Clare site is located in Alton West.

Alton West

- 4.30. Within Alton West are 10 sub areas. Sub area 4 relates to Mount Clare and Minstead Gardens.
- 4.31. In sub area 4 reference is made to Garnett College and the student blocks (see again (**CD/I12**)):

"After the eastern extension to Mount Clare was demolished and the overall masterplan for Alton West had been constructed, it was replaced with a large

modern building to serve as Garnett College's Facilities Building. Mount Clare itself was according to a report to the Town Planning Committee to be converted to provide student's common rooms and behind it in the garden facing Richmond Park 15 square student blocks were constructed. Fanning out in two curves and flanking Mount Clare the blocks sit within the landscaped gardens. They allow Mount Clare's view towards Richmond Park to remain, although this is now largely blocked by trees."

- 4.32. The Alton Conservation Area Appraisal indicates that the blocks "are not particularly interesting architecturally". Their "close proximity to Mount Clare and their high number are, overall, harmful to setting of Mount Clare and to the now registered landscape". This was confirmed in 2001 with approval for their demolition.
- 4.33. In Sub Area 4 the Appraisal says, "The facilities block [Picasso House] itself is overly large for the site and does not have any interesting visual relationship with Mount Clare or the listed bungalows nearby." Its demolition (described as the "dining block") was also approved in 2001 (Conservation Area Consent ref. 2001/4568 (see Appendix D)), and its removal and replacement would be welcomed as part of any comprehensive solution for the site.

Roehampton Tier II Archaeological Priority Area

- 4.34. Much of the Mount Clare site lies within the Roehampton Tier II Archaeological Priority Area. As a Tier II APA, it has local evidence insofar as the available information indicates that the site can be considered likely to have had a moderate archaeological potential for the later Prehistoric and Anglo-Saxon periods. A moderate potential for Medieval remains is also assigned to the eastern and northeastern extents of the of the area which may have been located within the original settlement of Roehampton.
- 4.35. Although no Archaeological report was submitted with the planning application, from sites nearby there is evidence from the Prehistoric – Palaeolithic and

Mesolithic period insofar as a handaxe was found within the site at its southwestern boundary with Richmond Park (131026, TQ21504 74005).

- 4.36. Given the long occupation of the Mount Clare site there is the possibility that below ground evidence of occupation could be discovered where any excavation may be required.
- 4.37. The Appellants should carry out an Archaeological scoping report as part of their analysis of the significance of this Tier II APA.

5. IMPACT OF PROPOSED DEVELOPMENT ON DESIGNATED HERITAGE ASSETS

Introduction

- 5.1. The proposed development includes a change of use of the site for temporary accommodation. The red line boundary of the site includes the entirety of the site (i.e. including Mount Clare and the Temple). However, the application does not set out proposals for these buildings. The development proposal also includes some landscape works within the Registered Park and Garden. These involve the construction of a number of cycle bays to the existing blocks as well as a number of items of play facilities.
- 5.2. As set out in the evidence of Ms Thafvelin, the Council considers that the site does not benefit from any lawful use and even if there is a lawful use it is unlikely to be a fallback position and therefore a baseline against which the application is to be considered.
- 5.3. I understand that the Appellant considers that there is a lawful baseline use which would be some form of student accommodation use, with some office and storage uses across the site. Whether or not a lawful use persists is not part of my evidence. However, I have considered the position on each of the baselines argued for.

- 5.4. Further, I consider that when considering the impact on the historic environment and the designated heritage assets which would be brought about by this proposal there are two important issues that need to be considered: (1) whether the proposals would preserve or enhance the relevant designated heritage assets and thereby comply with relevant national and local policies as well as statutory duties; and (2) whether the proposals comply with the specific allocation requirements of the Adopted Local Plan and their expectations for the site in terms of heritage.

Impacts upon the designated heritage assets of Mount Clare and the Temple

- 5.5. In this section I address the assets of Mount Clare and the Temple before considering the impact on their setting and therefore their significance in the next section.
- 5.6. Sections 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that, when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building, its setting, or any features of special architectural or historic interest which it possesses. In this context, “preserving” means doing no harm. In cases where the decisionmaker is satisfied that there will be no harm to a listed building or its setting, the statutory presumption against granting planning permission in section 66(1) falls away and the development should be permitted or refused in the application of ordinary planning criteria.
- 5.7. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that, with respect to any buildings or other land in a conservation area, or its setting, when considering whether planning permission should be granted, special attention shall be paid to the desirability of preserving or

enhancing the character or appearance of that area. In this context ‘preserving’ again means doing no harm.

5.7A It is relevant to note that the Planning Practice Guidance (at 18a-002-20190723) provides that:

“Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in every day use and as yet undiscovered, undesignated buried remains of archaeological interest.

In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. In the case of archaeological sites, many have no active use, and so for those kinds of sites, periodic changes may not be necessary, though on-going management remains important.”

5.7B I note that the draft NPPF proposes policy HE4 which, similarly, states:

“1. Heritage assets, as an irreplaceable resource, should be conserved and enhanced in a manner appropriate to their significance. To achieve this, development proposals which would affect the significance of heritage assets, including any contribution made by their setting should:

- a. Maintain or secure a use consistent with their conservation, taking into account the importance of maintaining the assets, the positive contribution they can make to sustainable communities including local economies, and the positive contribution they can make to local character and distinctiveness;
- b. Avoid harm to the significance of heritage assets, and instead preserve and enhance this significance [...].”

- 5.7C As I set out below, the site allocation policies PM7 and RO2 clearly envisage that a policy-compliant development would secure a use for the site and its heritage assets which is consistent with their conservation.
- 5.8. The impact of the proposed development is considered in terms of the various designated heritage assets as set out below.
- 5.9. I note at the outset that the Appellant's application was not accompanied by any heritage assessment. Indeed, it appeared that heritage considerations had not formed part of the consideration of the Appellant's proposals. A Heritage Impact Assessment dated November 2025 was ultimately provided to the Council on 1 December 2025 (considered further below).

Mount Clare

- 5.10. The current planning application is for use as hostel accommodation (Sui generis) with associated landscaping and cycle parking.
- 5.11. The Appellants have no clear plans for how Mount Clare would be used, yet the change of use application covers the whole site. The Planning Statement (**CD/A9**) says that no works are proposed to Mount Clare House.
- 5.12. I note that a listed building application 2024/0199 was submitted in 2024 accompanying planning application 2024/0183 for a 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). The listed building application was permitted on 26 September 2024. The planning application was however, refused. The officer's report which considered the temporary use application concluded that the proposal for a temporary change of use would not harm the listed buildings. It reached those conclusions on the understanding that their use would be office/administration as it was at that time understood to be the case at present. At that time, the officer did not consider the possibility that either:

(a) a lawful use did not persist at the site; or

(b) that there may in fact be no realistic baseline use against which to consider the proposals.

Further, that application did not propose any works to the landscaped grounds.

5.13. The Appellants' Planning Statement suggests that Mount Clare could be used for administration. However, the Appellants' Heritage Statement states that: *"The appeal proposals seek a change of use for the site so that funds can be generated from the existing accommodation, owing for active management and maintenance of the site. This will ensure that the listed buildings do not fall into further disrepair, for example through heating, minor repairs and security measures. Securing a change of use for the existing 1960s buildings forms part of a long-term strategy and aspirations for the site, which will include further applications for planning permission and Listed Building Consent in due course, at which stage permanent and appropriate uses will be fully articulated."*

5.14. It is therefore unclear what the Appellants' proposals for Mount Clare are likely to be.

5.14A The failure to provide a use for Mount Clare which is consistent with its conservation is a matter of significant concern. It is considered that a policy compliant proposal could achieve this and, as set out in the PPG and draft NPPF this is the best way of securing the asset's future. I do not consider that it is appropriate to leave this issue to another day. An appropriate approach would be to consider Mount Clare together with its setting and the temple. This would ensure that the significance of the site is considered as a whole and that any development proposal can look to both secure the future of Mount Clare as well as provide development proposals which preserve and enhance its setting.

- 5.15. I also consider that the security of the building is a cause for concern given the lack of clarity over its future, particularly given the vandalism to the Temple (Grade II*) over the years.
- 5.16. Whilst the Heritage Statement states that there could be a condition for the submission and approval of a maintenance plan (para. 5.27), the application includes no details of maintenance or management for Mount Clare and the Temple of their role for the future as part of subsequent development proposals. I therefore consider that this does not assuage concerns over the future of these buildings or the potential for further decay.
- 5.17. The Appellant may argue that the failure to secure a management plan through the grant of planning consent for their proposals would have implications for the ongoing repair and maintenance of the designated heritage assets. I would note that where the owners fail to carry out the necessary repair and maintenance works the Council can serve a notice under Section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This notice must specify the repairs that are reasonably necessary for the proper preservation of the building. Thus, it is not the case that the maintenance and preservation of Mount Clare and the Temple depend upon this appeal being granted.
- 5.18. The OS map extract below (Fig. 6) from the 1950s, prior to the Garnett College development, illustrates the landscape to the rear of Mount Clare and its relationship with the Temple and large Pond.

The Temple

- 5.19. No use of the Temple is proposed. The Temple has been on the Council's and Historic England's Register of Heritage at Risk for over 13 years. In 2012 action was taken to resecure the building following the theft of lead from the roof. Further damage has been caused by unauthorised entry, and the Roehampton University subsequently erected a cage around the building. There have been ongoing repairs to the Temple. In January 2022 a report by K Kintrea on behalf

of Martin Ashley Architects was prepared setting out a scope of repair works (Appendix F).

- 5.20. It is understood that some of the repair works set out in the report have been carried out as set out in an email from Gilly King in July 2024 (see para. 4.13 above and Appendix B). An updated report on the condition of the Temple is therefore required.
- 5.21. The Appellants have not stated in their application how they propose to maintain and repair the Temple nor how it is to be safeguarded against further vandalism. This is a concern for the Council for the same reasons as are set out above in relation to Mount Clare.
- 5.22. These concerns are supported by policy RO2 which expressly makes clear that “Any proposals must consider the future role of the Doric Temple and provide a scheme for its long-term management and maintenance.”

Setting of Mount Clare and Temple and Impact on the Registered Park and Garden

- 5.23. The settings of Mount Clare and the Temple also form part of their significance. The setting represents the “*surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral*” (NPPF, Annex 2: Glossary).
- 5.24. The 1960s development of Garnett College has had a harmful impact on the setting of Mount Clare severing its relationship to the Temple, and particularly with regards to the Lodge (Bungalow) which was erected in front of the Temple and infilling the large pond. The OS map extract below (Fig. 6) from the 1950s, prior to the Garnett College development, illustrates the landscape to the rear of Mount Clare and its relationship with the Temple and large pond.

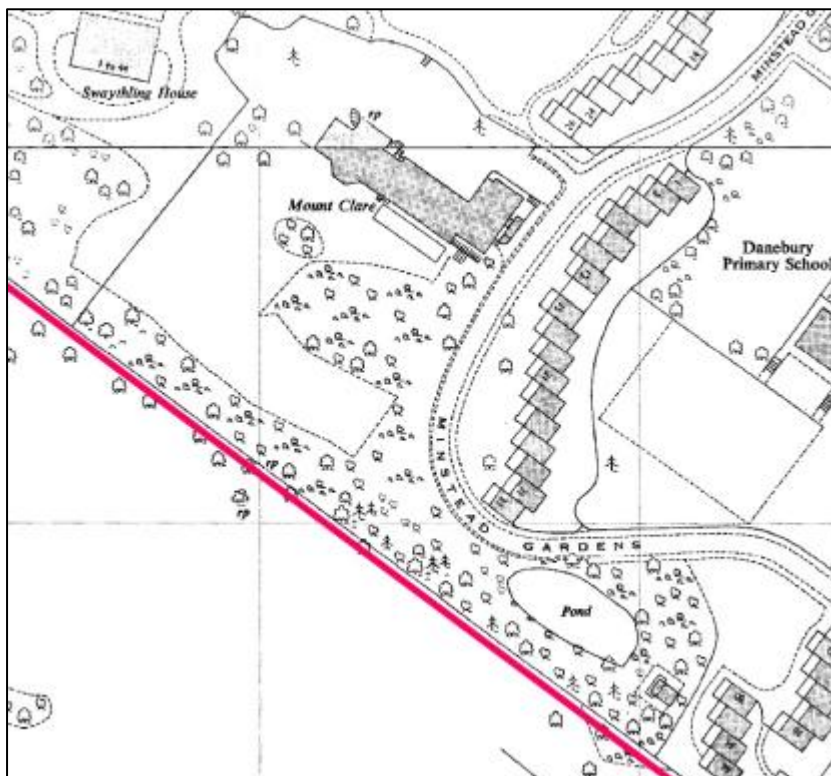


Figure 6

5.25. In the following paragraphs I consider the impact of the physical works which the scheme requires. I then go on to consider the impact of the proposed use.

5.26. The Council has particular concerns with regards to the rebuilding/replacement of the former Lodge and the landscaping proposals. There is a dispute between the Appellant and the Council as to whether or not the works need planning permission. The Inspector has made a ruling on this matter. In any event, it appears clear that part of this proposal includes using the Lodge for temporary accommodation and that, in order to achieve this, substantial parts of the building must be re-built.

5.27. It is considered that the Appellants' proposal to re-build/replace the bungalow would harm the significance of each of the designated heritage assets within the site. It is noted that policy RO2 states that "*any replacement of the 1960's buildings should seek to re-assess the landscape significance of the site and*

seek to inform and re-interpret the principles of the Capability Brown landscape”.

- 5.28. The Appellant may argue that because they are not proposing to demolish the current remains of the building and then entirely re-build it the proposal does not involve a replacement of the 1960s buildings. However, it is considered that the proposal has chosen to bring the Lodge back into use, including the rebuilding that would be required, as opposed to re-assessing the landscape site of the site. It is notable that the application was not originally accompanied by a heritage assessment which might have considered this.
- 5.29. As I address further below, the site sits within an area which is allocated for regeneration. The expectation of the site allocations PM7 and RO2 is the re-assessment of the 1960s development that has negatively impacted on the settings of the listed buildings and the Historic Park and Garden, with a view to producing a proposal which would replace poor building stock and include the restoration of the pond to restore the significance of the setting to the Temple and improve the biodiversity value of the site.
- 5.30. It is notable that a planning application (2001/4576) for redevelopment in 2001 by Roehampton University proposed the demolition of the 15 1960s student blocks, together with the dining block and the Lodge, with new student accommodation. Conservation Area Consent (2001/4568) was granted for demolition in April 2002 (see Appendix D). The redevelopment did not proceed. English Heritage (now Historic England) raised no objection to the demolition of the 1960s buildings. The Committee Report dealing with the applications welcomed the restoration of the pond in front of the Temple. There is no good reason why this harm should be continued by a re-development scheme which includes bringing the Lodge back into use, and its rebuilding. Such a scheme has failed to understand the requirements of Policy PM7 and Site Allocation RO2 and the significance of the landscape and the relationship between Mount Clare and the Temple.

- 5.31. Further, although elevations of the re-built/replacement lodge have now been provided, details with regards to materials, associated development and any proposals for the outbuildings, lighting and footpaths remain outstanding. It is not clear what, if any, works would be carried out to the land surrounding the rebuilt/replacement building, for example, to provide safe access which may cause additional harm to the setting of the Temple and Mount Clare.
- 5.32. The proposed rebuilding of the former Lodge would cause less than substantial harm to each of the designated heritage assets. This is because when it was built it had an adverse impact on the setting of the Temple and its historic association with Mount Clare and infilled the large pond, which formed part of the significance to the setting. No reassessment of the landscape significance has been carried out by the Appellants and therefore the rebuilding of the former Lodge would impact negatively on the setting to the Temple. It is difficult to assess the level of harm without details of key matters such as materials, lighting and the extent of the works.
- 5.33. I note that the Heritage Impact Assessment Report refers to the Council's Conservation Area Appraisal as showing the Lodge and the other 1960s buildings in orange, denoting that they are positive features. However, the text in the Conservation Area Appraisal in the Townscape and Spatial Analysis part of Sub Area 4 says – "The blocks are not particularly interesting architecturally and do not contribute positively or negatively to the Conservation Area", indicating neutrality. The 1960s buildings on the townscape map ought to have been coloured white indicating neutral not orange. This was clearly a drafting error. The document also states that, "*Their close proximity to Mount Clare and their high number are, overall, harmful to setting of Mount Clare and to the now registered landscape. As regards the Facilities block it says "it is overly large for the site and does not have any interesting visual relationship with Mount Clare or the listed bungalows. It is overall a neutral building within the conservation area."*

- 5.34. With regards to landscaping works and impact on the Registered Park and Garden and setting of listed buildings, the application includes a Landscape Plan which illustrates a series of Sheffield cycle stands adjacent to each residential block. This shows the stands only and with the attachment of bicycles the visual bulk and clutter within the Registered Park and Garden would be increased. The Heritage Impact Assessment report says that the cycle stands would have a gravel base, but this would not give support to the cycle stands and they would need to be fixed into a solid base. There is some confusion over the number of cycle stands required as the Transport Report refers to 106 showing these to be located adjacent to the 15 blocks and to the east of Mount Clare. The Heritage Impact Assessment states that there will be four Sheffield Bike Stands (para 5.8) positioned close to three of the existing blocks. Whichever plan is correct, it is considered that the cycle stands would have a cumulative impact on the historic park and garden and would therefore erode the existing green landscape which extends up to the external walls of the existing fifteen student blocks, resulting in a visual clutter.
- 5.35. I note that at para. 5.8 the Heritage Impact Assessment states that there will be no sightlines between the stands and the listed buildings. Even if this is ultimately the case, I consider there would still be harm to the setting of Mount Clare and the Temple, as well as the Registered Park and Garden. The location of the bike stands form part of the historic setting of the buildings and part of the Registered Park and Garden itself. Although this has been compromised by the introduction of the 1960s development, the introduction of further clutter which further erodes the historic setting, and the Registered Park and Garden would cause additional harm.
- 5.36. Ultimately, there is insufficient information to ascertain the extent of harm that could take place to the Registered Park and Garden as the landscape plan is very limited in terms of detail. However, it is considered that these proposals are likely to cause less than substantial harm to the settings and therefore to the significance of Mount Clare and the Temple and also to the significance of the Registered Park and Garden.

- 5.37. There are also a number of items of play equipment to be located within the Registered Park and Garden. These include climbing pyramid, balance beams, stilts and stepping logs, and these may need to be set into a base. No detailed information is provided about this. Along with the cycle stands and bicycles these will cumulatively result in less than substantial harm to the settings and therefore significance of Mount Clare and the Temple and also to the significance of the Registered Park and Garden.
- 5.38. In addition, although the proposals include a central waste collection area by Picasso House, I note there is a proposed condition covering a delivery and servicing management plan to be approved by the Council prior to the commencement of development, to assess how waste will be collected from individual rooms, with appropriate waste collection areas. This suggests there may be a requirement for additional storage areas external to the blocks which again would have an impact on the Registered Park and Garden.

Use

- 5.39. I turn to the use of the site. As set out above, I understand that there is a dispute between the Appellant and the Council as to whether there is any baseline use of the site. In the event that the Council is correct that there is no baseline use, then it is necessary to consider the impact of the use itself upon heritage assets. The introduction of 264 individuals on the site across the student blocks, Picasso House and the Lodge will bring with it impacts associated with the use and is a factor to consider as part of a Heritage Impact Assessment. Whilst I accept that sometimes keeping an asset in “active use” can be a way of preventing neglect and delay, this proposal does not include the use of Mount Clare or a solution for the Temple, as I have addressed above.
- 5.40. Whilst I acknowledge that there may be some benefit in the “passive surveillance” which the introduction of the use might bring, overall the introduction of the proposed use to the site which is extremely intensive (265 individuals/households) would bring with it impacts which would be likely

to include increased visual clutter across the site, including car parking, signage and residential paraphernalia. Further, it is assumed that the proposed use will require some lighting to enable residents and their visitors to navigate the site at night. No proposals have been provided in relation to this, but this could well add to the harm to the settings of Mount Clare and the Temple, as well as to the Registered Park and Garden.

5.41. I note that these proposals are associated with a permanent scheme of development. Were they to be implemented, they would contravene the ambitions of site allocation policies PM7 and RO2 and would compromise the ability of a scheme to come forward and meet these ambitions. Such a scheme would be expected to look to regenerate the site, including through sensitive and appropriate use, including through the sensitive and appropriate use of Mount Clare and providing a future for the Temple (including re-uniting it with its wider historic landscape).

5.41A I note that draft policy HC4 in the consultation draft of the NPPF states that:

“1. Heritage assets, as an irreplaceable resource, should be conserved and enhanced in a manner appropriate to their significance. To achieve this, development proposals which would affect the significance of heritage assets, including any contribution made by their setting should:

a. Maintain or secure a use consistent with their conservation, taking into account the importance of maintaining the assets, the positive contribution they can make to sustainable communities including local economies, and the positive contribution they can make to local character and distinctiveness;

b. Avoid harm to the significance of heritage assets, and instead preserve and enhance this significance.

2. If harm to the significance of heritage assets cannot be minimised or avoided, there should be a clear and convincing justification in accordance with the policies in this chapter.”

5.41B This aligns with the provisions of the planning practice guidance. It supports the Council's concern that the proposal for the entirety of the site does not "[M]aintain or secure a use consistent with" the conservation of the relevant heritage assets. Whether or not there is a "clear and convincing" justification for this proposal is a matter for planning evidence. However, I would note from a heritage perspective that there appears to be no good reason why a policy-compliant scheme could not secure a use which would be consistent with the conservation of the relevant heritage assets.

Alton Conservation Area

5.42. The Alton Estate Conservation Area (**CD/I12**) includes a Management Plan. The Council has a duty under the Planning (Listed Buildings & Conservation Areas) Act 1990 to publish proposals for the preservation and enhancement of its conservation areas.

5.43. The Conservation Area Management Plan highlights the following issues:

- "The landscape: now that the landscapes to Alton West and Alton East are registered, there should be a long-term aspiration by relevant stakeholders to creating a landscape management plan, which considers both the detailed significance of the existing landscape and how this can be best managed for the future."
- "The Grade I listed Mount Clare and Parkstead: Whilst these two houses are substantially protected by their Grade I listing, it is important that further strategic consideration is given to their sustainable conservation. Changes made in 2004 have harmed the significance of Parkstead House and currently the localised setting of Mount Clare, with its lack of outlook and

poorly maintained and low-quality paving, are not befitting of its architectural and historic interest. “

- “Future development must meet both design aspirations befitting of the current quality of the design and architecture and must ensure the interests of residents are both heard and listened to.”

5.44. The negative impacts on the significance of the conservation area from the proposed development arise mainly from the following:

- The proposed rebuilding of the derelict former Lodge and its impact on the setting of the Temple, and its potential denial of restoring the landscape setting to the Temple including the reinstatement of the pond.
- The cumulative impact of the interventions in the Historic Park and Garden resulting from the proposed 106 cycle spaces and numerous items of play equipment.
- The lack of any use for Mount Clare and ensuring its sustainable conservation.
- The lack of any definite proposals for the future management and maintenance (stewardship) of Mount Clare.
- The lack of any definite proposals for the repair and maintenance of the Temple which has been on Historic England's Register of Heritage at Risk for over 13 years, and again its future stewardship.
- The lack of any detailed Management and Maintenance Plan for the Registered Park and Garden.

Roehampton Tier II Archaeological Priority Area

- 5.45. The Appellants will need to submit an Archaeological Desk top Study as a planning condition will need to be applied to any permission for development on the site.
- 5.46. This would be required should the former Lodge be rebuilt and a Written Scheme of Investigation would be required.

Management Plans

- 5.47. Historic England's document 'Conservation Principles, Policies and Guidance' (Appendix G) para. 107 refers to Conservation management plans. It says these can provide a sound framework for the management of significant places, particularly those in responsible long-term ownership. A listed building management plan will be required here. This is a document that outlines how to maintain a heritage asset while preserving its special character. It details the specific methods for repairs and alterations, including a schedule for routine maintenance, the management of significant features, and a plan for future works to be performed.
- 5.48. Both Mount Clare and the Temple will require listed building management plans to ensure their continued care and maintenance into the future. However, whilst the appellants have submitted an application for the permanent change of use of the accommodation on site, there are no specific proposals for Mount Clare and the Temple. Historic buildings require long-term custodians to secure their continued preservation.
- 5.49. Although a condition is suggested requiring the submission of a management and maintenance plan, it is entirely unclear what this may provide for or whether funds will realistically be available for achievement of its aims. In any event, I consider that the future submission of a management and maintenance plan is not sufficient reason not to seek the policy aspirations for this site which are regeneration which would be expected to provide a long-term solution for the heritage assets and secure a use which is consistent with their conservation

and where the site (which includes the setting of Mount Clare and the Temple) is considered as a whole.

Registered Park and Garden

- 5.50. As referred to above, the majority of the Mount Clare site lies within the Registered Park and Garden, with the anomaly of the Temple not included.
- 5.51. The proposed interventions within the Registered Park and Garden resulting from the proposals set out within the application amount to the cumulative impact of cycle parking and play equipment, as I have addressed above.
- 5.52. The submitted Landscape Plan shows 6 cycle stands in front of the proposed rebuild of the Lodge, and 1 cycle stand outside the following housing units, Etty, Degas, and Bellini, making 9 cycle stands altogether. However, the Transport Report (**CD/A10**) refers to the placing of 106 cycle stands in the landscape. The plan on p. 21 of the report indicates cycle loops outside each of the 15 housing units, and one to the southeast of Mount Clare and a cycle shelter to the east of Mount Clare beside Picasso House. This would suggest at least 6 cycle loops outside each of the 15 housing units. Together with bicycles attached this would result in a cumulative impact on the landscape to the detriment of the Registered Park and Garden.
- 5.53. What are not shown on the submitted plans are the footprint of the cycle stands in the landscape. Normally a cycle stand is embedded in concrete or similar hard surface as indicated on the landscape plan and the 106 cycle stands could result in the pockmarking of the historic landscape.
- 5.54. Therefore, the cumulative impact would result in harm to the significance of the landscape of the Registered Park and Garden amounting to less than substantial harm under paragraph 215 of the NPPF.

5.55. The Landscape plan does give an indication of the Sheffield cycle stands installed in a tarmacadam base, which would result in a scarring of the existing landscape.

5.56. In addition to the cycle stands the Appellants propose to install a number of play facilities within the Historic Park and Garden. These include:

- Balance beams
- Stilts
- Stepping logs
- Crawling pyramid
- Rocky area
- A second balance beam

5.57. The Appellants have not set out any rationale for the location of these play facilities. The need for these and their locational requirement should be part of an assessment of the expected child yield.

5.58. All these play facilities have a spatial footprint which would erode the uniform appearance of grassed areas to the rear of Mount Clare. The Appellants have now submitted a Heritage Impact Assessment of the Heritage assets and they conclude that there will be no harm to the significance of the Registered Park and Garden from the impact of the cycle stands and play facilities. I disagree and when the impact of the proposed play facilities is taken along with the proposed cycle stands above, the uniform spatial grassed setting to Mount Clare would be substantially eroded, undermining its spatial setting which has characterised the setting of Mount Clare since 1772.

PM7 and Site Allocation RO2

5.59. This is an application for the permanent use of the site going forward. The site is earmarked in the Local Plan for regeneration as set out in Policy PM7 and Site Allocation RO2.

5.60. The policies envisage development proposals coming forward which:

- a) regenerate the site through a mixed-use development with residential use together with the designated heritage assets; and
- b) take the opportunity to preserve and enhance those assets in line with the NPPF and Local Plan policies.

5.60A As set out above, these policy aspirations are consistent with the provisions of the draft NPPF and also the PPG.

5.61. As is also set out above, this proposal fails to achieve these aspirations of the policies and therefore contravenes them. Further, this application also represents a missed opportunity to achieve the aims of enhancing the heritage interest of the site through regeneration; this includes the decision to re-instate the former Lodge, which removes the opportunity to re-instate the pond in front of the Temple which is a requirement of policy (although this is noted as a biodiversity reason it would have significant heritage benefit by restoring the significance of part of the setting to the Temple).

5.62. The choice of the Appellant to retain all of the 1960s buildings misses a significant opportunity for the site.

5.63. Further, the lack of any proposed use for Mount Clare also represents a missed opportunity of bringing that building back into an appropriate beneficial use or its heritage status, as this would be the best way of preserving this Grade I listed building of national importance.

5.64. This is not a matter that should properly be considered separately from the rest of the site. The site has to be considered as a whole because Mount Clare's setting clearly includes the Capability Brown landscape and the Temple. It is simply not appropriate to carve out Mount Clare and say that a solution will be found another day.

6. SUMMARY AND CONCLUSION

- 6.1. Rather belatedly the Appellants have submitted a Heritage Impact Assessment to comply with the requirements of paragraph 207 of NPPF, which requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.
- 6.2. This is a major failing as the information ought to have been submitted much earlier in the process.
- 6.3. The Appellants have submitted a change of use application for the whole site yet have carved out the two designated heritage assets, Mount Clare and the Temple. The proposal now involves the rebuilding of the former Lodge, which will require substantial works to it to be carried out to make it habitable.
- 6.4. I have considered the impact of the proposals on the listed designated heritage assets.
- Mount Clare
 - The Temple
 - Registered Park and Garden
 - Alton Conservation Area
 - Roehampton Tier II Archaeological Priority Area
- 6.5. It is not clear from the submission to what use Mount Clare will be put. As I address in my proof and below, this is a major failing of the proposal.
- 6.6. If Mount Clare is to remain vacant, as I understand it is at present, then the Appellants ought to have provided details of how the building is to be maintained and safeguarded against unauthorised entry and potential vandalism. There is concern that the building will deteriorate and may need to be placed on the Heritage at Risk Register, irrespective of whether or not the proposal is approved.

- 6.7. Similarly, the Temple is currently vacant and in disrepair, being on the Heritage at Risk Register since 2013. Again, the Appellants have not submitted any information as to its future repair and maintenance or its security from further vandalism and unauthorised entry. A schedule of works was prepared in 2018 (as noted above), but it is not known to what extent any of these have been undertaken. A protective cage around the Temple was approved in 2018 for a period of three years and this consent has expired.
- 6.8. In this proof I have suggested that management plans for repair and maintenance be submitted for approval, clearly setting out the security proposals, with a schedule of repairs and ongoing maintenance. These should be available now as opposed to left to a condition. It otherwise unclear what the Appellant would achieve through them. Further, the provision of management plans is not sufficient proxy for a policy compliant solution to the site which would consider the heritage sensitivities of the site as a whole and provide for a use (including of Mount Clare) which would be consistent with the conservation of the relevant heritage assets.
- 6.9. The Appellant may argue that the failure to secure a management plan through the grant of planning consent for their proposals would have implications for the ongoing repair and maintenance of the designated heritage assets. As previously noted, where the owners fail to carry out the necessary repair and maintenance works the Council can serve a notice under Section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This notice must specify the repairs that are reasonably necessary for the proper preservation of the building. Thus, it is not the case that the maintenance and preservation of Mount Clare and the Temple depend upon this appeal being granted.
- 6.10. I discussed the impact of the proposals on the designated heritage assets in section 5 of this proof. In my view there would be harm to the significance of Mount Clare through the introduction of the proposed development (cycle stands, play equipment and possible waste reception areas) within its setting,

harm to the significance of the Lodge through the introduction of this same development within its setting, harm to the registered park and garden through the introduction of this same development to it and also attendant harm to the conservation area.

- 6.11. Furthermore, I consider that the works to the Lodge also represent harm to the setting and significance of the Temple and Mount Clare, and also to the Registered Park and Garden and the Conservation Area.
- 6.12. The lack of detail with regards to the Appellant's proposals has meant that it has been difficult to assess the level of harm. However, I consider that this would fall within the less than substantial bracket for each asset.
- 6.13. If the use is to be considered against a "nil use" baseline, then I have concluded that this would likely to result in additional harm to the heritage assets.
- 6.14. The Appellant's proposals will not preserve and enhance the listed buildings and the conservation area and therefore they are not in accordance with Section 66(1) and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 6.15. I consider that the current proposals are not in line with the Council's ambitions set out in Site Allocation policies PM7 and RO2 in the Adopted Local Plan, in terms of securing the regeneration of the site which would consider the site as a whole, providing a long-term use for Mount Clare which is appropriate to its significance and more generally take the opportunity to enhance the significance of the heritage assets. These policies are consistent with the PPG and provisions of the draft NPPF. Such proposals would include the reinstatement of the pond in front of the Temple which would restore the significance of the Temple's setting and consider the future role of the Doric Temple.