

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

BASELINE STATEMENT OF COMMON GROUND

LPA REF: 2025/0074

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

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Insert Date: 23/01/2026

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Insert Date: 23/01/2026

1.0 INTRODUCTION

- 1.1 This Baseline Statement of Common Ground ("BSoCG") is prepared jointly by the Appellant ("AKA Capability LLP") and the London Borough of Wandsworth ("the LPA") in connection with the appeal against the LPA's failure to determine planning application ref. 2025/0074 in respect of Mount Clare Campus, Minstead Gardens, Roehampton Gate, SW15 4EE ("the Site").
- 1.2 This BSoCG has been prepared following guidance from the appointed Inspector, and his request for a BSoCG that addresses the parties' positions on the baseline to be used for the purposes of assessing the effects of the proposed development under planning appeal 3371729.
- 1.3 As noted by the Inspector, the current appeal is a s78 appeal, and the Inspector has confirmed that he is not intending to make a ruling on the lawful use of the Site. The baseline position is therefore sought only where it relates to the effects of the proposed development under appeal 3371729.

2.0 APPEAL SITE AND SURROUNDINGS

- 2.1 The Site is approximately 1.57 ha in area and is situated immediately adjacent to Richmond Golf club and Richmond Park to the south. The Site is located within the Alton Conservation Area.
- 2.2 The Site contains the following buildings:

Mount Clare House: Grade I listed two storey building constructed in 1770-72 as a country residence, originally set within an open landscape setting, designed by Capability Brown. Although no works to Mount Clare House are proposed, the building is within the Site boundary.

Picasso House/Hall: A two-storey 1960s building that contains a Citizens Advice Bureau in part of the ground floor. The Appellant states that the remainder of the ground floor is vacant. The first floor accommodates eight cluster flats comprising 32 rooms.

Blocks A-E: Fifteen 1960s accommodation blocks, clustered into five groups of three. These are all two-storey buildings containing twelve bedrooms, with one shared kitchen and two shared bathrooms in each. There are a total of 180 bedrooms. The buildings are named individually, in clusters A-E: Albers, Andre, Appell, Balla, Bellini, Blake, Calder, Catlin, Cornell, Dali, Degas, Duffy, Eakins, Epstein and Etty. Blocks A-E are purpose-built accommodation buildings that have most recently been used by the University of Roehampton ("UoR"), who state in CD/B3 that they provided student accommodation in these blocks "from 2001 until 2021 and then vacant".

- 2.3 The Lodge (The Bungalow): A brick building adjacent to the Temple originally described as the principal's residence. There are two outbuildings, including garages near the Lodge.
- 2.4 Temple in the Grounds of Mount Clare: Grade II* listed temple building, built 1762-1769 and brought to the grounds of Mount Clare in 1913.

3.0 COMMON GROUND

- 3.1 The parties agree that given the positions of the parties as set out in their proofs of evidence, the baseline can be considered a moot point for the purposes of the Appeal in assessing the heritage impact and planning balance of the proposed development.
- 3.2 The parties agree that formal examination of evidence on the baseline position will not be necessary at the inquiry. The parties reserve their respective positions as it relates to the calling of evidence on the baseline position in relation to costs.
- 3.3 The parties agree that historic documents indicate that the Site was originally operated as part of Garnett College from 1963 until its merger with Thames Polytechnic (now the University of Greenwich) in 1989. The parties also agree that following changes in ownership in 1999 and 2001, the Site was leased to the UoR in 2001, and that since then there has been a period amounting to more than 20 years of continuous use by the UoR. This period would amount to more than 20 years of continuous use by the UoR, however, the parties disagree as to the specific nature of this use, as set out under 'uncommon ground' (below). The UoR's leases have been appended to the evidence of Mr Christopher Aquilina MRICS.
- 3.4 The parties agree that the Citizens' Advice Bureau ("the CAB") entered into a sublease for part of Picasso House in 2019 (this lease has been submitted in evidence [CD G8/7]). The parties agree that the use of Picasso House by the CAB as offices has not been assessed to be lawful.

4.0 UNCOMMON GROUND

- 4.1 Notwithstanding the agreement between the parties that the question of the baseline is now a moot point (see section 3 above), the parties do not agree on a suitable baseline use of the Site for the purposes of the Appeal.
- 4.2 The Appellant considers that baseline use should be a residential and institutional character and use, comprising long term use as has historically been used for residential (student accommodation, and associated ancillary and administrative use/ institutional purposes. The LPA considers that the baseline use should be a nil use.
- 4.3 Whilst the parties agree with the findings of the Inspector regarding use at the CLD appeal inquiry for the Site, i.e. that the Site has been used for student accommodation, office and

storage, the parties disagree as to the nature of this use and whether the use by the UoR is also the most recent lawful use of the Site.

- 4.4 The parties disagree on whether a letter from the UoR dated 21 August 2025 **(CD/B3)** contains sufficient evidence to demonstrate the lawful use of the Site.
- 4.5 The use of the Site has also been described in the statement of Mr Aquilina, which includes his observations on the use of the site at certain points between 2011 and 2025, during his professional involvement with the Site. The LPA disagree with the contents of Mr Aquilina's statement and finds that it does not contain sufficient evidence to demonstrate a lawful use of the Site.
- 4.6 The Appellant states that the UoR occupy and maintain the entire Site and have done since 2001, which includes making the outbuildings secure, the Temple secure, the Lodge secure, maintaining these buildings and maintaining and securing the entire grounds that are security patrolled and fenced off and that none of the Site has ever been abandoned. The Appellant states the UoR still occupy the site under licence currently.
- 4.7 The Appellant relies on the UoR letter to the LPA on the 21 August 2025, post the CLD appeal, detailing the uses of the buildings in detail. The UoR's summary of the uses of the buildings are detailed in the letter and are repeated below:

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| 15x Accommodation Blocks | Used continuously and exclusively for student accommodation from 2001 until 2021 and then vacant. |
| Mount Clare House | This building has been underused for large periods of our tenure. We have used the building as office space (e.g. estates and campus services, IT services, health and safety) in support of our student accommodation. In more recent times (since 2021) the buildings have been unused and been used ad hoc, for example as a location for filming. |
| Picasso Upper Floor | Used for staff and student accommodation units, operated in the same way as the rest of the campus, on licences. This space largely became vacant in 2021 and has been used in part as staff accommodation since, let to these University staff on license agreements, in the same way that students would rent the accommodation. |
| Picasso Ground Floor | Between 2001 to 2021 this was used as ancillary facilities to the student accommodation. These uses were laundry, storage for the Mount Clare campus, TV |

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| | room and other ancillary uses to Mount Clare on site residential uses. Since 2019 Citizens Advice Wandsworth have used a portion of the space, the remainder of the space has been vacant or used for short term storage of items and rubbish associated which would otherwise have been accommodated across the various buildings of accommodation at Mount Clare. |
| Picasso Basement | This is a small area and houses plant and site maintenance associated with the Mount Clare campus only. |
| Temple | Not used by the University during its occupation. |
| Wardens' bungalow and garages | Not used by the University during its occupation. This building is in poor condition. |

- 4.8 The Appellant also relies on the additional evidence of the use between 2011 and 2025 as detailed in the statement of Mr Christopher Aquilina, including the leases attached to that statement.
- 4.9 The LPA states that it has seen no evidence to confirm whether or not the Site continues to be managed and maintained by the UoR.
- 4.10 The Appellant's position is that, if required for the purposes of assessing the potential effects of the proposed development, an appropriate baseline would be what the Appellant considers to be the Site's long established residential and institutional character and use, comprising long term use as student accommodation, and associated ancillary and administrative uses. The Appellant considers that its position is supported by detailed evidence of observed use and occupation over an extended period (by Spring 4), including what it considers to be continuous occupation by the UoR (since 2021). The Appellant states that the UoR remain on site under licence and still occupy the site. The Appellant considers that this evidence was sent in letter format to the LPA by the UoR on the 21 August 2025 and also features in Mr Aquilina's statement regarding the use.
- 4.11 The Appellant considers this established pattern of occupation would, if required, provide a logical baseline for understanding the Site's baseline in terms of trips, servicing, impact on neighbouring amenity, and the overall character of the Site.
- 4.12 Based on the available evidence, the LPA agrees with the Inspector in the CLD appeal that the use of the UoR resulted in a material change of use from student accommodation with ancillary uses to a mixed-use comprising student accommodation, office use and storage. The

LPA considers that the Appellant has not demonstrated that this material change of use is lawful.

- 4.13 The parties disagree on whether the prospect of reuse as student accommodation in the short term is sufficient to establish a nil use baseline for the purposes of assessing the potential effects of the development proposals. The Appellant considers the reuse as student accommodation in the short term to be irrelevant to the established baseline. The Appellant has never seen a stance like this before (prospect of re-occupation) to inform a baseline use, and consider that the LPAs speculation should not be used to form a baseline use when there is clear evidence from UoR and a witness about the factual use of the relevant buildings, establishing a baseline that it considers is supported by over 20 years of detailed use and evidence. On this matter, the LPA relied on the case of *Mansell v Tonbridge and Malling Borough Council* [2017] EWCA Civ 1314 and refers to the Appellant's evidence provided by Spring 4 at Appendix 8 of [CD/B3], which states that the UoR has recently built new student accommodation, removing the need to use the Site, and that it is highly unlikely that any other institution would lease the Site.