



## Appeal Decision

Site visit made on 10 June 2024

**by J E Jolly BA (Hons) MA MSc MCIH MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 1 July 2024**

---

**Appeal Ref: APP/Y3615/W/23/3326567**

**Springfield Manor Nursing Home, Hogs Back, Puttenham, Surrey GU3 1AQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Parkash (SP Care Homes Limited) against the decision of Guildford Borough Council.
  - The application Ref is 22/P/01623.
  - The development proposed is extensions and alterations to an existing residential care home including ancillary landscaping works and minor demolitions.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. Since November 2023 all designated Areas of Outstanding Natural Beauty (AONBs) in England and Wales are to be referred to as 'National Landscapes' (NL). Therefore, while the legal designation and policy status of AONBs are unchanged, all references to the Surrey Hills AONB in this appeal will reflect that change.
3. The National Planning Policy Framework (the Framework) was revised in December 2023. Accordingly for the purposes of this decision I have referred to the latest version of the Framework. As the changes do not materially affect the main issues in this case, the parties have not been invited to make further comments.

### Main Issues

4. The main issues in this appeal are whether:
  - the proposal would be inappropriate development in the Green Belt,
  - the effect of the proposal on the significance of the Puttenham Conservation Area (CA), and the setting of the surrounding listed buildings,
  - the effect of the proposal on the scenic beauty of the NL and Area of Great Landscape Value (AGLV); and,
  - the effect of the proposal on the biodiversity value of the appeal site.

## Reasons

### *Inappropriate development*

5. The Framework is clear that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
6. I have had regard to the five purposes of the Green Belt, set out under Paragraph 143 of the Framework and am mindful that development in the Green Belt should be considered inappropriate development subject to exceptions given in Paragraph 154 of the Framework. The appellant relies on Paragraph 154 (c), (d) and (g) of the Framework as well as (c) and (d) in support of his case. Specifically, that the proposal would have the same use as the existing building, would not be materially larger than the size of the original building and would not represent a disproportionate on previously developed land.
7. The proposal for a C2 care home includes the demolition of a number of outbuildings/hard standings and the extension of the existing care home. However, the Council calculate that the proposed development would result in a 634% increase in the size of the original dwelling, and that the demolition of the outbuildings would represent a mere 0.02% reduction in the existing built form. Whereas even though I have limited technical calculations before me, the appellant contends that the increase in the footprint of the built form would be 46%.
8. However, consideration of whether a development is 'materially larger' as described in Paragraph 154 of the Framework or whether it represents a disproportionate extension is not restricted solely to floorspace. There are other considerations which depend on the circumstances of the case. However, in this instance, although the proposal would be of a lower height than the existing care home complex and shielded in part by trees, the expansive 2/3-storey extension and other alterations, including a glazed link, would represent a substantial increase to the existing built form on the appeal site. Indeed, the proposal would result in an increase in over half the width of the original and existing building. Therefore, to my mind it cannot reasonably be concluded that the proposal would be anything other than materially larger than the buildings it replaces and also disproportionate to the original building.
9. Consequently, even if the existing building, its car parks and the various hard standings, outbuildings, and a redundant/filled swimming pool, mean that for the purposes of determining this appeal it is sensible that the site should be considered as previously developed land, the overall size and scale of the development would in both spatial and visual terms result in significant harm to the openness of the Green Belt. It would as a result be inappropriate development which is, by definition, harmful to the Green Belt.
10. Therefore, the proposal would not meet the aims of Policy P2 of the Guildford Borough Local Plan: Strategy and Sites, 2023 (GLP) and Policy P-GP1 of the Puttenham Neighbourhood Plan, 2021 (PNP), which say, amongst other things, that the Green Belt will continue to be protected against inappropriate development, and for similar reasons, Part 13 of the Framework when read as a whole.

### *CA and listed buildings*

11. The proposal is in close proximity to the CA. There are also a number of listed buildings in the surrounding countryside to the south and east, including the Grade II listed buildings of St John the Baptist Church, Puttenham Priory, Greys, Home Farmhouse and two barns.
12. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which is supported by the national *Planning Policy Guidance* (PPG), requires the decision maker to have special attention to the desirability of preserving or enhancing the character and appearance of designated conservation areas. The same Act also requires that special regard should be paid when assessing proposals for development that affect listed buildings and their setting.
13. Moreover, Paragraph 205 of the Framework states that great weight should be given to an asset's conservation, and that this is irrespective of whether harm is substantial or less than substantial.
14. The significance of the CA is that it is closely drawn around the historic core of the rural settlement of Puttenham. The nearby standalone listed buildings are set comfortably in their own grounds against a rural backdrop.
15. The proposal would be built in traditional materials outside of the CA and be relatively distant from the listed buildings described above, some of which are shielded by trees and hedges.
16. Therefore, given that the proposal would be a detached, standalone building set down from the ridgeline and that there is other limited built form nearby of a similar disposition, I cannot concur with the Council that the proposed development would result in less than substantial harm to the setting of the CA and the listed buildings.
17. It follows then, in respect of the CA and the setting of the listed buildings, that the proposal would accord with Policies D3, D18, D19, and D20 of the GLP, Policies P-BE4 and P-BE5 of the PNP, and Part 16 of the Framework, when read as a whole, which seek to conserve and enhance the significance of the historic environment.

### *NL and AGLV*

18. The proposed development would be in the NL and AGLV beyond a recognised settlement boundary and thus for planning purposes in the countryside. As such, the development must conserve and enhance the natural and local environment as required by Paragraph 182 of the Framework, to which I attach great weight.
19. The appeal site is a tree and hedge lined parcel of land that slopes down towards the settlement of Puttenham. The surrounding built form is relatively limited which creates a sense of spaciousness in this verdant location and provides a soft transition to the wider countryside beyond.

20. However, the proposal would be of significant scale and mass that would have extensive fenestration, chimney stacks, dormer windows and a convoluted roofscape that would be seen in the long views, particularly as a number of trees would be removed to facilitate the development. The proposed development would also extend across the appeal site to areas where there is currently limited or an absence of vertical construction. Therefore, notwithstanding that the proposal would be constructed in traditional style materials, it would appear as a bulky and incongruous addition to this elevated site when viewed from the surrounding countryside. For example, but not limited to, from a number of footways and bridleways and the settlement of Puttenham to the south. It would also be glimpsed from the A31 to the north.
21. Moreover, at certain times of the day or year, use of the building is likely to generate substantial light spill, including that emanating from the glazed link. This would be contrary to the aims of the GLP which seek to minimise light pollution in this specific location in the NL, and is also clear that with darker skies, developments that cause light pollution will be resisted. Therefore, in combination with my findings above, this alien addition would harm the scenic beauty of the NL and AGLV. Seasonal leaf coverage and additional landscaping would not be adequate mitigation.
22. Accordingly, in respect of the NL and AGLV, the proposal would be contrary to Policy P1 of the GLP, and Policy P-NE1 of the PNP which seek to conserve and enhance the special landscape qualities and scenic beauty of the NL as supported by the Surrey Hills Area of Outstanding Natural Beauty Management Plan (2020-2025) and Part 15 of the Framework when read as a whole.

#### *Biodiversity*

23. The appeal site is located in the Surrey Biodiversity Opportunity Areas of North Downs Scarp and Hogs Back and is surrounded by open fields and meadows that are lined by trees and hedgerows.
24. The appellant has submitted preliminary ecology and bat roost assessments, the latter of which concludes that the development has the potential to result in significant or adverse impacts on any bat species either on site or in the surrounding habitat, and that there is a moderate likelihood of bat presence. Pre-commencement bat surveys are recommended by condition.
25. However, notwithstanding the proposed landscaping and planting, given the early and rudimentary nature of these reports, even if the appellant was agreeable to a suitable condition, as the presence of bats or the size of their population is unknown, I cannot be certain whether the proposal would protect and enhance biodiversity on the site.
26. Consequently, taking a precautionary approach, in respect of biodiversity, the proposal does not meet the requirements of Policy P7 of the GLP and Policy P-NE4 of the PNP, which say development proposals, including those exempt from minimum biodiversity net gain standards, are required to seek maximum biodiversity gain on site.
27. Similarly, the proposal would be contrary to Paragraph 180 of the Framework, which says that planning policies and decisions should contribute to and enhance the natural and local environment.

## **Other Considerations and Planning Balance**

28. The appeal scheme would be inappropriate development that would result in significant harm to the openness of the Green Belt. Paragraph 153 of the Framework requires substantial weight to be given to any harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm are clearly outweighed by other considerations.
29. The PPG sets out that the need to provide housing for older people is identified as being critical. The development would contribute 20 additional bed spaces to the identified local need for care home rooms; albeit this is not considered to be urgent by the Council, nor is the contribution to overall need significant.
30. However, while I note that the existing provision meets with Quality Care Commission (QCC) requirements, following my site inspection, I do not doubt that the proposal would provide an uptick to the fabric, internal layout and the general facilities of Springfield Manor nursing home. Moreover, the provision is currently well-used by Surrey County Council residents. The proposed development would also enable a range of more specialist care and up to date staff facilities. As such, I afford the development considerable weight.
31. In addition, I give the short-term economic benefits and increased employment opportunities associated with the construction of the scheme some moderate weight. There would also be some increased but limited social benefits for new residents and their visitors. Minimal environmental benefits related to new landscaping and tree planting are also given weight.
32. Even so, the considerable weight given to the provision of the new care home I have found above and that related to the economic social and environmental benefits of the scheme, do not clearly outweigh the substantial weight that should be given to the harm to the Green Belt and the harms to biodiversity and the NL and AGLV. It follows then, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist.

## **Other Matters**

33. The site is located within the SPA. The Conservation of Habitat and Species Regulations 2017 require that the competent authority must ensure that there are no effects from the proposed development, either alone or in combination with other projects, that would adversely affect the integrity of the SPA.
34. The likely significant effects arising from the proposal need to be considered in combination with other development in the area and adopting the precautionary principle, if I had come to a different conclusion, it would have been necessary for me as a competent authority to undertake an 'Appropriate Assessment' and the likely effectiveness of any mitigation measures. However, as planning permission is to be refused, I have not taken the matter further.

## **Conclusions**

35. Whilst I have found in favour of the appellant on the second main issue, this does not justify the harm identified on the first, third and fourth main issues. The proposed development would conflict with the adopted development plan as a whole and the Framework, and as there are no material considerations indicating a decision otherwise than in accordance with them, for the reasons given above, I conclude that the appeal should be dismissed.

*J E Jolly*

INSPECTOR