TWENTY5

Land at E 437424 N 228877 Chipping Norton Road

Little Tew

Oxfordshire

Planning
Statement of Case

April 2026

Mr. R. Burkle

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1 Introduction

1.1.1 This Statement of Case is submitted on behalf of Mr R Burkle (the 'Appellant) in support of an appeal against West Oxfordshire District Council's ('WODC') refusal of planning permission for the proposed development of Land West of Little Tew, West Oxfordshire, OX7 4JB (the 'Appeal Site').

1.1.2 The description of development for the Appeal Scheme is as follows:

> ***'Erection of a country house and gardens, stables courtyard, new highway accesses, solar array, drainage works and landscape proposals, including a new lake (Additional information submitted)'***

1.1.3 The application was submitted to the Council on 16 July 2024 and was validated on 08 August 2024.

1.1.4 The Appeal Scheme was accompanied by a comprehensive suite of technical reports in accordance with WODC's validation requirements. A full set of the Appeal Scheme documents are listed below, together with a schedule of drawings submitted with the appeal:

Access Appraisal

Ecological Impact Assessment and Biodiversity Net Gain Assessment

Archaeological Desk-Based Assessment

Construction Management Plan

Covering Letter

Design and Access Statement (Volumes 1, 2 and 3)

Design Statement for Revised Schemes

Drainage Strategy

Energy and Sustainability Statement

Heritage Impact Assessment / Worlledge Heritage Impact Assessment

Landscape and Visual Impact Assessment

Landscape Statement

Passivhaus Energy Assessment

Specialist Design Review

Tree Survey and Impact Assessment

Biodiversity Net Gain Metric and supporting habitat documents

Statement of Benefits

Summary of Benefits Report

Hierarchy of Houses Report

Summary Presentation

Summary of Additional Information

Summary of Proposals

Update Planning Policy Review and Commentary

Agent Response to Comments

Agent Response to Objections

Summary Applicant's Response on Some of the Key Issues Raised

1.1.5 The Appeal Scheme was refused under delegated powers on 17 October 2025. Officers refused planning permission for the following reason(s):

> ***'The proposed development, by reason of its nature, siting, scale, massing, design and form, would fail to represent a development which would help to raise standards of design more generally in rural areas, and would be adversely urbanising and transformative in the landscape, failing to significantly enhance its immediate setting, or be sensitive to the defining characteristics of the local area. The development would also result in a high level of less than substantial harm to the setting of the Little Tew Conservation Area. The public benefits are not considered to outweigh this harm identified.***
>
> ***Assessing the scheme in the wider planning balance, the benefits of the proposal, which include the provision of a single private dwellinghouse towards the Council's housing land supply shortfall, the provision of BNG, the introduction of a new public access, and short-term benefits to the local economy and trade/skills opportunities through the construction period would not outweigh the identified harm to the heritage assets, the landscape character and setting of the village.***
>
> ***As such, the proposal is contrary to policies OS2, OS4, H2, EH2, EH9, EH10, EH11, EH13, EH14 and EH16 of the West Oxfordshire Local Plan 2031, the relevant provisions of the National Planning Policy Framework, in particular paragraphs 11(d), 84(e) and 215, the West Oxfordshire Design Guide and the Little Tew Conservation Area Appraisal.'***

1.1.6 Whilst this is a single reason for refusal; this is a complex reason which combines a design 'limb' (including character and appearance) with a heritage 'limb'. The first limb derives from the tests in paragraph 84 e) of the NPPF. I return to these shortly.

1.1.7 There is overlap between the design and heritage components because the conservation area is part of the local area, and the Council's Conservation Officer has framed her criticism of the design with reference to the conservation area. Furthermore, there is divergence between the Council's own planning and conservation officers.

1.1.8 The result of this being there is a need to test matters relating to design; heritage and landscape and the interrelationship between these elements with the calling of three separate witnesses alongside planning.

1.1.9 This Statement of Case responds to the Council's reason for refusal, addresses the alleged impacts identified in the delegated report, and explains why planning permission should be granted. It also sets out the benefits of the Appeal Scheme.

1.1.10 A Statement of Common Ground will be prepared between the main parties where possible, and the Appellant will also provide a draft schedule of conditions for consideration ahead of the Inquiry, with a view to narrowing the issues in dispute.

1.1.11 As set out in the enclosed Appeal Form and the appeal procedure note, the Appellant considers that an Inquiry is the most appropriate procedure given the need to call expert evidence on the following matters. Separate Statements of Case are provided for each topic and will involve a total of 4 witnesses as set out below:

Planning

Landscape

Heritage

Design

1.1.12 Moreover, the appeal has already generated substantial public interest, with 62 letters of objection, 45 letters of support, and detailed representations from the Parish Meeting during the course of the application.

1.1.13 The representations from objectors include an opinion from Kings Counsel which led to successive exchanges between that Counsel and Counsel acting for the Appellant. In those circumstances, an Inquiry is the most appropriate forum to ensure interested third parties are able to be heard. This is of particular relevance as we consider it highly likely that there will be a Rule 6 party and the level of public interest (as set out in the attached media package submission) will mean that this is unmanageable in an alternative format. (Media collection enclosed at **Appendix A**).

1.1.14 The Appellant will demonstrate that the Appeal Scheme is consistent with the Development Plan when read as a whole and with relevant national planning policy, and that the development of the Appeal Site will deliver a high quality and distinctive dwelling, landscape and ecological enhancements, substantial biodiversity net gain, new public access, and economic benefits through its construction. Accordingly, the Appellant will also demonstrate that there are no adverse impacts arising from the Appeal Scheme that would significantly and demonstrably outweigh its benefits, when assessed against the policies of the Framework taken as a whole.

2 Planning History

2.1.1 The planning history relevant to the Appeal Site is concise but material to the evolution of the current proposal.

2.1.2 Prior to the submission of the application under appeal, the scheme was the subject of pre-application discussions with West Oxfordshire District Council under reference 21/02807/PREAPP.

2.1.3 A previous full application was then submitted under reference 22/01785/FUL for ***'the construction of a country house and gardens, stable courtyard, new highway accesses, solar array, drainage works and landscape proposals, including a new lake'***. That application was refused. The officer report for the current application confirms that the earlier proposal was found to fail the relevant design, landscape and heritage tests, including those then applicable under paragraph 80(e) of the Framework.

2.1.4 The Appeal Scheme was prepared as an updated and evolved scheme following that refusal. The submission material explains that further work was undertaken in the interim, including additional Design South East review, a Parish presentation, and updated heritage, ecology, landscape and drainage assessment, together with design revisions to the proposed house and stable courtyard.

2.1.5 The planning history is relevant insofar as it shows that the current proposal did not emerge in isolation, but has been informed by the earlier refusal, further design review and additional technical work undertaken before the submission of the appeal scheme. This will be explained in detail in the submitted evidence.

2.1.6 The timeline is set out below:

i) Initial Site Walk overs May 2020

ii) Pre application Aug 2021

iii) Meeting with Officer October 2021 – comments addressed

iv) Traditional Architecture Group Peer Review 16 Dec 2021 (in relation to first application)

v) Traditional Architecture Group Peer Review 06 April 2022 (in relation to first application)

vi) Planning Submission 22/01785/FUL – refused 23 June 2022

vii) DSE Design engaged with Feb 2023 - report issued March 2023

viii) Subsequent DSE workshop June 2023

ix) Scheme to DRP Feb 2024 report March 2024

x) Specialist Design Review (Musson) May 2024

xi) Culmination of DSE advice Dec 2024.

2.1.7 Whilst a case was not advanced at the application stage in relation to the application of paragraph 11d (ii) of the NPPF, this is clearly material to the consideration of the Appeal Scheme and will thus be addressed through the appeal. It is noted that the delegated Officer Report purports to carry out a wider planning balance and considers paragraph 11 d ii) of the NPPF and thus it appears that the Council will agree that this is a correct alternative approach outside of the consideration of paragraph 84 e) of the NPPF.

3 The Appeal Site and Surroundings

3.1 Site Description

3.1.1 The Appeal Site (red line) extends to approximately 4.37 hectares and is located on Land West of Little Tew, West Oxfordshire, on the southern side of Chipping Norton Road. The Appeal Site lies in open countryside approximately 220 metres from the nearest property on the edge of Little Tew, with the village lying to the east, open countryside to the north, west and south, and the River Dorn valley falling away to the south. The wider site (encompassing the land edged blue) totals some 36ha

3.1.2 At present, the Appeal Site comprises land under arable cultivation. In physical terms, it is characterised by gently undulating landform and a broadly open aspect, with the site falling southwards towards the River Dorn. The Appeal Site is currently free from built development, with a public right of way bordering the wider site and the surrounding lane network provides access through the wider countryside.

3.1.3 In landscape and ecological terms, the Site comprises large areas of predominantly farmland, together with existing grassland and hedgerow features which contribute to its rural character. The wider application material also identifies opportunities for substantial ecological enhancement across the landholding, including hedgerow management, woodland and tree planting, grassland enhancement and habitat creation.

3.1.4 The Site is currently surrounded by open agricultural countryside on its north, west and south sides, with Little Tew located nearby to the east. Its surroundings are therefore predominantly rural in character, defined by open farmland and the wider setting of the village.

3.2 Site Context

3.2.1 The Site does not lie within any statutory landscape designation or other special designated area of control. However, the Little Tew Conservation Area lies approximately 450 metres from its boundary, and there are designated heritage assets nearby, including the Grade II listed Grange within the Conservation Area. The Council also considered the Site in relation to the wider historic landscape setting of Little Tew, together with the nearby Heythrop House and Park & Gardens (Grade II*) and Great Tew House and Park & Gardens (Grade II).

3.2.2 In flood risk terms, the Site lies within Flood Zone 1 and is therefore in an area at very low risk of fluvial flooding. The Lead Local Flood Authority (LLFA) raised no objection, subject to conditions. The application was also considered in relation to potential hydrological effects on the nearby Little Tew Meadows SSSI, with Natural England ultimately raising no objection subject to mitigation being secured.

3.2.3 Within the adopted West Oxfordshire Local Plan context, the Site lies outside any defined settlement boundary and in open countryside. The Council also identifies the Site as falling within the Ironstone Valleys and Ridges landscape character area, and notes that the land presently forms part of the Great Tew Estate farmland.

4 The Appeal Proposal

4.1 Background

4.1.1 The Appeal Scheme was submitted to West Oxfordshire District Council on 16 July 2024 and was validated on 08 August 2024 with the following description of development:

> ***'Erection of a country house and gardens, stables courtyard, new highway accesses, solar array, drainage works and landscape proposals, including a new lake (Additional information submitted)'***

4.1.2 In broad terms, the proposal comprises a new country house set within extensive gardens and parkland and a wider landscaped estate setting, together with a stable courtyard, two new highway accesses, a solar array, drainage works and a new lake. The submission was supported by a wide range of technical documents and drawings.

4.2 Design and Appearance

4.2.1 The proposal includes a principal dwellinghouse and associated stable courtyard, together with related structures, landscape works and infrastructure. Full details of the buildings proposed, including their scale and arrangement, are contained in the Design Statement for Revised Schemes and accompanying plans and further expanded upon in the Design Statement of Case.

4.2.2 A palette of traditional and locally distinctive materials is proposed, as set out in the submitted design material and application drawings. The proposed built form has been designed as part of a wider composition, taking account of the site, its setting and the surrounding built and landscape context.

4.2.3 To quote the Design Statement of Case directly (paragraph 5.2):

> ***"The design imagines this house as a satellite of a great estate, such as a dower house or a hunting lodge. As such it is an adornment to the landscape, rather than its focal point, whilst completely engaging with the best of architecture. The approach to the house from the public road is through newly planted woodland to the north which opens into the Upper Park. The drive sweeps through an area of grassland, dotted with trees in a naturalistic way, in the English landscape tradition. The visitor arrives obliquely at the entrance forecourt before turning to see the house revealed".***

4.3 Sustainability

4.3.1 The Appeal Scheme has been developed with environmental principles at its heart. The concept of the Passivhaus is that of a dwelling in which there is high resistance to heat flow between the outside and the inside of the building. There are no real precedents for new classical country houses built to such rigorous standards and as such this site has the potential to be ground breaking in this regard.

4.3.2 The Appeal Scheme will achieve the Passivhaus Premium Standard whilst also significantly exceeding national/local planning policy targets and meeting 100% of the Key Performance Indicators of the WODC Net Zero Carbon Toolkit.

4.4 Assessment of Design

4.4.1 A summary of the design rationale for the Appeal Scheme is set out in the submitted Design Statement of Case; alongside that contained in the originally submitted Application Design Statement. This is summarised below and will be explained further in evidence.

4.4.2 Considerable pre-application engagement in respect of architectural design was undertaken. The contents of which are submitted with this appeal.

4.4.3 The most recent Design South East Review panel (March 2024) concludes:

> ***"The panel commend the design team on their response and engagement with the design review process. This has been exemplar in moving the design of this proposal forward and the panel consider this, in principle, to be a Paragraph 84e house. This is an outstanding piece of architecture and landscape design."***
>
> ***"The house could add to the layers of history of the site as it is both unique and of the highest quality. Coupled with the achievement of Passive House, this is an incredibly successful design with the potential to become a future heritage asset."***

4.4.4 The Appellant has also sought advice from the Traditional Architecture Group (TAG) who are an affiliate of the RIBA and who have experience with schemes inspired by traditional architecture – in respect of the first scheme. In addition, the Appellant engaged Jeremy Musson – an eminent Country House expert – who produced a specialist design review (May 2024) which was submitted with the application and concluded:

> ***"Francis Terry's finalised design, 'the Serpentine Lodge', represents a highly skilled reinterpretation of Oxfordshire classical traditions, realised in locally quarried stone. Undoubtedly an outstanding work of architecture, in terms of NPPF para 84e, the inventive and lively character of the proposed design, in the manner of an eighteenth-century park pavilion, "nestles" within the existing site and significantly enhanced landscape setting.***
>
> ***The design now follows DSE guidance in providing a stronger sense of a flow of approach and an artistic hierarchy in the elevations, reflecting in turn a more distinctive and original plan. The Serpentine Lodge design achieves the highest level of sustainability, namely Passivhaus status, appropriate to this day and age, as well as significant Biodiversity Net Gain within the overall landscape setting."***

4.4.5 Following receipt of this information, the delegated Officer Report advises that with regard to the design of the house:

> ***"Turning again to the requirements of Paragraph 84e, with regard to the first point that the development should be 'truly outstanding, reflecting the highest standards in architecture and would help to raise standards of design more generally in rural areas', similarly to the DSE panel, officers acknowledge that this is an outstanding piece of architecture in design terms and the achievement of building a neo-classical house to Passivhaus standards is commendable".***

4.4.6 It is therefore expected that there will be agreement between the two parties that the design is of exceptional quality and is truly outstanding, reflecting the highest standards in architecture (using the terminology of paragraph 84 e of the NPPF). However the Appellant is mindful that the Inspector will need to draw their own conclusions on this matter and therefore the Appellant will present evidence on the design quality. Furthermore, it is expected that the anticipated Rule 6 party will reach a different conclusion to the Council in this regard and thus the Appellant will be required to produce evidence.

4.5 Landscape

4.5.1 As set out in the Landscape Statement of Case, the site and its context are dominated by the abundant agricultural landscape. A broad landscape type of enclosure that accounts for around 74% of the land cover of Oxfordshire (Oxfordshire Historic Landscape Characterisation Project, OCC, 2017). Sitting alongside this broad type there are other landscape typologies including, rural settlements (villages, hamlets country houses), park and gardens, water and woodlands. It is the assembly of these that lead to the resultant character of the area.

4.5.2 As set out in the Landscape Statement of Case, the Landscape and Visual baseline has been understood from the outset and has been front and centre of the design process. The following is reported in the Landscape Statement (Colson Stone June 2024):

> ***'3.7 I have worked for many years with the architect Francis Terry. The siting of the House and the design of its landscape framework is the result of a close collaboration between the Client and all members of the design team. Within this process there has been an unusually high degree of importance placed upon the landscape setting. This has rightly been considered as a fundamental component of the scheme as a whole. The close working relationship between the Landscape Architect and the Architect, in particular, has resulted in a highly successful marriage of building, prospect and setting.***
>
> ***3.8 I first visited the site in May 2020. Since then, I have spent several days on site and also walked the local footpath network in order to assess the characteristics of the locality. We have prepared a number of different sketch proposals and more detailed layouts for the site – working in close collaboration with the Client and his architect, Francis Terry.'***

4.5.3 The proposed Estate Masterplan is shown overleaf and demonstrate that the overwhelming majority of the site will remain free from built form, with the house, pool pavilion and stables occupying a very small percentage of the site.

4.5.4 Key components include, but are not limited to:

i) The progression of a well treed landscape framework adds to the level of visual discretion and subdivision of proposed parkland

ii) There have been deliberate and historically positive design queues informing the composition of the homes and its ground, and its arrival sequence

iii) The arrival sequence has considered the contextual landscape, with views appropriately screened, filtered or where the Country House is seen the composition of the view has been carefully considered

4.5.5 This careful consideration has also been part of the design process in the limited views from the wider context, be it the footpath or across the valley.

Estate Masterplan

4.5.6 The overall landscape and ecological enhancements summarised as follows;

i) New Native Woodland Planting – 7.46 Ha

ii) New Native Specimen Parkland Trees – 208 No

iii) New Native Hedgerow Planting – 1395 m

iv) New Mixed Garden Tree Planting – including Native Species – 72 No

v) Existing Hedgerow enhanced through active management – 5.04 Km

vi) New Lake with aquatic habitat and broad shallow margins – 0.50 Ha

vii) Existing Grassland managed to enhance ecological value – 9.09 Ha

viii) Existing Arable land reverted to grassland managed by grazing sheep and cattle – 12.75 Ha

ix) Existing Arable land reverted to grassland managed by grazing horses – 1.21 Ha

x) Existing Arable land reverted to grassland managed by periodic grazing sheep – 1.90 Ha

xi) Existing Arable land reverted to wildflower meadow – 0.8 Ha

4.5.7 The Appellant's evidence will demonstrate that that the proposals will significant enhance the landscape of the site as per Section 6 of this Statement of Case.

4.6 Heritage

4.6.1 The reason for refusal alleges harm to the setting of Little Tew Conservation Area and no other heritage assets and thus the Appellant's evidence will focus on the relationship between the Appeal Site and the Conservation Area. Little Tew is located just below the contour of 183 metres (m) AOD. The village sits in a folded landform that runs down from the level of the Appeal site into and towards a sheltered valley that is oriented south-easterly. The adopted appraisal observes the conservation area *"remains cloaked, despite this elevated location, by a folded landform with a strong landscape structure of trees and hedges"* (page 2). The village is thus well enclosed by a distinctive landform, a setting that contributes materially to its character which is heavily enclosed, with little awareness of the wider landscape in which the rural village is situated.

4.6.2 This matter is covered further in Section 6 of this Statement of Case.

4.7 Ecology

4.7.1 The Appeal Scheme includes substantial landscape works and planting, together with wider green infrastructure and environmental enhancement across the site. Full details are provided in the relevant landscape drawings and supporting documents.

4.7.2 The application was supported by ecological surveys and a biodiversity net gain metric. These documents assess the existing ecological conditions and the proposed mitigation and enhancement measures. The landscaping proposals are intended to integrate the development into its surroundings and provide environmental, visual and ecological enhancement.

4.7.3 As a result of the delivery of the abovementioned landscape enhancements, a substantial Biodiversity Net Gain of 614.65% increase in Habitat Units and a 146.90% increase in Hedgerow units will be secured. Stewardship of this enhanced landscape will be secured through a combined Landscape and Ecology Management Plan (LEMP), covered by Planning Condition.

4.8 Site Access

4.8.1 The proposal includes new accesses to serve the development, as shown on the submitted plans and assessed within the supporting access and highway documentation.

4.8.2 Site access and highways do not form part of the Council's reason for refusal. These matters were considered through the application process and are addressed in the relevant submitted plans and technical documents.

5 Planning Policy

5.1 Development Plan

5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise.

5.1.2 The Development Plan for West Oxfordshire District Council comprises of the following relevant documents for the Appeal Site:

West Oxfordshire Local Plan 2031 (adopted September 2018)

Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy

5.1.3 The Council do not cite the latter document within the Reason for Refusal and therefore this will not be assessed further within the Appellant's evidence.

5.1.4 There is no Neighbourhood Plan.

5.1.5 The Appellant will give reference to the relevant policies within the above Development Plan and/or in the Decision Notice, as outlined below.

Policy OS1 (Presumption in Favour of Sustainable Development)

Policy OS2 (Locating Development in the Right Places)

Policy OS4 (High Quality Design)

Policy H2 (Delivery of New Homes)

Policy EH2 (Landscape Character)

Policy EH3 (Biodiversity and Geodiversity)

Policy EH6 (Decentralised and Renewable or Low Carbon Energy Development)

Policy EH8 (Environmental Protection)

Policy EH9 (Historic Environment)

Policy EH10 (Conversation Areas)

Policy EH11 (Listed Buildings)

Policy EH13 (Historic Landscape Character)

Policy EH14 (Registered Historic Parks and Gardens)

Policy EH16 (Non-Designated Heritage Assets)

Policy T2 (Highway Improvement Schemes)

Policy T3 (Public Transport, Walking and Cycling)

Policy T4 (Parking Provision).

5.1.6 The Appellant will demonstrate that, when read as a whole, the relevant policies of the Development Plan do not preclude the proposed development and that the appeal proposal falls to be considered having regard to the statutory development plan, relevant national policy and all other material considerations.

5.1.7 In particular, the appeal will address those policies relating to design quality, countryside location, landscape character, biodiversity, heritage and accessibility which are most relevant to the issues in dispute.

5.2 Other Material Considerations

5.2.1 Furthermore, the Appellant will refer to the relevant Supplementary Planning Documents (SPD's) and guidance, listed below, in relation to the Site:

West Oxfordshire Design Guide

Little Tew Conservation Area Appraisal

West Oxfordshire Landscape Assessment, and relevant landscape character guidance

Any other relevant Council design, climate or technical guidance where material to the issues raised by the Council.

National Planning Policy Framework ('NPPF' 2024)

5.2.2 The Appellant will set out how the Appeal Scheme complies with the Framework, including but not limited to the following sections and paragraphs (in chronological order):

Paragraph 11(d)

Chapter 5 (Delivery a Sufficient Supply of Homes)

Paragraph 78

Paragraph 84(e)

Chapter 12 (Achieving Well-Designed Places)

Chapter 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change)

Chapter 15 (Conserving and Enhancing the Natural Environment)

Chapter 16 (Conserving and Enhancing the Historic Environment), in particular paragraph 215.

5.2.3 The Appellant is aware that it is likely that a new NPPF will be published prior to the determination of this appeal. The Appellant's evidence will respond to this at the appropriate time following publication.

Planning Practice Guidance (PPG)

5.2.4 Lastly, the Appellant will give reference to the Planning Practice Guidance (PPG) and updates, where appropriate.

6 The Appellant's Case

6.1 Introduction

6.1.1 The Appellant will provide evidence with respect to the benefits of the Appeal Scheme and address the alleged impacts referred to within the Council's reason for refusal.

6.2 The Development Plan

6.2.1 In its reason for refusal, the Council alleges that the proposed development conflicts with the following Overall Strategy policies of the West Oxfordshire Local Plan 2031: Policies OS2 and OS4.

6.2.2 Policy OS2 of the West Oxfordshire LP is set out below (it is a lengthy multi-part policy and therefore only parts relevant included):

> ***"…***
>
> ***Small villages, hamlets and open countryside***
>
> ***Development in the small villages, hamlets and open countryside will be limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area. Proposals for residential development will be considered under Policy H2.***
>
> ***…***
>
> ***General principles***
>
> ***All development should:***
>
> ***• Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;***
>
> ***• Form a logical complement to the existing scale and pattern of development and/or the character of the area;***
>
> ***• Avoid the coalescence and loss of identity of separate settlements;***
>
> ***• Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;***
>
> ***• As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;***
>
> ***• Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;***
>
> ***• Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;***

• Not be at risk of flooding or likely to increase the risk of flooding elsewhere;

• Conserve and enhance the natural, historic and built environment;

…"

6.2.3 Policy OS4 is set out below:

"High design quality is central to the strategy for West Oxfordshire. New development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and, where possible, enhance the character and quality of the surroundings and should:

• demonstrate high quality, inclusive and sustainable design with the provision of a safe, pleasant, convenient and interesting environment where the quality of the public realm is enhanced and the likelihood of crime and fear of crime is reduced; and

• not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties; and

• demonstrate resilience to future climate change, particularly increasing temperatures and flood risk, and the use of water conservation and management measures; and

• conserve or enhance areas, buildings and features of historic, architectural and environmental significance, including both designated and non-designated heritage assets and habitats of biodiversity value; and

• enhance local green infrastructure and its biodiversity, including the provision of attractive, safe and convenient amenity open space commensurate with the scale and type of development, with play space where appropriate.

…"

6.2.4 The Delegated Officer report does not set out which aspects of Policies OS2 and OS4 are breached. The Appellant's evidence will address these policies in detail upon receipt of the Council's Statement of Case.

6.2.5 The Appellant's evidence will demonstrate however that the relevant criteria of policies OS2 and OS4 are met such that there is no conflict with either policy. Furthermore, whilst not referenced in the RfR, through Policy OS1 of the Local Plan which embeds the presumption in favour of sustainable development into the Development Plan, this allows conflict with the Development Plan to be identified but a finding of accordance with the Development still to achieved via the application of the tilted balance.

6.2.6 The Council specify Policy H2 in its reason for refusal. This is set out below:

"Provision will be made for at least 15,950 new homes in the period 2011 – 2031.

This will include 13,200 homes in the period 2011 – 2031 to meet West Oxfordshire's housing needs and a further 2,750 homes in the period 2021 – 2031 to meet Oxford City's housing needs.

…

The 5 year housing land supply is to be calculated on the basis of the phased requirement set out in this table. The additional requirement of 2,750 dwellings to meet Oxford City's housing needs is set out separately for illustrative purposes but delivery and supply will be assessed against the combined annual requirement.

…

Small villages, hamlets and open countryside

New dwellings will only be permitted in the small villages, hamlets and open countryside where they comply with the general principles set out in Policy OS2 and the following circumstances:

• where there is an essential operational or other specific local need that cannot be met in any other way, including the use of existing buildings. Where appropriate, new homes provided (other than replacement dwellings) will be controlled by an occupancy condition linked to the operational need and/or to the 'rural exception site' approach for permanent affordable dwellings;

• where residential development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of a heritage asset;

• residential development of exceptional quality or innovative design;

• new accommodation proposed in accordance with policies specifically for travelling communities;

• accommodation which will remain ancillary to existing dwellings*;

• replacement dwellings on a one for one basis;

• re-use of appropriate existing buildings which would lead to an enhancement of their immediate setting and where it has been demonstrated that the building is not capable of re-use for business, recreational or community uses, tourist accommodation or visitor facilities or where the proposal will address a specific local housing need which would otherwise not be met; and

• on sites that have been allocated for housing development within an adopted (made) neighbourhood plan.

…"

6.2.7 Again the Council have not specified which aspect of the policy is allegedly breached. It is assumed it is the third bullet, however it is unclear given that delegated Officer report confirms the Council consider that the development does represent truly exceptional design.

6.2.8 The Appellant will address this policy in detail and will also confirm that the council is unable to demonstrate a 5 year supply of housing such that the tilted balance is engaged and thus the weight to this policy (and any conflict with it) is reduced accordingly. The implications of this are discussed later in this section.

6.3 Landscape

6.3.1 The Council alleges conflict with the following Environmental and Heritage Assets policies: Policies EH2, EH9, EH10, EH11, EH13, EH14, and EH16.

6.3.2 Policy EH2 of the West Oxfordshire LP is set out below:

> ***"The quality, character and distinctiveness of West Oxfordshire's natural environment, including its landscape, cultural and historic value, tranquillity, geology, countryside, soil and biodiversity, will be conserved and enhanced.***
>
> ***New development should conserve and, where possible, enhance the intrinsic character, quality and distinctive natural and man-made features of the local landscape, including individual or groups of features and their settings, such as stone walls, trees, hedges, woodlands, rivers, streams and ponds. Conditions may be imposed on development proposals to ensure every opportunity is made to retain such features and ensure their long-term survival through appropriate management and restoration.***
>
> ***Proposals which would result in the loss of features, important for their visual, amenity, or historic value will not be permitted unless the loss can be justified by appropriate mitigation and/or compensatory measures which can be secured to the satisfaction of the Council.***
>
> ***Proposed development should avoid causing pollution, especially noise and light, which has an adverse impact upon landscape character and should incorporate measures to maintain or improve the existing level of tranquillity and dark-sky quality, reversing existing pollution where possible.***
>
> ***…"***

6.3.3 In relation to this policy, the delegated Officer Report states:

> ***Within the Ironstone Valleys and Ridges character area the landscape assessment acknowledges that formal parklands do form part of the landscape. However, this site is currently open estate farmland which is also identified as a key and important landscape feature in the area. Officers note that the land does presently form part of the Great Tew Estate farmland.***

> ***In this case, while officers appreciate that comprehensive and detailed landscaping assessments and proposals are submitted, given the nature and scale of the development, which includes the introduction of extensive ancillary buildings with a swimming pool, lawns, courtyards, formal planting areas, a long approach drive, new tracks, a solar panel array and the introduction of a new lake, officers are not satisfied that the development would significantly enhance the existing estate farmland landscape and its immediate setting.***
>
> ***Further, the site falls outside of, but in close proximity to the largely unspoilt village of Little Tew and officers are of the opinion that, due to its nature and scale, this proposal would have a truly urbanising and transformative impact on this open countryside location which forms an important setting to the village.***
>
> ***Further, as also identified in the character area assessments within the WO Landscape Assessment, the Tews (Great Tew and Little Tew) are distinctive examples of 'closed' villages where they appear particularly unified and distinctive due to the historic and former ownership of the land by the Estate. Further, the existence of the main estate house and its formal parkland is key to the defining character of the area. In this case, the main estate house is Tew Park. Officers are of the opinion that the introduction of a new, significantly large country house set within parkland gardens in this location so close to the village of Little Tew would transform the historically important dynamic between the villages and the existing estate house. This, in officer's opinion, would not be sensitive to the defining characteristics of the local area.***
>
> ***Officers also raise concerns that the architectural approach, while arguably impressive as a stand-alone design, is not sensitive to the defining characteristics of The Tews. Apart from the choice of materials, there are few architectural features, detailing, and forms that are used which are reflective of those seen throughout the villages.***

6.3.4 The site is occupied by three landscape types, Open Valley and Ridges, Semi Enclosed Limestone Wolds and Semi Enclosed Valleys and Ridges. It is not characterised as Estate Farmland, (see fig 2.0 and para 3.18 of the Landscape Statement of Case), the assertion made above the Officer's report.

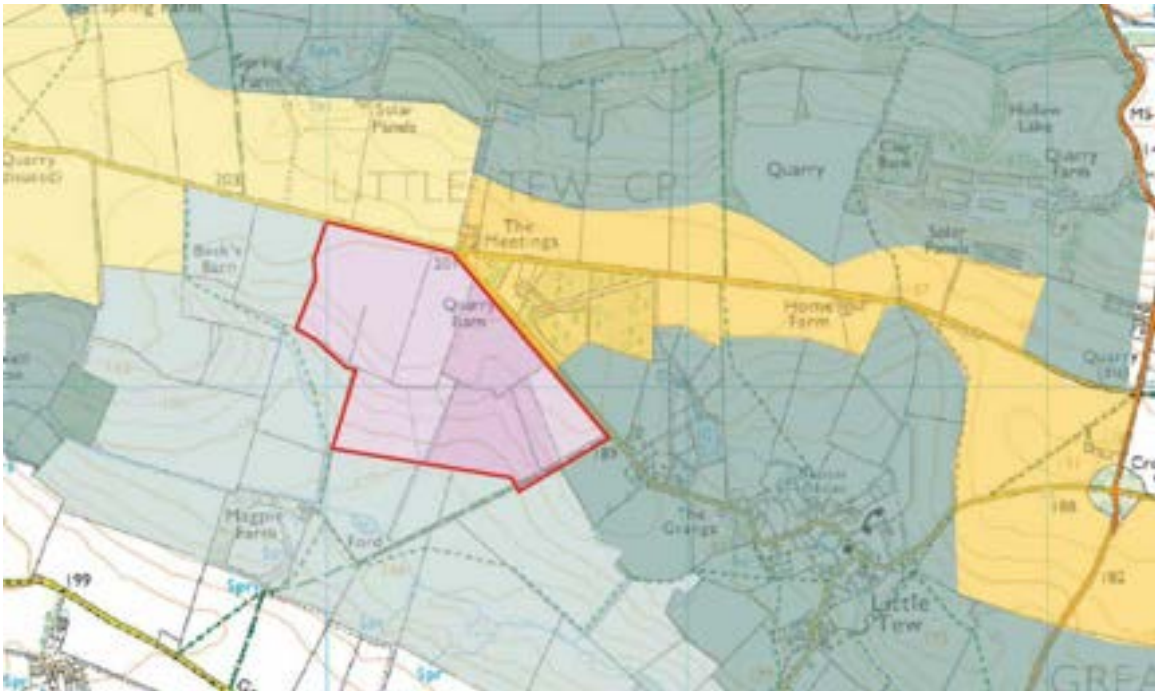
6.3.5 Introducing a new country house, stables, and associated designed estate landscape will change the landscape character from an agricultural landscape to one of a country estate, with estate farmland and designed parkland. As set out in the Landscape Statement of Case, the critical question is whether this change is beneficial or adverse. The landscape evidence bases for West Oxfordshire contain several landscape character types in the broader scale Character Area that represent the site in its baseline and proposed future states.

6.3.6 The baseline state is of open and semi-enclosed valleys and ridges of mainly arable farmland, enclosed in post-medieval times — these landscape types, while representative of the area, are not rare and are of relatively low quality with no designations or associations to indicate quality. Land within the site is mainly poor-quality arable land with hedgerows and hedgerow trees in poor and declining condition.

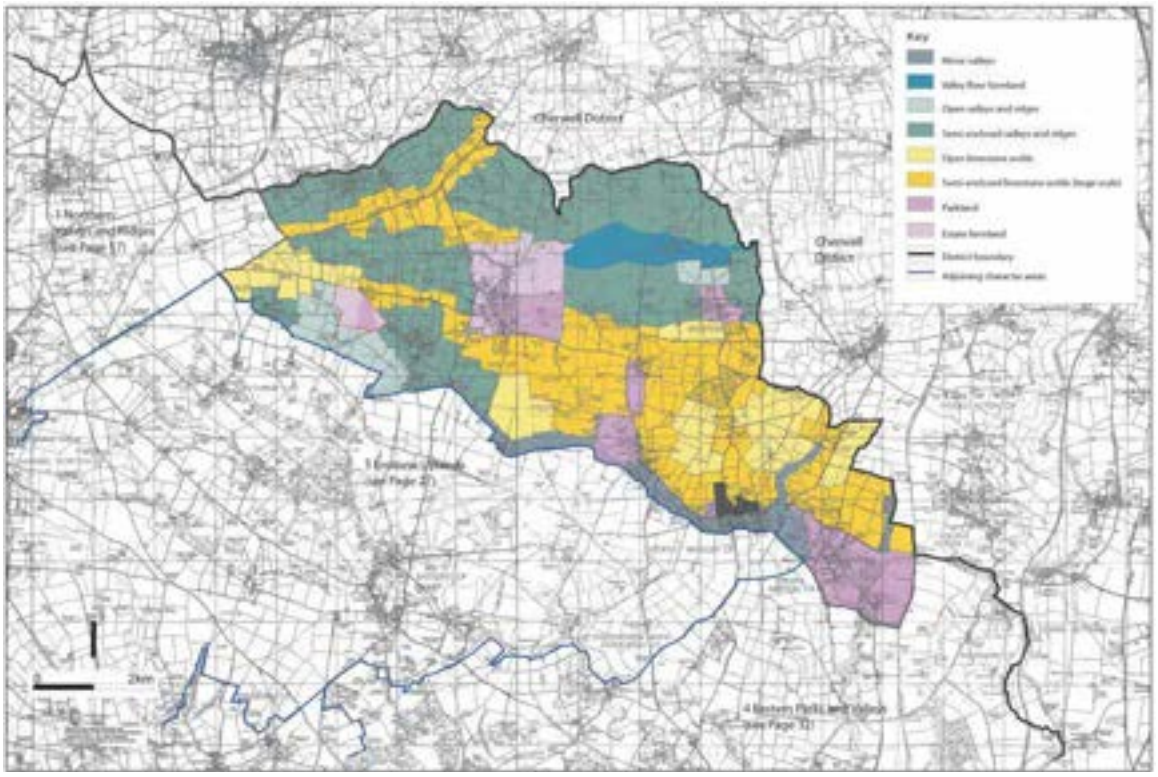
6.3.7 The future state proposes a change to an estate-type designed landscape with a new country house of the highest quality. 'Parkland' and 'Estate Farmland' are valued landscape types found within the broader character area. The proposed changes associated with the landscaping scheme meet many of the strategic aims of both landscape character studies, including conserving the characteristic mosaic of woodland and grassland along the valley sides and bottoms, strengthening the field pattern by planting up gappy hedges, enhancing the character of tree-lined watercourses, conserving the areas of permanent pasture, promotion of arable reversion to grassland and the enhancement of characteristic landscape features of existing parklands. The Landscape Character Assessment 1998 identifies estate farmland and parkland as "highly distinctive landscapes associated with large country houses and estates where a formal or designed character has been imposed upon the underlying landscape." Therefore, it is feasible that the imposition of a change from low-quality farmland to a high-quality estate-type landscape could be considered a highly beneficial change, entirely consistent with the landscape types across the Ironstone Valleys and Ridges Character Area and the landscape strategy.

6.3.8 This can be seen on the plans below and overleaf:

Proposed landscape types at site and immediate contextual scale.



Proposed landscape types at a wider contextual scale



6.3.9 It follows that where views, albeit limited, of the new dwelling are available, they would be considered to be positive, consistent with a positive change in landscape character. The main visible changes associated with the landscaping scheme, including new woodland, strengthening of structure and field pattern and introducing species-rich pasture with in-field trees, would be considered highly visually positive and result in higher quality visual experiences.

6.3.10 In summary, the scheme will result in a change in character from a farmland landscape to a Parkland and Estate Landscape, which is considered to be highly beneficial. While the landform and the proposed landscaping result in limited visibility of the built form, the attractive, high-quality landscaping scheme will be a majorly positive visual change, able to be appreciated from the immediate surroundings.'

6.4 Heritage

6.4.1 On heritage matters, the Reason for Refusal references Policies EH2, EH9, EH10, EH11, Eh13, EH14 and EH16. It is assumed that the references to Policies EH11 and EH16 are erroneous given that no harm is alleged to any listed buildings or non-designated heritage assets.

6.4.2 Policy EH9 is set out below:

> ***"All development proposals should conserve and/or enhance the special character, appearance and distinctiveness of West Oxfordshire's historic environment, including the significance of the District's heritage assets, in a manner appropriate to their historic character and significance and in a viable use that is consistent with their conservation, in accordance with***

national legislation, policy and guidance for the historic environment.

In determining applications, great weight and importance will be given to conserving and/or enhancing the significance of designated heritage assets, including:

• the special architectural and historic interest of Listed Buildings, with regard to their character, fabric and their settings;

• the special architectural and historic interest, character and/or appearance of the District's Conservation Areas and their settings, including the contribution their surroundings make to their physical, visual and historic significance;

• …

• the special cultural, architectural and historic interest of Registered Parks and Gardens, including the contribution their surroundings make to their physical, visual and historical significance.

Significant weight will also be given to the local and regional value of non-designated heritage assets, including non-listed vernacular buildings … that make a significant contribution to the District's historic environment.

All applications which affect, or have the potential to affect, heritage assets will be expected to:

a) use appropriate expertise to describe the significance of the assets, their setting and historic landscape context of the application site, at a level of detail proportionate to the historic significance of the asset or area, using recognised methodologies and, if necessary, original survey. This shall be sufficient to understand the potential impact of the proposal on the asset's historic, architectural and archaeological features, significance and character;

b) demonstrate that the proposal would, in order of preference:

• avoid adverse impacts on the significance of the asset(s) including those arising from changes to their settings and, wherever possible, enhance or better reveal the significance of the asset(s);

• minimise any unavoidable and justified (by the public benefits that would accrue from the proposed development – see below) adverse impacts and mitigate those impacts in a manner proportionate to the significance of the asset(s) and the nature and level of the impact, investigating and record changes to or loss of physical fabric, features, objects or other remains and make the results publicly available.

c) demonstrate that any new development that would result in the unavoidable and justified loss of all or part of a heritage asset would proceed within a reasonable and agreed timetable that makes allowance for all necessary safeguarding and recording of fabric and other remains, including contingencies for unexpected discoveries.

Designated assets

Proposals which would harm the significance of a designated asset will not be approved, unless there is a clear and convincing justification in the form of substantial tangible public benefits that clearly and convincingly outweigh the harm, using the balancing principles set out in national policy and guidance.

Non-designated heritage assets

When considering proposals that affect, directly or indirectly, the significance of non-designated heritage assets, a balanced judgement will be made having regard to:

• the scale of any harm or loss;

• the significance of the heritage asset; and

• the public benefits of the development.

…"

6.4.3 Policy EH10 is set out below:

"Proposals for development in a Conservation Area or affecting the setting of a Conservation Area will be permitted where it can be shown to conserve or enhance the special interest, character, appearance and setting, specifically provided that:

• the location, form, scale, massing, density, height, layout, landscaping, use, alignment and external appearance of the development conserves or enhances the special historic or architectural interest, character and appearance of the Conservation Area;

• the development conserves or enhances the setting of the Conservation Area and is not detrimental to views within, into or out of the Area;

• the proposals are sympathetic to the original curtilage and pattern of development and to important green spaces, such as paddocks, greens and gardens, and other gaps or spaces between buildings and the historic street pattern which make a positive contribution to the character of the Conservation Area;

• the wider social and environmental effects generated by the development are compatible with the existing character and appearance of the Conservation Area; and

• there would be no loss of, or harm to, any feature that makes a positive contribution to the special interest, character or appearance of the Conservation Area, unless the development would make an equal or greater contribution.

…"

6.4.4 Policy EH11 is set out below:

"Proposals for additions or alterations to, or change of use of, a Listed Building (including partial demolition) or for development within the curtilage of, or affecting the setting of, a Listed Building, will be permitted where it can be shown to:

• conserve or enhance the special architectural or historic interest of the building's fabric, detailed features, appearance or character and setting;

• respect the building's historic curtilage or context or its value within a group and/or its setting, including its historic landscape or townscape context; and

• retain the special interest that justifies its designation through appropriate design that is sympathetic both to the Listed Building and its setting and that of any adjacent heritage assets in terms of siting, size, scale, height, alignment, materials and finishes (including colour and texture), design and form."

6.4.5 As set out previously, it assumed that Policy EH11 is included in error.

6.4.6 Policy EH13 is set out below:

"In determining applications that affect the historic character of the landscape or townscape, particular attention will be paid to the following:

• the age, distinctiveness, rarity, sensitivity and capacity of the particular historic landscape or townscape characteristics affected

• the extent to which key historic features resonant of the area's character, such as hedgerows, watercourses and woodland, will be retained or replicated

• the degree to which the form and layout of the development will respect and build on the pre-existing historic character (including e.g. street and building layouts)

• the degree to which the form, scale, massing, density, height, layout, landscaping, use, alignment and external appearance of the development conserves or enhances the special historic character of its surroundings."

6.4.7 Policy EH14 is set out below:

> ***"Proposals for development that would affect, directly or indirectly, the significance of a Historic Park or Garden on Historic England's Register of Historic Parks and Gardens will be permitted where the proposals:***
>
> ***• conserve or enhance those features which form an integral part of the special character design or appearance of the Historic Park or Garden; and***
>
> ***• ensure that development does not detract from the special historic interest, enjoyment, layout, design, character, appearance or setting of the Historic Park or Garden, key views within, into and out from the Historic Park or Garden, or does not result in the loss of, or damage to, their form or features nor prejudice its future restoration.***
>
> ***Proposals that would enable the restoration of original layout and features where this is appropriate, based upon thorough research and understanding of the historical form and development, will be supported."***

6.4.8 Policy EH16 is set out below:

> ***"When considering proposals that would affect, directly or indirectly, non-listed buildings, non-scheduled, non-nationally important archaeological remains or non-Registered Historic Parks and Gardens, such assets are also irreplaceable, and the presumption will be in favour of the avoidance of harm or loss. A balanced judgement will be made having regard to this presumption, the significance of the heritage asset, the scale of any harm or loss, and the benefits of the development. Proposals will be assessed using the principles set out for listed buildings, scheduled monuments and Registered Historic Parks and Gardens in Policies EH11, EH15 and EH14."***

6.4.9 These are lengthy multi part policies which are not considered in detail in the delegated Officer report. However the Officer report states:

> ***"Given the proximity of the site to the village of Little Tew and its Conservation Area, officers are required to consider section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area…***
>
> ***The historic landscape plays an important role in forming the setting of the village and its Conservation Area. The Conservation Officer has acknowledged this and has concluded that 'To introduce a new country house and park estate in this area would transform the historic landscape character of this area. The development would form a contrived and dominant (and prominent) development into this***

area. The introduction of the access way, the buildings, solar panels, swimming pool and artificially planted landscape grounds would diminish the essential character of this historic agricultural landscape and harm the historic settlement pattern.'

They go on to state that the development would also result in harm (as a result of harm to the setting) of Heythrop House and Park & Gardens (grade II*) and Great Tew House and Park & Gardens (grade II) by diminishing the historic significance of these two large estates that are also historically connected to the site (and Little Tew). As stated above, the introduction of a new large country house would conflict with the role of the existing estates which play an important part in defining the character of the area and their historic significance.

In response to the arguments that the development would add to the character of the area and could have potential for future 'listing' as a new 'historic asset', the Council's Conservation Officer acknowledges that, intellectually and in a sensory way, the proposed development may add a new chapter to one's experience of the area, however, officers do not believe it would add understanding of the area's history. And, with regard to the role of the country house and estate management – it may dominate and isolate itself from the area while harming the setting and prominence and significance of Little Tew conservation area, Heythrop and Great Tew Estate as a result of harm to their setting. It is considered that the agricultural context in which Little Tew sits will be transformed, and the village would be irrevocably and completely severed from its existing surroundings and people's understanding of that historical context would not be sustained. The scale of the new development with all of its new features would alter and transform the area. It is agreed that the setting of the village is tightly defined by its physical characteristics and topographic framework, defined by its intimate 'enclosed' qualities. However, the Conservation Officer states that 'its secretive characteristics are more apparent because of its open, higher, visible and undeveloped surrounding – which preserves the village's significance and the experience when accessing it.'

In light of the above assessment, officers consider that the development would result in a high level of less than substantial harm to the significance and setting of the heritage assets and historic context.

Paragraph 215 of the NPPF states that '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.'

> ***This will be assessed in detail within the conclusions of this report. However, to be clear, officers do not consider that the public benefits associated with the provision of one single private dwellinghouse towards the Council's housing land supply shortfall and other associated benefits (the provision of BNG, introduction of a new public access, short-term benefits to the local economy and trade/skills***

6.4.10 The Appellant's evidence will set out that the Council's approach to the assessment of the Appeal Site is incorrect. Section 72(1) is only engaged by proposals that affect *"buildings or land in a conservation area"* (Appellant emphasis). The Appeal site is not in the conservation area, and Section 72(1) of the PLBCA Act is not engaged. In other words, there is no statutory duty for the decision maker when considering development proposals for land in the setting of conservation areas.

6.4.11 The Appellant will demonstrate that the Appeal proposals would not transform the historic landscape character of the area – and setting of the conservation area – in such a way that would be dominant or prominent.

6.4.12 The Appellant does not consider that the analysis supports the identification of harm to the Conservation Area. If and to the extent it does (and the Appellant does not think it does) then the identification of a high level of less than substantial harm is surprising given this is elevated from the previous application. It is well established that less than substantial harm is a scale that runs from almost nothing to something coming close to substantial harm. Substantial harm is not capable of definition, but the PPG explains that it can result from the loss of a main feature of an asset.

6.4.13 Addressing Policy H13, the Appellant will demonstrate that the historic landscape within the Appeal site is not ancient or rare. It is common in Oxfordshire and by definition, therefore, ordinary. The landscape on the Appeal site is not considered sensitive because of any historic associations. The ability to describe the history of the landscape, as Mr Worlledge does in his report on that topic, does not mean the landscape is 'historic' in the terms intended in policy protecting the historic environment.

6.4.14 The second limb refers to the extent to which key historic features resonant of the area's character will be retained or replicated. The Appeal proposals would retain and reinforce historic features including hedgerows and open fields.

6.4.15 The third limb is the degree to which the form and layout of a development will respect and build on the pre-existing historic character. The unnamed road to Little Tew and surrounding area has many examples of gated houses and/or farmsteads that are set back from the country lanes. Similarly, there are many examples of larger houses – historic and modern – outside the core of historic rural settlements.

6.4.16 Furthermore, the siting of the proposed new house was determined by the topography/landscape structure to ensure that it would not conflict with the landscape grain of the Appeal site.

6.4.17 The fourth limb is the degree to which the proposals conserve or enhance the special historic character of its surroundings and the Appellant finds no conflict with this limb of the policy.

6.4.18 As with Policy EH11, it is assumed that Policy EH16 is included in error.

6.4.19 In accordance with paragraph 11(d) of the NPPF, the above policies are all policies which are "most important for the determination of the application". With the engagement of the tilted balance (we would expect this to be an agreed position) and no "footnote 7" matters which would otherwise disengage this presumption in favour of sustainable development; it falls to consider that the weight to be afforded to thee policies should be reduced insofar as they pull against the grant of planning permission. Furthermore, it is then necessary for the Council to demonstrate that the alleged adverse impacts of the development "significantly and demonstrably" outweigh the benefits arising from the grant of planning permission.

6.5 Summary

6.5.1 It will be demonstrated by the Appellant that there is no harm to the setting of the Little Tew Conservation Area. However in the event that it is concluded and that any harm is found, then it is the Appellant's view that this would be at the lower end of less than substantial harm.

6.5.2 In this event, and in conducting the heritage balance as opposed to the wider planning balance, the public benefits (of which here are many as set out in Section 6.7 of this statement) clearly outweigh this lower level of less than substantial harm.

6.5.3 In addition, to demonstrating to compliance with the relevant policies of the Development Plan; the Appellant will also confirm that as per the Section below, the Council cannot demonstrate a 5 year supply of housing land such that the weight to policies needs to be moderated insofar as they pull against the grant of planning permission.

6.6 Other Material Considerations

NPPF (2024)

6.6.1 The Council's reason for refusal states that the proposed development conflicts with the relevant provisions of the National Planning Policy Framework, with particular reference to paragraphs 11(d), 84(e) and 215 (set out below).

6.6.2 Paragraph 11(d) states:

> ***"For decision-taking this means:***
>
> ***…***
>
> ***d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:***
>
> ***i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or***
>
> ***ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing***

> ***well-designed places and providing affordable homes, individually or in combination."***

6.6.3 It is not considered that paragraph 11d is a policy to be cited in a reason for refusal as it is not something which a proposal can be in conflict with. It is a paragraph which acts as signpost or direction marker pointing out routes which can be taken.

6.6.4 The Council's delegated report states:

> ***Further, the above assessment has identified a high level of less than substantial harm to the setting and significance of the adjacent heritage assets and the historic landscape. This harm, in accordance with paragraph 215 of the NPPF, would need to be outweighed by the public benefits, which have not been demonstrated. This, in itself, provides a strong reason for refusing the development proposed in accordance with paragraph 11(d)(i) of the NPPF.***

6.6.5 Paragraph 215 states:

> ***"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."***

6.6.6 Whilst it is acknowledged that the heritage balance was not expressly set out in the application documents, the information was submitted with the application and the Appellant provided an extensive list (and justification) of the public benefits to be provided by the Appeal Scheme. The Council's stance in this regard appears to have been influenced by the assertion that the level of harm to the Conservation Area is at such a high level that not only can the public benefits (which are extensive) not outweigh this harm; but that this also directs a "strong" reason for refusal as part paragraph 11d i). As set out previously, the Appellant will demonstrate that there is no harm to the setting of the Conservation Area and in the event that any harm is identified, this is at the lower of less than substantial and is very clearly outweighed by the public benefits. All this information was available to the Council at the time of the determination of the Appeal Scheme.

6.6.7 Furthermore, the Council purports to consider the wider planning balance required under paragraph 11d ii) however no weighting has been given to the benefits to determine whether the alleged adverse impacts really do significantly and demonstrably outweigh the harms (the test in paragraph 11 d ii) in this case. In addition, mindful that the Council acknowledge there is a shortfall in housing land supply, the Council does not review its weighting applied to any of the policies in the reason for refusal in that context.

6.6.8 The Appellant's evidence will demonstrate that the balance tips firmly and decisively in favour of the grant of planning permission with reference to the balance set out in Section 6.7 of this Statement of Case.

6.6.9 Paragraph 84(e) is the basis upon which the Appeal Scheme was submitted and states (relevant extracts only):

> ***"Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:***
>
> ***…***
>
> ***e) the design is of exceptional quality, in that it:***
>
> ***i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and***
>
> ***ii. would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area."***

6.6.10 It is the Appellant's view that the appeal proposal satisfies paragraph 84(e) of the Framework, in that the design is of exceptional quality, reflects the highest standards in architecture, would help to raise standards of design more generally in rural areas, and would significantly enhance its immediate setting whilst remaining sensitive to the defining characteristics of the local area.

6.6.11 As stated previously, it is expected that the parties will agree that the design of the building is of exceptional quality and is truly outstanding, reflecting the highest standards in architecture. With regard to the remaining aspects, with reference to the evidence of Mr. Miele and Mr. Smith in particular, these matters will be addressed as follows:

(i) Helping to raise standards of design more generally in rural areas – the Council's rationale here is flawed at first principle believing that as design quality is already high in Little Tew then there is no need to raise standards as the standard is already high. Application of this "test" would mean that houses such as the Appeal Scheme would only be allowed where existing design quality is poor. This is not what the NPPF says.

Furthermore, paragraph 84 e) i) does not limit itself to the immediate rural area rather it says "rural areas" – this is distinct from 84 e) ii) where the "local area" is specified. This distinction clearly shows that 84 e) i) is referencing rural areas in general. Given that the Council agree that the design is of exceptional quality and truly outstanding, it is unclear how, on a correct reading of paragraph 84 e) i), the Council cannot reach a conclusion that it would raise standards of design more generally in rural areas. It is important to remember that Passivhaus principles are embedded into the design of this property – something which is not encompassed into the design of other such properties and as such, this will raise the standard of design more generally and set a benchmark for others to achieve.

(ii) Significantly enhance its immediate setting and be sensitive to the defining characteristics of the locality. This wording is abundantly clear in that the enhancement applies to the "immediate setting"- both the original LVIA and the evidence of Mr Smith will clearly demonstrate enhancement to immediate setting; the result of which will be parkland which is sensitive to the characterises of the locality as parkland is characteristic of the local area.

6.6.12 Accordingly, it is the Appellant's overall view that the appeal proposal accords with the relevant provisions of paragraph 84 e) of the NPPF and that, when assessed as a whole, national policy weighs in favour of planning permission being granted.

Housing Land Supply

6.6.13 The Council have not published an updated housing land supply position statement for the last 3 years however in a report to Planning Committee dated 19 January 2026, the Council set out that they consider they have 4.3 years supply. The Appellant is willing to agree this position with the Council in the absence of any published data but reserved their position to present evidence on this matter should the Council publish an updated position statement.

6.6.14 However, the implication of this, as acknowledged by the Council, is that there are two routes to the grant of planning permission.

(i) Route 1 – via the application of paragraph 84 e)

(ii) Route 2 – via the application of the tilted balance.

6.6.15 The above routes are covered further in Section 6.7 of this Statement of Case.

West Oxfordshire Design Guide

6.6.16 The Council also refers to the West Oxfordshire Design Guide and the Little Tew Conservation Area Appraisal as material considerations. The Appellant recognises that these documents are relevant insofar as they assist in identifying the defining characteristics of the local area and the village's setting. They will be addressed in the evidence of Mr. Smith and Mr Miele in particular.

6.6.17 In relation to the West Oxfordshire Design Guide, the Council appears to rely in particular on the following passage:

> ***"Little Tew is described as an unspoilt village located in the extreme north of the District, tucked away in an enclosed, shallow bowl-shaped setting, to the west of Great Tew. Little Tew has a distinctive, loose-knit form, with mix of C17 and C19 (and later) houses and cottages scattered along the lanes the wind through the settlement."***

6.6.18 It is the Appellant's view that the appeal proposal has had proper regard to those characteristics and does not conflict with the Design Guide when read fairly and as a whole.

6.6.19 Further detail on these matters, including the design rationale and the way in which the proposal responds to its site and setting, is contained within the Design Statement for Revised Schemes and the Design Statement of Case.

Little Tew Conservation Area Appraisal

6.6.20 In relation to the Little Tew Conservation Area Appraisal, the Council appears to rely in particular on the following passages:

> ***"The small village of Little Tew lies in the north of the District five miles east of Chipping Norton and one mile south-west of Great Tew. The settlement has a tucked-away feel, with a striking mixture of properties (including sizeable 17th- and 19th-century houses) scattered along narrow lanes that wind***

> ***through a village-scape rich in trees. These features give Little Tew a highly distinctive appearance and character."***
>
> **and**
>
> ***"The 20th century saw very little new development in the village, and the retention of Little Tew's highly distinctive unspoilt and slightly unkempt character. Today, this character continues to provide a striking contrast to the more picturesque, managed and manicured feel of Great Tew to the north-east."***

6.6.21 It is the Appellant's view that the appeal proposal has been brought forward with proper regard to that character and setting and does not conflict with the Conservation Area Appraisal when properly understood.

6.6.22 Further detail on these matters, including the heritage assessment of the site, its setting and the Conservation Area, is contained within the submitted heritage material and the Heritage Statement of Case.

6.7 Planning Assessment

6.7.1 The Appellant's planning evidence will examine the appeal proposal against the Development Plan, the relevant provisions of the Framework and other material considerations. In doing so, it will respond to the Council's reason for refusal, identify the principal planning harms and benefits arising from the scheme, and draw upon the conclusions of the specialist Statements of Case submitted in support of the appeal.

Route 1

6.7.2 As set out in Section 6.6, the Appellant will conclude compliance with paragraph 84 e) of the NPPF and accordance with the relevant up to date policies of the Development Plan (Route 1).

Route 2

6.7.3 However in the event that some conflict with the Development Plan is identified (mindful that the test is one of compliance with the Development Plan as a whole as policies in the Development Plan can pull in different directions), then planning permission can be granted via the application of the flat balance or the tiled balance.

6.7.4 This approach is supported in the Appeal Decision at "Land on Southern Side, Clock House Lane, Bramley, Guildford[1]. In this case, the Appeal (for 2 dwellings) was submitted under paragraph 84 e) of the NPPF, however the Inspector concluded that the development did not represent isolated homes in the countryside and thus paragraph 84 e) did not provide a route through to the grant of planning permission (paragraph 15.) (**Appendix B**)

6.7.5 However she then proceeded to assess the site against other policies in the NPPF (in that instance the grey belt policies – which are clearly not applicable for this appeal) and conclude that there was a need for the development (by virtue of a shortfall in housing

[1] Appeal Reference: APP/R3650/W/25/3361061

land supply) and grant planning permission for the development not standing that she concluded that the development would not accord with NPPF paragraph 84.

6.7.6 It should be noted that via Policy OS1 – Presumption in Favour of Sustainable Development, the test under paragraph 11d (ii) is embedded into the Development Plan and thus in the event that the Appeal were to be allowed under Route 2, a finding of accordance with the Development Plan can still also be achieved.

6.7.7 Under Route 2, it is necessary to balance harms and benefits as per the table below. It should be noted that this list of benefits was supplied to the Council in February 2025 and subsequently in June 2025 and no comments were received despite a request for a meeting to discuss.

Harms	**Benefits**
Development on a greenfield site Limited Weight	Outstanding Design (both architecturally and landscape) raising the standard of design in rural areas/ Significant Weight
	Economic Benefits – supporting traditional skills. Creation of Apprenticeship(s) to assist in learning traditional trade skills and craftsmanship. Significant Weight
	Achievement of Passivhaus Premium Standard (thought to be the first classically inspired house to achieve this). Significant Weight
	Significant landscape enhancement including considerable native tree planting and a native tree nursery Significant Weight
	Bio-Diversity Net Gain 614.6% increase in habitat units 146.9% increase in hedgerow units. Both of the above are considerably in excess of the minimum 10% requirement and therefore afforded significant weight in the planning balance, Significant Weight

	Proposed Permissive Footpath – a new permissive footpath will extend through the southern part of the site thus allowing for public access onto a site where there is currently no public access. Moderate Weight.
	Provision of a new dwelling in an area where this is an acknowledged shortfall in housing land supply. Limited Weight

6.7.8 Even if harm were to be identified to the setting of the Conservation Area, it is eminently clear that harms come nowhere near to outweighing the benefits, let alone significantly and demonstrably.

6.7.9 The Appellant will demonstrate that the proposal accords with the Development Plan when read as a whole and is consistent with the relevant provisions of the Framework, including paragraphs 11(d), 84(e) and 215.

6.7.10 The Appellant will further demonstrate that the material considerations in this case, including the quality of the design and the wider benefits arising from the proposal, weigh in favour of planning permission being granted.

6.7.11 Accordingly, the Appellant's case is that the proposal should be considered favourably in the overall planning balance and that planning permission should be granted.

7 Third Party Comments

7.1.1 The Appellant is aware of the third party objections made to the Appeal Scheme from members of the public, the Little Tew Parish Meeting, the Little Tew Conservation Group and other interested parties. In total, the application generated substantial public interest, including 62 letters of objection and 45 letters of support. The objections raised included issues such as:

- Whether the proposal satisfies paragraph 84(e) of the Framework
- The effect of the proposal on the rural character of the area
- The effect of the proposal on the landscape setting of the site
- The effect of the proposal on the setting of the Little Tew Conservation Area and other heritage assets nearby
- Whether the proposal would significantly enhance its immediate setting
- The effect of the proposal on ecology and biodiversity
- Potential effects on Little Taw Meadows SSSI
- Whether the proposal would deliver genuine net BNG
- Whether the proposal materially differs from the previously refused scheme (reference information can be found in Planning History)
- The effect of the proposal on PRoW and the enjoyment of the countryside
- The private nature of the proposed benefits
- Drainage and flood risk matters.

7.1.2 A number of the comments raised were addressed during the application process, prior to the decision and the issuing of the Council's reason for refusal.

7.1.3 The Appellant will respond to those matters further in evidence where relevant, where they are not already covered in response to the Council's reason for refusal, and reserves the right to submit further material should new matters be raised by third parties during the appeal process.

8 Planning Conditions and Obligations

8.1 Conditions

8.1.1 The Appellant and Council will seek to agree a draft list of planning conditions in relation to the Appeal Site in advance of the Inquiry.

8.2 S106 Obligations

8.2.1 The Appellant will work with the Council, where necessary, to agree the form of any planning obligation prior to or by the close of the Inquiry. In terms of potential planning obligations, these are currently limited and are understood principally to relate to:

Securing BNG provision

Securing the permissive footpath

Provision of native tree nursery

Provision of Apprenticeships

8.2.2 At this stage, no wider package of planning obligations has been identified by the Council. Any obligation sought will need to satisfy the statutory and policy tests, including Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Appendix A

Little Tew application 24/01861/FUL

Application validated 8th August 2024. Refused 17th October 2025

Local, national and international articles

1. **Daily Mail**

9th August 2024

"American billionaire plans for country house near Banbury"

https://www.oxfordmail.co.uk/news/24508373.american-billionaire-plans-country-house-near-banbury/

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2. **Banbury Guardian**

13th August 2024

"Will US Billionaire win? Supermarket and hospitality financier applies for consent to build 'dream' mansion near Banbury"

https://www.banburyguardian.co.uk/lifestyle/homes-and-gardens/will-us-billionaire-win-supermarket-and-hospitality-financier-applies-for-consent-to-build-dream-mansion-near-banbury-4740846

The architect's impression of The Serpentine Lodge, a proposed country house for billionaire Ron Burkle, awaiting a decision by the West Oxfordshire planning committee

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3. **Independent**

2nd October 2024

"Soho House boss under fire for 'grotesque' Cotswold mansion plan compared to Disneyland attraction"

https://www.independent.co.uk/news/uk/home-news/soho-house-cotswolds-mansion-little-tew-ron-burkle-b2622663.html

(West Oxfordshire District Council)

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4. **Business Insider**

4th October 2024

"Soho House billionaire's mansion plans for English countryside is 'more suited to Disneyland,' locals say"

https://www.businessinsider.com/ron-burkle-soho-house-billionaire-english-mansion-little-tew-2024-10

[redacted]

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5. **Daily Mail**

15th January 2025

"Soho House billionaire's plans for new 'monstrosity' mansion in the Cotswolds could be scuppered by Iron Age fort"

https://www.dailymail.co.uk/news/article-14287211/soho-owner-plans-monstrosity-cotswolds-mansion-iron-age-fort.html

Residents of Little Tew are worried the new development could spoil the peaceful feel of the village

6. **Oxford Mail**

15th January 2025

"Iron Age fort snags US billionaire's Cotswold mansion plans"

https://www.oxfordmail.co.uk/news/24857235.iron-age-fort-snags-us-billionaires-cotswolds-mansion-plans/

The Cotswolds country house plans have hit a possible Iron Age snag (stock photo of soldier). *(Image: West Oxfordshire District Council / Unsplash)*

7. **The Times**

15th January 2025

"Soho House owner faces an Iron Age obstacle to mansion plans.
Ronald Burkle wants to build a six-bedroom 'new country house' in the Cotswolds. But archaeologists say the site could be on the remains of an ancient hill fort"

https://www.thetimes.com/uk/law/article/soho-house-ronald-burkle-cotswolds-home-mansion-bmbpc3nt7?gaa_at=eafs&gaa_n=AWEtsqdttvnLPb9lFpLmanhOKyPISmzOyDTFH63IncVLQWJvT4YaWJrOzg0H&gaa_ts=69a8544a&gaa_sig=PPdtB1FU2bBd8qCZ4daPOsljeZy_o6LKDnnPaK5HqmOWK73pORxv4ymim8lNFrXCp1xHnlGRrXw-gpKDQ5016g%3D%3D

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8. **BBC News**

17th January 2025

"Possible Iron Age fort at planned mansion site"

https://www.bbc.co.uk/news/articles/crlk36z22z2o

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9. **Independent**

17th January 2025

“A billionaire, his controversial mansion and the ancient discovery that could derail it all”

https://www.independent.co.uk/news/uk/home-news/little-tew-oxfordshire-iron-age-discovery-b2681398.html

The house would feature a lift, natural swimming pool, 'pleasure ground' area, stable block and several reception rooms (West Oxfordshire District Council)

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10. **Telegraph**

18th January 2025

“Pipe down Cotswold nimbies. Britain’s stately towers are meant to be ‘outstanding grotesqueries’

The billionaire American businessman Ronald Burkle wants to build a huge country house –and I for one support his ambition”

https://www.telegraph.co.uk/columnists/2025/01/18/cotswold-nimbies-chipping-norton-ronald-burkle-soho-house/

The Cotswold village of Little Tew in Oxfordshire, where the owner of Soho House has put in planning permission to build a large house. Credit: John Lawrence for The Telegraph

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11. Oxford Mail

16th June 2025

“Oxfordshire country mansion: Conservation group objects to plan”

https://www.oxfordmail.co.uk/news/25228273.oxfordshire-country-mansion-conservation-group-objects-plan/

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12. Daily Mail

16th June 2025

“Conservationists slam 'out of proportion' plans for US billionaire Soho House owner's six-bedroom Cotswolds mansion”

https://www.dailymail.co.uk/news/article-14817115/Conservationists-plans-US-billionaire-Soho-House-owner-six-bedroom-Cotswolds-mansion.html

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13. Daily Beast

2nd October 2024

"Billionaire Diddy Pal Ripped for 'Disneyland' Plan in Quaint Countryside. Ron Burkle, who was also a friend and adviser to Michael Jackson, is locked in a planning battle with some disdainful neighbors.

https://www.thedailybeast.com/billionaire-diddy-pal-ron-burkle-ripped-for-crazy-disneyland-plan/

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14. Oxford Mail

4th October 2024

"American billionaire's Oxfordshire mansion plans supported. A shocking twist in an American billionaire's plans for a Cotswolds country house has seen the application supported"

https://www.oxfordmail.co.uk/news/24630705.american-billionaires-oxfordshire-mansion-plans-supported/

A watercolour of the Little Tew country house plan. *(Image: West Oxfordshire District Council.)*

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15. Daily Mail

5th October 2024

“The American billionaire accused of 'wanting to turn the Cotswolds into the Hamptons': As furious locals brand his McMansion a 'monstrosity', he breaks his silence to the Mail”

https://www.dailymail.co.uk/news/article-13925355/American-billionaire-accused-turn-Cotswolds-Hamptons-furious-locals-McMansion-monstrosity-breaks-silence-Mail.html

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16. The Architects Journal

7th October 2025

“Francis Terry defends ‘grotesque’ Cotswold house for Soho House boss”

https://www.architectsjournal.co.uk/news/francis-terry-defends-grotesque-cotswolds-house-for-soho-house-boss

The house would feature a lift, natural swimming pool, 'pleasure ground' area, stable block and several reception rooms (West Oxfordshire District Council)

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17. The Times

16th October 2025

"Owner of Soho House faces new opposition to mansion plan.
Conservationists have joined the campaign to stop Ronald Burkle's 'completely out of place' venue that is inspired by the Pantheon"

https://www.thetimes.com/life-style/celebrity/article/soho-house-owner-mansion-oxfordshire-bfb2nvz88?gaa_at=eafs&gaa_n=AWEtsqfEiLzXZwZWXuG-eiofXJ_9nAUnQP_qRcbY38m9NM_oHcx_aAxOqAhF&gaa_ts=69a838db&gaa_sig=ZBumEPahVAImfRvu3k9sVuwgqNnoIgSJf9DnISnAL3ckNjlmPovH1NF9bq5iuFTTkoggu2Y6J3YBobdolvRyJg%3D%3D

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18. Oxford Mail

19th October 2025

"Soho House owner's plans for Oxfordshire mansion refused"

https://www.oxfordmail.co.uk/news/25554722.soho-house-owners-plans-oxfordshire-mansion-refused/

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19. **Daily Mail**

20th October 2025
"Soho House billionaire has plans for 'grotesque' mansion in the Cotswolds refused after outrage from furious neighbours"
https://www.dailymail.co.uk/news/article-15209905/Soho-House-billionaire-mansion-Cotswolds-refused.html

A watercolour of the Little Tew country house plan(Image: West Oxfordshire District Council.)

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20. Telegraph

20th October 2025
"Soho House billionaire's plans for 'grotesque' Oxfordshire home rejected"
https://www.telegraph.co.uk/business/2025/10/20/billionaire-grotesque-oxfordshire-home-rejected/

The house would feature a lift, natural swimming pool, 'pleasure ground' area, stable block and several reception rooms (West Oxfordshire District Council)

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21. Express

21st October 2025

"Furious neighbour row in the Cotswolds over US billionaire's plan to build giant mansion"

https://www.express.co.uk/news/uk/2124278/neighbour-row-cotswolds-mansion-Ronald-Burkle-soho-house

The Soho House boss was refused permission for 'grotesque' Cotswolds mansion (Image: Tom Wren / SWNS)

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22. The Sun

21st October 2025

"BILLIONAIRE BACKLASH Billionaire locked in bitter neighbour row over plans for 'monstrous carbuncle' mansion with 'gun room and new lake"

https://www.thesun.co.uk/news/37081384/billionaire-row-monstrous-mansion/?utm_source=chatgpt.com

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23. The Times

21st October 2025

“Soho House billionaire’s ‘grotesque’ Cotswolds mansion blocked

Ronald Burkle, the members club’s largest shareholder, has had plans for a six-bedroom home complete with gun room and wine store rejected for a second time

https://www.thetimes.com/uk/environment/article/us-billionaire-ronald-burkle-soho-house-refused-permission-cotswolds-mansion-xln3kn5d0?gaa_at=eafs&gaa_n=AWEtsqclALbpPshKP3D1UY4F_0j-xQsfzrR-pbquf5yh1W8t8O7X5Gr8BUPv&gaa_ts=69a85c0b&gaa_sig=RMMNTLqxKy4Vqf3thaUlKcFvWvQ_BArOXwSCa_z5vDN0EyUB1qcHngYSfCV22tVXJrfUZbSbw0R4BYSU2mIwVw%3D%3D

Hosted by AJ sustainability
Hattie Hartman

Francis Terry defends 'grotesque' Cotswolds house for Soho House boss

7 OCTOBER 2024 • BY ANNA HIGHFIELD

1/8 Proposals by Francis Terry and Associates for a new mansion house in the Cotswolds
Source: Francis Terry and Associates (taken from planning documents)

Francis Terry has defended his firm's heavily criticised proposal for a mansion house in a Cotswolds village, insisting he is proud of its sustainable design

Francis Terry and Associates submitted plans for a six-bedroom country house and gardens on a 35ha site in Little Tew, Oxfordshire, in August. The scheme is for American billionaire businessman Ron Burkle, chairman of the luxury private members club Soho House.

The primarily stone building would feature five bays at its centre, with single-storey quadrant wings to the east and west. It includes a double-height 'Pantheon' entrance hall, a gun room and an entertainment room, as well as stables, a swimming pool and a new tank.

A planning decision is expected later this month but the project has caused a major stir among Little Tew residents, who have taken umbrage with its 'grotesque' design, calling it 'an insult to the RIBA'.

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In a slew of objections lodged with West Oxfordshire District Council, residents accuse the proposal of being intrusive in scale and failing to fit in with the local vernacular. One objector argued that it 'amalgamates too many features into a design more suited to Disneyland' while another described it as 'a conflated smorgasbord of dissonance'.

But Terry has defended the proposal, insisting it would be, to his knowledge, 'the first Classical Passivhaus in the country'.

Terry told the AJ: 'I am proud to have designed what will be the world's first Baroque Passivhaus, celebrating the rich architectural tradition for the style in Oxfordshire, as can be seen by the profusion of work by Vanbrugh, Hawksmoor and Archer in the locale.

'If new environmental solutions to architectural problems are found, it is of paramount importance that these can be adopted in a variety of styles so that there is a solution for those who do not have a taste for Modernist architecture, which currently has a monopoly on sustainability.'

In planning documents, planning consultant Martin Leay describes the homes as 'a deftly designed park lodge in a subtly Baroque and Palladian spirit expressed in locally quarried stone'.

ADVERTISEMENT

Leay adds: 'While respecting significant Oxfordshire building traditions, the house is a highly inventive and original response to the specific site.'

Plans for the home were resubmitted after the council rejected Terry's previous plans for the site in 2022, concluding that they failed to meet the planning criteria of being a 'truly outstanding development' (*see below*).

The revised design sought to address recommendations made by a Design South East review panel, at the request of the council, but objectors claim the proposal has hardly changed under the resubmission.

West Oxfordshire District Council declined to comment on the live planning application.

The previous proposal, rejected in 2022 – North Elevation

Find out more on this topic ask AJ

How does the controversy over the new country house in Little Tew compare to a similar case in Hertfordshire?

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2 comments

Atticus 7 October 2024 at 1:20 pm

If a client desires a classically styled building, nothing wrong with that if he can afford to build it well. Notwithstanding nimbyism that inevitably motivates many objections, the problem for this proposal is that it has to be outstanding. Unfortunately there is precedent for what is outstanding, que Hawksmoor, Wren, Cockerel, Lutyens et all. The issue with the current small number of classicists is that they are mediocre and fall when compared with their precedents. This design has rightly been described as a confetti of mis-matched motifs, without cohesion. Take the north elevation pilastered central feature. Instead of a progressive emphasis of grandeur, the windows loose corresponding sense of grandeur as they move out. The central pilasters are surrounding and are of grandeur actually deflate rather than increase central emphasis. Wren solved this particular quandary in his treatment of an applique portico with such small windows at Chelsea Hospital, in the courtyard facing side wing portico. The high game of architecture, as Lutyens called it, has not been plaved.

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John Shardelow 7 October 2024 at 6:23 pm

In the long-distant days before CAD, I was once accused of charging too much for a drawing, with the reasoning that "it was just lines on paper". I explained that it wasn't the lines that cost the money, but knowing where to put them.

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Possible Iron Age fort at planned mansion site

WEST OXFORDSHIRE DISTRICT COUNCIL/LDRS

A plan was submitted in August for the country house

Daisy Stephens
BBC News

17 January 2025

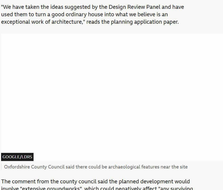
An American billionaire's plans to build a country house in an English village could be delayed by a possible Iron Age hillfort near the site.

Ronald Burkle, a businessman and the executive chairman of Soho House, has applied to West Oxfordshire District Council.

The development would be on 4.37 hectares of farmland in Little Tew between Banbury and Chipping Norton.

But Oxfordshire County Council said laser scanning had suggested there could be features on the site "related to a possible Iron Age multi-vallate hillfort" southeast of the development area.

The authority has recommended an archaeological field evaluation be carried out before the district council makes a decision.



WEST OXFORDSHIRE DISTRICT COUNCIL/LDRS

The plans include a country house, gardens, stables and a new lake

According to the planning documents, Mr Burkle applied for permission from the council in August.

The complex would include a country house and gardens, stables, new highways accesses, solar panels, drainage works and landscape proposals, including a new lake.

A previous application was rejected in December 2022, but in August developers said they had made changes based on some of the points raised.

"We have taken the ideas suggested by the Design Review Panel and have used them to turn a good ordinary house into what we believe is an exceptional work of architecture," reads the planning application paper.

GOOGLE/LDRS

Oxfordshire County Council said there could be archaeological features near the site

The comment from the county council said the planned development would involve "extensive groundworks", which could negatively affect "any surviving archaeology".

It said a qualified archaeological organisation should carry out the field evaluation to "define the character and extent of the archaeological remains within the application area".

"This information can be used for identifying potential options for minimising or avoiding damage to the archaeology and on this basis, an informed and reasonable decision can be taken," it said.

The planning application remains under consideration.

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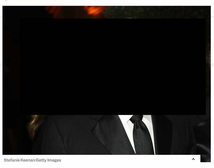
REAL ESTATE

Soho House billionaire's mansion plans for English countryside is 'more suited to Disneyland,' locals say

By Lauren Edmonds and Eve Crosbie



Stefanie Keenan/Getty Images

Oct 4, 2024, 3:11 PM GMT+1

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An American billionaire's plan to build a home in the English countryside is not going over well with local residents, one of whom said it was "more suited to Disneyland."

AD

Another called it "grotesque."

Burkle, who's worth $3.2 billion, founded The Yucaipa Companies investment firm nearly four decades ago. He's made several notable business ventures since then, including in 2012 when he acquired a majority stake in Soho House, an exclusive members-only social club with properties worldwide.

AD

New details about Ron Burkle's proposal to build a sprawling home in Little Tew, a village of fewer than 500 residents, were submitted to the West Oxfordshire District Council in August. Burkle's proposed home would be near Soho Farmhouse, a countryside outpost of the members-only chain.

An illustration of Ron Burkle's proposed countryside home in England. Martin Leay Associates

Burkle is having a hard time, however, getting approval for his rural home from West Oxfordshire officials.

AD

He initially submitted development plans to the council in 2022. But the council rejected the proposal because it didn't meet certain planning criteria and "would fail to represent a truly outstanding development." His team attended review meetings during 2023 and 2024 before re-submitting its latest revisions.

Burkle's development plan includes a new lake and installing solar panels

Planning documents seen by Business Insider say Burkle's home design was inspired by the "English Baroque style."

AD

The development would include several new amenities, including a stable courtyard, new highway accesses, solar panels, a swimming pool, a lake, a tree nursery, and other landscaping.

The proposed home would include a swimming pool and a new lake. Martin Leay Associates

The home would sit on a 90-acre land block in Little Tew.

AD

A West Oxfordshire District Council representative declined to comment because the application is still being assessed. A representative for Burkle did not respond to a request for comment from BI.

Little Tew residents are not happy

Since September, local residents have submitted over 30 objections to the council regarding the proposed development. In contrast, only two comments have been submitted in support.

AD

Many residents said Burkle's design proposal conflicted with local aesthetics and did not comply with local planning policies.

"It is as if someone had set out to write a modern opera in the classical manner, and had done so by writing each aria in the style of a different classical composer, covering musicians from Monteverdi to Mascagni via Mozart," one objection read. "The result, as here, would be a conflated smorgasbord of dissonance."

AD

Another objection said the development would be "more suited to Disneyland," citing potential risks to the local ecology, light pollution, and increased traffic.

"The creation of an artificial lake in an elevated area, not associated with expanses of water, is a vanity project," one person wrote.

AD

One resident called the proposed size of the home "grotesque" and said Burkle's countryside home would "contrast greatly with the landscape and the cottages at the edge of the village."

Local residents have spoken out against Ron Burkle's proposed home. Martin Leay Associates

Little Tew's council told BI that during a recent "well-attended" meeting, there was a unanimous vote in favor of objecting to Burkle's application.

AD

A document submitted to the West Oxfordshire District Council by Little Tew's council said members objected to the proposal "on the grounds that it remains an unwarranted, unsustainable and unsuitable greenfield development that runs counter to the policies of the West Oxfordshire 2011 Local Plan and the National Planning Policy Framework 2023."

"In summary, this development does nothing for the local area or its inhabitants, but has the potential to cause irreversible destruction to extensive flora and fauna, and the conservation area in which it thrives," the document said.

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Soho House billionaire's plans for new 'monstrosity' mansion in the Cotswolds could be scuppered by Iron Age fort

By: NICOLA GUBBIAS, NEWS REPORTER and EDWARD BURNETT
PUBLISHED: 14:18, 15 January 2021 | UPDATED: 15:41, 15 January 2021

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An American billionaire businessman could see his plans for a new 'monstrosity' mansion scuppered over an Iron Age fort.

Ronald Burkle, who owns celebrity hotspot Soho House, wants to build the huge six-bedroom abode on farmland in a small Cotswolds village but has been met with strong local opposition.

The house would be fitted with its very own gun room, lift, entertainment room and wine store, several reception rooms, a butler's pantry as well as a domed entrance hall said to be inspired by the Pantheon in Rome.

AD

Despite receiving dozens of objections for the plans submitted to West Oxfordshire District Council, the Soho House billionaire has not ruled out legal action.

But it is not just residents who have expressed their disapproval - this week an additional objection has to from a surprise source.

It related to the possibility of an Iron Age fort being located at the site.

Oxfordshire County Council's archaeology service's report said: 'There have been few formal archaeological investigations undertaken in Little Tew, and few cropmarks indicative of prehistoric or Roman activity have been recorded in the area.

'There is potential for features related to a possible Iron Age multi-vallate hillfort to lie within the site within the possible hillfort located at The Manor House, Little Tew, 720m southeast of the development site.

An artist's impression of the country mansion proposed for the 75-acre site

Residents of Little Tew are worried the new development could spoil the peaceful feel of the village

By the early 2000s, Ron Burkle was moving in celebrity circles, rubbing shoulders with the likes of Sarah Ferguson, Duchess of York

'Through the applicant has submitted a DBA (archaeological desk-based assessment), this is limited without any fieldwork being undertaken.'

The report suggests a practical field investigation ought to be carried out and that Mr Burkle should be the one who commissions the search.

It comes as a planning committee previously rejected designs for the house in 2022 for failing to represent a 'truly outstanding development' and not meeting specific planning criteria.

An objector for the latest application wrote: 'Rather than being a development of "truly outstanding quality", I believe it to be a proposal of truly outstanding grotesquerie.

'It would be a travesty for light and sound pollution to be increased by such a massive intrusion on the outskirts of our village.

'Please reject what would clearly be an inappropriate, non-isolated, habitat-threatening, polluting, un-enhancing and insensitive 'monstrous carbuncle'.'

The 4,27 hectare development would also incorporate a natural swimming pool, bather's pavilion in the "pleasure ground" area, stable block and estate manager's cottage plus a circular barn that could double up as a hotpot.

And architect Francis Terry's "new country house" features stables as well as a landscape garden, courtyard, solar panels, a new lake and a tree nursery alongside the house.

Plan of proposed Cotswolds country house and grounds. A report suggests a practical field investigation ought to be carried out and that Mr Burkle should be the one who commissions the search

A planning committee previously rejected designs for the house in 2022 for failing to represent a 'truly outstanding development' and not meeting specific planning criteria

Ground floor plan submitted for Ronald Burkle's Cotswolds country house in Little New near Banbury

It is understood Mr Burkle, 75-year-old mogul, who owns six properties including Michael Jackson's Neverland ranch, said he would be a good neighbour whenever he came to the Cotswolds to visit his charities and community organisations.

He also said he is still in the process of buying the land and the current owner had drawn up the plans before he got involved and added he would only proceed to buy if he gets planning approval.

Architect Francis Terry's "new country house" features stables as well as a landscape garden, courtyard, solar panels, a new lake and a tree nursery alongside the house

Mr Burkle is executive chairman of Soho House, which includes Soho Farmhouse three miles from the site.

He is also behind plans for the Muller Brownfield site in Oxfordshire which approved last year despite almost 200 objection letters sent to the council.

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But the archaeological report explained: 'In accordance with the National Planning Policy Framework, Oxfordshire County Council recommend that, prior to the determination of this application the applicant should therefore be responsible for the implementation of an archaeological field evaluation.

'This must be carried out by a professionally qualified archaeological organisation and should aim to define the character and extent of the archaeological remains within the application area and thus indicate the weight which should be attached to their preservation.

Sex with rapper Sean 'Diddy' Combs, who is currently facing sexual misconduct allegations from 120 victims, and in whose company Ron once invested £70 million

Ron's other famous friends in include Sir Elton John and David Furnish. Pictured here at an event in Hollywood in 2018

"This evaluation must be undertaken in line with the Chartered Institute for Archaeologists standards and guidance for archaeological evaluation including the submission and agreement of a suitable written scheme of investigation.

"This information can be used for identifying potential options for minimising or mitigating damage to the archaeology and on this basis, an informed and reasonable decision can be taken."

The planning application remains under consideration.

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Furious neighbour row in the Cotswolds over US billionaire's plan to build giant mansion

His mansion plans also included a gym room, lift, entertainment room and wine store

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By Rebecca Perring

19:56, Tue, Oct 21, 2020 | Updated: 19:56, Tue, Oct 21, 2020

Jack Ellis - Group Sales Director at Cotswold Lifestyle Properties (Image: Cotswold Lifestyle Properties)

The owner of Soho House has been refused permission to build a 'grotesque' mansion in the Cotswolds. Businessman Ronald Burkle, who owns the celebrity hotspot, wanted to build a huge six bedroom mansion on farmland in Little Tew.

However, after his previous attempt was refused in 2022, he was retuffed for a second time after strong local opposition. His mansion plans also included a gym room, lift, entertainment room and wine store. Neighbour Jack Ellis said the property and a domed swimming hall said to be inspired by the Pantheon in Rome.

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However, the application, submitted last year to West Oxfordshire District Council, was turned down by planners, who said it would cause "substantial" harm to the conservation area.

The proposed site comprises 4.37 hectares of farmland in Little Tew between Banbury and Charlbury Station and the application was met with dozens of local objections.

In a decision notice posted on Friday, council planners wrote: "The proposed development, by reason of its nature, siting, scale, massing, design and form, would fail to represent a development of high quality that would contribute to the local area, more generally to rural areas, and would be adversely urbanising and transformative in the landscape, failing to significantly enhance its immediate setting, or be sensitive to the defining characteristics of the local area.

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"The development would also result in a high level of less than substantial harm to the setting of the Little Tew Conservation Area.

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"The public benefits are not considered to outweigh this harm identified."

Plans of proposed Cotswolds country house and gardens (Image: Colson Stone Practice / SWRDC)

The house plans also included details of gardens, a stable courtyard, solar panels, a rear lake, and a tree nursery.

A previous application from Mr Burkle was refused in December 2022 because it did not represent a "truly outstanding development" and did not meet specific planning criteria.

The most recent plans were described as "proposed by one neighbour" while The Little Tew Conservation Group also heavily criticised the proposal.

The group said: "The impact of the proposed development upon the setting of the Little Tew Conservation Area would be harmful.

"This has been discussed and set out in previous submissions made by the Conservation Group and planning and conservation officers.

"As for public benefits, these are of little weight and not as claimed in the summary of benefits submitted.

"They do not produce overall environmental benefits but there are harmful impacts including on ecology, hydrology, landscape, heritage, archaeology and enjoyment of the footpaths in the countryside."

The group said all these concerns "substantially outweigh any public benefit".

They added: "It is not accepted to be an outstanding piece of architecture and landscape design but completely out of place in the proposed location."

In comments submitted by Worldwide Associates, on behalf of the applicant, it said: "The use of traditional architectural forms is appropriate. The scale of the house and its designed landscape is appropriate and fits historic precedents.

"The proposed location of a house of this size is consistent with historic precedents.

"Understanding and experience of the agricultural context of Little Tew (and Great Tew) will remain.

"The proposed development would not result in harm to the setting of Little Tew.

"The character and use of the site as farmland will change, but intellectually and in a sensory way this will add to people's experience."

Among those neighbours to object, one wrote: "Rather than being a development of "truly outstanding quality", I believe it to be a proposal of truly outstanding grotesquerie.

"It would be a travesty for light and sound pollution to be increased by such massive intrusion on the outskirts of our village.

"Please repeat what would clearly be an inappropriate, non-residential, hideously polluting, un-enhancing and insensitive 'monstrous carbuncle'."

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Mr Burkle is executive chairman of Soho House, which includes Soho Farmhouse, three miles from the site.

He is also behind plans for the Multi-Automotive Museum in nearby Enstone approved last year despite almost 200 objection letters sent to the council.

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In a recent interview the 72-year-old mogul, who owns six properties including Michael Jackson's Neverland ranch, said he would be a good neighbour whenever he ends up living and support local charities and community organisations.

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He also said he is still in the process of buying the land and the current owner had drawn up the plans before he got involved.

He added he would only proceed to buy it if the get planning approval.

The Cotswolds
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Soho House boss under fire for 'grotesque' Cotswolds mansion plan compared to Disneyland attraction

"[It] amalgamates too many features into a design more suited to Disneyland," complained one resident

Emma Gatewood
Wednesday 02 October 2024 16:07 BST

1 Comment

Photo Credit: Jack Taylor
2024-09-26 - 10

Dillon Oxfordshire District Council)

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The boss of Soho House has come under fire from residents of the sleepy Cotswolds village of Little Tew over plans to build a "grotesque" mansion that's been compared to a Disneyland attraction.

American businessman Ron Burkle, 71, who purchased a majority share in the private members club in 2002, first submitted the controversial plans to West Oxfordshire District Council in 2022, but they were rejected for several reasons, including that his "urbanising and transformative" effect the house would have on the landscape.

This summer, Mr Burkle attempted to try his luck again in creating "a country house and gardens" complete with a "stables conversion, new highway accesses, solar array, drainage works and landscape proposals, including a new lake."

Other features outlined in the new proposal, which is still pending consideration, include a "reduced scale" stable and courtyard in light of the previous rejection and increased insulation to make the build more environmentally friendly. As well as this, the proposed property has now been given the name Serpentine Lodge.

Residents of Little Tew, which had a population of just 253 people in the 2011 census, however, have made their voices known on the planning application from the billionaire, flooding it with objection comments.

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One resident complained that the new plans are almost identical to those rejected two years ago. "I would imply that most of the reasons that the previous proposal for this site was rejected apply equally to this revised submission," they wrote.

A second agreed, adding: "I totally agree with the view that this new application does not differ significantly from the previous one and should be rejected again on the same grounds."

Photo Credit: Jack Taylor
2024-09-26 - 10

The proposed mansion was compared to a Disneyland attraction by one disgruntled resident. (West Oxfordshire District Council)

The village of Little Tew has just 230 homes, a church, and is so quiet that it does not even have a local pub or any shops.

As stated on the village's website, preserving the small community and its heritage is of huge importance to its residents, who note that its centre is a conservation area "that contains a number of 'Grade II' listed buildings dating from the seventeenth century and built of the local limestone."

The 2022 plans for the development were rejected for several reasons, including the build's "urbanising and transformational" effect on the landscape. (West Oxfordshire District Council)

The cheap village of Little Tew has a protected conservation area at its centre. (Jan Rust/Geograph)

Referring to the historic status of the village's buildings, another resident objected: "The new design continues to be a pastiche.

"It takes design elements from numerous stately homes, large public buildings and Oxford colleges, and amalgamates too many features into a design more suited to Disneyland and is, therefore, an insult to the RIBA ... No consideration has been given to buildings in local villages, many of which have stood for centuries."

Yet another resident wrote in objection: "Rather than being a development of 'truly outstanding quality', I believe it to be a proposal of truly outstanding grotesquery!"

One resident even went as far as to compare the six-bedroom mansion to a tatteau, setting "Its North-East boundaries are only 47m, like an oversized tumuse encroached on a pretty face." [sic]

Acknowledging that they were not alone in their objection, they added: "Adjectives which many have voiced and which seem more appropriate would be 'ludicrous' and 'monstrous'."

A cross section of the proposed mansion, which is currently under review. (West Oxfordshire District Council)

The build has been described as 'monstrous' and concerns have also been raised about its environmental impact. (West Oxfordshire District Council)

The Little Tew parish consultation added: "This development does nothing for the local area or its inhabitants, but has the potential to cause irreversible destruction to extensive flora and fauna, and the conservation area in which it thrives."

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While the plans explicitly state that the new build will be a private property and not a commercial one, should it go ahead, it will be just a few miles away from the Soho Farmhouse retreat.

The Independent has reached out to Little Tew Parish Council for comment.

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American billionaire plans for country house near Banbury

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Local Democracy Reporter

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An American billionaire has lodged fresh plans to build a grand new traditional country house in an Oxfordshire village that caught his eye.

Little Tew. [Image: Google Maps.]

"They could also be described as well consciously picturesque statements, especially as Hardwick Grange in Great Tew, in early 19th century remodellings, and additions to earlier vernacular buildings.

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A planning application paper says: "The nearby villages of Little and Great Tew are sited in the famous shoulder district of the Oxfordshire Cotswolds, characterised by villages, and where houses are predominantly stone built.

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"Little Tew is a well-protected haven of more traditional Oxfordshire vernacular.

"We have taken the ideas suggested by the Design Review Panel and have sought to create a new Oxfordshire Cotswolds Intra what we believe is an exceptional work of architecture.

A previous application from Mr Burkle was refused in December 2022 but the developers have now gone back to the drawing board with "various important matters" being "actioned or progressed in the last 18 months".

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The application had been refused for failing to represent a "truly outstanding development" and not meeting specific planning criteria.

Early version of Little Tew scheme. [Image: West Oxfordshire District Council.]

Reason for refusal also indicated the proposals would result "in a medium level of less than substantial harm to the setting of the Little Tew Conservation Area and without there being discernible public benefits which would outweigh the identified harm".

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The site is located to the south of the Banbury Road and is made up of eight fields of various sizes, six being in intensive arable cultivation, one being permanent pasture and the remaining field being reverted from arable to grassland.

The house is described as a "satellite of a great estate" such as a "lower house or a hunting lodge".

But it is also referenced as an "adornment to the landscape" rather than its "focal point".

Finished design. [Image: West Oxfordshire District Council.]

A planning paper adds: "Introducing a new country house, stables, and associated designed estate landscape will change the landscape character from an agricultural landscape to one of a country estate, with estate farmland and designed parkland.

"The critical question is whether this change is beneficial or adverse...

"The landscape evidence bases for West Oxfordshire contain several landscape character types in the broader scale which include the environment the site is in baseline and proposed future states.

As well as being a billionaire, Mr Burkle is an activist and fundraiser for the Democratic Party.

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About the author

Nour is the Local Democracy Reporter for Oxfordshire who covers political stories from across the **county**.

She began working as a journalist in **Oxford** in September 2023 having graduated from the University of Oxford.

Nour was trained at the News Associates journalism school and can be found on X through the handle @NourQurashi.

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Iron Age fort snags US billionaire's Cotswolds mansion plans

The Cotswolds country house plans have hit a possible Iron Age snag (stock photo of soldier). (Image: West Oxfordshire District Council / dreamstime)

By Edward Burnell
Reporter

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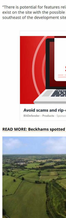

The plans for the country house in the Cotswolds. (Image: West Oxfordshire District Council)

Following the planning application's submission in August, several members of the public as well as Little Tew Parish Council have lodged opposition to the would-be mansion.

This week more opposition has come in the form of a consultee comment published by the **Oxfordshire County Council** related to the possibility of an Iron Age fort by the site.

Oxfordshire County Archaeological Service's report said: "There have been few formal archaeological investigations undertaken in Little Tew, and few cropmarks suggestive of archaeological remains have been recorded in the area.

"There is potential for features related to a possible Iron Age multi-valate hillfort to exist on the site with the possible hillfort located at The Manor House, Little Tew, 720m southeast of the development site.

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An example of an Iron Age hill fort in Oxwaxny. (Image: Visit Oxwaxny)

"Though the applicant has submitted a DBA (archaeological desk-based assessment), this is limited without any fieldwork being undertaken."

It is suggested a practical field investigation should be carried out with Mr Burkle commissioning the search for archaeological remains.

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"In accordance with the National Planning Policy Framework (NPPF 2024) paragraph 194, the applicant should demonstrate the nature and extent of the determination of this application the applicant should therefore be responsible for the implementation of an archaeological field evaluation," continued the report.

"This must be carried out by a professionally qualified archaeological organisation and should aim to define the character and extent of the archaeological remains within the application area and thus indicate the weight which should be attached to their preservation.

"This evaluation must be undertaken in line with the Chartered Institute for Archaeologists standards and guidance for archaeological evaluation including the submission and agreement of a suitable written scheme of investigation.

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The house plans have faced many objections in the past few months. (Image: West Oxfordshire District Council)

"This information can be used for identifying potential options for minimising or avoiding damage to the archaeology and on this basis, an informed and reasonable decision can be taken."

Mr Burkle's original proposal was refused for failing to represent a "truly outstanding development" and not meeting specific planning criteria.

Architect Francis Terry's "new country house" features stables as well as a landscape garden, courtyard, solar panels, a new lake and a tree nursery alongside the house.

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The planning application remains under consideration.

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Proposed north elevation (Image: West Oxfordshire District Council)

By Charlotte Coles
Reporter

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An Amersham billionaire's claims for a mansion in a small Oxfordshire village have been refused.

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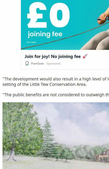
A previous application from Mr Burkle was refused in December 2022 for failing to represent a "truly outstanding development" and not meeting specific planning criteria.



A watercolour of the Little Tew country house plancheage (West Oxfordshire District Council)

The most recent plans - which were described as 'grotesque' by one neighbour and met with a wave of objections - have now been refused by the council.

In the notice of decision issued on Friday, October 17, the authority said: "The proposed development, by reason of its nature, siting, scale, massing, design and form, would fail to represent a development which would help to raise standards of design more generally in rural areas, and would be adversely urbanising and transformative in the landscape, failing to significantly enhance its immediate setting, or be sensitive to the defining characteristics of the local area.

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"The development would also result in a high level of less than substantial harm to the setting of the Little Tew Conservation Area.

"The public benefits are not considered to outweigh this harm identified."

The mansion plancheage (WODC)

The most recent letter submitted to the planning portal was by Little Tew Parish Council, which 'voted unanimously to restate its objection' at a meeting held earlier this month.

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Earlier this year The Little Tew Conservation Group recently claimed the plan for its potential impact on the area.

The group said: "The impact of the proposed development upon the setting of the Little Tew Conservation Area would be harmful.

"This has been discussed and set out in previous submissions made by the Conservation Group and Parish Council and planning and conservation officers.

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The mansion plancheage (WODC)

The most recent letter submitted to the planning portal was by Little Tew Parish Council, which 'voted unanimously to restate its objection' at a meeting held earlier this month.

"As for public benefits, these are of little weight and not as claimed in the summary of benefits submitted."

In comments submitted by Worldwide Associates, on behalf of the applicant, it said: "The use of exceptional architectural forms is appropriate. The scale of the house and its designed landscape is appropriate and fits historic precedents.

"The proposed location of a house of this size is consistent with historic precedents.

"Understanding and experience of the agricultural context of Little Tew (and Great Tew) will remain.

"The proposed development would not result in harm to the setting of Little Tew.

"The character and use of the site as farmland will change, but intellectually and in a sensory way this will add to people's experience."

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BILLIONAIRE BACKLASH Billionaire locked in bitter neighbour row over plans for 'monstrous carbuncle' mansion with 'gun room and new lake'

Pictures show how the billionaire was inspired by the Pantheon in Rome

Annette Pierotto

Published: 16:23, 20 Oct 2020 | Updated: 09:08, 22 Oct 2020

AN American billionaire has been blocked from building a "grotesque" Cotswold mansion for a second time in fierce planning row.

Ronald Burkle, the largest shareholder of the members' club Soho House, wants to build a six bedroom mansion but is facing strong local opposition.

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The mansion has been labelled a "monstrous carbuncle" by residents Credit: SWNS

Ronald Burkle, 72, owns 40 per cent of members' club Soho House Credit: SWNS

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Outside the mansion the billionaire is hoping to build a new lake Credit: SWNS

One local said the six-bedroom home, complete with a spa cellar and gun room, was an "inappropriate, non-isolated, habitat threatening, polluting, un-enhancing and insensitive monstrous carbuncle".

The 72-year-old US retail billionaire holds 40 per cent of Soho House, which was bought in August this year for £200m, and he hopes to build the mansion near to Soho Farmhouse club in Oxfordshire.

The Farmhouse is a rural retreat for Soho House members with prices starting at £295 a night.

This is Burkle's second attempt to get the house over the line after an initial proposal in 2022 was rejected.

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The mansion will be on 4.37 hectares of farmland in Little Tew, close to Banbury and Chipping Norton.

The area is a greenfield site and locals are strongly opposed to the area being developed.

West Oxfordshire Council said Burkle's grand plans include a gun room, lift, entertainment room and wine store, several reception rooms, a butler's pantry and a domed entrance hall inspired by Rome's Pantheon.

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In the surrounding land, the billionaire hopes to build a new lake, gardens, stables, a courtyard, solar panels and a tree nursery.

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The second application was rejected by planners who said the mansion and its grounds threatened the conservation area.

"The proposed development by reason of its nature, siting, scale, massing, design and form, would fail to represent a development which would help to raise standards of design more generally in rural areas,

"And would be adversely urbanising and transformative in the landscape, failing to significantly enhance its immediate setting, or be sensitive to the defining characteristics of the local area.

"The development would also result in a high level of less than substantial harm to the setting of the Little Tew conservation area," continued the planners.

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One resident slammed Burkle's proposal as "grotesque" and they said it "would be a travesty for light and sound pollution to be increased by such a massive intrusion on the outskirts of our village".

Just down the road in nearby Enstone, Burkle has had approval granted for the Mullin Automotive Museum.

The classic car museum was given the green light despite almost 200 objection letters being sent to the council.

Burkle told the Daily Mail he promised to be a good neighbour to the local residents.

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The billionaire pledged to support local charities and community organisations.

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Burkle owns several properties such as Michael Jackson's Neverland ranch in California.

Soho Farmhouse, luxury get away for members of Soho House Credit: SWNS

HOLLYWOOD, CA - FEBRUARY 28: Ronald Burkle and Lana Del Rey attend the 24th Annual Elton John AIDS Foundation's Oscar Viewing Party at The City of West Hollywood on February 28, 2016 in W...

Ronald Burkle is the executive chairman of Soho House

Proposed plans show a butlers pantry, gun room and wine cellar Credit: SWNS

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Appendix B

Planning Inspectorate

Appeal Decision

Hearing held on 25 September and 22 October 2025

Site visit made on 26 September 2025

by Joanna Gilbert MA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th November 2025

Appeal Ref: APP/R3650/W/25/3361061
Land on Southern Side, Clock House Lane, Bramley, Guildford, Surrey GU5 0AP

The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
The appeal is made by Mr J. Bartle-Jones against the decision of Waverley Borough Council.
The application reference is WA/2023/00435.
The development proposed is 2 x dwellings.

Decision

1. The appeal is allowed and planning permission is granted for 2 x dwellings at Land on Southern Side, Clock House Lane, Bramley, Guildford, Surrey GU5 0AP in accordance with the terms of the application, WA/2023/00435, subject to the 16 conditions in the attached schedule.

Preliminary Matters

2. Prior to the hearing, the appellant put forward amended plans to alter the site's red line boundary. The amended plans 802/P001 Rev C, 802/P002 Rev C and 802/P102 Rev C result from a discrepancy between the site's original red line boundary and land ownership. This came to light at a late stage and affected the site's vehicular access and whether all relevant landowners had been notified. The Council has confirmed that the amended plans would provide a safe and suitable vehicular access to the satisfaction of Surrey County Council as the Local Highways Authority. Additionally, as the amended plans would reduce the site area to remove any land within Bramley Grange's ownership from within the site, the ownership notification issue is also resolved. As the amended plans only make very minor changes, no procedural unfairness would be caused to any parties by my consideration of these plans.

3. The revised National Planning Policy Framework (NPPF) was published on 12 December 2024 and clarified on 7 February 2025. The revised NPPF was discussed during the hearing.

4. Applications for costs were made by both the appellant and the Council during the appeal process. Both main parties subsequently withdrew their costs applications on 27 October 2025. I have not therefore considered the costs applications further.

5. The appellant has provided two legal agreements. The first legal agreement was not completed and has not been taken into account in reaching my decision. I have had regard to a second signed and completed legal agreement in the form of a unilateral undertaking dated 7 November 2025.

Main Issues

6. The main issues in this appeal are:

   a) Whether the proposed development accords with NPPF paragraph 84, with particular regard to location;

   b) The effect of the proposed development on the character and appearance of the area, including the Surrey Hills National Landscape[1] and Area of Great Landscape Value (AGLV);

   c) Whether appropriate provision is made for affordable housing; and

   d) Whether the proposed development would be inappropriate development in the Green Belt having regard to the NPPF and any relevant development plan policies.

7. The ordering of the main issues is based on the need to consider main issues a) to c) prior to consideration of main issue d).

Reasons

a) Whether the proposed development accords with NPPF paragraph 84

8. The proposed development would involve the erection of two detached dwellings within a field on the edge of the village of Bramley, a larger village within the borough. NPPF Paragraph 84 seeks to avoid the development of isolated homes in the countryside unless, amongst other circumstances, the design would be of an exceptional quality (criterion e). Prior to consideration of design, it is necessary to establish whether this site would be isolated.

9. A relevant Court of Appeal judgment[2] found at paragraph 31 that, in its particular context in NPPF paragraph 55 (now paragraph 84), the word “isolated” in the phrase “isolated homes in the countryside” simply connotes a dwelling that is physically separate or remote from a settlement. Whether a proposed new dwelling is, or is not, “isolated” in this sense will be a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand.

10. The Council’s officer report considers the site to be isolated for two reasons. Firstly, that the proposed development would fall outside Bramley’s settlement boundary. Secondly, there was a previous planning application WA/2014/0009 for a dwelling on the site, where the Council found that the site was isolated. Although the site abuts the settlement boundary, it was found that the site was not closely related to the village’s centre and was some way from services. That 2014 proposal was found to be isolated, lonely, and remote from built form. Other than having been submitted for consideration under the then equivalent of NPPF paragraph 84 on the same site, the proposed development and the 2014 proposal have little in common.

11. The Council and the appellant both consider that the site is isolated, though this stems from the 2014 proposal and pre-dates the inclusion of grey belt in the NPPF. The appellant considers it is possible for the site to be both isolated and in a sustainable location, which the Council considers a dichotomy. When questioned at the hearing, the main parties recognised that I might come to a different conclusion

[1] Formerly Area of Outstanding Natural Beauty (AONB).
[2] Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd [2018] EWCA Civ 610.

on whether the site is isolated. I also note that the Design Review Panel (DRP) and Dr Miele are not convinced that the site is isolated. Dr Miele provided an expert opinion for the appellant on the proposed development's design quality and visited the site and its surroundings in preparing this document.

12. The site is accessed from Clock House Lane, a narrow private road which has sizeable houses in large, verdant plots on its northern side and on part of its southern side. The southern side of Clock House Lane closer to the A281 Horsham Road abuts The Beeches, a grouping of two-storey 1970s housing, with residential accommodation at Bramley Grange beyond. East of the site, there is housing along Snowdenham Lane, while further housing dating from the 1930s to the 1970s lies to the south along Snowdenham Links Road beyond an open field. Bridleway 475 and Fox Way long distance walking route (hereafter referred to as Fox Way) and Bramley Golf Club's course border the site to the west.

13. Although the site is outside the settlement boundary and feels rather rural given its verdancy, it is not remote from built form, places and people. Indeed, on visiting the site, one passes several houses. When walking through the site, it is possible to see glimpses of other houses amongst the trees in both shorter and longer views as well as the large roof of St Catherine's School's sports hall. Furthermore, though glimpsed through vegetation, it is possible to see housing along Snowdenham Links Road to the west from the highest point of the site. Numerous walkers and dog walkers use the lane and Fox Way, passing the site and its access.

14. While the proposed development would be sited some distance from existing housing on Clock House Lane, the prevalent pattern of development along both Clock House Lane and Snowdenham Links Road is one of large houses on generous plots with well-established gardens. Though the proposed landscaping would be even more generous than for existing nearby housing, the proposed development would reflect this pattern of development and would not be remote or isolated from the settlement of Bramley or nearby housing.

15. In conclusion, the proposed development would not comply with NPPF paragraph 84 as it would not represent the development of isolated homes in the countryside. The proposed development's design is addressed in the main issue below.

b) Character and appearance

Legal and policy context

16. Section 245 of the Levelling-Up and Regeneration Act 2023 recently amended Section 85 of the Countryside and Rights of Way Act 2000 which is concerned with the purposes of conserving and enhancing the natural beauty of National Parks, National Landscapes, and the Broads. Authorities must seek to further these statutory purposes. The effect is to strengthen the duty in terms of making it a more proactive consideration of how those purposes may be furthered.

17. NPPF paragraph 189 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas. It confirms that development's scale and extent within these designated areas should be limited.

18. NPPF paragraph 190 advises that when considering applications for major development in National Landscapes, permission should be refused other than in exceptional circumstances and where it is demonstrated that the development is in the public interest. NPPF Footnote 67 confirms that whether a proposal is major development within paragraph 190 is a matter for the decision-maker, considering its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. Both main parties agree that the proposed development would not be major development for the purposes of NPPF paragraph 190. I see no reason to disagree.

19. Although it has already been determined that NPPF paragraph 84 is not relevant here, NPPF paragraph 139 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Indeed, it goes on to state at NPPF paragraph 139 b) that significant weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

20. Policy RE3 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (February 2018) (SPS) states that new development must respect and, where appropriate, enhance the Surrey Hills National Landscape and the AGLV, within which the site lies. SPS Policy RE3 confirms that the protection and enhancement of the character and qualities of the Surrey Hills National Landscape that are of national importance will be a priority and will include the application of national planning policies together with the Surrey Hills AONB Management Plan 2020 – 2025 (the Management Plan). It also requires that principles for protecting the National Landscape be applied in the AGLV, which will be retained for its own sake and as a buffer to the National Landscape, until there is a review of the National Landscape boundary, while recognising that the AGLV's protection is commensurate with its status as a local landscape designation.

21. SPS Policy TD1 requires new development to be of a high quality and inclusive design that responds to the distinctive local character of the area. Policy DM4 of the Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies (March 2023) (SADMP) also expects development to be of a high quality, to respond to its surroundings, and to reinforce local distinctiveness.

22. The Management Plan also states at P1 that great weight will be attached to any adverse impact that a development proposal would have on the amenity, landscape and scenic beauty of the National Landscape and the need for its enhancement. P2 of the Management Plan requires development to respect special landscape character, giving particular attention to ridgelines, public views and tranquillity. P6 of the Management Plan seeks to resist development that would spoil the National Landscape's setting by harming public views into or from the National Landscape.

23. The Bramley Neighbourhood Plan 2017 – 2032 BNP-G1 steers development to sites within the settlement boundary, brownfield and rural exception sites. BNP-G3 deals with management of the landscape, heritage, character and design.

Landscape character

24. The Surrey Hills National Landscape comprises a mosaic of small to large fields enclosed by hedgerows, woodland belts and copses, heaths, downs and commons, and farm buildings, many of which are built of local materials and demonstrate historic building traditions. The area has inspired some of the country's greatest artists, writers and architects. According to the Management Plan, the Surrey Hills is one of the most wooded of all the National Parks and National Landscapes, with approximately 40% woodland cover. The National Landscape's character varies from a patchwork of irregular woods to old coppice and shaws, conifer plantations, and ancient yew and box woodlands.

25. Within the National Landscape's Landscape Character Areas (NLLCA), the site lies in the Greensand Hills and Wooded Weald: Hascombe area. It is described as an open rolling plateau with a pattern of rounded interlocking hills and steep sided valleys. The relevant NLLCA forms a large-scale landscape of pasture, wooded ridges and heaths. This NLLCA's secluded landscape has provided inspiration to and the setting for the Arts and Crafts Movement. It has a rural atmosphere, concealing hidden villages and hamlets, with distinctive cottages and Edwardian country houses, many constructed in local Bargate stone with tile hanging.

26. The site is located within the Bramley West Open Greensand Hills Landscape Character Area (LCA) within the Surrey Landscape Character Assessment: Waverley Borough (April 2015). The LCA's key characteristics are the undulating landscape underlain by greensand, predominantly pastoral with woodland, heathland and paddocks with low to medium density settlements with scattered farmsteads, historic villages and linear settlements along rural lanes and roads. There are views across valleys and open farmland to unsettled wooded hills with a landscape pattern associated with small scale farming and early human occupation, on light sandy soils either side of river valleys. The character area abuts Bramley's edge. The key characteristics confirm that settlement elsewhere is relatively sparse, consisting of occasional isolated farmsteads and large houses.

27. The LCA's landscape strategy is to conserve the pastoral landscape, intimate valleys, historic villages, scattered farmsteads, woodlands and heath. It identifies enhancement opportunities, including management of the hedgerow network, woodland and heath, and new woodland planting to mask visual intrusion.

28. The appellant's Landscape and Visual Impact Assessment (LVIA) confirms that the surrounding landform is defined by the River Wey's tributary and elevated undulating landscape occasionally marked by the pronounced Chinthurst, Barnett and Hurst Hills to the north-east, east, and south-east respectively. The elevated plateau at the site's south-western boundary continues across the golf course.

29. Located on a north-east facing and steeply sloping field, the site overlooks the village of Bramley, with medium and long views to the north and north-east. Currently occupied by scrub and mature trees, with further mature trees and boundary hedging to the edges of the field, the site is uncluttered by buildings. Much of the tree cover is concentrated on the site boundaries and to the north and east, with more open land to the southern part of the site. There is a 31.5 metre level difference across the site. The site's lowest point is at the north-eastern corner and the highest point is on the western boundary. The site slopes up to a plateau which has long-ranging views despite the vegetated boundaries.

30. The site once formed part of the pleasure gardens for Bramley Grange Hotel which lay to the east. It lies outside, but close to the boundary of the Bramley Conservation Area. None of the vegetation on site is designated as Ancient Woodland or subject to Tree Preservation Orders. The site's south-westernmost part is within the National Landscape, while the remainder of the site is in the AGLV. The site is accessed via Clock House Lane which narrows down to become Fox Way just beyond the site's gated access. This part of Fox Way is a sunken lane. The site's south-eastern edge slopes steeply to the south-east with Snowdenham Lane. In its current form, the site is an undeveloped, sloping field with a range of trees and has several identified attributes of the National Landscape. The site and its immediate environs are also generally similar to the NLLCA and LCA's key characteristics.

31. The proposed dwellings at 'East House' and 'West House' would be located on the upper part of the slope within the National Landscape, while the access driveway serving the houses would cross both the National Landscape and the AGLV.

32. Travelling down Clock House Lane from Horsham Road towards the site (as exemplified by LVIA viewpoint 1), it is possible to see the heavily treed site in the context of housing along Clock House Lane, though it is not possible to perceive the site's sloping nature. While the extent of tree cover would lessen when the trees were not in leaf with potential scope for perception of the change in landform, any views of the proposed development would remain very limited due to the retention and reinforcement of intervening tree cover on the site as well as the setting down of the proposed houses within the site's topography. There would be no adverse effect resulting from the proposed development on this location.

33. At the junction of Clock House Lane and Fox Way (as shown by LVIA viewpoint 2). the existing view is of a gated access and a field with scrub and trees. Although the proposed development would introduce an access track up to the two proposed houses, both the gate and the access track would be designed to maintain the perception of agricultural activities, rather than urbanising the site with tall gates, hard engineering, kerbing or inappropriate materials. Additionally, the site's boundary would be strengthened by new native hedging.

34. The appellant has acknowledged that one of the proposed houses would be visible in views from the access at Year 1, particularly in Winter. However, views would be limited to the end of the upper floor only and would be seen through lower tree canopies and against the canopies of trees on the south-western boundary. Much of the view would be of the lowest lying part of the site closest to the gated access. As such, the proposed development would not bring about any adverse effect on landscape character in this location.

35. The site's northern boundary is enclosed by scrub and mature trees. This forms a strong physical and visual barrier in views to the north. Fox Way abuts the site's northern boundary. Due to Fox Way's sunken nature, it has steeply sloping sides and is enclosed by scrub and trees on both sides. Despite being able to hear and see people using the neighbouring golf course as one walks along Fox Way, the sunken lane is very rural in nature. It was evident from the site visit that intervisibility between Fox Way and the site is limited along the length of the northern boundary. Viewpoint 3 lies at the site's western corner on Fox Way adjacent to public footpath 251 which crosses the golf course.

36. Along Fox Way (as indicated by viewpoint 3), views into and out of the site are limited by existing vegetation, which would be strengthened by further planting as per the Landscape Masterplan (P21-2769_07 Rev J). Given the location of the nearest proposed dwelling 'West House' and the placement of trees and hedgerows, it is unlikely that the nearest proposed dwelling or the vehicular access would be seen from Fox Way. One would only notice the vehicular access when a vehicle was travelling along the access and it could be heard, but this would be against the backdrop of vehicles moving along Horsham Road and people talking and using golf buggies on the golf course. Overall, the improved planting close to Fox Way and the ongoing management of that planting would lead to a limited level of positive change in respect of landscape character at this location.

37. The site's south-western edge is enclosed by mature Oak and Hazel trees, bramble, nettles, and partially collapsed post and barbed wire fencing, which mark the boundary between the site, the open field to the south and Snowdenham Links Road. There are permissive footpaths on the open field on the plateau between the site and Snowdenham Links Road. LVIA viewpoints 4 and 5 are located on these permissive footpaths. Presently, it is possible to gain occasional, glimpsed views through existing vegetation into the site from an adjacent permissive footpath to the south-west. Winter views would be more open, due to trees not being in leaf.

38. With regard to views from this open field and beyond, not only does the Landscape Masterplan indicate that there would be native hedgerow planting along the site's south-western boundary to reduce any gaps as well as further tree planting, but the proposed development would be set down within the site so as not to noticeably exceed the ridgeline at the highest point of the site. Furthermore, the proposed development would have green roofs. Accordingly, although the upper floors of each proposed dwelling would be visible in between tree branches in the Winter months, they would be less visible than the existing housing at Snowdenham Links Road on the other side of the open field. As such, I find that there would be no harm to landscape character to the south-west of the site resulting from the proposed development.

39. In terms of longer views, the heavily wooded Chinthurst Hill is located on the other side of Bramley. LVIA viewpoints 6 and 7 are located on Chinthurst Hill where less restricted views towards the site were identified. It is difficult to perceive the site from Chinthurst Hill, due to the presence of trees between the viewpoints and the site. At most, intervisibility between Chinthurst Hill at viewpoint 6 and the site would be present in Winter with the site appearing as a valley slope with a treeline at the site's south-western boundary. Even with the introduction of housing on this slope, this would be in keeping with the scattering of occasional farmsteads and large houses within the LCA. To my mind, the proposed development would not have any tangible effect upon land to the north-east.

40. Undoubtedly, the proposed development would introduce more human activity on site and vehicular journeys to and from the site than is presently the case. Nonetheless, the number and siting of dwellings, the siting of the access and the landscaping proposals have been designed to mitigate any potential effects on the tranquillity and character of the site. Indeed, though the proposed houses would be large, the proposed houses and the proposed access track would represent a relatively small part of the overall site. I find therefore that the proposed development would not harm the tranquillity of the area.

41. Concern has been raised that the house prices in the Surrey Hills are the highest of all the National Parks and National Landscapes. While I have no detailed data to confirm this, it seems reasonable to assume that high house prices locally put the National Landscape under development pressure and that any uplift in site value as a result of planning permission could be considerable. Certainly, this appears to have been the case for an NPPF paragraph 84 e) dwelling allowed on a site off Munstead Heath Road, Godalming[3] which was sold after permission was granted. While I note concerns about the risk of a precedent being set for similar schemes elsewhere in the National Landscape, no two sites are the same and the proposed development does not represent a blueprint for design elsewhere.

42. I shall conclude on the overall effect of the proposed development on the Surrey Hills National Landscape after discussing other elements of the proposed development's design.

Design review process

43. NPPF paragraph 138 confirms that there is a range of tools and processes for improving design, including community workshops, design advice and review arrangements, and assessment frameworks. In assessing applications, the same paragraph states that local planning authorities, or in this instance, the Inspector, should have regard to the outcome from these processes, including any recommendations made by design review panels. The level of weight to be given to the recommendations of design review panels is not prescribed by the NPPF.

44. The Planning Practice Guidance[4] describes design review as an independent assessment of development proposals by a panel of multidisciplinary professionals and experts, which can inform and improve design quality in new development. It sets out a number of requirements for effective design review and highlights that design review is most effective when applied at the earliest stage of design development. It asserts that design review can be followed up at further stages, referencing and building upon recommendations made in previous design reviews. Finally, it confirms that recommendations from design review panels can be used to help support decisions on applications, so development proposals need to show how they have considered and addressed them.

45. The DRP was appointed by the appellant to undertake design review for the proposed development. The DRP is a national organisation which brings together independent built environment professionals across a range of disciplines to provide design review. Concerns have been raised about bias as the DRP has been paid by the appellant. However, this is no different from other design review panels who provide an independent, chargeable service in particular localities across the country. I have no reason to believe that the DRP members would not give their honest opinions, drawing on their many years of professional and chartered experience.

46. The two DRP meetings took place in July 2021 and March 2022. Both meetings involved several architects, a landscape architect and a planner. There was good consistency of membership between the two meetings. However, I understand that only one DRP member visited the site and the other DRP members used a virtual 360-degree photographic tour. Such a virtual tour is helpful, particularly in the

[3] APP/R3650/W/15/3140645, decision issued 14 June 2016.
[4] Paragraph 26-017-20191001: What is design review and how can it be used appropriately?

context of the then Covid-19 pandemic, but this should not replace a site visit where one can experience the site and surrounding area as others would. It is also unfortunate that the Council was not invited to either DRP meeting, although I understand that they had been invited to an earlier meeting which did not take place. The Council's presence could have assisted in continuity and understanding the proposed development's evolution.

47. The DRP's first response to the appellant after the July 2021 meeting indicated that there was considerable work still to do on the proposal. The DRP then identified the need for more in-depth contextual analysis and explanation of the narrative behind the design concept, as well as assessment of alternative design approaches, justification of the two house approach and the need for exceptional landscaping and future stewardship of the land. It is entirely normal for changes to be made to the proposal and to the presentation of the proposal between design review meetings. The DRP's second response in March 2022 was more positive. It was clear that the appellant's design team had provided more effective articulation of the narrative behind the proposed development than at the 2021 meeting.

48. However, despite reading the Design and Access Statement (DAS) at length and asking the appellant's design team to explain how the proposed development changed between the two DRP meetings, it has not been possible to fully understand the proposed development's evolution or to clarify which plans were before each DRP meeting. Notwithstanding my concerns about the clarity of the underpinning design process, the DRP reports provide a helpful basis from which to assess the proposed development's design.

Design of the proposed development

49. The appellant's design team has a known pedigree in this kind of work. Examples of their work include the Black House, Folding House, and Shamley Farm in the Surrey Hills National Landscape and an NPPF paragraph 84 house in Buckinghamshire. The architectural practice has been nominated for and won numerous design awards. I have no doubt that the practice is capable of producing high quality design. While I am not considering the proposed development against NPPF paragraph 84 e) as I have already found that it would not be isolated, it remains necessary for me to discuss its design.

50. The architect's thinking has three main factors based on the appellant's brief and their own detailed site analysis. The first factor is that of the receiving landscape and the desire to maximise views of and connection to the landscape, but to balance that with minimising any visual impact of the proposed development on the site and its surroundings. In order to achieve this, the two proposed houses would be located towards the top of the site within what are currently generally open areas. The vast majority of existing trees would be retained and planting would be strengthened in some locations across the site to enhance and create clearings. This is respectful of the site and the National Landscape.

51. As the topography varies across the upper part of the site, the second factor is the cranking of the two proposed houses in different directions to reflect the site's contours and to allow views into the clearings. In addition to following the site's contours from east to west, the third factor is to set down each lower storey of the proposed two-storey houses within the site to ensure that the upper storeys would not noticeably exceed the ridgeline at the highest point of the site around the south-

westernmost boundary. Not only would this adhere to the requirement of P2 of the Management Plan with regard to potential impacts on ridgelines, but it would also ground the building within its location, as if it had been quarried.

52. To reinforce that sense of having been quarried, the building material for the lower floors would be stone. The cranked timber-clad upper storeys of the proposed houses would then float over the lower floors. The upper floors would connect to the access track via pedestrian bridges. Internal courtyards would draw light into sunken parts of the buildings, providing further outdoor space and hiding garden paraphernalia from public view. This combination of solidity and groundedness with the lighter timbered and glazed upper floors within a setting of tree canopies gives the proposed houses both visual interest and sensitivity to their surroundings.

53. Although the design approach would lead to localised levelling of the ground in the upper part of the site, this would affect a relatively small area, if viewing the site as a whole. The remainder of the site-wide levels would be left unchanged. As such, the levelling would not have an urbanising or detrimental effect.

54. In maintaining the uncluttered nature of the upper part of the site, the provision of sizable garages and sunken courtyards would aim to keep domestic paraphernalia and clutter to a minimum. To bed the proposed development into its context, the proposal involves sunken gardens with a small area of amenity lawn and an external terrace as the domestic space, with naturalistic meadows, trees and copses beyond. This seeks to loosely echo the local, national and international influence of the architect Edwin Lutyens and the horticulturalist and garden designer Gertrude Jekyll and limits reciprocal views of the proposed dwellings.

55. In developing the design approach, consideration was given to the proposed development's location within the site. Regard was had to a refused 2014 proposal for a house on the same site. The 2014 proposal was for a large, three-storey Arts and Crafts inspired dwelling close to the site's highest point and the south-western boundary. If such a house was sited at a lower point, the impact on wider landscape character and the ridgeline would have been reduced, but this would have led to the removal of a greater number of trees.

56. While the 2014 proposal represents a pastiche approach at odds with the modern design before me, it serves as a useful indicator that such a bulky proposal would neither conserve nor enhance the character and appearance of the area and would not make effective use of the site. The options presented by the appellant in their design process have been rather limited, which is disappointing. However, it is necessary for me to consider the proposed development on its own merits.

57. The proposed houses would be large by most people's reckoning. They would each extend in length approximately 35m across the site, but the low profile, modest height with flat roofs, cranked elevations, and set down of the ground floors within the site's topography would assist in balancing the overall footprint and horizontal nature of the proposed dwellings.

58. There is no one consistent architectural style or house type within the surrounding area. While houses along Clock House Lane and Snowdenham Links Road are generally substantial and set within generous plots, Bramley itself has a mixture of housing of different ages, sizes and types. Within the wider area, there are some larger country homes, including Grade II listed Chinthurst Hill and Millmead House. Both the aforementioned houses were designed by Lutyens, with the former being

his first major commission and the latter on Snowdenham Lane being designed for his frequent collaborator Jekyll. Characteristic materials within the locality include red brick, render, hanging tiles, and Bargate stone.

59. In terms of the palette of materials, the proposed development would have stone on the houses' lower floors and timber cladding on the upper floors. This is a modern interpretation of a common design feature in the locality of tile hanging on upper floors, with render or brick on lower floors. Not only is the timber cladding a feature on buildings locally, but it would also help the proposed buildings blend into their treed environment. Bargate stone is a locally quarried material, seen on buildings in Bramley itself and at Lutyens's Chinthurst Hill on the other side of the valley. As the availability of newly quarried stone is limited, it is possible that either previously used Bargate stone or a reconstituted alternative would be used, but this would be a matter for agreement when discharging condition 9 on materials. The use of stone seeks to reflect the carving out of the hillside for the dwellings and would be used in both internal and external spaces to ground the dwellings in their locality. The distinctly different materials of stone and timber would break up the buildings' bulk effectively and would be muted in colour. This would be further lightened by aluminium framed fenestration, with timber louvres. Sedum roofs would be used for both houses to further bed the buildings into their verdant setting.

60. With regard to the rationale for two dwellings of opposing alignments on the site, it was confirmed at the hearing that this stemmed from the appellant's brief for the site. Any site analysis and justification of plot sizes within the DAS would therefore have sought to rationalise the brief. Furthermore, the DRP notes in its first response of July 2021 that the driving force behind the two house scheme is viability. However, much of the argument about the appropriateness of two houses relates to the application of NPPF paragraph 84, which is not applicable in this instance. In any event, this site can amply accommodate two large dwellings.

61. The proposed development's sustainability provisions would include mechanical ventilation and heat recovery, ground source heat pumps, underfloor heating, solar panels, battery storage, electric vehicle charging, rainwater and greywater harvesting. The proposed solar panels would be sited near the site's lower north-eastern corner and would follow the site's topography. The proposed dwellings would outperform the Royal Institute of British Architects 2030 energy targets for operational energy, embodied carbon and potable water use. While the aforementioned measures would be positive, as would be expected of this kind of scheme, the measures would not be particularly innovative in themselves.

62. Notwithstanding this, the proposed development would undoubtedly be of a high standard of design, though not of the outstanding or innovative nature of design expected by NPPF paragraph 139 b). For the reasons outlined above, I find that it would be sensitive to the defining characteristics of the local area.

Lighting

63. Dark sky areas are a key feature of the National Landscape. P2 of the Management Plan states that in remoter locations, with darker skies, development proposals causing light pollution will be resisted. BNP-E3 in the Bramley Neighbourhood Plan also seeks to avoid increasing light pollution and the use of unscreened roof lights or atria. The rationale for avoiding light pollution is to safeguard the National Landscape's essential qualities and protect biodiversity.

64. The two proposed houses would have large windows across two floors and rooflights. Many of these windows would be floor to ceiling in height. Different design approaches have been taken, with some windows recessed, others forming window boxes, and some with timber louvres. The aim of the different approaches is to maximise views, natural light, passive solar gain, and natural ventilation, while not having negative effects in terms of light pollution. The excavation of the slope to provide space for the houses' lower floors would help to minimise the extent of light spillage. Furthermore, the proposed tree planting would also seek to prevent any light spillage, over and above that already experienced in the locality.

65. There is an inherent risk of light spillage from vehicles travelling into and out of the site. Yet, given the number of dwellings proposed, the likely number of vehicular movements and the proximity of the site to local roads and other sources of light, this would not be harmful.

66. In addition to controlling the type, extent and location of external lighting by means of condition, there was some discussion about managing internal lighting and glazing to ensure that light spillage would be minimised. Although the DRP referred to scope for illuminance modelling, this was not undertaken. Instead, the DAS proposes the use of non-reflective glass with low emissivity and light transmission for both windows and rooflights. It also proposes the use of internal blinds to further reduce light spillage. Condition 7 addresses this point, requiring full details of the Visible Light Transmission glazing as well as a Sensitive Lighting Management Plan and Light Spill Management Plan. This would be enforceable. As such, and even though the site is not particularly remote within the National Landscape given its location on the edge of Bramley close to other housing and floodlighting for the nearby school, this matter would be appropriately addressed. Accordingly, the National Landscape's landscape, natural beauty and biodiversity would not be detrimentally affected by lighting.

Landscape design

67. The site is presently bounded by gappy, overgrown hedgerows, mature trees, and scrub. The vegetation includes English Oaks, with an understorey of Hazel and Holly. The upper part of the site's interior is relatively open, with isolated trees and groups of trees dotting the slope, while the bottom part of the site has more trees. There is grassland within the site, but there are significant areas of unmanaged scrub which encroach on the open ground. Although the site is currently unkempt with considerable ruderal scrub, the absence of planning permission for the site does not prevent it from being managed appropriately and positively.

68. The proposed development would have a tightly drawn area of landscaping around the two proposed houses, with sunken gardens with woodland and meadows beyond. This landscape design approach aims to retain the site's rural character and open areas or clearings within the site. The site already has a strong framework of mature trees and vegetation which would be supplemented with further trees and understorey planting. An additional belt of trees would serve to separate the proposed houses and with other trees on site would help to build the layers of tree canopies to screen the proposed houses from view.

69. The landscape works proposed on site would include approximately 140 additional native trees; four specimen native trees; 3,300m^2 new woodland canopy and

understorey planting; 1,500m^2 native shrub and understorey planting; 536m of native hedgerows; 19,250m^2 wildflower meadow; and a 250m^2 ecological pond.

70. With the site's conversion from semi-improved and scrub vegetation to a species rich grassland with further structural tree planting, the proposed development would enhance both woodland and biodiversity within the site. This would be beneficial in reinforcing the National Landscape's strong woodland character and would result in a considerable net gain in structural vegetation within the site. Though I note that the Council considers the landscape approach to be relatively generic, the Landscape Masterplan has been tailored to the specifics of this site and represents a reasonable and high quality design approach for its environment.

71. However, even if the landscaping proposed is of a high quality and is appropriate for the site and the proposed development, it requires an appropriate long-term management and maintenance regime. Condition 5 expects a Landscape Ecological Management Plan, which will set out and implement management responsibilities, timescales, maintenance tasks and schedules for the site's open space. The proposed landscaping and its long-term management and maintenance would be sensitive to the area's defining characteristics and would give rise to beneficial landscape and biodiversity effects on site.

Conclusion on character and appearance

72. I conclude that the proposed development would have an acceptable effect on the character and appearance of the area, including the Surrey Hills National Landscape and AGLV. Consequently, there would be no conflict with SPS Policy RE3, and P1, P2 and P6 of the Management Plan and NPPF paragraph 189 as set out above. It would therefore not conflict with the statutory duty to seek to further the purpose of conserving and enhancing the natural beauty of the National Landscape, as it would leave the essential qualities of the National Landscape unharmed and in this instance would have the benefit of focussed enhancements on the landscape framework and biodiversity on site.

c) Affordable housing

73. The site area is over four hectares in size. Although the proposed development would provide only two homes, the NPPF's glossary defines major development for housing as being development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. NPPF Paragraph 65 confirms that affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas.

74. SPS Policy AHN1 requires a minimum provision of 30% affordable housing on all housing developments where one of three criteria applies. None of the criteria apply here. Nevertheless, the Council's Affordable Housing Supplementary Planning Document Update 2023 (AHSPD) post-dates the SPS. AHSPD paragraph 15 states that Policy AHN1 reflected previous national planning practice guidance. It goes on to state that since the SPS's February 2018 adoption, the Government has revised the NPPF and affordable housing is required on major developments, defined as developments of 10 or more new homes or where the site has an area of 0.5 hectares or more. The AHSPD confirms that the Council will apply the revised NPPF. While the NPPF has been revised further since the AHSPD was adopted, the same requirement is set out in the current NPPF as outlined above.

75. The proposal would trigger the need for affordable housing given the site's size. Consistent with SPS Policy AHN1, which the main parties agree has only limited weight given its overall lack of consistency with the NPPF, the Council originally sought a commuted sum in lieu of 30% on-site affordable housing. The appellant has provided an independent valuation of the open market value and gross internal floor area of the proposed units signed off by a Chartered Surveyor. Based on the AHSPD methodology for calculating commuted sums, the required affordable housing contribution for 30% affordable housing would be £178,837.

76. Notwithstanding the 30% affordable housing requirement, the site also lies within the Green Belt and may fall within grey belt. This is assessed below. With regard to the Golden Rules, NPPF paragraph 156 a. addresses affordable housing. The NPPF makes it clear that affordable housing provision should reflect either development plan policies produced in accordance with NPPF paragraphs 67 – 68 or, in their absence, NPPF paragraph 157. The Council's development plan policies have not yet been updated to reflect NPPF paragraphs 67 – 68. NPPF paragraph 157 states that before development plan policies for affordable housing are updated, the affordable housing contribution required for the Golden Rules is 15% above the highest existing affordable housing requirement relevant to the development, subject to a cap of 50%. This would lead to a 45% affordable housing requirement with a contribution of £268,255.

77. The appellant has entered into a second legal agreement, which includes obligations which would come into effect if planning permission were to be granted. I have considered the obligation for 45% affordable housing within the second legal agreement in light of the three statutory tests at Regulation 122(2) of The Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and NPPF paragraph 58. The provision of commuted sums for 45% affordable housing would meet the tests in this particular instance and is taken into account.

78. The Bramley Neighbourhood Plan and Bramley's Housing Needs Survey require smaller affordable homes. Although Bramley already has numerous large, detached properties and the proposed development would not provide for affordable housing on site, it would contribute towards provision of affordable housing elsewhere within the borough and these could be smaller homes.

79. In conclusion, the proposed development would make appropriate provision for affordable housing consistent with SPS Policy AHN1, the AHSPD, and the NPPF.

d) Inappropriate development

80. The site is within the Metropolitan Green Belt. NPPF paragraph 153 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This paragraph also requires substantial weight to be given to any harm to the Green Belt, including harm to its openness, other than in the case of development on previously developed land or grey belt land, where development is not inappropriate. This is confirmed by footnote 55 to NPPF paragraph 153.

81. SPS Policy RE2 states that the Green Belt will continue to be protected against inappropriate development in accordance with the NPPF. New development will be considered to be inappropriate and will not be permitted unless very special circumstances can be demonstrated. It also confirms that proposals will be permitted where they do not conflict with the exceptions in national planning policy.

SADMP Policy DM14 deals with extensions and alterations, replacement buildings and limited infilling. SADMP Policy DM14 is only relevant insofar as it relates to Green Belt openness. These policies are generally consistent with the NPPF.

82. NPPF paragraph 154 sets out several exceptions in respect of whether development in the Green Belt is inappropriate. The main parties agree that none of those exceptions are applicable here. Nonetheless, NPPF paragraph 155 requires that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all of three or four (where applicable) exceptions apply. I shall go through these exceptions in turn.

83. NPPF paragraph 155 a. refers to the utilisation of grey belt land. The NPPF glossary defines grey belt as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of NPPF paragraph 143's purposes a), b), or d). Nearby Bramley is defined as a larger village. The parties agree that purposes a), b), or d) respectively relating to unrestricted sprawl, towns merging into one another, and the setting and special character of historic towns are not applicable. Therefore, the site does not strongly contribute to any of these three purposes.

84. However, the NPPF glossary definition also states that grey belt excludes land where the application of the policies relating to the areas or assets in NPPF footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development. I have found that the effect of the proposed development on the National Landscape would not provide a strong reason for refusal. As such, this part of the grey belt glossary definition is not applicable.

85. Further to this, NPPF paragraph 155 a. requires development to not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. The two parties consider that NPPF paragraph 143 purpose c) of assisting in safeguarding the countryside from encroachment would be the most relevant purpose in this instance. In any event, it was agreed that the proposed development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan, although the Council considers there would be a locally detrimental effect on purpose c). Accordingly, NPPF paragraph 155 a. is met.

86. NPPF paragraph 155 b. requires a demonstrable unmet need for the type of development proposed. NPPF footnote 56 confirms that this, where applications involve provision of housing, means the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Test was below 75% of the housing requirement over the past three years.

87. Using the standard method, the Council's current annual housing requirement is 1,481 dwellings. Once a 5% buffer is applied, this increases the housing requirement for 1 April 2024 – 31 March 2029 to 1,555 dwellings annually. At 1 April 2024, there were 1,998 deliverable dwellings within the five year period. This results in an agreed housing land supply of 1.28 years. This represents a significant housing land supply shortfall and indicates that there is a demonstrable unmet need for the type of development proposed. NPPF paragraph 155 b. is met.

88. NPPF paragraph 155 c. requires that development would be in a sustainable location, with reference to NPPF paragraphs 110 and 115. NPPF paragraph 110 seeks to actively manage patterns of growth through limiting the need to travel and

offering a genuine choice of transport modes. It recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. NPPF paragraph 115 looks to prioritise sustainable transport modes, achieve safe and suitable access, provide designs in keeping with current guidance and cost-effectively mitigate any significant impacts on the transport network.

89. The site lies off Clock House Lane, connecting to Horsham Road and a footpath and bridleway. Residential development lies to the north-east, east and south. The village offers services and facilities, including public houses, schools, shops, open spaces, a café, a library, a church, and a village hall. Bus services serve the village regularly and railway stations are accessible via bus services. Given that services and facilities are within a suitable distance for walking or cycling, the proposed development would be in a sustainable location. NPPF paragraph 155 c. is met.

90. NPPF 155 d. states that, where applicable, the proposed development should meet the requirements of the Golden Rules in NPPF paragraphs 156 – 157. NPPF paragraph 156 states that major development for housing in the Green Belt should provide a range of contributions. The site is of a size which indicates that the proposed development should be treated as major development.

91. The first required contribution is for affordable housing. As discussed above, the required affordable housing contribution is 45% and there is a legal agreement in place to require this financial contribution. NPPF paragraph 156 a. is met.

92. NPPF paragraph 156 b. requires the proposed development to make any necessary improvements to local or national infrastructure. The Council has confirmed that it has not identified any such infrastructure which requires improvement. Consequently, there are no necessary improvements to be made in this particular instance. NPPF paragraph 156 b. is therefore met.

93. NPPF paragraph 156 c. seeks the provision of new, or improvements to existing, green spaces accessible to the public. It also states that new residents should be able to access good quality green spaces within a short walk of their home through onsite provision or access to offsite spaces. There was some discussion as to how this requirement could be met. It is clear that the proposed development's new residents would have access to significant amounts of good quality green space within the site. This green space would not be accessible to the public.

94. However, the main parties have agreed, following consultation with the Parish Council, that a contribution of £35,000 towards the provision of or improvements to green space would be appropriate. This would contribute towards an adult fitness trim trail on the former Bramley Bowls Club site. Owned by the Parish Council, this would be within a short walk of the site, is centrally located in Bramley and is adjacent to the Downs Link, a popular cycling, walking, and running route. The former bowls club site is accessible to the public. The Parish Council confirmed that it had already worked up plans for a trim trail.

95. NPPF paragraph 159 confirms that improvements to green spaces to meet the Golden Rules should contribute positively to the development's landscape setting, support nature recovery and meet local standards for green space provision where these exist in the development plan. The provision for green spaces on site and the provision of monies towards green space locally would support all of these aims.

96. I have considered the obligation for £35,000 towards provision of or improvements to green space within the second legal agreement in light of the tests at Regulation 122(2) of CIL Regulations 2010 (as amended) and NPPF paragraph 58. This obligation in the second legal agreement would meet the three tests and is taken into account. NPPF paragraph 156 c. is met.

97. As the proposed development would meet the Golden Rules requirements in NPPF paragraphs 156 and 157, NPPF paragraph 155 d. would be met. This would indicate that NPPF paragraph 158 would also be relevant, in that a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission. The proposed development would not be inappropriate development and would meet the requirements of SPS Policy RE2 and the NPPF as set out above. SADMP Policy DM14 on openness is not directly relevant here. As the proposed development would not be inappropriate development, it is not necessary for me to go on to consider Green Belt openness and purposes or any other considerations which would represent very special circumstances.

Other Matters

98. The Parish Council has suggested that a scheme for 110 homes might come forward if the proposed development were not allowed. I have no substantive information on this matter and have determined the appeal on its own merits.

99. Objectors have put forward conditions seeking to prevent the use of land for business or industrial purposes. Permission would be required for change of use of land or buildings. Such a condition is not necessary. It is not possible for me to condition a requirement for the trees on site to be subject to Tree Preservation Orders. This is a matter for the Council as the Local Planning Authority.

100. There is no indication of any intention to gain access through the site to adjacent land. I am not certain how such a condition would be found to be necessary, relevant to planning, or to the development to be permitted. Though this document is not before me and has no weight in my decision-making, Clock House Lane residents have confirmed that the appellant has entered into a legally binding agreement to limit development of the site in perpetuity to two dwellings and to ensure access is not permitted across the site to the open field to the south-west.

Conditions

101. I have amended some conditions for clarity and consistency. It is necessary to specify conditions confirming the time limit for development (1) and approved plans (2) for certainty. Six conditions (3 – 8) are pre-commencement conditions as it is necessary for them to be addressed before construction takes place. The appellant has agreed in writing to the pre-commencement conditions. A condition (3) is necessary to ensure that investigation and recording of any archaeological evidence occurs as the site lies adjacent to an area of high archaeological potential. A condition (4) is required for construction management to ensure that access to the site is managed and that disturbance to nearby residents is minimised. To ensure long-term protection of biodiversity and landscape quality, a condition (5) is necessary to secure the provision and implementation of a Landscape Ecological Management Plan.

102. Conditions (6 and 14) are necessary to ensure that a satisfactory vehicular access to the site is in place prior to construction taking place and that appropriate

servicing and turning areas are provided and maintained. A condition (7) is required in respect of internal and external lighting and the provision of appropriate glazing to mitigate any impact on the National Landscape's dark skies and on biodiversity. To address drainage, conditions (8 and 13) are necessary to provide a surface water drainage scheme and ensure that scheme has been properly implemented.

103. To maintain design quality and to ensure that the character and appearance of the National Landscape is conserved, conditions (9, 10 and 11) are necessary to require submission and approval of materials, fencing and landscaping. In order to ensure that trees are safeguarded, a condition (15) is necessary to require compliance with arboricultural plans and reports. To safeguard the integrity of the proposed development and the National Landscape, it is also necessary to impose a condition (12) to control the extent of the residential curtilage within the site and a further condition (16) to remove permitted development rights.

Conclusion

104. Although the proposed development would not accord with NPPF paragraph 84, with particular regard to location, the proposed development would not harm the character and appearance of the area, including the Surrey Hills National Landscape and AGLV. Furthermore, the proposed development would not be inappropriate development in the Green Belt and would make appropriate provision for affordable housing and the provision of new, or improvements to existing, green spaces. Consequently, the proposed development would accord with the development plan as a whole and there are no material considerations to outweigh this finding. For the reasons given above, the appeal should succeed.

Joanna Gilbert

INSPECTOR

Appearances

For the appellant:

Charles Banner KC	Instructed by Ms Long of Planit Consulting
Justin Bartle-Jones	Appellant
Jonathan Evans	Director, Pegasus Group
Tom Ford	Architect, AR Design Studio
Janet Long	Director, Planit Consulting
Andy Ramus	Director, AR Design Studio

For the Council:

Joanne Hollingdale	Team Leader – Development Management, Waverley Borough Council
Sam Wallis	Senior Planning Officer, Waverley Borough Council
Sarah Wells	Planning Specialist Team Leader, Waverley Borough Council

Interested Parties:

Anthony Coghlan	Local resident who spoke on behalf of residents of Snowdenham Links Road
Julie Dane	Local resident who spoke on behalf of residents of Clock House Lane
Francesca Stern	Bramley Parish Council

Documents received at and after the Hearing:

1. Site visit route
2. Statement of Julie Dane
3. Amended Schedule of 16 Conditions received 7 October 2025
4. Amended Draft Legal Agreement received 22 October 2025
5. Appellant’s agreement to pre-commencement conditions and confirmation of withdrawal of costs application received 27 October 2025
6. Council’s withdrawal of costs application received 27 October 2025
7. Final Legal Agreement dated and received 7 November 2025

Schedule of 16 Conditions:

1) The development hereby permitted shall begin not later than three years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with drawing numbers Site Location Plan (1:2500); 802/P001 Rev C, 802/P002 Rev C, 802/P102 Rev C, 802/P105, 802/P106, 802/P107, 802/P110, 802/P111, 802/P112, 802/P205, 802/P206, 802/P207, 802/P210 and 802/P211.

3) Prior to commencement of development, a programme of archaeological work in accordance with a Written Scheme of Investigation shall have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with approved details.

4) Prior to commencement of development, a Construction Management Plan (CMP) shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development must be undertaken in accordance with the approved CMP. The CMP must include, but not be limited, to arrangements for the following in respect of each phase of the works:

    a) Details of any temporary construction access to the site including measures for removal following completion of construction works;
    b) Wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
    c) The parking of contractors' site operatives and visitors' vehicles;
    d) Areas for storage of plant and materials used in constructing the development clear of the highway;
    e) Details of site working hours; and
    f) Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

5) Prior to commencement of development, a Landscape Ecological Management Plan (LEMP) shall have been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be in line with the recommendations of the Ecological Appraisal and Impact Assessment (Arbtech, March 2024, Version 6) and include:

    a) Description and evaluation of features to be managed and created;
    b) Aims and objectives of management;
    c) Appropriate management options to achieve aims and objectives;
    d) Prescriptions for management actions;
    e) Preparation of a work schedule for securing biodiversity enhancements in perpetuity;
    f) Details of the body or organisation responsible for implementation of the LEMP;
    g) Ongoing monitoring and remedial measures;
    h) Details of legal/funding mechanisms; and
    i) Details of the specific species enhancements as outlined in 5.2 of the Biodiversity Net Gain/Construction Ecological Plan (Arbtech dated 19 March 2024).

The development shall not be implemented except other than in accordance with the approved LEMP and no variation from the approved LEMP shall take place unless otherwise first approved in writing by the Local Planning Authority.

6) Prior to commencement of development, a scheme showing pedestrian inter-visibility splays measuring 2m by 2m provided on each side of the access to Clock House Lane, the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access, shall have been submitted to and approved in writing by the Local Planning Authority. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays and the visibility splays shall be retained thereafter.

7) Prior to commencement of development, full details of the Visible Light Transmission (VLT) glazing as detailed on page 115 of the Design and Access Statement and a Sensitive Lighting Management Plan/Light Spill Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and any external lighting/VLT glazing shall be installed prior to first occupation of the development and maintained thereafter.

8) Prior to commencement of development, details of the design of a surface water drainage scheme shall have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

   a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels;
   b) Evidence that the proposed strategy will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The strategy should follow the principles set out in the approved drainage strategy;
   c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times;
   d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk;
   e) Details of drainage management responsibilities and maintenance regimes for the drainage system;
   f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

9) Prior to commencement of above ground level works, a Materials Schedule showing details and samples of the materials to be used on the exterior of the buildings, as well as details of all other glazing, doors and garage doors shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

10) Prior to commencement of above ground level works, full details of the materials and design of all means of enclosure, fencing and gates shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

11) Prior to commencement of above ground level works, plans showing full details of all soft landscaping and planting based on the Landscape Masterplan (P21-2769_07 Rev J) shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include the numbers, species, heights on planting and positions of all trees and shrubs including existing items to be retained and shall include details of all seeding and turfing and a timetable for the implementation of all landscaping. All soft landscaping and planting shall be implemented in accordance with the approved details and timetable and maintained in accordance with the details approved. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

12) Prior to commencement of above ground level works, details and a plan of the extent of the residential curtilage for each dwelling shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the residential curtilage shall not be altered without the written permission of the Local Planning Authority.

13) Prior to first occupation of the development, a verification report carried out by a qualified drainage engineer shall have been submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed strategy (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

14) Prior to first occupation of the development, space shall have been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked and for the loading and unloading of one vehicle per unit and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking, loading and unloading, and turning areas shall be retained and maintained for their designated purposes.

15) The development hereby approved shall be completed at all times in accordance with the Arbtech Tree Protection Plan, Arboricultural Impact Assessment and Arboricultural Method Statement dated 24 May 2022.

16) Notwithstanding the provisions of Schedule 2, Part 1 and Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, reenacting, or amending that Order), development of the following classes shall not be undertaken on site other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Part 1, Class A - enlargement, improvement or other alteration of a dwellinghouse;
Part 1, Class C - other alterations to the roof of a dwellinghouse;
Part 1, Class D - porches;
Part 1, Class E - buildings etc incidental to the enjoyment of a dwellinghouse;
Part 2, Class A - gates, fences, walls etc.