

Officer addendum post NAPC on 12 August and publication of an updated National Planning Policy Framework on 17 August 2026.

Date of Meeting	12 August 2026
Application Number	PL/2023/10331
Site Address	Land south of The Forty and North of Chelworth Road, Cricklade, Wiltshire
Proposal	Outline planning application (with all matters except access reserved) for up to 49 dwellings and associated works and provision of a cemetery together with access and associated works.
Applicant	Hannick Homes and Developments Ltd
Town/Parish Council	Cricklade Town Council
Electoral Division	Cricklade and Latton – Cllr Nick Dye
Type of application	Outline planning permission: Some matters reserved
Recommendation	That the Head of Development Management be given delegated authority to GRANT planning permission subject to conditions and satisfactory completion of a legal agreement.
Case Officer	David Millinship/Victoria Davis
Reason for the application being considered by committee	The application is before the Planning Committee at the request of the Local Division Member to consider environmental and highways issues. These relate to visibility being restricted at the access junction and concerns that Thames Water have declared capacity issues and the need to upgrade current infrastructure.

Policy Check

Following the Committee resolution on 12 August 2026, a revised National Planning Policy Framework was published on 17 August 2026 ‘the 2026 Framework’. The 2026 Framework is a material consideration in decision-making and has therefore been reviewed to establish whether the change in national policy would affect the Committee resolution.

This does not alter Section 38(6) of the Planning and Compulsory Purchase Act 2004, which sets out that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

The 2026 Framework has been given careful consideration against the planning merits of this case and the assessment carried out by the Committee. The key policies within the 2026 Framework are as follows:

- DM1: Preparing development proposals
- DM2: Information requirements
- DM3: Determining development proposals
- DM6: Use of planning conditions and obligations
- DM7: Relationship with other regulatory regimes
- S3: Presumption in favour of sustainable development
- S5: Principle of development outside settlements
- CC2: Mitigation of climate change
- CC3: Adaptation to climate change
- HO7: Meeting the need for homes
- HO8: Providing affordable homes
- HO13: Build out of residential and strategic sites
- DP3: Key principles for well-designed places
- DP4: The design process
- TR3: Locating development in sustainable locations
- TR6: Assessing transport impacts
- TR8: Public rights of way
- HC3: Community facilities and public service infrastructure serving new development
- P3: Living conditions and pollution
- F4: Assessing flood risk for decision-making
- F5: The sequential test
- F7: Ensuring development is safe from flooding
- F8: Sustainable drainage systems and watercourses
- N2: Improving the natural environment

Officers have undertaken a policy 'health check' of the resolution and consider that the substantive planning issues identified by the Committee remain unchanged. Officers consider that publication of the 2026 Framework does not alter the planning balance or the conclusions previously reached by Members. In reaching this conclusion officers have considered the following:

The presumption in favour of sustainable development is now prescribed in **Policies S3, S4 & S5** of the 2026 Framework. It requires that certain forms of development (including those involving the provision of housing where local planning authority cannot demonstrate a five-year supply of deliverable housing) should be approved, unless the benefits of doing so would be *substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework*.

In reaching their conclusions against the previous Framework, the Committee identified adverse impacts relating to the location outside the settlement boundary, foul sewerage network capacity and surface water flood risk which would *significantly and demonstrably outweigh* the benefits of the proposal with reference to former Framework test at paragraph **11d)**. It is considered that the Committee resolution remains consistent with the new Framework test for development to be refused being that the benefits of approving the development are *substantially outweighed* by adverse effects at **S5:2**.

The principal effect of the 2026 Framework is that references contained within the reasons for refusal should be updated to align with the revised structure and policy numbering.

Accordingly, officers are satisfied that the Committee's resolution remains robust. It is therefore recommended that the decision be issued in accordance with the Committee's resolution, subject only to the updating of the National Planning Policy Framework references within the reasons for refusal as follows:

- Reason for Refusal 1: unchanged relates to in principle conflict with WCS Settlement Strategy policies 1 & 2.
- Reason for Refusal 2: include reference to Policy **P3** of the National Planning Policy Framework.
- Reason for Refusal 3: include reference to Policy **C3 & F7** of the National Planning Policy Framework.

Resolved:

That planning permission be REFUSED for the following reasons, and subject to the agreement of the Chair and Vice-Chair of the Committee

RFR 1: Conflict with Spatial Strategy

The proposed development is located outside the defined settlement boundary where development should be strictly controlled. The proposal is therefore contrary to the spatial strategy set out in Core Policies 1 and 2 of the Wiltshire Core Strategy.

RFR 2: Foul Drainage

The proposed development would result in the discharge of foul sewage to a sewerage network that has been demonstrated to lack adequate capacity to accommodate the additional flows arising from the development. The proposal would create an unacceptable risk of sewer surcharge and pollution. The proposal is therefore contrary to Policy P3 of the National Planning Policy Framework.

RFR 3: Surface Water Flood Risk

The proposed development is located within an area that is subject to existing surface water flood risk. The proposed development has failed to demonstrate that surface water arising from the site can be managed without increasing flood risk off site. The proposal is therefore contrary to Policies C3 & F7 of the National Planning Policy Framework.

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Authorised by: Gary Collins, Head of Development Management

Date: 18th August 2026