

NPPF 2026

Case Officer: Isobella Wise

Date: 20th August 2026

Site address: Land at Sopworth Road, Sherston, SN16 0QB

Thank you for the opportunity to respond to the appellant's letter dated 19th August 2026 regarding the material and relevant change in national planning policy since Wiltshire Council determined application PL/2026/03415

The Council acknowledges that the National Planning Policy Framework published on 17th August 2026 (NPPF 2026) is a new material consideration in the determination of this appeal and offers the following response to the appellant's letter.

Annex A

Whilst Paragraph 2 within Annex A of the NPPF 2026 outlines that *development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in [the NPPF 2026] should be given very limited weight but expresses that development plan policies should not be given reduced weight simply because they were adopted prior to the publication of [the NPPF 2026].*

The Council is not of the opinion that the development plan policies referred to within either reason for refusal are materially inconsistent with the NPPF 2026.

S5(1)(j) and Refusal Reason 1:

Refusal reason 1 addresses how the scheme is contrary to the aims of Core Policies CP1, CP2, CP13, CP60 and CP61 of the Wiltshire Core Strategy (WCS). Concluding that *the principle of residential development in this location is unacceptable and contrary to the development plan taken as a whole and the overarching objectives of the National Planning Policy Framework.*

The appellant refers to Policy S5(1)(j) of the NPPF. The Council acknowledges that this policy provides exception criteria for development outside settlements which would address an evidenced unmet need, including where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

As set out in the appeal statement and delegated report, the Council acknowledges that there is some degree of interconnection between the site and the existing settlement having regard to the approved residential development immediately to the east. In addition, the Council accepts that, broadly, development of up to five dwellings would not, on its own, likely exceed the capacity of existing or proposed infrastructure.

Without prejudice to the Council's case, it is accepted that the development should be assessed against S5(1)(j); however, the Council notes that Policy S5 does not create an automatic presumption in favour of housing development outside of settlements given that there remains a need, under S5(1), for consideration around whether *the benefits of [approving development outside of settlements] would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in [the NPPF 2026]*. The Council also notes that, given that the adjacent site has yet to be fully developed, Footnote 28 would be of relevance to the appeal scheme should the Inspector find that the scheme should be assessed against S5(1)(j).

The NPPF 2026 continues to emphasise that the planning system should be genuinely plan-led and that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The Council maintains that the scheme is contrary to the aims of Core Policies CP1, CP2, CP13, CP60 and CP61 of the Wiltshire Core Strategy (WCS); and consequently, the principle of residential development is unacceptable and contrary to the development plan when taken as a whole.

Whilst the NPPF 2026 introduces a new approach to development outside of settlements, it continues to promote sustainable patterns of development and a plan-led approach to decision-making. Taking fully into account Annex A of the NPPF 2026, the Council does not consider that the development plan policies referred to within refusal reason 1 are materially inconsistent with the NPPF 2026 given that the underlying objectives of the WCS remain aligned with the Framework insofar as seeking to direct development to sustainable locations. Examples of NPPF 2026 policies relevant to refusal reason 1 include:

- Policy TR3 which expresses that development should be *located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure*;
- Policy CC2 which expresses that proposals should, where relevant:
 - o a) *accord with policies TR3 and TR4 [...]*

- b) *Support good access to facilities in order to limit the need to travel [...]*
- Policy DP3(2)(d) which expresses that, where relevant, development proposals should *provide good connections to the wider settlement (or those nearby) and prioritise walking, wheeling, cycling and public transport.*

N4 and Refusal Reason 2:

Refusal reason 2 addresses how the scheme is contrary to the aims of Core Policy 51 of the Wiltshire Core Strategy (WCS). Concluding that *it has not been demonstrated that the development would conserve or enhance, or seek to further, the natural beauty of the National Landscape, as required by Section 85 of the Countryside and Rights of Way Act 2000*

The NPPF 2026 continues to afford strong protection to National Landscapes through policy N4 which, under N4(1) expresses how *substantial weight should be placed on the importance of conserving and enhancing the natural beauty [...]*, and under N4(4) requires proposals to *be sensitively located and designed to avoid or minimise adverse impacts of the Protected Landscape.*

The Council maintains that the scheme is contrary to the aims of CP51 and, taking fully into account Annex A of the NPPF 2026, considers the Policy aims of CP51 and N4 to have materially the same objective of conserving and enhancing the natural beauty of the National Landscape.

Moreover, further examples of NPPF 2026 policies relevant to refusal reason 2 include:

- Policy N2 which, under (a) expresses that proposals should *consider the environmental qualities of land proposed for development including [...] the natural beauty of the countryside*, and under (d) expresses that proposals should *conserve and enhance existing natural features of visual, historic or nature conservation value [...]*
- Policy DP3 which requires proposals to *respond to their context [...] so that they integrate with and enhance their surroundings [...]*

Housing Land Supply and Conclusion

The Council's Housing Land Supply (HLS) position for Wiltshire engaged the former 'tilted balance' approach under Paragraph 11 of the previous version of the NPPF, which is not an approach that has been carried forwards to the NPPF 2026. Policy HO7 of the NPPF 2026 does, however, express that *substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community [...]*

The Council's most recent HLS position remains at 2.8 years. The Council has taken account of HO7 of the NPPF 2026 and accepts that substantial weight should be attributed to the delivery of additional housing; however, following review of the appellant's letter and the NPPF 2026 as a whole, concerning its relevance to this appeal, on this occasion the Council does not consider that the publication of the NPPF 2026 alters its position, or undermines either reason for refusal.

The Council maintains that the substantial weight which should be applied to the benefit of approving housing development at the site would still be substantially outweighed by the adverse effects, when assessed against the national decision-making policies in the Framework.