

Appeal 6015325

Submitted on 27 August 2026.

Before you start

Local planning authority	Wiltshire
Appeal type	Full planning
Decision date	22 July 2026

Prepare appeal

Was the application made in your name?	No, I'm acting on behalf of the applicant
What is the applicant's name?	Steven Herzog
Contact details	Daniel Drayton LPC (Trull) Ltd
What is your phone number?	
What is the address of the appeal site?	Land at Wood Lane Brinkworth Wiltshire SN5 0AH
What is the area of the appeal site?	0.2 ha
Is the appeal site in a green belt?	No
Do you own all of the land involved in the appeal?	Yes
Is the appeal site part of an agricultural holding?	No
Access for inspection	Yes The site is behind a hedge.
Are there any health and safety issues on the appeal site?	No
What is the application reference number?	PL/2026/03896
Was your application for a major or minor development?	Minor development

Was your application about any of the following?	Dwellings
Enter the description of development that you submitted in your application	Permission in Principle for erection of four dwellings.
Did the local planning authority change the description of development?	No
Why are you appealing?	This appeal seeks Permission in Principle for up to four dwellings on land at Wood Lane, Callow Hill, Brinkworth. The appeal concerns only the principle of development, with detailed matters such as layout, appearance, landscaping and access reserved for subsequent Technical Details Consent. Wiltshire Council refused the proposal primarily because the site lies outside the defined settlement boundary, is considered an unsustainable location and would introduce residential development into the countryside. However, the Council also confirms that no overriding environmental, ecological, heritage, flood or infrastructure constraint exists which would prevent development in principle, and accepts that four dwellings could physically be accommodated on the site. The appeal should be determined against the August 2026 National Planning Policy Framework. As the site lies outside a settlement, Policy S5 applies. In particular, Policy S5(1)(j) supports residential development outside settlements where it addresses an evidenced unmet housing need, is physically well-related to an existing settlement and is of a scale capable of being accommodated by existing or proposed infrastructure. Wiltshire currently has approximately 2.8 years of deliverable housing land supply, demonstrating a substantial unmet housing need. The modest proposal would contribute up to four homes towards addressing this shortfall. The site is not isolated, being associated with existing residential development at Callow Hill, lying approximately 2.5km from Brinkworth and benefiting from nearby bus services connecting surrounding settlements. It is therefore contended that the proposal satisfies the requirements of Policy S5(1)(j), with the benefits of housing delivery outweighing the limited and localised harms identified by the Council.
Have there been any significant changes that would affect the application?	National policy changes The August 2026 NPPF represents a significant shift in national planning policy, with a stronger emphasis on increasing housing supply, accelerating development and supporting economic growth. Its national decision-making

policies are intended to make development management more certain and consistent, and take immediate effect from publication. Importantly, development plan policies that are materially inconsistent with the new NPPF should be given very limited weight.

The new NPPF also materially strengthens the presumption in favour of sustainable development. The previous 2024 NPPF “tilted balance” required adverse impacts to “significantly and demonstrably” outweigh the benefits. The new approach is more favourable to development, providing that development should be approved unless its benefits would be substantially outweighed by adverse effects. This is described by Government as a “default yes” approach.

This change is particularly relevant to the appeal proposal. The development was previously considered acceptable under the former tilted balance because of the Council’s housing land supply position and the age of the Wiltshire Core Strategy. Under the new NPPF, however, the proposal benefits from a permanent presumption in favour of sustainable development, set out through Policies S3–S6. Policy S3 establishes the presumption, while Policies S4 and S5 provide the framework for development within and outside settlements respectively.

Policy S5 – Principle of Development Outside Settlements is particularly important. It establishes that a wider range of development can be acceptable in principle outside settlements where the benefits are not substantially outweighed by adverse effects. This includes development addressing an evidenced unmet need, including housing where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites or achieves less than 75% in the Housing Delivery Test. Such development must be physically well-related to an existing settlement and be of a scale capable of being accommodated having regard to infrastructure.

The appeal proposal is considered to fall within Policy S5(1)(j) because it addresses an evidenced unmet housing need, with the Council having a significant housing land supply shortfall. The site is also considered physically well-related to the existing group of houses at Callow Hill and capable of accommodating the proposed development. Consequently, the proposal is considered acceptable in principle under the new national policy framework.

Policy S5(2) identifies circumstances where the benefits of development are likely to be substantially outweighed by adverse effects, particularly where a proposal fails to comply with specific national policies requiring refusal. These include matters such as poor design, severe transport impacts, flooding, significant biodiversity harm, inappropriate major development in protected landscapes and unacceptable harm to designated heritage assets. The assessment concludes that none of these specific refusal circumstances applies to the appeal proposal.

The proposal therefore has the benefit of the new NPPF's strengthened presumption in favour of sustainable development, with no identified national policy conflict requiring refusal. In addition, the site is not considered an "isolated home" under the new NPPF definition because it lies adjacent to a group of houses at Callow Hill. The proposal is consequently considered to comply with Policy S5 and to be acceptable in principle.

How would you prefer us to decide your appeal?

Written representations

Are there other appeals linked to your development?

No

Upload documents

Application form

[PL_2026_03896-Application Form.pdf \(/document/4d0dbd6d-a0ad-446f-9340-9d5040664c7e\)](#)

Did you submit an environmental statement with the application?

No

Decision letter

[PL_2026_03896-Refused Decision Notice 22.07.26.pdf \(/document/85488c3e-6dff-4d35-91eb-afb398e19d41\)](#)

Do you have a planning obligation to support your appeal?

No

Did you submit a separate ownership certificate and agricultural land declaration with your application?

No

Do you want to apply for an award of appeal costs?

No
