



24th August 2026

Pana Kwabe
The Planning Inspectorate
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6008434 / PL/2025/09810

Development Services

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Dear Ms Kwabe,

Appeal and application No.:	6008434 and PL/2025/09810
Appeal proposal:	Permission in Principle (PiP) application for residential development consisting of a minimum of 4no. dwellings and a maximum of 9no. dwellings.
Site Address	Land at Brakenhill Mews, Upper Seagry, Chippenham, SN15 5EU

ADDENDUM STATEMENT OF CASE –IN RESPONSE TO UPDATED NPPF

Thank you for the opportunity to respond to updated National Planning Policy Framework ('NPPF') and any implications on the consideration of this appeal since Wiltshire Council determined application PL/2025/09810.

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.

Annex A

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 this Framework."*

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.

Refusal Reasons 1 and 2

S5: Principle of development outside settlements

Policy S5 is directly relevant to this appeal, this states that: *“Only certain forms of development should be approved outside settlements, as set out in the following list. These 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,”* and goes on to list out those specific forms.

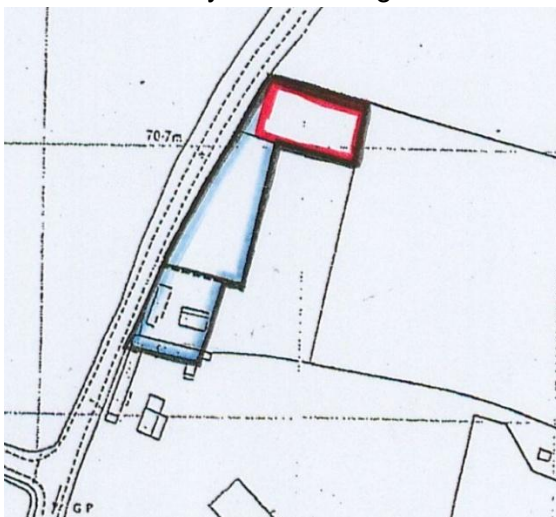
(1)(d) and (j) and Refusal Reasons 1 and 2:

Refusal reason 1 addresses how the scheme is contrary to the aims of Core Policies CP1, CP2 and CP10 of the Wiltshire Core Strategy (WCS). Concluding that the development is unacceptable in principle, being contrary to the settlement, delivery and community area strategies.

Related refusal reason 2 is based on the unsustainable location of the site – being not related well to the existing settlement and not well connected by sustainable modes of transport, this contrary to CP60 and CP61.

Criterion (1)(d) of the NPPF relates to the redevelopment of previously developed land. The status of the site as being ‘previously developed’ is set out in the Officer’s Report and remains substantively the same. The definition of ‘Previously developed land’ is set out at Annex B: Glossary of the NPPF. The definition includes: *“... land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.”*

However, a large proportion of the site falls outside of the scope of this definition. Moreover, whilst the previous Change of Use application (N/06/01774/COU: Change of Use of Land to Menage) does not provide much in terms of detail, the submitted Site Location Plan is extracted below, and shows the extent of any lawful change of use:



N/06/01774/COU: Site Location Plan extract

This is clearly much more limited in scope than the current application site area. As such, the lawfulness of any change of use has not been established and the site is considered to be within agricultural / forestry use, which is explicitly excluded from the definition of ‘previously developed land.’

(1)(j) relates to proposals which would address an evidenced unmet need. 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.

Under S5, consideration relates to 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 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, CP10, 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.

Limb (i) of criterion (j) requires that sites: *“Be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure.”* As set out in the Officer’s Report, it remains the case that the site is not ‘physically well related to any existing settlement’ and as such, the proposal does not accord with S5(j).

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 reasons 1 and 2 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 reasons 1 and 2 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 [...]*
 - o 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 3:

Refusal reason 3 addresses how the scheme is contrary to the aims of Core Policy 51 of the Wiltshire Core Strategy (WCS).

The NPPF 2026 continues to afford strong protection to designated areas in particular through policy

N4 which, under N2(1) expresses that the proposals should improve the natural environment, and should: *“(a) Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced.”*

The Council maintains that the scheme is contrary to the aims of CP51 and considers the Policy aims of CP51 and N2 to have materially the same objective of conserving and enhancing the natural beauty of the landscape character.

In addition, Policy DP3 which requires proposals to respond to their context so that they: *“... integrate with and enhance their surroundings.”* Given the context of the site and its surroundings, this proposal would not lead to the required integrated form.

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 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 the reasons for refusal in this case.

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.

Yours faithfully,

Níc Thomas – Director of Planning, Economy and Climate