

Supplementary officer report in response to the publication of NPPF 2026

Planning application PL/2024/05527 Land South of Westwells Road, Westwells Road, Neston

Proposal - Redevelopment of site to deliver extension to existing Spring Park data centre campus consisting of (a) free standing data centre building (b) energy, power, and water infrastructure (c) site access and internal roads (d) site security arrangements (e) diverted Public Rights of Ways (f) hard and soft, green and blue, landscaping and (g) other ancillary and auxiliary forms of development

On the 17th August 2026 the government published a new National planning Policy framework. (NPPF) This revised national planning guidance in England and replaced the previous NPPF. It introduces a new system of national decision making policies Given that the original planning report for this application was written prior to the publication of the new NPPF 2026, this supplemental report assesses the planning application in the light of this publication and whether this would affect the recommendation of officers.

This supplementary report should be read in conjunction with the previous officer reports to the Strategic Planning Committee dated 10th February 2026 and 16th December 2025, and all associated appendices to those reports.

Principle

Chapter 4 of the NPPF 2026 makes it clear that the objectives of the policies in that chapter *“is to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements, enabling development which will support the rural economy, rural communities and the provision of infrastructure, and limiting development away from settlements to help safeguard the intrinsic character and beauty of the Countryside”*

The chapter then sets out a series of policies which consider the locational requirements for development.

Policy S3 sets out a presumption in favour of sustainable development and then goes on to state that policy S4 should be considered where developments lie within a settlement boundary and that policy S5 should be considered where developments lie outside of the settlement boundary (as in this case) What constitutes a settlement is defined elsewhere within the NPPF

Policy S5 states the following –

1. 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:

A series of criteria are then outlined A-J where development outside a settlement should be approved. Of particular relevance to this application is criteria d which states the following-

d. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential);

As covered in the original officer report for this application this land is considered to be brownfield land as evidenced in the inspectors report of the (26th April 2021) as such it is considered to meet criteria D of this policy.

The policy goes on to state at 2, that circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances. These are considered further into this report.

The policy further makes clear at 5 that the policy does not apply to development proposals in the Green Belt or on land designated as Local Green Space. This land is neither greenbelt or designated as local green space.

The principle of development on this brownfield site therefore remains unchanged and is acceptable to the local planning authority.

Climate Change

Policies CC2 and CC3 set out the NPPF 2026 policies on climate change. In assessing this and the compliance with policy the local authority has considered both the Energy and sustainability statement submitted with the application and the BREEAM pre assessment report both of which set out how the sustainability of the development was considered and developed.

Policy CC2 sets out criteria under A -G how In order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal meet those criteria.

Criteria A) sets out that the proposal should meet transport policies elsewhere in the NPPF (see transport policy) whilst also of relevance is criteria C) which states that –

c) Use design approaches which conserve energy and other resources in accordance with policy DP3(2)(b);

It is clear from the Energy and sustainability statement submitted with the application and the implementation of the following in the scheme and as detailed in that report –

1. Rainwater Harvesting, Water Storage, Conservation & Recycling
2. Green Building Design – Aiming for BREEAM Very Good.
3. Air Source Heat Pumps used extensively to remove the requirements of fossil fuels for heating.
4. Waste Reduction and Recycling
5. Increased Biodiversity

That the development has been designed to use approaches that conserve energy and other resources to mitigate climate change and as such it is considered that the development complies with that policy.

Policy CC3 states that –

“Development proposals should take into account the current and potential impacts of climate change over the lifetime of the scheme, and in order to minimise vulnerability to these impacts should, where relevant to the proposal:”

It then sets out criteria a – e of which criteria

A and C are considered to be of particular importance –

A) Be located where the risk of flooding is minimised, or can be managed and the development made safe without increasing risk elsewhere, in accordance with policies F4, F5, F6, F7 and F8;

This is covered under flooding below but the applicant has previously provided a flood risk assessment which was previously assessed by the local planning authority and found to be acceptable.

B) Incorporate sustainable drainage systems to manage surface water flow rates and reduce volumes of runoff in accordance with policy F8

This is a principle incorporated into the application.

Economy

Section 7 of the new NPPF 2026 states that its objective is to enable businesses to invest, expand and adapt in a way that reflects the opportunities, challenges and characteristics of different areas, and supports long-term economic growth both locally and nationally.

Policy E2 goes on to state that –

“To support business growth, substantial weight should be given to:

a. The economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt; especially where this would support the economic vision and strategy for the area, the implementation of the Industrial Strategy, support improvements in freight and logistics and/or reflect proposals for Industrial Strategy Zones and AI Growth Zones; and

b. Benefits for domestic food production, animal welfare and/or the environment which can be demonstrated through proposals for development for farm and agricultural modernisation.”

Clearly the provision of data centres allow the continued expansion of business and technology and as such the proposal is considered to comply with this policy.

Policy E4 relates to rural businesses although it makes the point that –

2. Development proposals to meet business needs in rural areas may need to be located outside settlements, and in locations that are not well served by public transport. In these circumstances:

- a. Development proposals should take opportunities, where they exist, to use previously developed land, and sites that are physically well-related to existing development; and*
- b. The siting and design of development should be appropriate having regard to the character of its surroundings.*

All of the above applies to this development and was considered as part of the original proposal.

Making effective Use of Land

Policy L2 of the NPPF 2026 makes it clear that substantial weight should be given to previously developed land amongst other criteria s is the case here.

Design

Policies DP3 and DP4 of the NPPF 2026 both provide policies that are similar to the policies already considered by the council in both the Wiltshire Core strategy and the neighbourhood plan in that a building must respond to its surroundings in terms of its design and placement something that is already explained in details in the officer report in response to existing design policies as part of the planning application.

Sustainable transport

Chapter 15 of the new NPPF 2026 now covers this issue, and policies TR3, TR4, TR6, and TR8 are considered most relevant to the development proposal. These policies reflect and echo the sustainable transport and other highway related aims of the previous NPPF, and the original officer report covered those transport and highways related matters in detail.

Flood Risk

Flood risk was something that was considered in significant detail as part of the planning application and the NPPF 2026 introduces 5 relevant new policies on flood risk (as well as an additional policy on coastal change which is not relevant here). In summary they do not materially change the considerations for this planning application given the extensive detail with regard to flood risk that has already been considered.

Policy F4 makes it clear that a flood risk assessment should accompany any development within flood zone 1 that is over a hectare in area. A flood risk assessment was submitted with this proposal and this is covered in the existing officer report along with the findings of that assessment that the flood risk was acceptable.

Policy F5 sets out that a sequential test should be carried out and it sets out the parameters for that test and when it should be applied. This is covered in the officers original report and has been assessed by the council.

Policy F6 This covers areas at risk from flooding from rivers or the sea which does not apply to this development.

Policy F7 is a policy introduced to ensure that development is safe from flooding. It largely echoes paragraph 181 of the previous NPPF.

Where development is proposed in a location known to be at risk from any form of flooding, now or in the future, it should be refused unless:

a. Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons which justify a different arrangement;

The Data Centre buildings have been located outside of the area at risk from pluvial flooding.

b. The development will be safe throughout its lifetime taking account of the vulnerability of its users;

This was demonstrated through the FRA and associated drainage strategy.

c. Any residual risk can be safely managed, and safe access and escape routes are included where appropriate, as part of an agreed emergency plan;

This has been agreed in principle and subject to additional conditions to provide detail.

d. The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; and

The Finished floor levels (FFL) is elevated above surrounding ground level in line with standard guidance.

e. It can be demonstrated that flood risk will not be increased elsewhere

This has been agreed through the submitted documents that this is the case, subject to additional supplementary calculations and analysis provided through agreed conditions.

Policy F8 relates to sustainable drainage which is included with this development.

It is considered therefore that the proposal complies with the requirements of the NPPF and that the requirements of the new NPPF do not significantly differ from that already considered in respect of the natural Environment.

The Natural Environment

Chapter 19 of the NPPF 2026 introduces policies for conserving and enhancing the natural environment and replaces the previous chapter 15 on the same topic.

Policy N2 (2) makes it clear that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then the development should be refused. This does not change the previous position outlined in the officer report where the effect on various ecological features was considered including the existing bat roost on the site. The effect on the Bath and Bradford on Avon SAC as well as a range of other protected species including breeding birds and reptiles which were also identified on site. A full habitats assessment was carried out by the council and it was considered that any effects would be acceptable and indeed that there would be some benefits from the scheme ecologically.

The Historic Environment

The statutory tests set out within the Planning (Listed Building and Conservation Areas) Act 1990. Section 16 (Listed Building Consent)/Section 66 (Planning Permission) that require that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest remains, although Chapter 20 of the NPPF 2026 has additional policy numbering which has been introduced as follows –

HE4 Securing the conservation of heritage assets

HE5 assessing the effect on heritage assets

HE6 Proposals affecting designated heritage assets

HE7 Decisions on non designated heritage assets

HE9 Conservation Areas

HE10 Loss or removal of heritage assets

These policies replace but reflect those previously contained within chapter 16

The original officer report considered the impact on Jaggards House (grade 2*) and the Neston Conservation area as part of the planning application and it is not considered that the above policies have introduced such material new considerations that would change the officer view that the proposal would be acceptable in this regard.

Conclusion

Given the above it is not considered that the new NPPF 2026 introduces new policies that would have altered the officer recommendation and as such the application is continued to be recommended for approval.