

Briefing Note

Project:	PL/2025/02257 Land to the North of Whychurch Farm and West of Crudwell Road, Malmesbury	Date:	28 August 2026
Subject:	Implications of the August 2026 National Planning Policy Framework	tor&co reference:	227612

1.0 Introduction

- 1.1 This Planning Statement Addendum has been prepared by tor&co on behalf of Gleeson Land in respect of planning application ref. PL/2025/02257 for outline residential development of up to 149 dwellings, together with associated access, public open space, landscaping and infrastructure.
- 1.2 The application was due to be considered by the Northern Area Planning Committee on 12 August 2026, with officers recommending approval subject to conditions and completion of a Section 106 agreement. Consideration was deferred to allow consultation with Historic England in relation to the identified effect on the setting of the Grade I listed Abbey Church of St Mary and St Aldhelm. The application is now due to return to Committee on 16 September 2026.
- 1.3 In the intervening period, a revised National Planning Policy Framework was published on 17 August 2026 (2026 NPPF), replacing the December 2024 Framework against which the application and published Committee Report were assessed.
- 1.4 This Addendum provides a proportionate review of the implications of the 2026 NPPF and considers whether the revised national decision-making policies alter the conclusions reached in the published Committee Report.

2.0 August 2026 National Planning Policy Framework

- 2.1 The August 2026 NPPF is a material consideration and applies to decision-making from the date of its publication. The Framework confirms that national decision-making policies should be read alongside the development plan, while plan-making policies should not be applied in determining development proposals.
- 2.2 Annex A confirms that development plan policies, or parts of those policies, which are materially inconsistent with the national decision-making policies in the Framework should be given very limited weight. Other development plan

policies should not be afforded reduced weight simply because they predate the 2026 NPPF.

- 2.3 The following assessment considers the implications of the relevant national decision-making policies for the principal matters assessed within the published Committee Report. Where matters are not revisited, the conclusions of the Committee Report remain unchanged.

3.0 Planning assessment

Principle of development

- 3.1 The Committee Report identifies that the site lies outside the defined settlement boundary for Malmesbury and is therefore contrary to Core Policies 1 and 2 of the Wiltshire Core Strategy. It also confirms that Wiltshire Council can currently demonstrate only a 2.8-year housing land supply, representing a substantial shortfall.
- 3.2 The 2026 NPPF introduces a revised approach to the presumption in favour of sustainable development. Policy S3 confirms that decisions on development proposals should apply the presumption, with Policy S5 applying to development outside settlements.
- 3.3 Of particular relevance, Policy S5(1)(j) provides express support for development outside settlements which would address an evidenced unmet need. This includes housing development where the local planning authority cannot demonstrate a five year supply of deliverable housing sites, where the development is physically well related to an existing settlement and is of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure.
- 3.4 The proposed development falls within these circumstances. The Council's 2.8-year housing land supply establishes an evidenced unmet need for housing. The site directly adjoins existing residential development to the west and the northern part of the application site benefits from extant permission for 71 dwellings. The Committee Report accordingly concludes that *"the proposed development would be experienced as a logical extension to the established built form of Malmesbury"*.
- 3.5 The Committee Report also concludes that *"the development would be sustainably located"* and that future residents would be offered *"a genuine choice of transport modes"*. It also records that *"safe vehicular access can be provided for the proposed development"*. The necessary infrastructure and mitigation can be secured through conditions and the proposed Section 106 agreement. The proposal is therefore of a scale which can be accommodated taking into account the existing and proposed availability of infrastructure, as required by Policy S5(1)(j).
- 3.6 The conflict with the development plan is mainly because the site lies outside the defined settlement boundary. Core Policy 1 nevertheless identifies Malmesbury as a Market Town with the potential for significant development

to increase homes and jobs, sustain and enhance local services and facilities, improve self-containment, and promote viable sustainable communities. The proposal therefore conflicts primarily with the settlement boundary approach in Core Policy 2, rather than with the wider strategy for Malmesbury as a location for growth.

- 3.7 Policy S5(1)(j) now expressly provides for housing development outside settlements in circumstances such as these. Insofar as the restrictive effect of Core Policy 2 would prevent development which meets the requirements of Policy S5(1)(j), there is a material inconsistency with the national decision making policy. Annex A confirms that development plan policies, or parts of policies, which are materially inconsistent with the national decision making policies should be given very limited weight.
- 3.8 The 2026 NPPF therefore provides express national policy support for the principle of development in these circumstances. Annex A is also relevant to the weight which can properly be attached to the identified conflict with the settlement boundary.

Housing delivery

- 3.9 Policy HO7 requires substantial weight to be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community. The proposal would deliver up to 149 homes in the context of the Council's substantial housing land supply shortfall. This is consistent with the detailed planning balance in the Committee Report, which affords substantial weight to the provision of 149 new dwellings.

Affordable housing

- 3.10 The proposal would provide 40 per cent affordable housing, comprising up to 60 homes, in accordance with the Council's identified requirement. The Committee Report affords substantial weight to this provision.
- 3.11 Policy HO8 requires development proposals to meet or exceed up-to-date development plan requirements for the proportion and mix of affordable housing tenures relevant to the location. The proposal is consistent with that approach. The August 2026 NPPF therefore does not alter the Council's conclusions, and the provision of affordable housing remains a substantial benefit of the proposal.

Neighbourhood Plan

- 3.12 Policy S6 sets out the circumstances in which conflict with a neighbourhood plan may affect the presumption in favour of sustainable development. For housing proposals which conflict with a neighbourhood plan, this applies where the neighbourhood plan became part of the development plan five

years or less before the decision is made and contains allocations to meet its identified housing requirement.

- 3.13 The Malmesbury Neighbourhood Plan was made in 2015 and is therefore more than five years old. Policy S6 is not engaged. This is consistent with the conclusion already reached in the Committee Report under the equivalent provisions of the previous NPPF.

Agricultural land

- 3.14 Policy N2 requires the quality of agricultural land to be taken into account and, where significant development of agricultural land is necessary, areas of poorer quality land to be used where possible.
- 3.15 The Committee Report confirms that the site comprises Grade 3b agricultural land and would not result in the loss of best and most versatile agricultural land. The limited weight afforded to the loss of agricultural land in the Committee Report therefore remains appropriate.

Scale, design and landscape impact

- 3.16 Policies L3 and DP3 require development to make efficient use of land and respond positively to its context, while Policy N2 requires consideration of landscape character and the natural beauty of the countryside.
- 3.17 The Committee Report describes the site as comprising agricultural fields of “ordinary landscape character” and concludes that the proposal would be experienced as “a logical extension” to Malmesbury and would not result in “any unacceptable landscape harm”. Policy N4 also requires development within the setting of a Protected Landscape to be sensitively located and designed to avoid or minimise adverse impacts. The site lies approximately 1.3 kilometres west of the Cotswolds National Landscape, and the Council’s Landscape Officer raises no objection, subject to appropriate landscaping, tree protection and management conditions.
- 3.18 Appearance, landscaping, layout and scale remain reserved matters and will be required to respond to the relevant design, landscape and tree planting policies. The August 2026 NPPF does not therefore alter the conclusions reached in the Committee Report.

Heritage and archaeology

- 3.19 The Committee Report records an objection from the Council’s Conservation Officer on the basis that the proposal would result in less than substantial harm to the heritage assets at Whychurch Farm and, to a lesser degree, to the Grade I listed Abbey Church of St Mary and St Aldhelm as a result of changes within their settings.
- 3.20 Policies HE5 and HE6 provide the relevant national decision-making framework. Policy HE6 requires substantial weight to be given to the conservation of designated heritage assets, with greater weight applying to

assets of greater importance. Any harm to a designated heritage asset is a matter of considerable importance and weight.

- 3.21 Where harm would arise, Policy HE6 requires the effect on the asset and its significance to be weighed against any public benefits resulting from the proposal. The Committee Report undertakes this balance and identifies *“the provision of 149 new dwellings, 40% (60 units) of which would be affordable housing; economic uplift through construction jobs and post-occupation local expenditure; delivery of a measurable and meaningful uplift in biodiversity; the provision of new public open space; and contributions towards improving desirable local walking and cycling routes”*. It concludes that *“the range of public benefits listed above are extensive and sufficient to outweigh the identified less than substantial harm to the significance of the designated heritage assets”*.
- 3.22 The August 2026 NPPF therefore does not alter the basis of the heritage balance undertaken in the Committee Report, or the conclusion reached. Any representations received from Historic England will need to be considered by the Council as part of its determination of the application.
- 3.23 Policy HE10 requires heritage assets with archaeological interest to be preserved in situ where feasible. Where this is not possible, appropriate provision should be made for their investigation, understanding, recording, dissemination and archiving. The Council’s Archaeology Officer raises no objection subject to appropriate conditions, and the Committee Report confirms that the site has already been subject to geophysical survey, desk-based assessment and two phases of trial trench evaluation, with further Archaeological Strip, Map and Record excavation to be secured by condition.

Access, parking and sustainable transport

- 3.24 Policy TR3 requires development which could generate a significant amount of movement to be located in sustainable locations, limiting the need to travel, particularly by private car, and offering a genuine choice of transport modes. Policy TR6 requires appropriate transport assessment and a Travel Plan and provides that development should be refused where it would have a severe adverse impact on the transport network or an unacceptable impact on highway safety.
- 3.25 The Committee Report concludes that the proposal *“would be sustainably located”* having regard to the site’s relationship with Malmesbury and its proximity to education, employment and retail facilities. It also concludes that future residents would have *“a genuine choice of transport modes, including walking, cycling and public transport”* and records that *“safe vehicular access can be provided for the proposed development”*. The Local Highway Authority raises no objection to the proposal.
- 3.26 The application is supported by a Transport Assessment and Framework Travel Plan. The Committee Report also secures a Travel Plan by condition and Section 106 contributions towards new bus stops and local walking and

cycling connections. The conclusions reached in the Committee Report therefore remain consistent with Policies TR3 and TR6.

Ecology and biodiversity

- 3.27 Policy N2 requires development to minimise adverse impacts on biodiversity, take suitable opportunities to connect to and strengthen ecological networks, and incorporate green infrastructure and features which support priority or threatened species.
- 3.28 The Committee Report confirms that, following the submission of updated ecological information, the Council's Ecology Officer raises no objection subject to conditions securing the necessary ecological mitigation, management and monitoring measures. The proposal is also subject to the statutory Biodiversity Net Gain requirement, with on-site monitoring to be secured through the Section 106 agreement.
- 3.29 Policy N2 also expressly requires integrated nest boxes, commonly known as swift bricks, to be incorporated into development unless there are compelling technical reasons which prevent their use or would make them ineffective. This is consistent with the North Wiltshire Swifts consultation response, which states that "*the proposed integration of swift boxes should be encouraged*", endorses a density of "*1 box per dwelling*" and recommends that "*Swift boxes should be secured by condition*". The new national policy requirement can therefore be secured through an additional appropriately worded condition and does not alter the acceptability of the development in principle.

Flood risk and drainage

- 3.30 Policies F4 to F8 set out the national decision-making approach to flood risk and drainage. Development should be safe from flooding throughout its lifetime, should not increase flood risk elsewhere and, where relevant, should incorporate sustainable drainage systems to control flow rates and reduce runoff volumes.
- 3.31 The Committee Report confirms that the site lies within Flood Zone 1 and that the identified surface water flow route along the western boundary lies outside the proposed development area. It concludes that the sequential test is not required and that the development would not increase flood risk on the site or elsewhere. Wiltshire Council Drainage raises no objection, subject to a condition securing the submission of a final surface water drainage strategy.

Energy and sustainability

- 3.32 Policies CC2 and CC3 address climate change mitigation and adaptation. They require development, where relevant, to support sustainable patterns of movement and good access to facilities, use design approaches which conserve energy and other resources, provide infrastructure for zero

emission vehicles, incorporate sustainable drainage and green infrastructure, and respond to the effects of climate change.

- 3.33 The Committee Report recognises that, at outline stage, detailed measures relating to layout, building design, landscaping and water management cannot yet be secured. It therefore recommends a condition requiring a Sustainable Energy Strategy to be submitted at reserved matters stage, addressing matters including site layout, building materials, renewable energy provision, EV charging, green and blue infrastructure and water usage. A separate condition also requires an Electric Vehicle Charging Strategy.
- 3.34 Subject to these conditions, the Committee Report concludes that “*a low-carbon design that is resilient to the impacts of climate change can be secured*”. The August 2026 NPPF does not alter that conclusion.

4.0 Planning balance and conclusion

- 4.1 The 2026 NPPF provides express national policy support for housing development outside settlements where there is an evidenced unmet need and the requirements of Policy S5(1)(j) are met. As set out above, the proposal satisfies those requirements.
- 4.2 Policy HO7 requires substantial weight to be given to the benefits of providing homes which contribute towards meeting evidenced accommodation needs. This is consistent with the detailed planning balance in the Committee Report, which affords substantial weight to the provision of 149 homes and substantial weight to the provision of 60 affordable homes.
- 4.3 The Committee Report identifies moderate weight to the conflict with the spatial strategy, limited weight to landscape change and loss of open countryside, significant weight to the identified heritage impact, and limited weight to the loss of agricultural land. It nevertheless concludes that the extensive public benefits are sufficient to outweigh the identified less than substantial heritage harm and that the adverse impacts of granting permission do not significantly and demonstrably outweigh the benefits.
- 4.4 Overall, the identified adverse effects do not substantially outweigh the benefits of approving the development when assessed against the national decision-making policies in the 2026 NPPF. The proposal therefore falls within the circumstances in which Policy S5 indicates that development should be approved. The 2026 NPPF provides clear support for the proposal and does not alter the Council’s recommendation that outline planning permission should be granted, subject to completion of the Section 106 agreement and appropriate planning conditions.