

Planning History, Unresolved Constraints and Current NPPF Position

Land East of The Dene / Home Farm, Boreham Road, Warminster

Planning application PL/2026/02717 – Bellway Homes

1. Introduction

This submission concerns Bellway Homes' application PL/2026/02717 for 135 dwellings at Land East of The Dene, Home Farm, Boreham Road, Warminster.

The application should not be considered in isolation from the extensive planning history of this site.

The land has been examined on a number of occasions through strategic planning and housing-site selection processes. Of particular importance is the independent examination of the Wiltshire Housing Site Allocations Plan in 2020, when an independent Planning Inspector concluded that the proposed allocation of Land East of The Dene should be deleted because of unresolved heritage and related concerns.

Those concerns included:

- the setting of Grade II listed Bishopstrow House;
- Bishopstrow Conservation Area;
- Bishopstrow Home Farm;
- the historic relationship between the buildings and their surrounding agricultural landscape;
- the historic wall along Boreham Road;
- archaeological interest;
- the effect of a new access;
- landscape and visual impacts;
- potential coalescence between Warminster and Bishopstrow; and
- the cumulative effect upon the historic environment.

The significance of that previous decision has increased rather than diminished with the publication of the August 2026 National Planning Policy Framework (NPPF).

The new NPPF expressly states that its national decision-making policies are material considerations in determining planning applications and that planning decisions must also comply with relevant statutory requirements. It specifically confirms that the NPPF does not displace the statutory duties under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The question for Wiltshire Council is therefore not simply whether 135 houses can physically be accommodated on the site.

The fundamental question is:

“What material change has occurred since the 2020 independent examination which demonstrates that the heritage, access, archaeological, landscape and other constraints which led the Inspector to conclude that the site was unsuitable for allocation have now been satisfactorily overcome by the substantially larger Bellway proposal?”

2. The 2020 Independent Examination

The most significant piece of planning history is the examination of the Wiltshire Housing Site Allocations Plan by Inspector Steven Lee.

The Inspector considered proposed allocation H2.7 – Land East of The Dene.

At paragraph 97 of his report, the Inspector identified several heritage constraints, including the setting of Grade II listed Bishopstrow House, Bishopstrow Conservation Area, other listed buildings and potential effects on views

from Battlesbury Camp.

At paragraph 98, the Inspector identified particular concern regarding:

- the setting of Bishopstrow House;
- the contribution made by Home Farm;
- the proposed Boreham Road access;
- loss of a significant section of historic wall;
- the importance of that wall to the character of the road and Conservation Area; and
- the potential effects of an access road through the southern part of the site.

The Inspector stated that he was not convinced that the inevitable change in character would not result in unacceptable harm.

At paragraph 99 he concluded that there was likely to be significant cumulative impact on designated and undesignated heritage assets and that there was insufficient certainty that the impacts could be satisfactorily mitigated.

He concluded that serious doubts remained as to whether any form of development could avoid unacceptable impact on the character, appearance or significance of the heritage assets.

At paragraph 100, notwithstanding the need for housing, the Inspector concluded that the benefits did not outweigh the identified harm and that the allocation was unjustified and contrary to national policy.

The allocation was consequently deleted from the Plan.

These findings are highly material to the present application. They do not constitute a refusal of the current Bellway application, but they represent the conclusions of an independent Planning Inspector following examination of the same land and substantially the same fundamental access and heritage relationship.

3. The 2026 NPPF – the new national policy framework

The new NPPF was published by the Government on 17 August 2026 and replaces the previous December 2024 Framework.

The Framework states that the national decision-making policies are material considerations in determining planning applications.

It also confirms that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise and expressly preserves the statutory duties under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Home Farm application therefore needs to be assessed against the specific decision-making policies of the new NPPF.

4. Development outside settlements – NPPF S5

The new NPPF contains a specific policy dealing with development outside settlements: S5 – Principle of development outside settlements.

S5 states that only certain forms of development should be approved outside settlements. The specified categories include, amongst other things, development allocated in the development plan where the allocation lies outside a settlement.

This is important because Home Farm is not an allocated housing site in the adopted development plan.

The application is therefore not in the same policy position as an allocated housing site which has already undergone the necessary strategic assessment and balancing exercise.

The fact that housing is needed does not, of itself, turn an unallocated countryside site into an appropriate location for development.

The location must still be assessed against the relevant national decision-making policies, including those concerning heritage, transport, flooding and the natural environment.

5. Heritage – NPPF HE4

The new NPPF HE4 – Securing the conservation of heritage assets is directly relevant to Home Farm.

HE4 states that heritage assets are an “irreplaceable resource” and that development proposals affecting the significance of heritage assets, including the contribution made by their setting, should avoid or, where this is not possible, minimise harm.

HE4 also states that any harm to, or loss of, the significance of a designated heritage asset, including from development within its setting, should have a clear and convincing justification.

This is directly relevant to:

- Bishopstrow House;
- Bishopstrow Conservation Area;
- the historic wall along Boreham Road;
- the setting of Bishopstrow Home Farm; and
- the wider historic agricultural landscape.

The 2020 Inspector's concern was precisely that the development would fundamentally change the character and setting of these assets.

The fact that Bellway now proposes landscaping and a green buffer does not remove the need to establish whether the development itself causes harm to heritage significance.

6. Assessment of heritage effects – NPPF HE5

NPPF HE5 – Assessing effects on heritage assets requires development proposals affecting heritage assets to be properly assessed.

The assessment must consider effects on the significance of heritage assets, including effects on their setting, and must identify whether the proposal would result in harm.

HE5 also specifically requires appropriate assessment where archaeological interest may be involved, including desk-based assessment and, where necessary, field evaluation. The results should inform the understanding of significance and the design, mitigation and implementation of the development.

This is highly relevant given the archaeological findings previously identified on the site.

The 2018 Historic Environment Assessment recorded extensive multi-period archaeological assets, including prehistoric remains of potentially regional significance.

The 2020 Inspector was therefore considering a site with known archaeological and historic-environment constraints rather than merely theoretical heritage sensitivity.

Wiltshire Council should therefore demonstrate that the current application has genuinely overcome those previous concerns rather than merely proposing mitigation measures around them.

7. Designated heritage assets – NPPF HE6

NPPF HE6 – Proposals affecting designated heritage assets is particularly important.

HE6 states that when considering the potential effect of development on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation, with greater weight for more important assets.

Where a proposal would harm the significance of a designated heritage asset, that effect must be weighed against the public benefits of the proposal.

This provides an important framework for the current application.

Bellway's provision of:

- 135 homes;
- affordable housing;
- public open space;
- biodiversity measures; and
- economic benefits

does not automatically make the scheme acceptable.

If heritage harm is identified, the Council must undertake the balancing exercise required by HE6.

The correct question is therefore:

“Do the public benefits of the 135-home proposal outweigh the identified harm to the significance and setting of the designated heritage assets?”

That is substantially different from simply asking whether mitigation has been proposed.

8. Non-designated heritage assets – NPPF HE7

The new NPPF also contains HE7 – Decisions on non-designated heritage assets.

Where development would harm the significance of a non-designated heritage asset, that harm must be weighed against the benefits of the proposal, taking account of both the scale of harm and the significance of the asset.

This is directly relevant to:

- Bishopstrow Home Farm;
- the historic wall;
- the historic agricultural relationship between Home Farm and Bishopstrow House; and
- archaeological remains which may constitute heritage assets of archaeological interest.

The fact that an asset is not statutorily listed does not mean that it can simply be disregarded.

9. Conservation Areas and the historic wall

The proposed access from Boreham Road is particularly significant.

The 2020 Inspector identified the loss of part of the historic wall as one of the principal heritage concerns.

The wall is not simply an obstruction to be removed to facilitate a highway.

Its historic and visual relationship with Boreham Road and the Conservation Area is part of the significance of the historic environment.

The current proposal therefore needs to be assessed against the new NPPF heritage policies as a development which potentially causes harm through:

- alteration of the historic boundary;
- introduction of a substantial new residential access;
- associated highway infrastructure;
- visibility splays;
- street lighting;
- traffic movements;
- suburbanisation; and
- the transformation of the relationship between the road, agricultural land and heritage assets.

This is remarkably close to the concern expressed by the 2020 Inspector.

10. Transport – NPPF TR3 and TR6

The new NPPF's transport policies provide an additional important test.

TR3 – Locating development in sustainable locations requires development generating significant movement to be located where it can support sustainable patterns of movement and limit the need to travel by private car. It also requires significant adverse impacts on the transport network or highway safety to be mitigated to an acceptable degree.

TR6 – Assessing transport impacts requires significant development to be supported by an appropriate transport assessment and travel plan. It also requires future scenarios and potential cumulative impacts to be considered.

Most importantly, TR6(4) states that development proposals should be refused where they would have a severe adverse impact on the transport network, including cumulative impacts, or an unacceptable impact on highway safety.

This applies both during construction and after completion.

The access arrangement therefore needs to be examined not merely on the basis that Wiltshire Highways considers the access technically achievable.

The Council should consider:

- the effect of traffic generated by 135 dwellings;
- the operation of Boreham Road;
- the proximity of the proposed access to Home Farm Lane;
- turning movements;
- queues;
- visibility;
- pedestrian and cycle movements;
- cumulative traffic;
- highway safety;
- construction traffic; and
- the interaction between the new development and existing residential traffic.

A technically achievable access is not necessarily a policy-compliant access.

11. Natural environment – NPPF N2

The new N2 – Improving the natural environment requires development proposals to consider the environmental qualities of land, including habitats, landscape character and the natural beauty of the countryside.

N2 also requires development to conserve and enhance existing natural features of visual, historic or nature-conservation value, including established trees and hedgerows.

Importantly, N2(2) provides that where significant harm to biodiversity cannot be avoided, adequately mitigated or, as a last resort, compensated for, the development should be refused.

This is important because the existence of biodiversity net gain does not automatically neutralise all environmental harm.

The question is whether the particular location is appropriate for this scale of development and whether the site's existing environmental and landscape qualities can genuinely be conserved.

12. Landscape and the rural setting of Bishopstrow

The previous assessments repeatedly identified the importance of the open agricultural setting around Bishopstrow House and Home Farm.

The 2018 Historic Environment Assessment concluded that development could:

- remove the agricultural setting of Bishopstrow House;
- sever historic relationships;
- suburbanise the wider setting;
- affect the Conservation Area;
- affect views; and
- contribute to coalescence between Warminster and Bishopstrow.

These concerns remain directly relevant under the new NPPF N2.

The issue is not simply whether the completed development can be screened by trees.

The Council must consider whether the introduction of 135 houses fundamentally changes the character of the landscape and its relationship with the historic environment.

13. Flooding and drainage – NPPF F4, F5, F6, F7 and F8

The new NPPF contains a comprehensive set of flood-risk policies.

F4 requires an appropriate site-specific flood-risk assessment where applicable.

F5 requires the sequential approach to steer development towards areas with the lowest risk of flooding and states that development should not be located in areas at risk where reasonably available alternatives exist in lower-risk areas.

F7 – Ensuring development is safe from flooding is particularly important.

It states that development should not present a flood risk to potential occupiers, users or visitors and should not increase flood risk elsewhere.

Where development is proposed in a location known to be at risk from flooding, it should be refused unless the specified safety, resilience and mitigation requirements are met.

F8 also requires sustainable drainage systems to be incorporated into development where appropriate and requires major development to take account of advice from the Lead Local Flood Authority.

Given the site's known groundwater, surface-water and drainage considerations, the Council should therefore be satisfied not merely that SuDS can be installed but that the development will not worsen existing problems or transfer flood risk to neighbouring properties or land.

14. Water quality and the River Avon SAC

The site's relationship with the River Avon catchment also remains relevant.

Previous Wiltshire evidence identified phosphate and nutrient constraints affecting development around Warminster.

The issue should therefore be considered alongside the new NPPF environmental policies, particularly N1, N2 and N6 where relevant.

The Council must be satisfied that the proposed development can be accommodated without unacceptable effects on protected water-dependent ecological interests and that any required mitigation is demonstrably effective and deliverable.

15. Continuity of constraints

The objections to Home Farm have not simply been generated by the current application.

The same fundamental issues have appeared repeatedly through successive planning exercises:

Heritage:

- Bishopstrow House;

- Bishopstrow Conservation Area;
- Home Farm;
- historic wall;
- historic landscape relationship;
- archaeological remains.

Access and highways:

- difficulty of providing an appropriate access;
- impact of a Boreham Road access;
- highway safety;
- traffic generation;
- cumulative impacts.

Landscape:

- loss of open agricultural setting;
- suburbanisation;
- visual impact;
- potential coalescence between Warminster and Bishopstrow.

Environmental matters:

- drainage;
- flooding;
- biodiversity;
- water quality and phosphate.

The important issue is therefore not simply that objections have existed for many years.

It is that independent and professional planning assessments have repeatedly identified the same underlying constraints.

16. The 2023 Wiltshire Local Plan evidence

The 2023 Wiltshire Local Plan evidence is particularly significant because it post-dates the 2020 Inspector's decision.

The assessment of Land East of The Dene identified:

- accessibility concerns associated with the site's location;
- heritage assets around the site;
- potential landscape impacts;
- potential traffic impacts;
- and environmental constraints.

Most importantly, the subsequent site-specific assessment identified heritage and access grounds as reasons for excluding Land East of The Dene from further consideration.

The wider Sustainability Appraisal also concluded that no sites should be taken forward at Warminster, with significant environmental constraints including the River Avon SAC/phosphate issue.

This demonstrates that the fundamental concerns identified by the 2020 Inspector had not simply disappeared.

17. The present proposal is materially larger than the previously examined allocation

The site previously considered through the strategic planning process was proposed for approximately 100 homes.

Bellway is now seeking permission for 135 dwellings.

The present proposal therefore needs to demonstrate not only that the previous objections have been overcome, but that the site can accommodate a materially larger development without increasing the identified harm.

That is particularly relevant to:

- traffic;
- access;
- landscape;
- visual impact;
- heritage setting;
- archaeological impact;
- drainage;
- biodiversity; and
- the character of the rural edge.

It would be unsafe to assume that mitigation which might have been capable of supporting a smaller scheme necessarily makes a 135-dwelling scheme acceptable.

18. The absence of an allocation

The current application is also materially different from a proposal on an allocated housing site.

The site is not presently an adopted housing allocation.

The proposed allocation in the emerging Warminster Neighbourhood Plan has also been removed following consultation.

The new NPPF emphasises the importance of a genuinely plan-led planning system. It states that the planning system should prioritise up-to-date development plans and direct development towards appropriate and sustainable locations.

The absence of an allocation does not create an absolute prohibition on development.

However, it means that the Council must consider whether this particular site is an appropriate location for development rather than starting from the premise that the principle of development has already been established.

19. The central planning balance

The new NPPF does not mean that housing delivery overrides every other planning consideration.

The Framework recognises that sustainable development has economic, social and environmental objectives which are interdependent.

In this case the social benefit of additional housing must be considered alongside:

- heritage harm;
- landscape harm;
- highway and transport impacts;
- archaeological impacts;
- biodiversity;
- flooding and drainage;

- water-quality constraints;
- loss of the rural setting;
- and the absence of a current allocation.

The Council should therefore resist any suggestion that the provision of 135 dwellings automatically outweighs these considerations.

20. The critical question arising from the 2020 Inspector's decision

The 2020 Inspector reached a very clear conclusion:

There was insufficient certainty that development of the site could avoid unacceptable harm to the character, appearance or significance of the relevant heritage assets.

That conclusion should now be tested against the August 2026 NPPF HE4, HE5, HE6 and HE7 policies.

The applicant should therefore be required to demonstrate precisely what has changed.

In particular:

- 1. What new evidence demonstrates that the setting of Bishopstrow House can now be preserved satisfactorily?**
- 2. How has the historic relationship between Bishopstrow House, Home Farm and the surrounding agricultural landscape been protected?**
- 3. Why is the proposed loss or alteration of the historic Boreham Road wall now acceptable?**
- 4. How has the proposed access overcome the concern identified by the 2020 Inspector?**
- 5. How has the archaeological significance of the site been addressed in accordance with NPPF HE5?**
- 6. What evidence demonstrates that the larger 135-home scheme does not cause unacceptable landscape harm?**
- 7. What evidence demonstrates compliance with NPPF TR3 and TR6?**
- 8. How will the proposal satisfy NPPF F5, F7 and F8 in respect of flood risk and drainage?**
- 9. How will the proposal satisfy NPPF N2 where existing landscape and ecological qualities are affected?**
- 10. Most importantly, what material change has occurred since 2020 which demonstrates that the reasons for deleting allocation H2.7 no longer apply?**

21. Conclusion

The planning history of Home Farm demonstrates a consistent pattern.

The site has repeatedly been identified as a potentially attractive location for housing in purely spatial terms, but significant constraints have prevented it from becoming an acceptable housing allocation.

The most important of those constraints were examined independently in 2020.

The Inspector concluded that the heritage consequences of development could not be demonstrated to be acceptable with sufficient certainty.

Those concerns remain directly relevant under the new August 2026 NPPF.

The new Framework provides a clear policy framework for assessing them:

- S5 – Principle of development outside settlements;
- TR3 – Locating development in sustainable locations;
- TR6 – Assessing transport impacts;
- F4–F8 – Flood-risk and drainage requirements;
- N2 – Improving the natural environment;
- HE4 – Securing the conservation of heritage assets;
- HE5 – Assessing effects on heritage assets;
- HE6 – Proposals affecting designated heritage assets; and
- HE7 – Decisions on non-designated heritage assets.

The new NPPF therefore does not weaken the historic objections to Home Farm. In several respects it provides a clearer policy framework within which those objections can be assessed.

The central planning issue is whether Bellway has demonstrated that the longstanding constraints have genuinely been overcome.

On the evidence available, there remains a substantial question as to whether it has.

For these reasons, and particularly having regard to the conclusions of the 2020 independent examination and the requirements of the August 2026 NPPF, Wiltshire Council should refuse planning application PL/2026/02717.