

Appellant's comments to NPPF August 2026

Appeal by: Mr T. Waldron
Site Address: Park Farm Barn, Lacock Road, Westrop, Corsham. SN13 9QF
Appeal Reference: 6009057
Our Reference: 2469A_6009057_NPPF_Comments

- 1.0 Thank you for the opportunity to comment following the publication of the revised National Planning Policy Framework (August 2026). The Appellant notes the comments made by Wiltshire Council in response to the invitation, and would make the following points.
- 2.0 **Policy S5; 'Principle of development outside settlements'**
- 3.0 **S5(1)** confirms that the forms of development listed should be approved '*unless the benefits of doing so would be substantially outweighed by any adverse effects*' (emphasis added). S5(1)(c) identifies the reuse of buildings of permanent and substantial construction is a form of development acceptable outside of settlements, which is the case in relation to the appeal building. The LPA have not identified any *substantial* adverse effects of the proposed development in their reason for refusal, other than deviation from the spatial strategy set out in CP1, CP2, and CP11 of the Wiltshire Core Strategy. Equally, conflict with a s106 Legal Agreement is not evidence of a *substantial* adverse effect.
- 4.0 While the appeal development is not new-build, it may also be supported by **S5(e)** as the change of use of the appeal building would result in the limited infill of residential development within a group of houses.
- 5.0 It is common ground that the LPA cannot demonstrate a sufficient supply of housing land. **S5(1)(j)** supports development outside of settlements that would address an evidenced unmet need where it would '*be physically well-related to an existing settlement unless the nature of the development would make this inappropriate*' (emphasis added). Clearly it

would be inappropriate to require a proposal for a change of use of a building of substantial construction to meet the test of proximity given its fixed location.

- 6.0 **S5(3)** confirms that ‘isolated homes’ ‘are those lying outside settlement or groups of houses’ and should be the subject of assessment under policy **HO11**. It is common ground between the Appellant and LPA that the appeal site is not in an isolated location and therefore **HO11** is not relevant to the consideration of the appeal development.

7.0 **Policy L2; ‘making effective use of land’**

- 8.0 **L2** is also relevant to the consideration of the appeal development, directing that in decision making substantial weight should be given to ‘*making better use of vacant and underutilised land and buildings (such as: by bringing back into residential use empty homes and other suitable buildings)*’ (**L2(1)(b)**).

9.0 **Comments in response to the LPA addendum statement**

- 10.0 The Appellant agrees that the development plan policies are not materially inconsistent with the NPPF 2026, however, there is clear evidence of unmet need for housing which supports positive consideration of sustainable development outside of settlements under **S5** and the ‘*substantial weight*’ that should be given to the benefits of providing homes under **HO7**.
- 11.0 The Appellant also agrees that policies **TR3**, **CC2** & **DP3(2)(d)** are of relevance and align with the policies of the WCS under which planning permission was granted for residential conversion of Park Farm Stables (produced as Appendix 2 of the Appellant’s Statement of Case).

12.0 **Concluding notes**

- 13.0 The new NPPF takes a positive position in relation to development outside of settlement boundaries by confirming the instances in which such development accords with the principles of sustainable development. Critically, the presumption in favour of development that accords with **S5** should only be refused where ‘*the benefits of doing so are substantially outweighed by any adverse effects*’. The LPA have not identified any such substantial harm arising from the development, other than conflict with their spatial strategy and a legal agreement.

- 14.0 **DM3(f)** confirms that LPA's '*should not refuse applications for development which should clearly be approved, having regard to their accordance with the development plan, the policies in this Framework and any other material considerations*'.
- 15.0 In this case, the extremely limited deviation from spatial strategy is clearly outweighed by the policies of the new NPPF and material considerations including the unmet housing need and comparable planning decisions, particularly that of Park Farm Stables.
- 16.0 The appeal development is supported by policies **S5(c), (e), (j)(i), HO7 & L2** of the NPPF 2026 and is thereby sustainable development. It is therefore respectfully requested that the appeal be ALLOWED.