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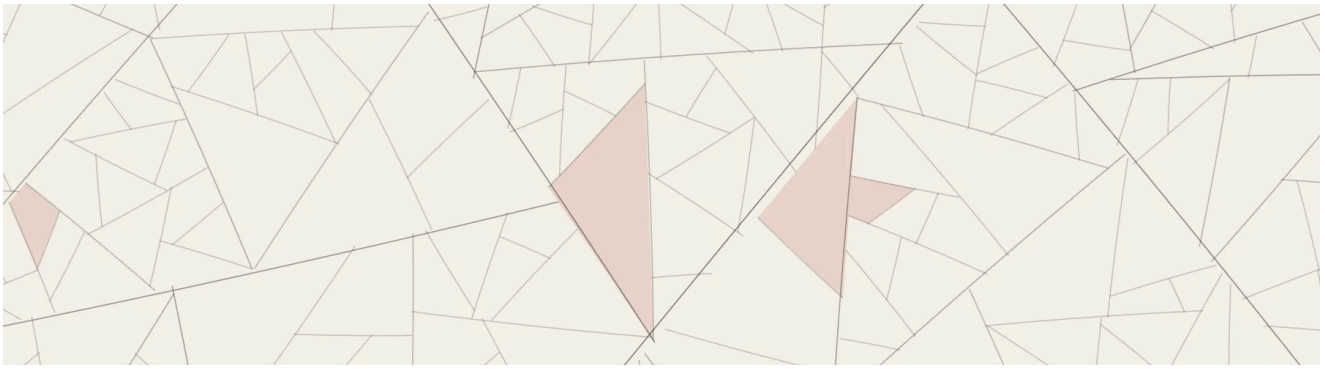
21 August 2026

ON THE GROUND

How a parish council objects to housing under the new framework, and the *ground that still works.*

The tilted balance has gone, and with it the argument most objections were built around. What replaced it hands a parish council two things it did not have before, and takes away one it relied on. A practical guide to which ground is worth standing on now, and which is not.

The Editor



Ground Level, generated

If you sit on a parish or town council, the guide this publication wrote for you in June is now a historical document. It explained how to fight the tilted balance at paragraph 11(d). That provision was removed on 17 August 2026 and the framework that replaced it works differently.

This is the replacement. It assumes you have a housing application in front of you, or are about to.

The short version is that the fight has moved. It used to be an argument about how much weight your council's policies still carried. It is now an argument about which category a site falls into, and then about a small number of policies that say, in terms, that a proposal should be refused.

Whether the site is inside or outside the settlement decides everything else.

Most people do not know the answer for their own parish, and it is the first thing to establish.

The framework now routes every decision one of two ways. Inside a settlement, policy S4 applies and there is no list to get onto. Outside a

settlement, policy S5 applies and a housing scheme must fit one of ten permitted categories before the planning balance is reached at all.

The framework defines a settlement in its glossary at Annex B. It covers cities, towns, villages and other predominantly built-up areas, and it picks up areas defined as a settlement in the development plan, whether by a drawn boundary or by criteria where no boundary exists. It excludes hamlets and scattered groups of houses unless the plan specifically defines them as a settlement.

Two parts of that definition catch people out.

Land which is **allocated**, or which **has permission**, and which will form part of the built-up area once complete, is inside the settlement. So the boundary moves when consent is granted, not when the houses are built. If a scheme near you won an appeal last year, the edge of your settlement has already moved outward.

And the definition is inclusive. A village is a settlement whether or not the local plan names it, because the glossary covers villages and other predominantly built-up areas in their own right, and a boundary in the plan adds to that rather than limiting it. The exclusions are the hamlets and scattered groups of houses already mentioned, unless the plan defines them as a settlement, and villages washed over by Green Belt in the development plan. Development in one of those places is treated as outside a settlement, which is a stronger position for an objector than most small parishes realise.

Policy S2 now requires plans to identify settlements and their boundaries. Many adopted plans do not, or use development boundaries drawn decades ago for a different purpose. Ask your district planning policy team where the line runs and what evidence it rests on. If they cannot answer cleanly, that is worth knowing before you write anything.

If the site is outside the settlement, you have two new gates.

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> Conditions a housing scheme outside a settlement must satisfy before the planning balance is even reached: that it is physically well related to an existing settlement, and of a scale the infrastructure can accommodate. Under the old framework both were factors to be weighed. They are now gates.
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> SOURCE · NPPF, AUGUST 2026, POLICY S5(1)(J)

A speculative housing scheme outside a settlement gets in through policy S5(1)(j), which covers development addressing an evidenced unmet need. That includes a council which cannot demonstrate a five year supply, or which scored below 75% in the most recent Housing Delivery Test. If your district is in that position, the applicant has a route.

But two conditions attach, and this is the part that is new. The development must be **physically well related to an existing settlement**, and it must be **of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure**.

Under the old framework both of those were factors thrown into a balance that housing need usually won. They are now conditions of qualifying. A scheme that fails either does not get into the category, and the balance never runs.

This matters most for infrastructure. Objections about roads, schools, surgeries and drainage have historically been the weakest kind, raised in almost every case and decisive in almost none. As a gateway condition they are a different instrument entirely. If you are going to spend your evidence budget on one thing, spend it here, and spend it on documents from bodies with statutory weight: the highway authority's own consultation response, the water company's, the county council's school place forecasts.

There is also policy S5(4). A proposal that fits none of the ten categories should only be approved in exceptional circumstances where the benefits substantially outweigh the adverse effects, including to the character of the countryside. For a site that stands apart from any settlement, that is a higher bar than the tilted balance ever was.

If the site is inside the settlement, the list is shorter but it exists.

Policy S4 says development inside a settlement should be approved unless the benefits would be substantially outweighed by adverse effects. That is a permissive default, and there is no category gate.

The framework then does something useful: it gives examples of when adverse effects are likely to be substantial enough. Policy S4(2)(a)(ii) names a substantial adverse impact on existing recreational land and facilities (HC7), Local Green Space (HC8), areas of particular importance for biodiversity and geodiversity (N6), Protected Landscapes (N4), and development within residential curtilages.

Those five are the named leverage inside a settlement. If your objection can be anchored to one of them, anchor it there.

The refusal duties, which are the ground that does not move.

This is the most important section of this guide.

Both S4 and S5 provide that the benefits are likely to be substantially outweighed where a proposal fails to comply with a national policy that states development should be refused in specific circumstances. Those duties apply inside a settlement and outside it. They survive a site being allocated. They are the durable part of an objection.

For a rural parish the ones that matter are:

N4(2), Protected Landscapes. Major development within a National Landscape or National Park should be refused other than in exceptional circumstances, and where it is demonstrably in the public interest.

> # N4(2)
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> Major development in a Protected Landscape should be refused other than in exceptional circumstances. Whether a proposal counts as major is a matter for the decision-maker, taking into account its nature, scale and setting. It is not the 10 home threshold used elsewhere.
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> SOURCE · NPPF, AUGUST 2026, POLICY N4 AND FOOTNOTE 59

Note what "major development" means here. Footnote 59 says that for this policy it is a matter for the decision-maker, taking into account the proposal's nature, scale and setting, and whether it could significantly harm the pur-

poses of the designation. It is not the 10 dwelling threshold used elsewhere in the framework. A scheme well under 10 homes can be major development in this context, and a council that applies the 10 home threshold here has misread the policy.

N4(4) is the companion, and it is the one for parishes just outside a designation. Development within the **setting** of a Protected Landscape should be sensitively located and designed to avoid or minimise adverse impacts. Being outside the boundary is not the end of the argument.

N6, biodiversity and geodiversity. Development affecting a Site of Special Scientific Interest should only be supported if there would be no adverse effect, **individually or in combination with other developments**, or the benefits clearly outweigh both the impact and the broader harm to the national SSSI network. The in-combination wording is explicit, so you can aggregate the scheme in front of you with others in the pipeline. And N6(3) says the policy applies to land inside or outside a designated area if it would affect that area's value, so a site next to a protected site is caught.

N2(2). Where significant harm to biodiversity cannot be avoided, adequately mitigated or, as a last resort, compensated for, the development should be refused. Avoidance is defined as locating on an alternative site with less harmful impacts, which is close to a sequential test and is worth running if there are other sites in your parish.

TR6(4). Development should be refused where it would have a severe adverse impact on the transport network in terms of capacity and congestion, **including cumulative impacts**, or an unacceptable impact on highway safety. Cumulative impact was already in the December 2024 framework, at paragraph 116, and it now sits in the policy itself.

HE6(5) for substantial harm to a designated heritage asset, **F6(1)(a) and F7(2)** for flood risk, and **DP3(3)** for design, which allows refusal where a proposal conflicts with explicit design standards in the development plan, including a design code in a neighbourhood plan.

> *An objection built on the character of the countryside has lost most of its force. An objection built on a policy that contains the words should be refused has not.*
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> The Editor · Ground Level, August 2026

What has stopped working.

Being honest about this will save you effort.

Paragraph 11(d). It does not exist. An objection that cites it tells the case officer its author has not read the current framework.

The weight argument. A great deal of objection writing used to be about whether the council's policies were out of date and how much weight they retained. That question has gone, and Annex A paragraph 2 now runs the other way: development plan policies materially inconsistent with the new national policies carry very limited weight. The framework does say policies should not lose weight merely for being old, so the argument is about inconsistency rather than age.

Character of the countryside on its own. It survives inside policy S5(4) for sites in no category at all, and inside the ordinary balance. As a standalone objection to an edge-of-settlement site it is now weak.

Arguing for a lower number. Be careful here. Policy L3 requires development to make efficient use of land and says proposals that do not should be refused, and inside a settlement L3(2)(a) requires schemes to contribute to an increase in density. Arguing that 150 homes should be 86 now invites the answer that 86 is the policy failure. Argue about whether the site should be developed, not about how thinly.

The two things a parish actually controls.

The local plan consultation. This is now more important than the objection to the application, and that is a change of order rather than of degree. Allocating a site moves it inside the settlement boundary, which switches it from policy S5 to policy S4 and deletes the two gates above. If a site near you is proposed for allocation and also has a live application on it, the allocation is the document that decides how the application is judged. Respond to the plan.

At that stage the test is soundness. A plan prepared under the old system faces the four tests in paragraph 36 of the December 2024 framework, and one prepared under the new system faces the five in policy PM15. Name which test the plan fails, give the evidence, and say what modification would fix it, because an inspector can only act on a modification.

The neighbourhood plan. Three things to check.

Policy S6 replaced paragraph 14. It protects a neighbourhood plan where the plan became part of the development plan five years or less before the decision, **and** it contains allocations meeting its identified housing requirement. Both conditions have to hold. A plan written to resist allocation rather than to make it does not qualify, which is the opposite of what many parishes assumed when they wrote one.

If your plan is in preparation, the date matters. A plan submitted to the local planning authority under Regulation 15 on or before 17 August 2026 continues under the December 2024 framework. Anything not submitted by then must comply with the new one, and a qualifying body that has already submitted may withdraw its plan to update it.

And Local Green Space is a real tool that parishes underuse. Policy HC2 lets a neighbourhood plan designate land that is demonstrably special to the community, local in character and close to it. Once designated, policy HC8 says development on it is determined as if it were Green Belt. That is the strongest protection available to a parish through its own document, it is named in the S4 leverage list, and it can only be done when a plan is prepared or updated.

How to write it.

Say which policy applies and why, before anything else. Inside the settlement or outside it, and if outside, which of the ten categories the applicant is relying on.

If it is outside, attack the two conditions first, with documents from statutory consultees rather than assertion.

Then name every refusal duty the scheme engages, by its policy reference, and set out the evidence for each. One duty made out properly is worth more than fifteen paragraphs of general harm.

Say what you want. A refusal, a condition, a modification to a plan. An objection that does not ask for something specific is a letter, not a representation.

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