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Bank Top Farm, Hollingworth Road, Littleborough- APP/P4225/W/23/3334570

Further to the email of 24 June we provide further information on the recent grant of planning permission for a similar farm shop and café proposal via a single storey building on the appeal site.

As a result of this permission the principle of development on the appeal site has now been established for a similar use (farm shop and café) and form of development across the site comprising a building, vehicular and pedestrian access points, car park area and landscaping areas including cycle parking and outdoor seating area.

We provide the following plans from the approved scheme for the Inspector's information:

- Site location plan - ref 21358-0201 Rev P-01
- Existing site plan – ref 21358-0211 Rev P- 00
- Proposed site plan – ref 21358-CWA-XX-00-DR-A-2011 Rev- P05
- Proposed elevations - ref 21358- 2151 Rev PO5
- Sections Plan - Drawing no. 21358-CWA-XX-ZZ-DR-A-2101 Rev P-03
- Proposed ground floor plan – ref 21358-CWA-XX-00-DR-A-2001 Rev P-04
- Proposed landscaping scheme – ref 474/01 Rev E
- Wider Landscaping Proposals - Drawing no. 474/D/02
- Proposed decking scheme – ref 474/D43 (I would reference the plan itself is numbered D03)

Also provided is the Design and Access Statement and Planning Statement to the single storey building.

In summary, the key differences between the appeal scheme and the now consented farm shop scheme are:

- inclusion of the education and community use elements for the farm business to deliver:
 - farm learning and on-site experiences to schools and other education providers;
 - and
 - a room for use and to hire by local community groups and members of the community

Both of these elements will further support the diversification and viability of the farm business via a further source of income.

The appellants Statement of Case outlines that an education management plan for the delivery and operation of the education element can be secured by a planning condition if considered necessary by the Inspector. (The LPA have not included such condition in their list of proposed conditions in their Statement of Case).

- second storey element of the building and minor footprint alterations to accommodate the community and education room at first floor.

Key changes to the approved building comprise:

- an increase in overall height of the building of only 2.4m;
 - a minor footprint increase for the provision of circulation and access arrangements to access the upper floor level of the building and consequential changes to the refuse area arrangement and its access from the inclusion of the side entrance to the upper floor level. (It is to be noted that the side projection for the café area on the appeal scheme does not form all additional footprint beyond the recently approved scheme);
 - an increase in internal floorspace of approx. 148 sq m (160 sq m including the stairs and lift area at FF and both areas excluding the terrace of 42 sq m)
 - the upper floor element would be set back into the slope of the hillside behind the building to minimise the height and forward projection of the building on the site
- minor changes to the car park arrangement including provision of a parking space for a minibus and 15 car park spaces within the same overall car park area (amended from 17 spaces now approved). 3 mobility spaces are included in both schemes
 - inclusion of a green roof and minor materials and design amendments from the approved scheme.

A minor change to the decked pedestrian access arrangement within the landscaping area to the east of the building was included in the recent application and planning permission scheme. This can be included in the appeal scheme if the Inspector considers this minor amendment is acceptable. An amended landscape plan is therefore now provided for the Inspector's consideration ref 474.01A DU.

Further Information and Appellants Response to the Council's Further Comment Statement of 25 June 2024

The appellants Statement of Case and Rebuttal Statement provide full details of the appellants position on the appeal scheme and its justification in terms of policy, very special circumstances (VSC) and technical matters. These documents supplement the information submitted during the planning application.

Additional information on principle, VSC and justification for the location of the proposed building on the road frontage (as opposed to a location at an elevated level on the ridge in the farm complex) was submitted to the single storey building planning application and is of relevance to the appeal case. This information was included in the appellants Rebuttal Statement and Appendices to that submission for assessment by the Inspector:

Letters to LPA dated 19 Feb 2024 and 29 Feb 2024; parts of the Updated Business Diversification Statement (Feb 2024); Farm Location Considerations Review (Feb 2024); Highway and Access Note (Feb 2024); Landscape and Visual Note (Feb 2024)

Education and Community Use – Very Special Circumstances

The Planning Statement (Sep 2022) and Business Diversification Report (Aug 2022) along with later supporting information to the appeal application provide full details of the education and community use elements including how they would operate, further support the farm diversification and viability via additional sources of income, and the level of local support that is present to their delivery to supplement education and learning and local groups. This includes support from the

Council's Education and Learning Team as well as from LEAF and local schools as set out in the application information.

The appellant maintains the education and community use elements do form VSC to the proposal and should be afforded significant weight.

The LPA Further Comment Statement refers to Members views on the proposals at both Committees. It is of relevance that at the July 2023 Committee a number of Members supported the appeal scheme and it was only refused by a vote of 7 to 4 votes¹. There was therefore a level of support for the appeal scheme.

The single storey farm shop and café has now been supported by all Members of the Planning Committee. It is also noted that at the May 2024 Planning Committee a Member also referenced that the loss of the education and community element from the scheme would be a '*loss to the community*'.

The Appellants are committed to delivering a farm shop and café and also the education and community use elements to ensure the wider diversification and viability of the farm business. Both Mrs Davies and her son have undertaken recent certification updates for farm-based education delivery to support this ongoing aim. Hence the appeal is being maintained.

Visual and Location Considerations Including Scale and Design Matters

As above, the height of the two storey building is not significantly greater than the approved scheme. The offset nature of the upper storey and its setback into the hillside also reduces the scale and massing of the building visually in views from the road and wider views.

It is noted the LPA reference the difference in GIA of the two schemes; 402 sq m to 189 sq m; however the figure used for the appeal scheme includes the terrace area and the circulation and lift space areas, which are not normally included within floorspace base figures². Having regard to general usage areas the GIA difference is approx. 148 sq m.

Members did not directly discuss the appeal scheme at the meeting in May and no further assessment of the full range of very special circumstances to the appeal scheme is considered to have been undertaken. The appellants submissions set out that the scale of the appeal scheme does not materially harm the visual appearance of the Green Belt location and that the range of VSC do outweigh the limited harm and any further considerations to openness (beyond that now accepted in the approved building scheme).

The LPA reference the recent adoption of the Places for Everyone Plan and the site's location within the Landscape Character Area vis a vis Policy JP-G1. The LVA report and assessment to both applications has had full regard to the Landscape Character Sensitivity Assessment Report on which the policy is based (LUC 2018). The proposal has therefore been assessed against the evidence and information informing the PfE policy and found to be acceptable in terms of the character area key elements and also has regard to the site location on the boundary of two character areas.

The building position is maintained in both the now approved and appeal scheme. It is on a roadside location in the character area rather than an isolated or clear upland position within the character area. The position of the building also has regard to existing tree/ woodland cover and landform via utilising the dips in the hillside and being set into the hillside and via the presence of the trees to the end of the farm access lane that screen and filter views from the east and being opposite to the hedge and trees on Hollingworth Road that screen and filter longer range views from the south. In

¹ 7 votes for refusal; 4 votes for approval

² Having regard to building size reviews based on RICS floorspace assessment baseline

addition, by siting the proposal along the road frontage and the lower levels of the hillside it further minimises visual impact (rather than a siting at the higher and more open ridge level of the main farm complex).

The recent planning permission for the single storey farm shop building and associated site infrastructure has therefore established a baseline position for development of the site having regard to changes to the openness and visual appearance of the green belt location.

The design and materials of the second storey element of the building are considered to be high quality via the use of glazing and natural materials and green roof and the set back of the frontage minimises the massing. As such the visual context of the building and design quality is considered a VSC.

Visual, design and height considerations which are the key elements of difference between the appeal and approved schemes are still considered to be acceptable as set out in the appellants documentation. Any additional visual harm and change to openness from the additional storey and design changes is limited and addressed by the full range of VSC for the proposal.

Given the above, the appellant considers the recent decision is a material consideration to the assessment of the appeal and maintains that the appeal should be allowed.

Should the Inspector require any further information on this please do not hesitate to contact us. I would reference that I will be away from the office until Monday 15 July, and my colleague Katie Delaney (katie@maybern.co.uk) should be contacted in this period.

Sarah Jones

For and behalf of Maybern Planning and Development