

Further to the recent communication from the Planning Inspectorate I wish to make the following comments on the Local Authority's Statement in relation to the above. For ease of reference I have referred to the corresponding paragraph number from their statement below:

1.5 I note the recent revision of the NPPF (August 2026) and the council's assertion later in para 4.2 that "the development should be regarded as not inappropriate development in the Green Belt" and agree that the revisions to the NPPF whilst altering the wording of the definition would not have any effect on the assessment of this appeal application.

4.5 The council does not have any specific green belt policy within the Local Plan preferring to rely on national guidance in this regard. Policy SS10 of the Local Plan refers to Other Rural Areas which does include the Green Belt. The Council confirm that policy S5(5) states that for proposals in the Green Belt it is the national green belt policies (HC8, GB6 and GB7) which should be used.

4.11 Policy TR3 of the updated NPPF states that "Development proposals which could generate a **SIGNIFICANT AMOUNT** (my emphasis) of movement, in the content of the area within which they would be situated, should be in locations that are sustainable (or which can be made so, taking into account planning improvements, including any provided for as part of the development itself). This means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical."

4.12 Contrary to the council's claim it is not considered that the added travel and transport implications of an additional dwelling would result in a significant amount of additional movement in proportion to the existing residential amounts in the area. Butterlands Farm currently provides two dwellings, the main farmhouse, a 4 bedroomed unit with further ancillary accommodation provided in a building within the curtilage and approved last year under reference SMD/2024/0110 and a traditional converted barn which obtained a certificate of lawfulness for use as a dwelling independent from the main farmhouse (reference SMD/2011/0620) .

The appeal dwelling is advanced on the basis of a self build scheme by the appellant who is 78 and currently resides with his husband in the main farmhouse. Whilst the appellant is still involved with the business,(he teaches, rides and helps with the livery on a daily basis) the appeal dwelling would provide a bespoke and purpose built two bedroomed single storey unit which would be much more appropriate for the appellant (who has problems with arthritis in his knees), in terms of their needs than the existing farmhouse with its steep narrow staircase and narrow landing / hallway and limited door widths. If approved the appellant would relocate from the existing farmhouse to the appeal dwelling whilst his daughter who currently lives in Mow Cop and is involved in the family business would relocate and reside in the main farmhouse. All three dwellings would then be occupied by family members, all of which are already involved in the business. This arrangement would not result in any increase in traffic / vehicular movements to and from the site but would actually offer a more sustainable arrangement by allowing all parties to reside at their place of work. Deliveries associated with both the business and the residential use of the site are already combined and result in a significant reduction in vehicle movements to and from the site i.e. Sainsbury's deliveries are connected and ordered at the same time.

The council's statement is wrong as Biddulph Moor has two pubs, the closest of which is the Foxhound, which is actually located much closer to the appeal site on Hot Lane.

By virtue of the fact that the appellant and their family members would reside at their place of work the appeal proposals does, contrary to the council's claims, certainly limit the need to travel in accordance with policy TR3 of the revised NPPF. Furthermore, the statement of case already provided clear demonstrates that the appeal site can be accessed by both cycling and walking and that both of these are real and genuine alternatives. Should the appeal proposal be dismissed then the appellant will need to find alternative suitable single storey accommodation in one of the neighbouring villages or towns and then travel daily back to the appeal site in order to help with the business. Such an arrangement would conversely actually increase vehicle trips to and from the site. Furthermore, the concept of travelling to towns and villages or locations of essential supplies and services is somewhat outdated. Covid19 resulted in significant changes in peoples behaviour especially shopping patterns and there was a significant increase in online shopping. Most people have continued with this rather than reverting back to previous arrangements. The decline of high streets serves only to highlight this point further.

The council have consistently refused applications for development along Top Road and lost on appeal.

4.19 The design concerns raised by the council are disputed. The "rural farmstead" context referred to would not be fundamentally changed by the appeal proposal which has been designed to echo the building it replaces. The building would not be any closer to the public highway than the existing and would still be seen "end on". The appeal proposal would not change this arrangement.

4.20 There is nothing within the appeal scheme which either suggests or indicates that the appeal scheme would result in or necessitate the remove of any trees. Reference to the appeal proposal as a "shanty like assemblage" is not only rude and unprofessional but also completely at odds with the case officer's original assessment as indicated in the email dated 15th January 2026 (copy attached at Appendix 6 to the original statement) which states that "we think the retained building form, by keeping it quite stable like is helpful in this position especially in the prominent east elevation seen across the field from the road." It goes on to state that "The single large opening set to one end seems to work". The only issue raised by the case officer in that correspondence was in relation to the use of materials which were originally proposed as metal sheeting to match the existing buildings but changed at the officer requires to vertical timber board" which was considered to be "preferable" by the LPA.

4.21 Reference to the councils Design Guide is a red herring and is specifically aimed at traditional and valued vernacular buildings and not relevant for buildings such as this.

5.3 The Foxhound pub is indeed open and fully functioning with the appellant visiting it last week. Whilst Hot Lane is not included in winter gritting schedules Rudyard Road is and therefore indicates that the council consider this route to be preferable despite their claim in para 5.2 that this route does not officer a significant improvement and is longer!

5.5 The Instant Streetview image below clearly shows two cars passing on top road literally just outside the appeal site entrance. This photo dated, June 2026 was not staged but clearly demonstrates that the carriageway is wide enough for two vehicles to pass.



What is also interesting is that neither vehicle has deemed it necessary to wait in either of the driveways available to them on both sides of the road. This demonstrates that both road users considered that such safety/refuge was neither required nor necessary. Whilst tracks have cut into the narrow verges on both sides this is more to do with the requirement to avoid significant pot holes rather than any “tell tale sign” that the road is significantly compromised.



5.6 The 970m stretch between Hot Lane and Butterlands is straight and relatively level meaning that a long line of sight is achievable thus providing users with more than sufficient time to seek refuge on the verges if needed. There is nothing to indicate that road users will be “fast moving vehicles” and this certainly wouldn’t be the case if Top Road is as compromised as much as the LPA would like the appeal Inspector to believe.

5.9 Biddulph Moor provides sufficient facilities for everyday living. They are not limited and there is nothing to suggest that “for the majority of weekly needs to the of Biddulph will be essential”. The could do not elaborate on what these essential needs are considered to be but such demand is personal and can and will differ from individual to individual. The appellants have resided at the appeal site for several decades without having to rely on the “essential” services of Biddulph.

5.10 It is not considered that the changes to the NPPF have increased progressively nor that the specific circumstances in this appeal are justifiable assessed differently from the earlier decisions at Woodhead. The number of services provided within Biddulph Moor at the time of the previous appeal and the current appeal are comparable and the route would have been the same in terms of lighting, footways etc. If anything reliance on services has reduced due to Covid 19 and changes in shopping patterns, home working etc.

5.11 Rather than accept the previous Inspectors findings from the neighbouring site the council prefer to cite an appeal at Hermitage Farm, Ipstones as being preferable. The site circumstances here are not at all comparable with the route not lit at all, no refuge offered, narrow and tortuous.

5.16 The council miss the point regarding the inclusion of the Park Lane appeal which was merely to demonstrate that the provision of a single dwelling can be considered to carry significant weight. No comparison in terms of the siting of the dwelling or proximity to the village was made or intended.

