

DELEGATED DECISION REPORT

DET/2024/0009
Valid 07/03/2024

BUXTON RIDING SCHOOL
FERN FARM FERN ROAD
BUXTON

PROPOSED STEEL FRAMED
PVC AGRICULTURAL
STORAGE/MAINTENANCE
BUILDING

(AGRICULTURAL/FORESTRY
DETERMINATION)

- Whether the proposed development complies with Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.
- Whether Prior Approval is required with regards to the Siting, Design and Appearance of the proposed development.

DESCRIPTION OF SITE

Buxton Riding School is located at Fern Farm, situated off Fern Road, on the edge of Buxton. The site comprises of a complex of agricultural buildings including riding arena stables and holiday let accommodation. It is located outside of the defined settlement limits for Buxton and is within an area classified as countryside in the local plan. Public footpath 55 runs through the site connecting Grin Low Road to London Road.

PROPOSAL

This is an agricultural prior notification application under Schedule 2, Part 6, Class A of the Town and Country Planning (GDPO 2015) to ascertain whether prior approval is required for the erection of an agricultural storage building.

The proposed building would be a steel framed with PVC sheeting to the roof and wall. Its dimension measure 15m long and 12.2m wide. The roof would be arched measuring 4.1m to the eaves and 6.4m to the highest point. The building would be sited in the same position of an existing building and would reuse an existing concrete base. The building would have a winch door on its front elevation and it would have a recessed pit for maintenance.

OFFICER COMMENTS

1. **Whether the proposed development complies with Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.**

Class A permits the carrying out on agricultural land comprising an agricultural unit or 5 hectares or more in area of:

- a) Any works for the erection, extension or alteration of a building; or
b) Any excavation or engineering operations,
which are reasonably necessary for the purposes of agriculture for that unit.**

The site, which is principally used as a riding school, forms part of a wider agricultural holding no. 09130066 which is over 5 hectares in size. The building is described as being an agricultural/storage maintenance building required for storing and maintain equipment associated to the agricultural use.

A.1 Development is not permitted by Class A if—

- (a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;**

The development would be carried out on a parcel of land forming part of the wider agricultural unit. It is not a separate parcel of land and therefore the application complies with Paragraph A.1 (a).

- (b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;**

The land in question has not been subject to any planning application for the change of use of an agricultural building under Schedule 2, Part 3, Class Q or S of the GPDO and as such the application is compliant with Paragraph A.1 (b).

- (c) it would consist of, or include, the erection, extension or alteration of a dwelling;**

The proposal is for agricultural purposes and would not consist of or include the erection, extension or alteration of a dwelling.

- (d) it would involve the provision of a building, structure or works not designed for agricultural purposes;**

The building would be used for storage and maintenance and considered to designed for agricultural purposes.

(e) the ground area which would be covered by—

- (i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or
(ii) any building erected or extended or altered by virtue of Class A,
would exceed 1,000 square metres, calculated as described in paragraph D.1(2)(a) of this Part;**

The building would not exceed 1000 sq metres - the overall floor area being 183 sq. metres based on the submitted dimensions of the building and therefore complies with Paragraph A.1 (e).

(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

There are no aerodromes within 3km of this site and therefore the application is compliant with Paragraph A.1 (f).

(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

There are no aerodromes within 3km of this site and the overall ridge height is 6.4m, below the 12m height restriction.

(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

Fern Road is located off London Road, A515, which is a classified road. However, the Riding School/Farm is located at the opposite end of

(i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

The structure is not to be used for the accommodation of livestock, or for the storage of slurry or sewage sludge.

The GPDO defines a Protected Building as *“any permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is designed; but does not include—*

(a) a building within the agricultural unit; or

(b) a dwelling or other building on another agricultural unit which is used for or in connection with agriculture;”

There is holiday let accommodation within the farm complex but this would be considered to fall within the agricultural unit of the farm.

(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or

The site is not located on article 2(4) land and the proposal is not for fish farming.

(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—

(i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or

(ii) is or would be within 400 metres of the curtilage of a protected building.

The building is not located within 400 metres of a protected building and it would not be used for the storing of fuel or waste from a biomass boiler, or anaerobic digestion system.

2. Whether Prior Approval is required with regards to the Siting, Design and Appearance of the proposed development.

Having established that the proposed agricultural building relates to an existing agricultural unit, is reasonably necessary for the purposes of agriculture, and that the proposal complies with relevant paragraphs under Schedule 2, Part 6, Class A, Paragraph A.1 of the GPDO, it is found that the proposed agricultural building is permitted, subject to consideration as to whether Prior Approval is required, with regards to the siting, design and appearance, having regard to conditions under Paragraph A.2 (2).

The proposed building will replace an existing building on the site which is dilapidated, partly open to the elements and has an unsightly appearance when viewed from the public footpath 55 which crosses directly in front of the building.

Detailed plans have been provided of the proposed replacement building and as the building will be replacing an existing building no further details about its siting are required. In terms of its design, the proposed replacement building will have system build construction and will have a less detracting appearance on its surroundings, especially when viewed from the public footpath. It is considered a suitable building for the site and its surroundings and it would not have any detrimental amenity impacts as there are no residential properties close by. Nor is it considered to have any adverse landscape impacts.

Accordingly it is determined that sufficient details have been submitted under Schedule 2, Part 6, Class A and no further details relating to Siting, Design and Appearance are required via the prior approval process.

OFFICER RECOMMENDATION : Prior Approval Not Required

Case Officer: Rosie Dinnen

Recommendation Date: 03.04.24

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Signed by: Ben Haywood

On behalf of High Peak Borough Council