



High Peak Borough Council

working for our community

Application to determine if prior approval is required for a proposed: Change of Use of Agricultural Buildings to a flexible use within Storage or Distribution (Use Class B8), Hotels (Use Class C1), Commercial/Business/Service (Use Class E), or until the end of July 2022, uses previously classified as Assembly and Leisure (Use Class D2)

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class R

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	
Suffix	
Property Name	Elmbrook bonsai
Address Line 1	Linglongs road
Address Line 2	
Address Line 3	Taxal
Town/city	Whaley bridge
Postcode	SK23 7DS

Description of site location must be completed if postcode is not known:

Easting (x)

400503

Northing (y)

380199

Description

Field on left side of linglongs road ,just after new Barratt estate

Applicant Details

Name/Company

Title

Ms

First name

Jane

Surname

Mcgowan

Company Name

Elmbrookbonsai

Address

Address line 1

14 Mayfield Drive

Address line 2

Doveholes

Address line 3

Town/City

High Peak

County

Country

United Kingdom

Postcode

SK178FT

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

07938514152

Secondary number

Fax number

Email address

janeymcgowan55@gmail.com

Eligibility

This permitted development right was amended on 1 August 2021 to no longer include changes of use to those previously classified as 'assembly and leisure' that are not now included in Use Class E (commercial/business/service).

If your proposed change of use is to a Hotel, Storage and Distribution, or Use Class E (e.g. shops; financial/professional services; restaurants and cafes; offices; business; indoor sport, recreation, or fitness) then this type of application is still valid for eligible proposals.

If your proposed change of use is to a Local Community or Sui Generis use previously classified as 'assembly and leisure' (e.g. cinemas; concert halls; bingo halls; or dance halls) then:

- You should not continue with this application after the end of July 2022 as it will be refused by the Local Authority and you may not be eligible for a refund.
- This is no longer considered to be permitted development. Proposals remained eligible if applications of this type were submitted before the end of July 2022, but after that point an application for 'Full planning permission' will be required.

Permitted development rights are subject to conditions set by legislation to ensure that only appropriate proposals are eligible. The need to apply to the Local Planning Authority to see if prior approval is required is one such condition.

The questions below will help determine if the proposals are eligible for this permitted development right.

Was the use of the site on 3 July 2012 (or the last use before that date) solely for an agricultural use as part of an established agricultural unit?

- ☒ Yes
☐ No

Will the total combined floor space in the building(s) (previously and in this proposal) changed to a flexible use under this permitted development right exceed 150 square metres?

- ☒ Yes
☐ No

Will the total combined floor space in the building(s) (previously and in this proposal) changed to a flexible use under this permitted development right exceed 500 square metres?

- ☐ Yes
☒ No

Is any part of the land, site or building:

- in a safety hazard area;
- in a military explosives storage area;
- a scheduled monument (or the site contains one)
- a listed building (or within the curtilage of a listed building)

- ☐ Yes
☒ No

Description of Proposed Works, Impacts and Risks

Please describe the proposed development:

Permission is requested to trade and run occasional specialist workshops from the site at weekend by appointment only. We currently only use the site to grow trees and have previously traded from the garden centre at Hope Valley but this is no longer viable for us, there are only two of us and as Neil is the expert in the field, he is needed on site to give advice to customers and, as he is also the grower, he needs to be on site at Linglongs. We previously asked for permission to trade wholesale only, but due to the climate in the last few years, we have been unable to grow and produce enough stock to trade wholesale.

As well as bonsai we are growing starter trees to sell to help combat climate change, which we currently sell on markets, but are having to travel to do this, which reduces the available time on site. Being able to sell directly from the site would enable us to focus more on growing and as customer visits would be by appointment only, we could limit the amount of traffic to the site,.

We get many requests for workshops on tree propagation and bonsai techniques, as this is a specialist hobby, workshops would also be by appointment only and would be a strictly limited amount of people in a day, both for control of access to the site, and ability to teach. We would be able use the current building and the greenhouse, so currently need no extra buildings, we would need to create a small parking area inside the gate with hard-core, so no damage to the trees or field and no obstruction to the lane outside. Over the past 5 years the field has been planted with over 500 natural species trees which helps with climate change and makes the area more private and less disruptive to local residents it also helps with flood risk as the trees planted absorb any run off from the road, this would not be changed.

Please provide details of any transport and highways impacts and how these will be mitigated:

As it will be by appointment no more than 8 to 10 cars in a day ,parking will be provide off the road on our land

Please provide details of any noise impacts and how these will be mitigated:

No noise will be created

Please provide details of any contamination risks and how these will be mitigated:

No contamination

Please provide details of any flooding risks and how these will be mitigated.

A flood risk assessment should accompany the application where the site:

- is in Flood Zones 2 or 3; or
- is in an area with critical drainage problems (such areas will have been notified to the Local Planning Authority by the Environment Agency).

[Check if your site location is in Flood Zone 2 or 3 online.](#)

Check with your Local Planning Authority to see if your site is in an area with critical drainage problems.

No current flood risks

Declaration

I / We hereby apply for Prior Approval: Change of use - agriculture to flexible commercial use as described in this form and accompanying plans/drawings and additional information. I / We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Jane McGowan

Date

26/04/2023