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MSC2211/JH

Planning and Regeneration
Dacorum Borough Council
The Forum
Marlowes
Hemel Hempsted
Hertfordshire HP1 1DN

8 January 2024

Via The Planning Portal only

Dear Sir or Madam

**Shantock Nurseries, Shantock Lane, Bovington HP3 0NG
Conversion of glasshouses to retail use**

Introduction

Malcolm Scott Consultants have been instructed by Shantock Nurseries to submit an application to the council for a determination as to whether prior approval is required for the change of use of glasshouses at the above site to retail use.

The application is made under Schedule 2 Part 3 Class R of the General Permitted Development Order (GPDO) 2015 (as amended).

The following statement sets down the development being proposed and its compliance with the criteria set down in the Order.

The Site

Please refer to the submitted site location plan, drawing reference MSC2211-05B.

Shantock Nurseries is located on Shantock Lane, some 2 kilometres south of the centre of Bovington.

The site is in horticultural use for the growing of garden plants and flowers.

The Proposed Development

As shown on drawing reference MSC2211-06B, the proposed development is the change of use of two existing horticultural glasshouses from agricultural use to retail use. Plants grown on site at the nursery and at nearby Bryant's Nurseries will be sold at the site, both to the public and trade customers.

The Legislative Background

Class R of Part 3, Schedule 2 of the GPDO grants permitted development rights for change of use of agricultural buildings to one of a number of flexible uses, including to Class E (a) (retail use). This is subject to prior approval at the discretion of the Local Planning Authority, and is subject to consideration of possible highways, noise, contamination and flood risk impacts.

Paragraph R.1 of Part 3 Class R sets out a number of criteria which must be met in order for the proposal to qualify as permitted development. The building or buildings in question:

- a) Must solely have been used for an agricultural use on 3 July 2012.
- b) Have a cumulative floorspace not exceeding 500 square metres.
- c) Must not be in a military explosives storage area.
- d) Cannot be within, or form part of, a safety hazard area.
- e) Cannot be statutorily listed or a scheduled monument.

The glasshouses comply with the above criteria as follows:

- a) The structures have been in agricultural use since before 3 July 2012.
- b) The floorspace of the glasshouses is 500 square metres.
- c) The structures are not located within a military explosives storage area.
- d) The structures are not within or part of a safety hazard area.
- e) The structures are not listed or a scheduled monument.

The Requirements of Part 6, Class A of the GPDO 2015 (as amended)

Where the cumulative, existing floor area to be subject to a change of use exceeds 150 square metres but does not exceed 500 square metres, the developer must give the LPA at least 56 days' notice. There are impacts in respect of which the LPA may require prior approval which are:

1. Transport and highways impacts of the development
2. Noise impacts of the development
3. Contamination risks on the site
4. Flood risk

We address each of these issues as follows.

Transport / Highways Impact

The existing car park at the site provides 14 spaces.

Deliveries will be via the existing delivery access located on Long Lane.

Noise Impacts

There will be no adverse noise impact from the proposed use.

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The nearest residential dwellings to the site are the house in Shantock Lane adjoining the nursery site to the west and the houses located in the opposite side of Long Lane to the east.

Contamination Risks

The site and the proposed development do not present any risk of contamination risk to visitors or staff.

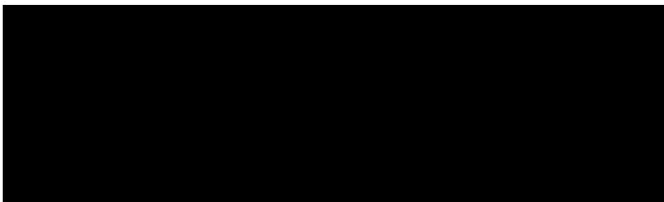
Flooding Risks

The site is located in Flood Zone 1 – low probability of flooding from rivers and the sea. There is no issue in terms of flood risk or drainage.

Conclusions

It is concluded that the proposed development meets the criteria set out in Schedule 2 Part 3 Class R of the General Permitted Development Order 2015 (as amended), and that the siting, design and external appearance are appropriate and acceptable, and that prior approval is not required.

Yours faithfully
for MALCOLM SCOTT CONSULTANTS LIMITED



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