

**15 DCNW2005/1930/F - PROPOSED CONVERSION OF AGRICULTURAL BUILDING INTO M.O.T. TEST CENTRE AT HIGHWAY FARM, DILWYN, HEREFORD, HEREFORDSHIRE, HR4 8EX****For: Mr R.D. Speakman per Mr L B Ray, Waterloo, Ledgemoor, Weobley, Herefordshire, HR4 8RJ****Date Received:**  
13th June 2005**Ward:**  
Golden Cross with  
Weobley**Grid Ref:**  
44300, 54586**Expiry Date:**  
8th August 2005

Local Member: Councillor J Goodwin

**1. Site Description and Proposal**

- 1.1 The application site comprises an area of land (approximately .94 hectare) which includes 5 agricultural buildings which have most recently been used for storage and are no longer part of an agricultural enterprise. A pair of semi-detached cottages lie immediately to the south, one of which is in the same ownership as the application site. The site faces the A4110, on the stretch that is commonly known as Roman Road. The building that is the subject of this application lies to the rear (west) of the group of building and forms part of the boundary with the field behind.
- 1.2 Planning permission is sought for the change of use of this one building for use as an MOT testing centre for private commercial and agricultural vehicles. In order to operate the height of the building would be increased by 0.6m from 6m to 6.6m (to ridge). An area would be laid out adjacent to the building for MOT testing parking bays and a small lean to extension added to the building at the rear to accommodate a store and reception. The building would be re-clad with profiled steel sheeting.
- 1.3 Access to the site would be via the existing access from the A4110 with improvements to the visibility in each direction through the replanting of hedgerows.

**2. Policies****2.1 Herefordshire & Worcester Council Structure Plan**

Policy H16A – Development Criteria

Policy CTC13 – Buildings of Special Architectural or Historic Interest

**2.2 Leominster District Local Plan (Herefordshire)**

Policy A1 – Managing the District's Assets and Resources

Policy A2(D) – Settlement Hierarchy

Policy A9 – Safeguarding the Rural Landscape

Policy A16 – Foul Drainage

Policy A36 – New Employment Generating Uses for Rural Buildings  
Policy A70 – Accommodating Traffic from Development

### 2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S2 – Development Requirements  
Policy Policy S4 - Employment  
Policy DR1 – Design  
Policy DR2 – Land Use and Activity  
Policy DR13 – Noise  
Policy E11 – Employment in Smaller Settlements and Open Countryside  
Policy LA2 – Landscape Character

### 3. Planning History

None

### 4. Consultation Summary

#### Statutory Consultations

4.1 None

#### Internal Council Advice

4.2 Traffic Manager recommends that any permission which this authority may wish to give include the following conditions: H01, H04, H05 and H15. He also raises some concern over visibility to the south and notes that the hedge will need to be removed to meet required standards.

4.3 The Environmental Health Manager responded as follows:

I have some concerns regarding possible noise nuisance from this application due to the proximity of a residential property to the development. However, following my visit to the application site and discussion with the applicant, Mr Speakman, I feel the following conditions would significantly reduce the test centre's impact on the amenity of the area and reduce the likelihood of future noise complaints;

#### **Related Properties**

The proposed test centre must stay within the same ownership as the property known as 'Highway Farm'.

#### **E06 - Restriction on Use**

The premises shall be used as an M.O.T. test centre for private, commercial and agricultural vehicles and for no other purposes (including any other purpose in Class B2 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

#### **F15 - Scheme of Noise Insulation**

Before the use commences, the test centre shall be insulated in accordance with a scheme agreed with the Local Planning Authority.

**E01 - Restriction on Hours of Working**

The hours during which working may take place shall be restricted to 7.30 am to 6.40 pm Mondays to Fridays and 8.00 am to 1.00 pm on Saturdays. There shall be no such working on Sundays, Bank or Public Holidays.

**F04 - No Open Air Operation of Plant/Machinery/Equipment**

There shall be no open air operation of plant, machinery or equipment within the application site.

**5. Representations**

5.1 Dilwyn Parish Council make the following comments: The Parish Council attended a site meeting with the landowner and have no objections to the applications. They considered the proposal to be well thought out and appreciated the proposed wider entrance onto the main road. They all considered that it would provide a useful service to local parishes and opportunity for employment.

5.2 Two letters have been received from Mr C Rodway and Miss D Arkell of Highway Cottage, Little Dilwyn and Mrs M Weaver of Bramley Cottage, Little Dilwyn. Their letters raise the following points:

- Highway Farm is situated within a small rural community, surrounded by farm land and we believe that the proposal to change the use of this site from agricultural to industrial, would not be compatible with its open countryside location and that such a business would be better situated within an existing industrial area. Transport links in this area are very limited and the main centres of Leominster, Hereford and Kington are 5, 8 and 10 miles away, respectively. The siting of an MOT test centre at this site, can only, therefore, increase the number of journeys made from town to countryside.
- The agricultural building for conversion is currently clearly visible from the Dilwyn and Little Dilwyn roads as well as from the A4110. Plans to increase its height and re-clad it, will increase its visibility within the existing landscape and make it stand out as an industrial unit, spoiling the aesthetic quality of the area.
- The access to the site is off the A4110 which is a fast, and at times, busy road where the speed limit of 60 miles per hour is often exceeded. Our concern is that the visibility for vehicles exiting the premises will be restricted and the increase in the number of vehicles accessing the site, particularly larger commercial vehicles, will cause a highway safety problem.
- Our property boundary is approximately 25m from the proposed test centre and we have concerns about the increased noise levels likely to arise from the intensification of activity there 6 days a week.
- The proposed building for conversion is one of several buildings on the site and our concerns are that approval of this application would set a precedent for the conversion of the remaining buildings, thus increasing the scale of the development within this rural farming community.

5.3 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## 6. Officers Appraisal

- 6.1 The main issues for consideration is the determination of this application area as follows:-
- a) The principle of the use of the site for an MOT testing centre in this location;
  - b) The impact of the use on the amenities if the occupiers of the adjoining properties
  - c) Impact on the landscape
  - d) Highway safety
- 6.2 The site lies outside of any defined settlement boundary but along the busy A4110. Policy A2(d), A36 of the Leominster District Local Plan make provision for the re-use of rural buildings for employment generating uses. Policy E11 of the Unitary Development Plan (revised deposit draft) also supports commercial uses, subject to the use not having an adverse impact upon the local environment, the road network or amenity.
- 6.3 The application site lies to the west side of the A4110, and the group of buildings are clearly visible from the highway and are in relatively close proximity to the three dwellings. The yard area would be within the complex of buildings and mainly hidden from the adjacent dwellings and highways by the existing buildings. The proposed use varied little in appearance from that of a working agricultural yard and as such it preserves the character and appearance of the surrounding area.
- 6.4 Residents of the nearby properties have raised a number of issues relating to the impact on their residential amenities. In particular, these relate to noise, disturbance and visual impact. The Environmental Health Manager re-visited the site and raised no objection subject to conditions as detailed above. However, it should be noted that should the site continue to be or revert to being a working farm, movement of machinery and other associated movements and activities would be unrestricted.
- 6.5 In relation to visual impact of the altered building, the raised roof and small extension are minimal additions and the overall height of the building would be lower than the adjacent Dutch barn. Whilst the building will be visible to the neighbouring properties, the cladding would allow for sound insulation and is typical of many new agricultural buildings. The building itself would not directly impact on the amenities of the dwellings.
- 6.6 The site lies within an area designated as open countryside and as such the protection of the rural landscape is of particular importance. The proposed plans show some new planting to the north of the building is proposed to soften and compliment the development. The mature trees and hedgerow to the west of the site provide an effective screen and backdrop to the site. The site itself, is not visually prominent or obtrusive, and is typical of a farmyard arrangement. The planting of trees and/or hedging to the centre of the site, as suggested above, would help to soften the appearance of the building and uses and enhance the landscape. It is considered that the continued use of the site for the purpose of the MOT testing centre would conform to Policy A9 – Safeguarding the Rural Landscape.
- 6.7 Access to the site is via the existing access from the A4110. At present visibility is restricted by the hedgerows in both directions. The highway is particularly straight in this location and although the speed limit is 60mph it is acknowledge that vehicles often exceed this in this particular location. Residents concerns relating to an increase

in use and highway safety are noted but the fact that the land in either direction is in the applicants control gives the opportunity for improvements to visibility to be made. This will involve the removal of the hedgerow. A condition is suggested to ensure that this work is completed prior to any other works being undertaken. A replacement hedge should also be planted behind the visibility splay. It should also be noted this is an existing access which serves this former 'farmyard' and this is a material consideration. The Traffic Manager raises no objection to this development subject to conditions ensuring that visibility is improved and it is considered that a reason for refusal on highway safety ground could not be sustained.

- 6.8 To conclude, the proposal is considered to comply with policies which seek to re-use existing buildings in the open countryside for commercial purposes without detriment to the character and appearance of the surrounding area or landscape quality. Matters of impact on residential amenity are considered satisfactory and can be controlled by condition. As such the proposal is recommended for approval with the appropriate conditions.

## **RECOMMENDATION**

**That planning permission be granted with the following conditions:**

- 1 - A01 (Time limit for commencement (full permission) )**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

- 2 - E06 (Restriction on Use )**

**Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.**

- 3 - F15 (Scheme of noise insulation )**

**Reason: To safeguard the amenity of the area.**

- 4 - E01 (Restriction on hours of working )**

**Reason: To safeguard the amenities of the locality.**

- 5 - F04 (No open air operation of plant/machinery/equipment )**

**Reason: To protect the amenities of nearby properties.**

- 6 - F20 (Scheme of surface water drainage )**

**Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.**

- 7 - F32 (Details of floodlighting/external lighting )**

**Reason: To safeguard local amenities.**

8 - G04 (Landscaping scheme (general) )

Reason: In order to protect the visual amenities of the area.

9 - G05 (Implementation of landscaping scheme (general) )

Reason: In order to protect the visual amenities of the area.

10 - H01 (Single access - not footway )

Reason: In the interests of highway safety.

11 - H04 (Visibility over frontage )

Reason: In the interests of highway safety.

12 - H05 (Access gates )

Reason: In the interests of highway safety.

13 - H15 (Turning and parking: change of use - commercial )

Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.

**Informatives:**

1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

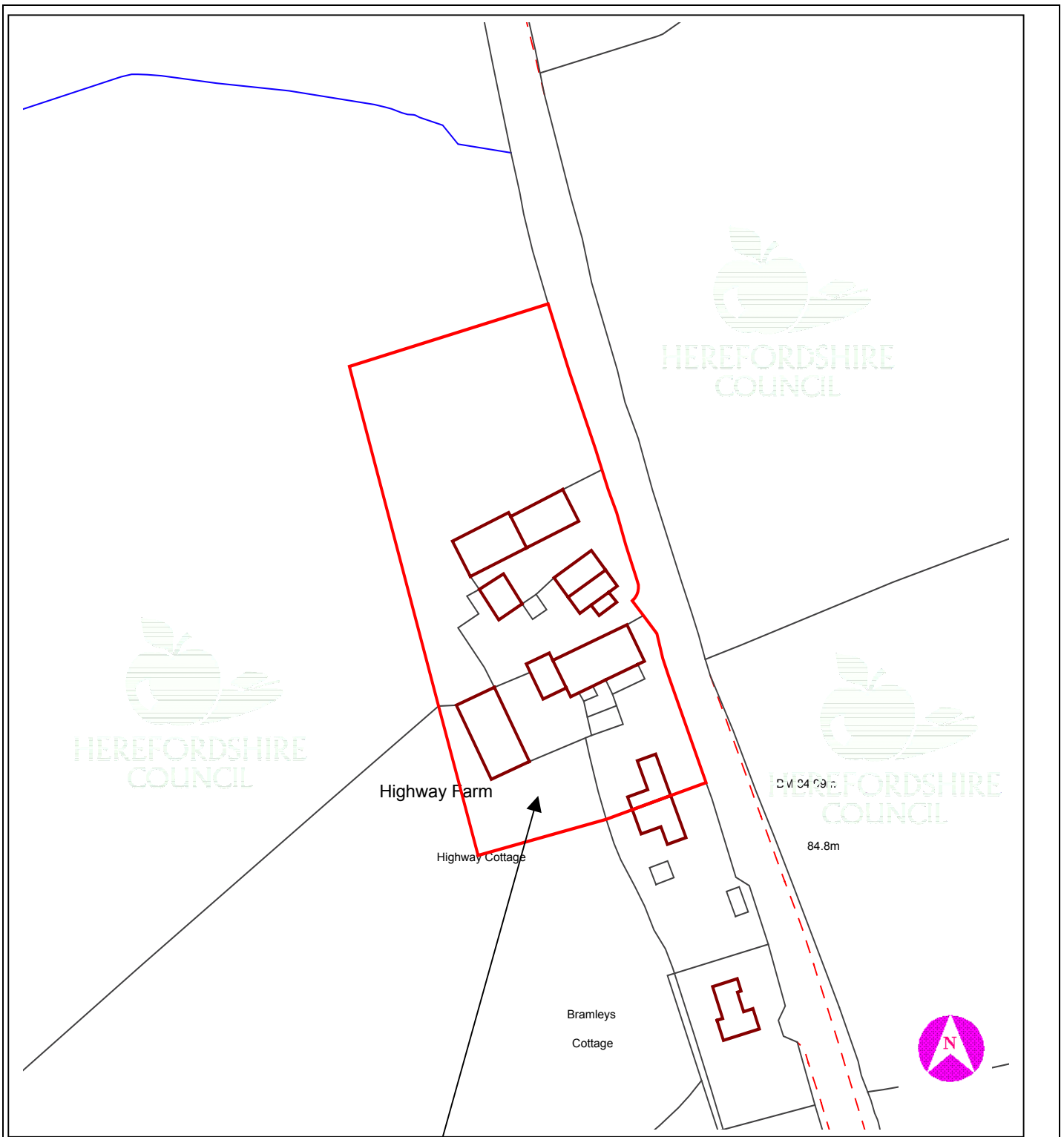
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCNW2005/1930/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Highway Farm, Dilwyn, Hereford, Herefordshire, HR4 8EX

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