

DELEGATED DECISION REPORT

APPLICATION NUMBER

220483

Office at the Wagon House, Mathon Court, West Malvern Road, Mathon,

CASE OFFICER: Mr Josh Bailey
DATE OF SITE VISIT: 8 March 2022

Relevant Development Plan Policies: **Herefordshire Local Plan – Core Strategy**
Policies: SS1, SS6, LD1, LD4, SD1, MT1, E4

Mathon parish are not considering a Neighbourhood Development Plan

NPPF (July 2021)
Sections: 2, 6, 8, 9, 12, 15 and 16

Relevant Site History: 173371 and 173372 - Proposed change of existing live work unit into holiday let accommodation. The layout altered, existing external walls insulated and new kitchen and sanitary ware installed – approved with conditions

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X		X		
Transportation	X		X		
Historic Buildings Officer	X		X		
Ecologist	X	X			
Severn Trent	X		X		
Natural England	X	X			
Environmental Health (Housing)	X	X			
Minerals and Waste	X	X			
Forestry Commission	X		X		
Herefordshire Wildlife Trust	X	X			
Press/ Site Notice	X	X			
Local Member	X*(updated)		X		

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

Mathon Court is an early 19th century brick built house listed at grade II with associated outbuildings. The Wagon house is some 80 metres east of the house and considered curtilage listed. A brick and timber barn, separately listed at grade II is immediately north of the Wagon House. The proposal seeks planning permission to convert the building from a live / work unit to a holiday let. This will involve internal re-ordering, insulation and new kitchen and bathroom units. The scheme is the same as approved in 2017 (173371 and 173372) and is effectively seeking to renew the permission which has lapsed without a meaningful start being made.

Representations:

Parish Council – No objections: *“Mathon PC has considered this application via the planning delegation policy, and has no comment to make”*

Transportation – No objections

Historic Buildings Officer – No objections

Ecologist – No response

Severn Trent – No objections

Natural England – No response

Environmental Health (Housing) – No response

Minerals and Waste – No response

Forestry Commission – No comments to offer

Herefordshire Wildlife Trust – No response

Press/Site Notice – No response

Local Member – Ward Cllr Johnson confirmed delegated authority by email return on 1 April 2022.

Pre-application discussion:

None

Constraints:

Off U66409

Grade II Listed Building

SSSI Impact Zone

Malvern Hills AONB

Minerals and Waste

Appraisal:

Policy context

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows: *“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*

In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework 2021 is a significant material consideration. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. From reviewing those policies within the CS most applicable to the determination of the application, they are viewed to be generally consistent with the guidance contained within the NPPF. As such, significant weighting can continue to be afforded to these policies.

As part of my assessment, I have had due regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Assessment

Tourism is a key asset for Herefordshire, and within and around the base of the Malvern Hills AONB there are a number of visitor attractions and walking / cycling opportunities that can be utilised by encouraging new accommodation for tourism, policy E4 states that Herefordshire should be promoted for tourism. This application is utilising an existing building in an area renowned for walking and its beauty and the application can be supported in principle.

Wagon House is currently vacant and is curtilage listed from the Grade II Listed building that will need to be kept up with repairs to maintain the setting of the listed building and to keep the key features of its heritage status. The new use will ensure that the building will not fall into disrepair. The Proposals meet the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

There will be limited intensification of use of the access drive for the conversion of the building to holiday use from live/work and there is sufficient parking at the property, ensuring highway safety is not considered to be a significant issue that would otherwise lead to withholding planning permission.

Overall, this application will be enhancing the tourism opportunities within the County and will be allowing for the upkeep and maintaining the setting of the Grade II listed building to prevent it falling into disrepair. The less than substantial harm the proposals would cause to the listed building is mitigated by the improved viable use of the site, satisfying the paragraph 202 test of the NPPF. The proposal accords with the relevant policies contained within the CS, namely Policies SS1, SS6, SD1, LD1, LD4, MT1 and E4, which are viewed to be consistent with Sections 2, 6, 8, 9, 12, 15 and 16. The application is accordingly recommended for approval.

The local member has been updated and is content with a delegated decision.

RECOMMENDATION: **PERMIT** ☒ **REFUSE** ☐


CONDITIONS & REASONS:

1. C01

2. C06 – Drawing Numbers: (17-2017/LOC 01; 17-2017/BL 01; 17-2017/01A; 17-2017/02 and 17/2017-03)

Informatives

1. IP1
2. I33

Signed:  Dated: 1/4/2022

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT

☒

REFUSE

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Signed:  Dated: 1/4/22

Is any redaction required before publication? No