

**Part Of OS Parcel 5720 East Of Kyleburn And  
West Of Manor Farm Main Street Wendlebury**

**23/03282/DISC**

**Case Officer:** Gemma Magnuson

**Recommendation:** Approve

**Applicant:** Planned Approach Architects

**Proposal:** Discharge of Conditions 3 (means of access), 4 (field shelter details), 5 (waste bins and bin stores details) and 6 (Biodiversity Method Statement) of 23/02380/F

**Expiry Date:** 18 January 2024

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## **1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT**

- 1.1. The application relates to a parcel of agricultural land in the open countryside to the south-west of the village of Wendlebury. The A41 runs in close proximity to the site to the north and the M40 motorway to the south-west. There are no listed buildings in close proximity and the site is not in a Conservation Area. A solar farm is positioned to the south of the site. The wider parcel of land, of which the site forms a part, is bounded by mature hedgerow. The site is accessed via an existing vehicular access taken from the adjacent highway to the north. The Wendlebury Meads and Mansmoor Closes SSSI is within 2km of the site. The site is considered to be "possible priority grassland habitat" which is a NERC Act S41 Habitat. Ponds have been identified in the vicinity.
- 1.2. Planning permission was granted for the change of use of an agricultural paddock to a secure dog walking area and associated works on 24 October 2023 under reference 23/02380/F. The decision was subject to conditions and the current application seeks to discharge some of these.

## **2. CONDITIONS PROPOSED TO BE DISCHARGED**

- 2.1. Condition 3 – sought details of the means of access between the land and highway. This was submitted in the form of an Addendum to the Design and Access Statement dated 23 November 2023 and Drawing No. 23.201.03 Rev. A indicating that the existing access would not alter.
- 2.2. Condition 4 – sought design details of the field shelter. This was submitted in the form of an Addendum to the Design and Access Statement dated 23 November 2023 and Drawing No's. 23.201.02 Rev. A and 23.201.04 indicating the position and appearance of the field shelter. Note the field shelter would be 55cm taller than that referred to in the original application.
- 2.3. Condition 5 – sought details of waste bins and bin stores. This was submitted in the form of an Addendum to the Design and Access Statement dated 23 November 2023 and Drawing No. 23.201.02 Rev. A.
- 2.4. Condition 6 – sought a method statement for enhancing biodiversity within the site. This was submitted in the form of an Addendum to the Design and Access Statement dated 23 November 2023 and Drawing No's. 23.201.02 Rev. A and 23.201.04.

## **3. RELEVANT PLANNING HISTORY**

3.1. The following planning history is considered relevant to the current proposal:

**Application: 23/02380/F**

Permitted

24 October 2023

Change of Use of agricultural paddock to secure dog walking area and associated works (including small area of hardstanding and agricultural fencing).

#### **4. RESPONSE TO PUBLICITY**

4.1 This application has not been publicised.

#### **5. RESPONSE TO CONSULTATION**

5.1. OCC Highway Authority – no objection to the discharge of conditions.

5.2. CDC Environmental Health – no comments to make.

5.3. CDC Ecology – no comments received.

#### **6. APPRAISAL**

6.1. Condition 3 – The Highway Authority has agreed that the existing access can remain, and I have no reason to disagree with this assessment.

6.2. Condition 4 – This condition was attached due to the lack of information supplied with the application with regard to the position and appearance of the field shelter. Whilst the field shelter now proposed is 55cm taller than the figure provided in the original application, the condition was applied “notwithstanding” the approved details, and given the isolated nature of the site, I do not consider this increase to represent a significant deviation from the approved scheme.

6.3. Condition 5 – Suitably designed waste bins would be provided on site and regularly collected. The Environmental Health Team have raised no objection to the submitted details and I consider these to be acceptable.

6.4. Conditions 6 – Whilst the Ecology Officer has not provided any comments on the scheme, 2 bird nest boxes would be installed and 18 new trees would be planted, which would, in my opinion, constitute an enhancement for biodiversity within the site. I therefore consider the details to be acceptable.

6.5. It is for the above reasons that I recommend that all conditions are discharged.

#### **7. RECOMMENDATION**

That Planning Condition(s) 3, 4 5 and 6 of 23/02380/F be discharged based upon the following:

Condition 3 – Means of access between the land and the highway in accordance with Addendum to the Design and Access Statement dated 23 November 2023 and Drawing No. 23.201.03 Rev. A.

Condition 4 – Field shelter in accordance with Addendum to the Design and Access

Statement dated 23 November 2023 and Drawing No's. 23.201.02 Rev. A and 23.201.04.

Condition 5 – Waste bins and bin stores in accordance with Addendum to the Design and Access Statement dated 23 November 2023 and Drawing No. 23.201.02 Rev. A.

Condition 6 – Method statement for enhancing biodiversity in accordance with Addendum to the Design and Access Statement dated 23 November 2023 and Drawing No's. 23.201.02 Rev. A and 23.201.04.

Case Officer: Gemma Magnuson

DATE: 17 January 2024

Checked By: Paul Ihringer

DATE: 18/1/24

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