

APPLICATION FOR VARIATION/REMOVAL OF CONDITION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2025/09908 and PL/2025/09909
APPLICATION TYPE:	Removal/variation of conditions
SITE ADDRESS:	Euridge Manor, Euridge, Colerne, Chippenham, SN14 8BJ
DEVELOPMENT DESCRIPTION:	Variation of conditions 6, 8, 10 & 11 of consent granted under Ground A of appeal APP/Y3940/C/22/3306233 (Appeal A) And Variation of conditions 1, 7, 9, 11 & 12 of consent granted by APP/Y3940/W/23/3323464 (Appeal B)
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

The application site is consistent with recent planning history as set out by the PINS references in the banner to this report. Most pertinent to this proposal are the previously approved new vehicular access onto Thickwood Lane and a separate area of land to provide a passing place on Northern Lane.

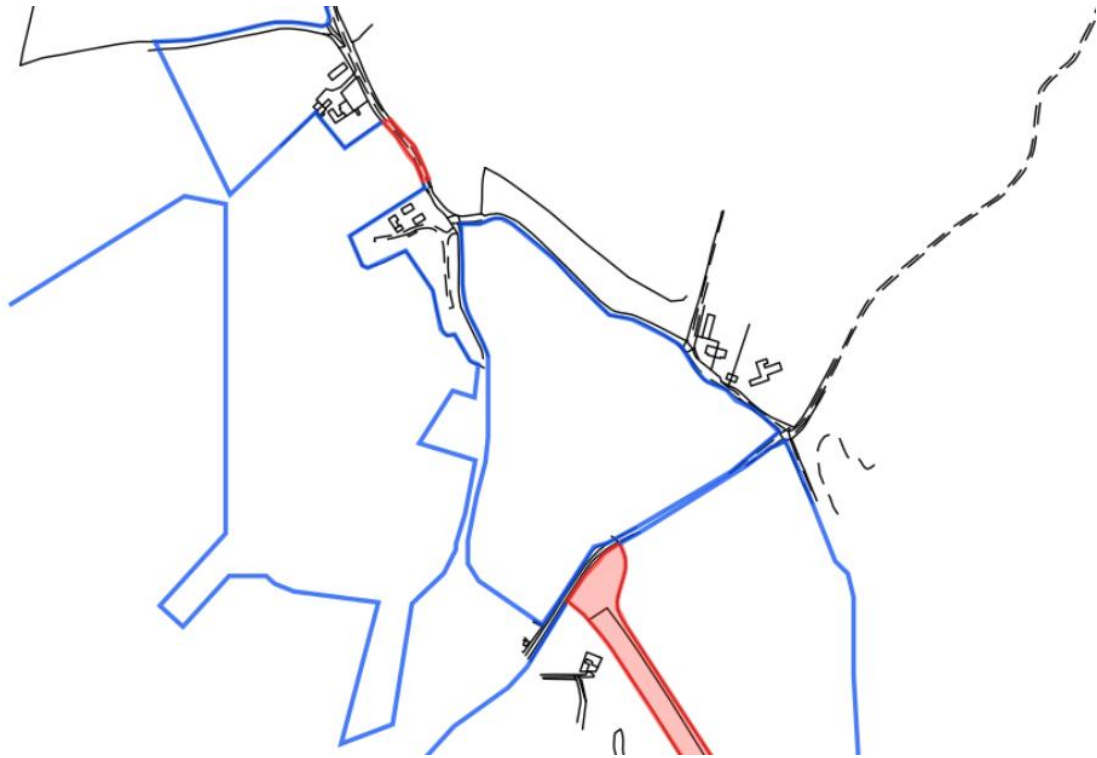


Figure 1: Extent of the application area so far as relevant to this variation application only. Northern Lane to have works to provide a passing place is the red line area to the north of the plan. Thickwood lane is the red line to the south of the extract where the red line joins the carriageway and includes an access and passing place.

The site is located within the Cotswolds National Landscape; within the Core Roost Buffer Zones for the Bath and Bradford on Avon Bat SAC; proximity of County Wildlife Sites, various known flood risks and archaeology and rights of way constraints.

PROPOSAL

This report considers Section 73/73A applications for the variation/removal of condition(s) imposed on planning permissions PINS ref: APP/Y3940/C/22/3306233 (Appeal A) and APP/Y3940/W/23/3323464 (Appeal B).

The application relates to the site at Euridge Manor, Euridge, Colerne, Chippenham, SN14 8BJ, and seeks to vary conditions (as below) in relation to the details of the new vehicular access to Thickwood Lane and the approved passing place to Northern Lane.

Condition 1 on Appeal B:

The development hereby permitted shall be carried out in accordance with the following approved plans and documentation:

- LDC.2272K 01C Context Plan
- LDC.2272K 02C House & Track Location Plan
- LDC.2272K 03A Passing Place Location Plan
- LDC.2272K 04C House Site Plan
- LDC.2272K 05C Car Park Site Plan
- LDC.2272K 06B Passing Place Site Plan.
- LDC.2272K 07C Passing Place Detail.
- LDC.2272K 08B Location Plan House & Track 21st March 2023.
- LDC.2272K 09 Iglu pod detail 10th October 2022;
- LDC.2272K 10A Marquee 01 detail ('the petal marquee') 10th October 2022;
- LDC.2272K 11A Marquee 02 detail ('the kitchen tent') 10th October 2022;
- LDC.2272K 12 Toilet unit details 10th October 2022;
- LDC.2272K 13A Access and estate gate detail 10th October 2022;
- LDC.2272K 14 Indicative details 10th October 2022;
- C10072-EX-LCP Rev C DPA Lighting Consultants 2nd October 2022
- C10072-EX-LLP Rev C DPA Lighting Consultants 2nd October 2022

Conditions 6 and 7 on Appeal A and Appeal B respectively:

The use hereby permitted shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed within 30 days of the date of failure to meet any one of the requirements set out in i) to vii) below:

- i) Within 3 months of the date of this decision a timetable for the completion of the access track hereby permitted, including the works at the junction of the track with Thickwood Lane, shall have been submitted to the local planning authority for its written approval.*
- ii) Within 3 months of the date of this decision a timetable for the completion of the landscaping of the access track and adjoining areas shall have been submitted to the local planning authority for its written approval.*
- iii) Within 3 months of the date of this decision a timetable for the completion of the works to Euridge Lane hereby permitted shall have been submitted to the local planning authority for its written approval.*

iv) Within 3 months of the date of this decision, and notwithstanding the details already submitted, a scheme of materials, finished levels and the landscaping of the access track and adjoining areas shall have been submitted to the local planning authority for its written approval. The scheme shall include:

- a) full construction and surfacing details of the track;
- b) finished levels and contours of the track;
- c) location and current canopy spread of all existing trees and hedgerows on the land;
- d) full details of any trees, hedgerow and other planting to be retained;
- e) detailed of all new planting, including plant species, plant sizes and planting densities;
- f) any means of enclosure; and
- g) the retention of any historic landscape features and proposed restoration, where appropriate.

v) If within 6 months of the date of this decision the local planning authority refuse to approve the timetable and scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

vi) If an appeal is made in pursuance of v) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

vii) The completion of the works on Euridge Lane, the access track, the works at the junction of the track with Thickwood Lane, and the associated landscaping in accordance with:

- the approved scheme;
- the approved timetables;
- drawing number LDC.2272K 02C Location Plan;
- drawing number LDC.2272K 07C Passing Place Detail
- drawing number LDC.2272K 13A Access and Estate Gate Detail;
- drawing number LDC.2272K 14 Indicative Details;
- 475/06 C 'Plan 6' Proposed Access Track; and
- the Visual Assessment of Enderby Associates Dated August 2022

Upon completion of the access track in accordance with the approved scheme and the details specified in this condition, the track shall thereafter be retained for so long as the use hereby permitted continues.

Any trees or plants comprised in the landscaping scheme which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

Conditions 8 and 9 on Appeal A and Appeal B respectively:

Upon completion of the access track and the works at the junction of the track with Thickwood Lane in accordance with the approved scheme and the details specified in condition 6, the vision splay shown on drawing number LDC.2272K 13A 'Access and Estate Gate Detail' shall thereafter be retained and maintained free from obstruction

above a height of 900mm measured from the level of the nearside carriageway.

Conditions 10 and 11 on Appeal A and Appeal B respectively:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected at the junction of the access track with Thickwood Lane, other than in the position of gates and fencing shown on drawing number LDC.2272K 13A 'Access and Estate Gate Detail'.

Conditions 11 and 12 on Appeal A and Appeal B respectively:

The materials and appearance of the repositioned wall on Euridge Lane (as shown on drawing number LDC.2272K 07C Passing Place Details) shall match those of the boundary wall with the highway in the location of these works.

RELEVANT PLANNING HISTORY

Proposal / Summary
ENF/2021/00926 - Unauthorised use of land and buildings for wedding events (PL/2021/07966) - Euridge Manor, Euridge, Colerne, Chippenham, SN14 8BJ –
PL/2021/07966 - Full planning permission Decision - Refuse Date: 6/5/2022 – Change of use of land and buildings to accommodate events uses, installation of 10 camping pods and a tree house as accommodation ancillary to the events business; associated landscaping and engineering works - Part Retrospective
PL/2022/07202 - Full planning permission Decision - Appeal Lodged Against Non-Determination Date: 9/6/2023 – Use of land and buildings for events, retention of caravan as accommodation for event guests, formation of new access track for agricultural and events use, formation of new passing place, together with associated landscaping – part retrospective
PL/2025/05584 - Non-Material Amendment Decision - Refuse Date: 30/7/2025 – Non - material amendment of PL/2022/07202 (approved plans) - revised access detail at Thickwood Lane, revision of passing place on the Northern Lane to relocate new section of drystone wall and amendment to track details
PL/2025/05323 - Approval of details reserved by a condition Decision - Partial Discharge of Condition(s) Date: 13/8/2025 – Discharge of conditions 3 (Noise Management Plan), 13 (Travel Plan) and 15 (Bat Mitigation Timetable) relating to application PL/2021/07966 and appeal APP/Y3940/C/22/3306233. Appeal relating to Noise Management Plan dismissed.
PL/2025/05324 - Approval of details reserved by a condition Decision - Partial Discharge of Condition(s) Date: 13/8/2025 – Discharge of conditions Condition 4; Noise Management Plan Condition 14; Travel Plan & Condition 16; Ecological Mitigation Timetable on planning application PL/2022/07202 (Use of land and buildings for events, retention of caravan as accommodation for.... Appeal relating to Noise Management Plan dismissed.
PL/2025/06909 – Partial Discharge of condition on 8 October 2025 - Discharge of condition 6 relating to appeal APP/Y3940/C/22/3306233.

PL/2025/06910 - Partial Discharge of condition on 8 October 2025 - Discharge of condition 7 (Construction details of access track, highway access and associated landscaping, and construction details of passing place) relating to appeal APP/Y3940/W/23/3323464 and application PL/2022/07202.

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Town and Country Planning Act. 1990 (as amended)

Section 73 of the Town and Country Planning Act. 1990 (as amended) relates to the determination of applications to develop land without compliance with conditions previously attached. It states that:

(2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

- a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
- b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

Section 73A of the Town and Country Planning Act. 1990 (as amended) relates to planning permission for development already carried out. This applies to development carried out without planning permission, in accordance with planning permission granted for a limited period or without complying with some of the condition subject to which planning permission was granted.

The National Planning Practice Guidance (PPG) states the following:

- *Nature of the Application:* A Section 73 application is treated as a new planning permission, although it does not alter the original permission itself. The original permission remains intact and can still be implemented unless it has expired or been superseded.
- *Limitations:*
 - Section 73 cannot be used to change the description of development or the operative part of the permission (e.g. the nature or extent of the approved use).
 - It cannot be used to extend the time limit for implementing the original permission.
 - If the proposed changes go beyond what can reasonably be considered under Section 73, a new planning application under Section 70 would be required.
- *Decision-making:* The local planning authority must consider the application only in relation to the conditions subject to which the original permission was granted. However, it may impose new or revised conditions if granting a new permission.

- *Legal Agreements:* Because a Section 73 application results in a new permission, any existing Section 106 agreement may need to be varied or replaced via a deed of variation to ensure obligations continue to apply to the new permission.

National Planning Policy:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide

Development Plan:

The development plan for Wiltshire comprises the Wiltshire Core Strategy (WCS) (adopted January 2015) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted Wiltshire Core Strategy (WCS), with particular regard to:

- Core Policy 1 Settlement Strategy;
- Core Policy 2 Delivery Strategy;
- Core Policy 3 Infrastructure Requirements;
- Core Policy 11 Spatial Strategy Corsham Community Area
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;
- Core Policy 62 Development Impacts on the Transport Network;
- Core Policy 64 Demand Management
- Core Policy 67 Flood Risk;

The made Corsham Neighbourhood Plan (CNP)

ISSUES

The key considerations in the assessment of this application are as follows:

- Determining whether the proposed amendments fall within the scope of Section 73/73A of the Town and Country Planning Act 1990 which allows for the variation or removal of conditions attached to an existing planning permission.

- Assessing whether the development, as amended, remains in accordance with the relevant policies and provisions of the development plan, and whether the changes materially alter the nature or impacts of the approved scheme.

CONSULTATION RESPONSES

Highways officer: No objection.

Landscape officer: No objection

Rights of way officer: No objection.

Public protection officer: No objection.

Ecology officer: No comments received.

Colerne Parish Council:

"The PC support the gates as the track is already built but wish this support to be conditional on an undertaking that signage is provided to ensure that the track is used as the main access route rather than Northern Lane. The PC does not support the proposed passing place in Northern Lane as the track makes it superfluous. In addition the PC asks that the implications of the proposed changes to signage recently agreed with the Corsham Area local highway and footway improvement group is taken into account when considering traffic issues."

REPRESENTATIONS

Below is a summary of the representations received during the consultation period. Only material planning considerations have been taken into account in the assessment of this application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process.

- Change to character of the lane
- Layby too big and people will park in it including over-night.
- Lane turned into a rat-run and no safe for walking, cycling and rising along.
- Seek measures to keep roads open during works.
- Inappropriate and unnecessary development
- Noise, light pollution and traffic into the night

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes 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 accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans. Consideration has also been given to the

policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Principle of the Development – Do the proposed amendments fall within the scope of s73/73A?

The proposed amendments have been reviewed and are considered to fall within the scope of Section 73/73A of the Town and Country Planning Act 1990. The changes do not result in a fundamentally different development from that originally approved, nor do they seek to alter the description of development or extend the time limit for implementation. The conditions include references to previously approved plans, for which approval is set to vary.

It is noted from the application form that the applicant has declared that works have commenced and furthermore 2 site visits have been carried out which indicate that the works to the access at Thickwood Lane have commenced, although no work is evident on Northern Lane. As such, the application is valid under Section 73/73A and can be determined as a variation of condition(s) attached to the original planning permission.

Compliance with the Development Plan

The proposals have not substantially changed as a result of the proposed amendments and the relevant planning policies and constraints against which the application should be assessed have not significantly changed since the original appeals were allowed by the Secretary of State's Inspector.

Assessment of Conditions

The proposal seeks to vary the approved plans in relation to the approved new access to Thickwood Lane and the approved passing place to Northern Lane.

The technical expert views received and the views from the public including the Parish Council have been given very careful consideration in the context of the proposed changes to the original approval. However, based on the evidence available there is no substantive reason to justify reassess the need for the new access to Thickwood Lane or the need for a passing place at Northern Lane. As such, it is concluded that the works remain necessary to mitigate the impacts of the development.

Approved new access to Thickwood Lane:

This work has been commenced. The proposal would alter the access that has previously been approved so as to provide agricultural access to the land around the new access road. This is not currently possible based on the approved plans because there is only one gate and beyond it is a cattle grid. The approved access is therefore not flexible to all agricultural uses. There is a restriction to prevent future access points being created under the current conditions.

The proposal will amend the access in a way that addresses this lack of agricultural land access without causing any harm to planning interests such as highway safety, landscape and public protection over and above the already approved details.

The matter of signage has been raised in the consultation process. This was previously addressed by the planning inspector to the original appeals. This is a matter that is to be addressed through the Travel Plan. These details have been submitted and approved under a discharge of condition application.

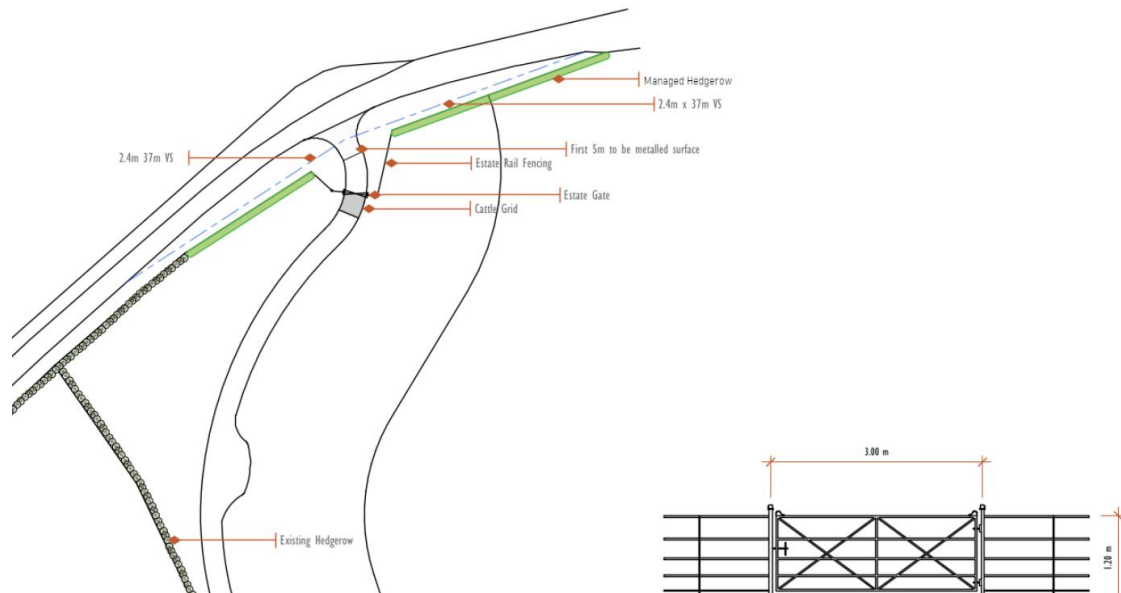


Figure 2: Approved new access to Thickwood Lane

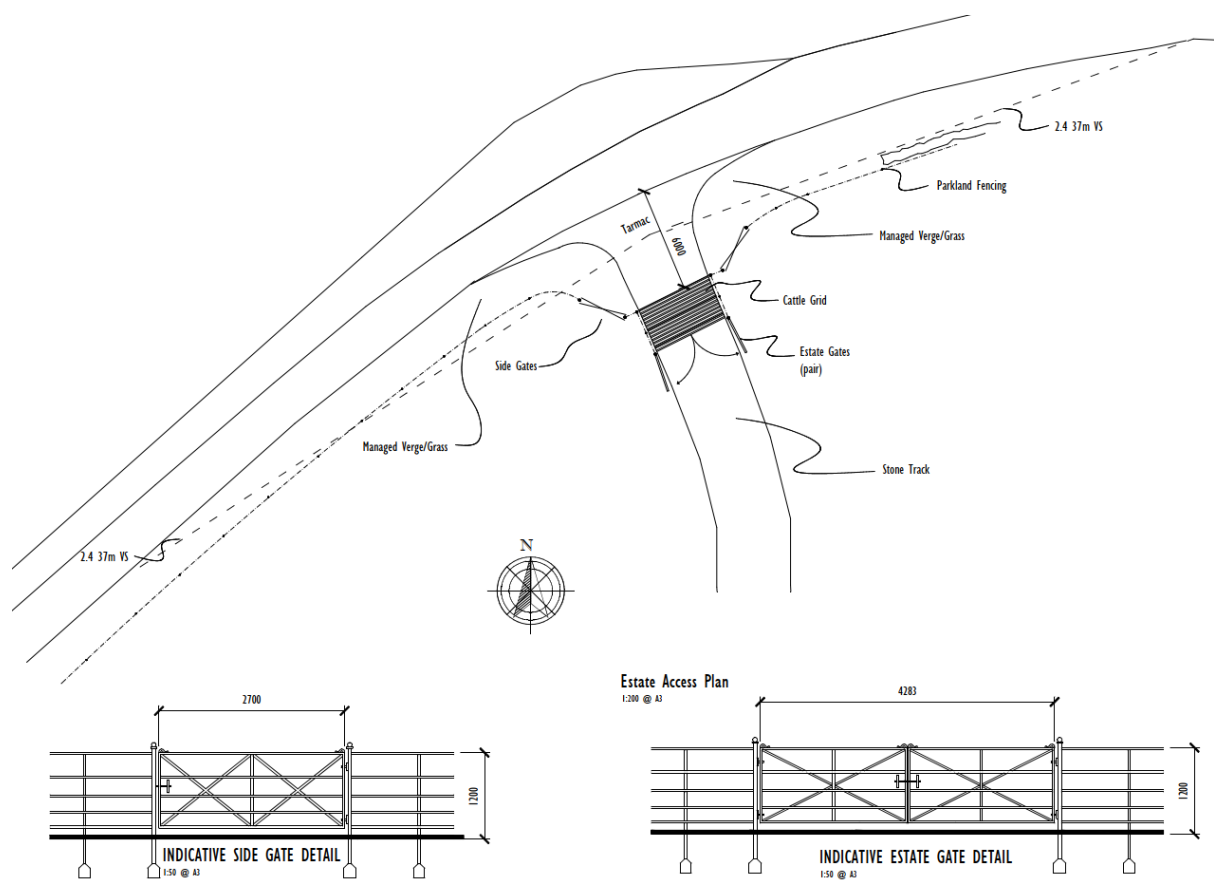


Figure 3: Proposed new access to Thickwood Lane.



Figure 4: Works that have taken place so far when a site visit was made in February 2026.



Figure 5: Works that have taken place so far when a site visit was made in May 2026.

Approved passing place at Northern Lane:

This work has not commenced. The proposal would alter the passing place that has previously been approved to still provide the extra space considered necessary by the planning inspector but negate the need for a concrete core to be used to the new relocated dry stone wall. The approved new 40 metre length of wall would be reduced to a new length of circa 34m.

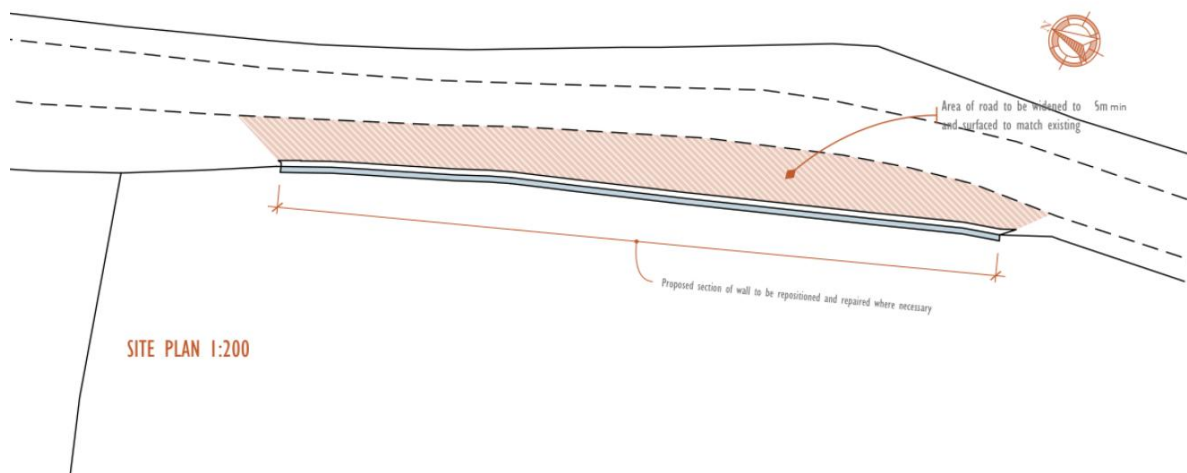


Figure 5: Approved passing place detail.

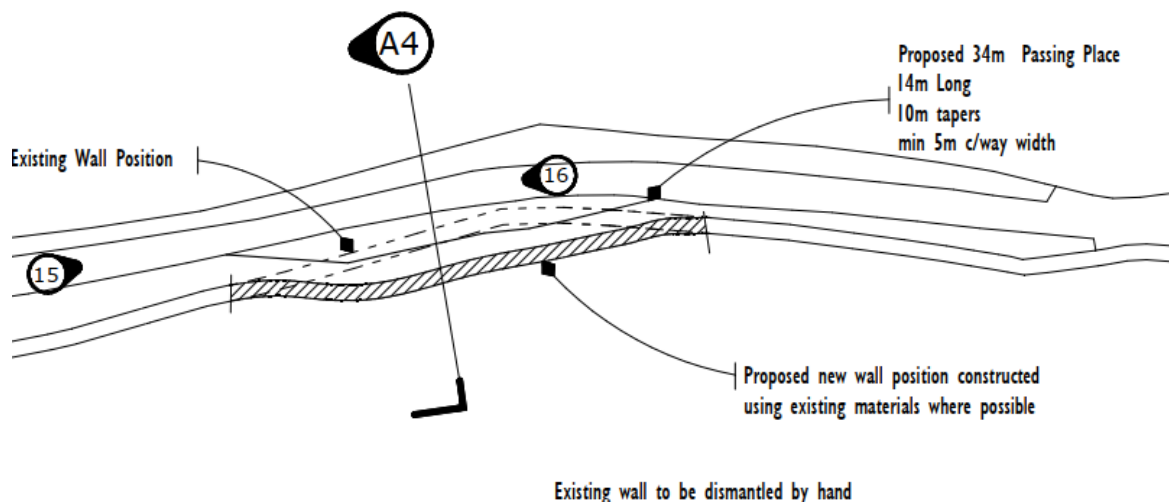


Figure 6: Proposed passing place detail.

The proposal would amend the passing place in a way to meet the applicant's needs without causing any harm to planning interests such as highway safety, landscape and public protection over and above the already approved details.

Highway officers have raised no concerns with the revised arrangements, and it is noted that further control exists through s278 of the Highways Act 1980.

Conclusion on the proposed amendments to conditions requested by the applicant.

In conclusion on the main issue as to whether the revised plans are acceptable it is considered that the revised details to Thickwood Lane access and the passing place on Northern Lane are acceptable in planning terms. If they had of formed the plans for the original planning permission, then approval would have been forthcoming. There have been no material changes in circumstances in the meantime such as to reach a different conclusion.

Conditions and Unilateral Undertaking on the original grant of planning approval.

Approval of these applications would effectively create the grant of a new planning permission. As such, it is necessary to review all of the conditions previously imposed to consider whether they still meet the relevant tests of a condition. Furthermore, it is necessary to consider if any additional conditions may be required.

Additionally, it is necessary to review the unilateral undertaking to consider whether it would be binding on these applications if they are approved; and whether those obligations relied upon by the Inspector continue to meet the relevant test of a planning obligation.

Conditions 6, 8, 10, and 11 (Appeal A) and conditions 1, 7, 9, 11 and 12 (Appeal B) need to be updated to reflect the proposed changes to the details of access to Thickwood Lane and the passing place to Northern Lane. Condition 6 (appeal A) and condition 7 (Appeal B) needs other adjustments considering the most up to date circumstances. See below.

Conditions 1, 2, 7, 9, 12, 14, 16, 17, 18, 19, and 20 (Appeal A) and conditions 2, 3, 8, 10, 13, 15, 17, 18, 19, 20, and 21 (Appeal B) have been reviewed and can simply be reimposed.

Conditions 3, 4, 5, 13, and 15 (Appeal A) and conditions 4, 5, 6, 14, and 16 (Appeal B) need to be reviewed in greater detail in order to reflect the most up to date circumstances and information. The following is an assessment of those matters.

Noise Management Plan (NMP) Conditions (Ref: conditions 3, 4, and 5 (Appeal A) and 4, 5, and 6 (Appeal B)):

The issue of the NMP for the land-use approved at appeal has arguably been the most contentious matter with the development at this site. The planning history effectively establishes that the original appeal was allowed on the basis that there was likely to be a realistic scenario where a NMP could be agreed that would reasonably control the noise impacts from the development to neighbouring residential land-uses. As such, conditions were imposed to allow further negotiation of this matter beyond the appeals process.

Condition 3 (Appeal A) and condition 4 (Appeal B) set out a process for submitting an updated NMP. This has been followed by the applicant and the local planning authority (with negotiation) and resulted in a further appeal against the decision to refuse to approve the NMP. The outcome of that appeal was that the NMP remained unacceptable with the Inspector providing a view on the matters of contention, some in favour of the Local Planning Authority's case and some in favour of the appellant's case. However, under the strict terms of this condition there is no further opportunity to submit a further NMP and the use should cease.

However, this is not helpful to any of the interested parties including 3rd parties impacted by the noise being generated from the land-use or those economically associated with the land-use as customers, contractors or employees. The most expedient means to address this and allow flexibility through the planning system is to vary this condition to allow for further NMP submissions to be made without prejudice to the potential impacts from noise to local receptors i.e. no development shall commence / recommence until a suitable NMP has been agreed in writing.

The revised condition has been subject to review by the applicant, and they have requested that a change be made to include provisions for judicial review (JR) of the decision and/or any refusal to discharge the condition. This is not necessary in the circumstances of the trigger of no development shall commence or recommence though – and they have not raised any issue with the trigger proposed.

Condition 4 (Appeal A) and condition 5 (Appeal B) seeks to provide flexibility in relation to the NMP against changing circumstances, such as evolving measures to control noise including any equipment relied upon by an approved NMP becomes defunct over time. This remains reasonable and necessary and as such may be reimposed.

Condition 5 (Appeal A) and condition 6 (Appeal B) seeks to provide an interim NMP to allow continued operation at the site. However, given the circumstances where the original permission required the use to cease where a NMP could not gain formal approval either from the Local Planning Authority or the Planning Inspectorate then this condition is no longer considered necessary or reasonable. This provision in the original appeal was intended to be a short-term measure to allow appropriate time for an acceptable NMP to be agreed between the main parties. Without such agreement the original permission was clear that the use should cease, not carry on under the interim NMP.

Condition 3 (Appeal A) and condition 4 (Appeal B) requires the use to cease when options to gain discharge of the conditions are exhausted. The only remaining recourse is a JR of the NMA appeal decision by the Secretary of State's inspector. The grant of approval here would not prejudice this option but would grant a new planning permission and allow the applicant opportunity to further negotiate the NMP with the local planning authority; and if successful secure a satisfactory noise management scenario for local residents.

The applicant has requested that the condition is retained and not deleted or amended. However, the condition is not necessary in light of the trigger (agreed by the main parties) under condition 3 (appeal A) and condition 4 (appeal B) i.e. no development shall commence or recommence. Under this planning permission there should not be any carrying out of the development until a final NMP is approved, so there is no need for an interim NMP in these circumstances. Furthermore, the condition is not reasonable because to continue to allow the development to operate under the interim NMP (which the inspector found to be inadequate on an ongoing basis) would likely be prejudicial to the reasonable amenities of local residents.

Highway Works (Ref: Condition 6 (Appeal A) and condition 7 (Appeal B)):

Variation of this condition to reflect the updated details of access is necessary. It has also been considered whether the condition can be amended in light of the previous details approved under the terms of a discharge of condition application i.e. agreed timetables. However, given the works differ from the latest plans retaining the condition allows for enhanced flexibility if its required and also reflects the level of clarity provided by the applicant on progress against the approved timetables. On balance, the condition remains relevant and necessary. However, consistent with the proposed trigger changes to the NMP condition it is also necessary to make these alterations too. The applicant has agreed these changes.

Travel Plan Condition (Ref: condition 13 (Appeal A) and 14 (Appeal B)):

Since the original grant of planning permission details have been submitted to and approved in writing by the local planning authority. The variation proposed would not impact this. In light of this the condition may be reworded to be an implementation condition reflective of the details approved previously. The applicant has agreed these changes.

Bats Condition (Ref: condition 15 (Appeal A) and 16 (Appeal B)):

Since the original grant of planning permission details have been submitted to and approved in writing by the local planning authority. The variation proposed would not impact this. In light of this the condition may be reworded to be an implementation condition reflective of the details approved previously. The applicant has agreed these changes.

Unilateral Undertaking (obligations 5.1 and 5.7):

The Inspector clearly had regard to and placed weight on securing the obligations 5.1 and 5.7 of the applicant's Unilateral Undertaking (UU). The UU is addressed from paragraph 289 through to paragraph 295 of their Decision Letter and concludes that obligation 5.1 and obligation 5.7, insofar as related to the Access Track as defined in the UU, are compatible with the relevant tests and weight is therefore attributed. Access Track in the UU was defined by a number of plans related to the works to include Thickwood Lane and Northern Lane.

A legal opinion has been sought on whether the UU would apply to any future s73/s73A applications. Whilst the UU makes provisions in relation to the planning permission being varied under s73 it does not explicitly relate to s73A. Furthermore, there are no provisions within the UU to indicate that the definitions of Highway Works are illustrative or may be updated through discharge of conditions for example. The plans within the UU include ones for which the variation of planning permission relates i.e. the details of the passing place on Northern Lane and the access point to Thickwood Lane. As such, if the obligations remain relevant and necessary in order to grant planning permission then it could be necessary to have a variation of the legal agreement.

Obligation 5.1 states: "(The Owner covenants as follows:) To enter into a Highways Agreement in respect of the Access Track if necessary and as soon as reasonably practicable following the grant of the Planning Permission pursuant to the Planning Appeal."

The Inspector states that this obligation would sit alongside the timetable conditions that they will impose. However, it is noted that the obligation seeks to ensure the delivery of s278 works. It doesn't provide any clear timetable. It is known that discussions have commenced between the Local Highway Authority and the applicant regarding carrying out such works. It is also considered that the timetable conditions can be varied to secure the desired outcome (i.e. condition 6 (Appeal A) and condition 7 (Appeal B)).

Obligation 5.7 states: "(The Owner covenants as follows:) During the period of time between the grant of Planning Permission and the completion of the Access Track and/or the Passing Places as appropriate, the Owner shall comply with the Interim Traffic Measures".

The Inspector states that the implementation of the interim traffic management strategy is considered necessary to make the development acceptable to mitigate the short-term effects of the development prior to the provision of the access track and works to Euridge Lane. This interim strategy is different in nature to the interim NMP. The differences include that the

highway works are well progressed and show clear indications of being delivered based on the positive negotiations to date, the previously approved timetables for works, and the works that have taken place so far. It is known that some of this development has been substantially commenced from site visits in February and May 2026. Nonetheless the aims of this obligation remain relevant and necessary to make the development acceptable. However, it is considered that this can be equally addressed through an appropriately worded condition that secures the applicant's Interim Traffic Management Strategy as set out within appendix B of the UU up to the completion of the s278 works. A timetable can also be secured for the s278 works as necessary.

In conclusion, it is considered that the aims of the UU remain relevant. A variation of the UU could be necessary. However, on balance it is considered that given the limited scope of the UU's relevance and the nature of those limited obligations that they could be equally well addressed through planning conditions to secure their desired outcomes at least as well as the current UU does. Specifically, Condition 6 (Appeal A) and condition 7 (Appeal B)) are relevant and can be amended to achieve the same outcome as obligations 5.1 and 5.7. The applicant has agreed these changes.

The approach to conditions and planning obligations has been discussed internally with the council's public protection officers familiar with the site, enforcement officers familiar with the site and the council's solicitor and KC which have been involved with the planning history. This has been a collaborative process. No concerns have been expressed with the approach being taken. The agreed approach has then been communicated with the applicant's agent, and they have seen the draft conditions. They have agreed to the approach and conditions in principle. Initially they indicated that some condition details could be 'tweaked' and so they were provided with an opportunity to make specific suggestions. In response they requested two changes that are discussed above and ultimately have not been included.

PLANNING BALANCE AND CONCLUSION

In determining this application under Section 73/73A of the Town and Country Planning Act 1990, the Local Planning Authority has considered whether the proposed amendments fall within the scope of Section 73/73A. The proposed amendments have been assessed against the relevant policies of the Wiltshire Core Strategy, any applicable Neighbourhood Plan, and the National Planning Policy Framework. The assessment has also considered whether the development, as amended, materially alters the nature or impacts of the approved scheme.

Whilst the public responses have been noted, there is no evidence or circumstances apparent to revisit the principles of the development or indeed the need for a passing place or the need for the access. This is an assessment on the revised detail, which is considered to be minor in nature, within the scope of the original approvals secured at appeal, and would not result in any harm to planning interests.

Furthermore, given that the approval of these applications results in the effective grant of a fresh planning permission the terms of all the conditions and obligations have been thoroughly reviewed. Of paramount consideration has been ensuring that the interests of all parties are respected with particular sensitivity to considering matters of noise. It is concluded that the proposals present an opportunity to most expediently provide an opportunity to agree a final NMP that protects the living conditions of interested parties. This is in acknowledgement that

the land-use has been found to be acceptable by the Secretary of State's planning inspector. The approach has also been mindful of other parties who are seeking to hold an event at Euridge Manor, or are providing services to any events. This decision does not impact the terms of the original planning permissions.

RECOMMENDATION:

That Planning Permission be GRANTED subject to the following conditions:

Conditions on PL/2025/09908 (previously Appeal A):

Black text = Original text unchanged

Red text = Original text that requires change

Green text = Revised or Additional text

1.

No more than 50 events shall take place at the site in any calendar year. For the purposes of this planning permission, an 'event' is defined as a gathering held on commercial terms of any number of guests with or without a ceremony, including (but not limited to) the provision of a drinks reception, food, speeches, live and recorded music, and/or other forms of entertainment. An event held by the same individual or party over a 48 hour period shall be regarded as a single event.

2.

The number of attendees (excluding serving staff) at any event (as defined in condition 1) shall not exceed 150. Where more than one event is held at any one time, the total number of attendees at both events shall not exceed 150.

3.

The use hereby permitted shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed within 30 days of the date of failure to meet any one of the requirements i) to iv) set out below:

- i. Within 1 month of the date of this decision a revised noise management plan ("NMP") shall be submitted to the local planning authority for its written approval.
- ii. If within 3 months of the date of this decision the local planning authority refuse to approve the NMP or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
- iii. If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted NMP shall have been approved by the Secretary of State.
- iv. The use hereby permitted shall be carried out in accordance with the approved NMP or in accordance with any subsequent amended version of the NMP approved via the means specified in condition 4.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

The use hereby permitted shall not commence or recommence and no equipment and materials shall be brought onto the land for the purposes of such use until a noise management plan ("NMP") has been submitted to the local planning authority for its written approval and one of the requirements i) to ii) set out below has been met:

- i. The local planning authority approve the NMP.
- ii. The local planning authority refuse to approve the revised NMP or fail to give a decision within the prescribed period, and an appeal shall have been made to, and accepted as validly made by, the Secretary of State, and that appeal shall have been finally determined and the submitted NMP shall have been approved by the Secretary of State.

The use hereby permitted shall be carried out in accordance with the approved NMP or in accordance with any subsequent amended version of the NMP approved via the means specified in condition 4.

4.

In the event that a review of the noise management plan ("NMP") approved by reason of condition 3, carried out in accordance with that condition, identifies a need for the NMP to be amended, the use hereby permitted shall cease within 30 days of the date of failure to meet any one of the requirements i) to iv) set out below:

- i. Within 1 month of the date of the review an amended NMP shall be submitted to the local planning authority for its written approval.
- ii. If within 2 months of the date of the submission of an amended NMP the local planning authority refuse to approve the amended version or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
- iii. If an appeal is made in pursuance of ii. above, that appeal shall have been finally determined and the submitted amended version of the NMP shall have been approved by the Secretary of State.
- iv. The use hereby permitted shall be carried out in accordance with the approved amended version of the NMP.

5.

Until a revised noise management plan has been submitted and approved in accordance with the terms of condition 3, the development hereby permitted shall be carried out in accordance with the noise management plan revision 10, dated 25 October 2024.

DELETE

~~6.~~ 5.

The use hereby permitted shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed within 30 days of the date of failure to meet any one of the requirements set out in i) to vii) below:

- i) Within 3 months of the date of this decision a timetable for the completion of the access track hereby permitted, including the works at the junction of the track with Thickwood Lane, shall have been submitted to the local planning authority for its written approval.

ii) Within 3 months of the date of this decision a timetable for the completion of the landscaping of the access track and adjoining areas shall have been submitted to the local planning authority for its written approval.

iii) Within 3 months of the date of this decision a timetable for the completion of the works to Euridge Lane hereby permitted shall have been submitted to the local planning authority for its written approval.

iv) Within 3 months of the date of this decision, and notwithstanding the details already submitted, a scheme of materials, finished levels and the landscaping of the access track and adjoining areas shall have been submitted to the local planning authority for its written approval. The scheme shall include:

- a) full construction and surfacing details of the track;
- b) finished levels and contours of the track;
- c) location and current canopy spread of all existing trees and hedgerows on the land;
- d) full details of any trees, hedgerow and other planting to be retained;
- e) detailed of all new planting, including plant species, plant sizes and planting densities;
- f) any means of enclosure; and
- g) the retention of any historic landscape features and proposed restoration, where appropriate.

v) If within 6 months of the date of this decision the local planning authority refuse to approve the timetable and scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

vi) If an appeal is made in pursuance of v) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

vii) The completion of the works on Euridge Lane, the access track, the works at the junction of the track with Thickwood Lane, and the associated landscaping in accordance with:

- the approved scheme;
- the approved timetables;
- drawing number LDC.2272K 02C Location Plan;
- drawing number LDC.2272K 07C Passing Place Detail
- drawing number LDC.2272K 13A Access and Estate Gate Detail;
- drawing number LDC.2272K 14 Indicative Details;
- 475/06 C 'Plan 6' Proposed Access Track; and
- the Visual Assessment of Enderby Associates Dated August 2022

Upon completion of the access track in accordance with the approved scheme and the details specified in this condition, the track shall thereafter be retained for so long as the use hereby permitted continues.

Any trees or plants comprised in the landscaping scheme which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

The use hereby permitted shall not commence or recommence and no equipment and materials shall be brought onto the land for the purposes of such use until requirements i) to iv) have been approved in writing either through approval by the local planning authority, or where such an application has been refused or the LPA failed to give a decision within the prescribed period by the Secretary of State:

- i) a timetable for the completion of the access track hereby permitted, including the works at the junction of the track with Thickwood Lane (and any s278 Agreement as necessary), shall have been submitted to the local planning authority for its written approval.
- ii) a timetable for the completion of the landscaping of the access track and adjoining areas shall have been submitted to the local planning authority for its written approval.
- iii) a timetable for the completion of the works to Euridge Lane hereby permitted (and any s278 Agreement as necessary) shall have been submitted to the local planning authority for its written approval.
- iv) Notwithstanding the details already submitted, a scheme of materials, finished levels and the landscaping of the access track and adjoining areas shall have been submitted to the local planning authority for its written approval. The scheme shall include:
 - a) full construction and surfacing details of the track;
 - b) finished levels and contours of the track;
 - c) location and current canopy spread of all existing trees and hedgerows on the land;
 - d) full details of any trees, hedgerow and other planting to be retained;
 - e) detailed of all new planting, including plant species, plant sizes and planting densities;
 - f) any means of enclosure; and
 - g) the retention of any historic landscape features and proposed restoration, where appropriate.

The completion of the works on Euridge Lane, the access track, the works at the junction of the track with Thickwood Lane, and the associated landscaping shall be in accordance with:

- the approved scheme;
- the approved timetables;
- drawing number LDC.2272K 02C Location Plan;
- drawing number LDC.2272G 07G Passing Place Detail
- drawing number LDC.2272G 13E Access and Estate Gate Detail;
- drawing number LDC.2272K 14 Indicative Details;
- 475/06 C 'Plan 6' Proposed Access Track; and
- the Visual Assessment of Enderby Associates Dated August 2022

Until such time as the approved works are completed in accordance with the bullet points above the use shall be carried out in accordance with the Interim Traffic Measures identified at appendix 2 of the Unilateral Undertaking submitted with the original planning appeal (PINS ref: APP/Y3940/C/22/3306233).

Upon completion of the access track in accordance with the approved scheme and the details specified in this condition, the track shall thereafter be retained for so long as the use hereby permitted continues.

Any trees or plants comprised in the landscaping scheme which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

~~7~~ 6.

Upon completion of the access track and the works at the junction of the track with Thickwood Lane in accordance with the approved scheme and the details specified in condition ~~5~~, the track shall be used by all vehicles associated with an event, as defined in condition 1, as the only means of leaving the site (Euridge Manor).

~~8~~ 7.

Upon completion of the access track and the works at the junction of the track with Thickwood Lane in accordance with the approved scheme and the details specified in condition 6, the vision splay shown on drawing number LDC.2272K 13A 'Access and Estate Gate Detail' shall thereafter be retained and maintained free from obstruction above a height of 900mm measured from the level of the nearside carriageway.

Upon completion of the access track and the works at the junction of the track with Thickwood Lane in accordance with the approved scheme and the details specified in condition 5, the vision splay shown on drawing number LDC.2272G 13E 'Access and Estate Gate Detail' shall thereafter be retained and maintained free from obstruction above a height of 900mm measured from the level of the nearside carriageway.

~~9~~ 8.

Surface water from the access track shall not drain onto the adopted highway.

~~10~~ 9.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected at the junction of the access track with Thickwood Lane, other than in the position of gates and fencing shown on drawing number LDC.2272K 13A 'Access and Estate Gate Detail'.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected at the junction of the access track with Thickwood Lane, other than in the position of gates and fencing shown on drawing number LDC.2272G 13E 'Access and Estate Gate Detail'.

~~11~~ 10

The materials and appearance of the repositioned wall on Euridge Lane (as shown on drawing number LDC.2272K 07C Passing Place Details) shall match those of the boundary wall with the highway in the location of these works.

The materials and appearance of the repositioned wall on Euridge Lane (as shown on drawing number LDC.2272G 07G Passing Place Details) shall match those of the boundary wall with the highway in the location of these works.

~~12.~~ 11.

During all events (as defined in condition 1) the parking and turning areas shown on plan number LDC.2272K 05C 'Site Plan Car Park' shall not be used for any purpose other than for the parking of vehicles associated with the event.

~~13.~~ 12.

The use hereby permitted shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed within 30 days of the date of failure to meet any one of the requirements set out in i) to iv) below:

- i. Within 1 month of the date of this decision a revised Travel Plan shall be submitted to the local planning authority for its written approval.
- ii. If within 3 months of the date of this decision the local planning authority refuse to approve the revised travel plan, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
- iii. If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted travel plan shall have been approved by the Secretary of State.
- iv. The use of the site hereby permitted in accordance with the approved travel plan.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

The use of the site hereby permitted shall be in accordance with the travel plan approved under the discharge of condition 13 against the original appeal (LPA ref: PL/2025/05323).

~~14.~~ 13.

Save for the mitigation works set out in the 'Mitigation and Enhancement Strategy in respect of Lesser Horseshoe Bats' revision b dated March 2024 (the Strategy), the development hereby permitted shall be carried out in accordance with the mitigation measures for bats set out in the Strategy or as modified by any Natural England European Protected Species Mitigation licence for the site for bats.

~~15.~~ 14.

Within one month of the date of this decision a timetable for the implementation of the mitigation works specified in the 'Mitigation and Enhancement Strategy in respect of Lesser Horseshoe Bats' revision b dated March 2024 shall be submitted to the local planning authority for its written approval. Upon the approval of the timetable, the mitigation works shall be carried out in accordance with the approved timetable.

The mitigation works specified in the 'Mitigation and Enhancement Strategy in respect of Lesser Horseshoe Bats' revision b dated March 2024 shall be carried out in accordance with the timetable approved under the discharge of condition 15 against the original appeal (LPA ref: PL/2025/05323).

~~16.~~ 15.

All external lighting shall accord with and be used at all times in accordance with the 'Lighting Strategy & External Detailed Lighting Design' Rev E dated April 2024.

~~17.~~ 16.

Fireworks, pyrotechnics and sky lanterns (whether noise generating or not) shall not be used at any time during an event, as defined in condition 1.

~~18.~~ 17.

None of the types of event lighting specified in the 'Event Lighting Restrictions' section at page 13 of the 'Lighting Strategy & External Detailed Lighting Design' Rev E dated April 2024 shall be used at any time during an event, as defined in condition 1.

~~19.~~ 18.

No person(s) shall occupy the holiday/event accommodation provided within the 'iglu pod' hereby permitted for a continuous period of more than 14 days in any calendar year and it shall not be reoccupied by the same person(s) within 28 days following the end of that period.

~~20.~~ 19.

The owners or operators of the site shall maintain an up-to-date register of the names of all occupiers of the holiday/event accommodation (the 'iglu pod') and of their main home addresses and shall make such information available at all reasonable times to the Local Planning Authority.

Conditions on PL/2025/09909 (previously Appeal B):

1.

The development hereby permitted shall be carried out in accordance with the following approved plans and documentation:

- LDC.2272K 01C Context Plan
- LDC.2272K 02C House & Track Location Plan
- LDC.2272K 03A Passing Place Location Plan
- LDC.2272K 04C House Site Plan
- LDC.2272K 05C Car Park Site Plan
- LDC.2272K 06B Passing Place Site Plan.
- LDC.2272K 07C Passing Place Detail.
- LDC.2272K 08B Location Plan House & Track 21st March 2023.
- LDC.2722K 09 Iglu pod detail 10th October 2022;
- LDC.2722K 10A Marquee 01 detail ('the petal marquee') 10th October 2022;
- LDC.2722K 11A Marquee 02 detail ('the kitchen tent') 10th October 2022;
- LDC.2722K 12 Toilet unit details 10th October 2022;
- LDC.2722K 13A Access and estate gate detail;
- LDC.2722K 14 Indicative details 10th October 2022;
- C10072-EX-LCP Rev C DPA Lighting Consultants 2nd October 2022
- C10072-EX-LLP Rev C DPA Lighting Consultants 2nd October 2022

The development hereby permitted shall be carried out in accordance with the following approved plans and documentation:

- LDC.2272K 01C Context Plan

- LDC.2272K 02C House & Track Location Plan
- LDC.2272K 03A Passing Place Location Plan
- LDC.2272K 04C House Site Plan
- LDC.2272K 05C Car Park Site Plan
- LDC.2272K 06B Passing Place Site Plan.
- LDC.2272G 07G Passing Place Detail.
- LDC.2272K 08B Location Plan House & Track 21st March 2023.
- LDC.2722K 09 Iglu pod detail 10th October 2022;
- LDC.2722K 10A Marquee 01 detail ('the petal marquee') 10th October 2022;
- LDC.2722K 11A Marquee 02 detail ('the kitchen tent') 10th October 2022;
- LDC.2722K 12 Toilet unit details 10th October 2022;
- LDC.2722G 13E Access and estate gate detail;
- LDC.2722K 14 Indicative details 10th October 2022;
- C10072-EX-LCP Rev C DPA Lighting Consultants 2nd October 2022
- C10072-EX-LLP Rev C DPA Lighting Consultants 2nd October 2022

2.

No more than 50 events shall take place at the site in any calendar year. For the purposes of this planning permission, an 'event' is defined as a gathering held on commercial terms of any number of guests with or without a ceremony, including (but not limited to) the provision of a drinks reception, food, speeches, live and recorded music, and/or other forms of entertainment. An event held by the same individual or party over a 48 hour period shall be regarded as a single event.

3.

The number of attendees (excluding serving staff) at any event (as defined in condition 2) shall not exceed 150. Where more than one event is held at any one time, the total number of attendees at both events shall not exceed 150.

4.

The use hereby permitted shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed within 30 days of the date of failure to meet any one of the requirements i) to iv) set out below:

- v. Within 1 month of the date of this decision a revised noise management plan ("NMP") shall be submitted to the local planning authority for its written approval.
- vi. If within 3 months of the date of this decision the local planning authority refuse to approve the NMP or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
- vii. If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted NMP shall have been approved by the Secretary of State.
- viii. The use hereby permitted shall be carried out in accordance with the approved NMP or in accordance with any subsequent amended version of the NMP approved via the means specified in condition 5.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

The use hereby permitted shall not commence or recommence and no equipment and materials shall be brought onto the land for the purposes of such use until a noise management plan ("NMP") has been submitted to the local planning authority for its written approval and one of the requirements i) to ii) set out below has been met:

- iii. The local planning authority approve the NMP.
- iv. The local planning authority refuse to approve the revised NMP or fail to give a decision within the prescribed period, and an appeal shall have been made to, and accepted as validly made by, the Secretary of State, and that appeal shall have been finally determined and the submitted NMP shall have been approved by the Secretary of State.

The use hereby permitted shall be carried out in accordance with the approved NMP or in accordance with any subsequent amended version of the NMP approved via the means specified in condition 5.

5.

In the event that a review of the noise management plan ("NMP") approved by reason of condition 4, carried out in accordance with that condition, identifies a need for the NMP to be amended, the use hereby permitted shall cease within 30 days of the date of failure to meet any one of the requirements i) to iv) set out below:

- i. Within 1 month of the date of the review an amended NMP shall be submitted to the local planning authority for its written approval.
- ii. If within 2 months of the date of the submission of an amended NMP the local planning authority refuse to approve the amended version or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
- iii. If an appeal is made in pursuance of ii. above, that appeal shall have been finally determined and the submitted amended version of the NMP shall have been approved by the Secretary of State.
- iv. The use hereby permitted shall be carried out in accordance with the approved amended version of the NMP.

6.

Until a revised noise management plan has been submitted and approved in accordance with the terms of condition 4, the development hereby permitted shall be carried out in accordance with the noise management plan revision 10, dated 25 October 2024.

DELETE

~~7. 6.~~

The use hereby permitted shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed within 30 days of the date of failure to meet any one of the requirements set out in i) to vii) below:

i) Within 3 months of the date of this decision a timetable for the completion of the access track hereby permitted, including the works at the junction of the track with Thickwood Lane, shall have been submitted to the local planning authority for its written approval.

ii) Within 3 months of the date of this decision a timetable for the completion of the landscaping of the access track and adjoining areas shall have been submitted to the local planning authority for its written approval.

iii) Within 3 months of the date of this decision a timetable for the completion of the works to Euridge Lane hereby permitted shall have been submitted to the local planning authority for its written approval.

iv) Within 3 months of the date of this decision, and notwithstanding the details already submitted, a scheme of materials, finished levels and the landscaping of the access track and adjoining areas shall have been submitted to the local planning authority for its written approval. The scheme shall include:

- a) full construction and surfacing details of the track;
- b) finished levels and contours of the track;
- c) location and current canopy spread of all existing trees and hedgerows on the land;
- d) full details of any trees, hedgerow and other planting to be retained;
- e) detailed of all new planting, including plant species, plant sizes and planting densities;
- f) any means of enclosure; and
- g) the retention of any historic landscape features and proposed restoration, where appropriate.

v) If within 6 months of the date of this decision the local planning authority refuse to approve the timetable and scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

vi) If an appeal is made in pursuance of v) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

vii) The completion of the works on Euridge Lane, the access track, the works at the junction of the track with Thickwood Lane, and the associated landscaping in accordance with:

- the approved scheme;
- the approved timetables;
- drawing number LDC.2272K 02C Location Plan;
- drawing number LDC.2272K 07C Passing Place Detail
- drawing number LDC.2272K 13A Access and Estate Gate Detail;
- drawing number LDC.2272K 14 Indicative Details;
- 475/06 C 'Plan 6' Proposed Access Track; and
- the Visual Assessment of Enderby Associates Dated August 2022

Upon completion of the access track in accordance with the approved scheme and the details specified in this condition, the track shall thereafter be retained for so long as the use hereby permitted continues.

Any trees or plants comprised in the landscaping scheme which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

The use hereby permitted shall not commence or recommence and no equipment and materials shall be brought onto the land for the purposes of such use until requirements i) to iv) have been approved in writing either through approval by the local planning authority, or where such an application has been refused or the LPA failed to give a decision within the prescribed period by the Secretary of State:

i) a timetable for the completion of the access track hereby permitted, including the works at the junction of the track with Thickwood Lane (and any s278 Agreement as necessary), shall have been submitted to the local planning authority for its written approval.

ii) a timetable for the completion of the landscaping of the access track and adjoining areas shall have been submitted to the local planning authority for its written approval.

iii) a timetable for the completion of the works to Euridge Lane hereby permitted (and any s278 Agreement as necessary) shall have been submitted to the local planning authority for its written approval.

iv) Notwithstanding the details already submitted, a scheme of materials, finished levels and the landscaping of the access track and adjoining areas shall have been submitted to the local planning authority for its written approval. The scheme shall include:

- h) full construction and surfacing details of the track;
- i) finished levels and contours of the track;
- j) location and current canopy spread of all existing trees and hedgerows on the land;
- k) full details of any trees, hedgerow and other planting to be retained;
- l) detailed of all new planting, including plant species, plant sizes and planting densities;
- m) any means of enclosure; and
- n) the retention of any historic landscape features and proposed restoration, where appropriate.

The completion of the works on Euridge Lane, the access track, the works at the junction of the track with Thickwood Lane, and the associated landscaping shall be in accordance with:

- the approved scheme;
- the approved timetables;
- drawing number LDC.2272K 02C Location Plan;
- drawing number LDC.2272G 07G Passing Place Detail
- drawing number LDC.2272G 13E Access and Estate Gate Detail;
- drawing number LDC.2272K 14 Indicative Details;
- 475/06 C 'Plan 6' Proposed Access Track; and
- the Visual Assessment of Enderby Associates Dated August 2022

Until such time as the approved works are completed in accordance with the bullet points above the use shall be carried out in accordance with the Interim Traffic Measures identified at appendix 2 of the Unilateral Undertaking submitted with the original planning appeal (PINS ref: APP/Y3940/W/23/3323464).

Upon completion of the access track in accordance with the approved scheme and the details specified in this condition, the track shall thereafter be retained for so long as the use hereby permitted continues.

Any trees or plants comprised in the landscaping scheme which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

~~8.~~ 7.

Upon completion of the access track and the works at the junction of the track with Thickwood Lane in accordance with the approved scheme and the details specified in condition ~~6~~, the track shall be used by all vehicles associated with an event, as defined in condition 2, as the only means of leaving the site (Euridge Manor).

~~9.~~ 8.

Upon completion of the access track and the works at the junction of the track with Thickwood Lane in accordance with the approved scheme and the details specified in condition 7, the vision splay shown on drawing number LDC.2272K 13A 'Access and Estate Gate Detail' shall thereafter be retained and maintained free from obstruction above a height of 900mm measured from the level of the nearside carriageway.

Upon completion of the access track and the works at the junction of the track with Thickwood Lane in accordance with the approved scheme and the details specified in condition 6, the vision splay shown on drawing number LDC.2272G 13E 'Access and Estate Gate Detail' shall thereafter be retained and maintained free from obstruction above a height of 900mm measured from the level of the nearside carriageway.

~~10.~~ 9.

Surface water from the access track shall not drain onto the adopted highway.

~~11.~~ 10.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected at the junction of the access track with Thickwood Lane, other than in the position of gates and fencing shown on drawing number LDC.2272K 13A 'Access and Estate Gate Detail'.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected at the junction of the access track with Thickwood Lane, other than in the position of gates and fencing shown on drawing number LDC.2272G 13E 'Access and Estate Gate Detail'.

~~12.~~ 11.

The materials and appearance of the repositioned wall on Euridge Lane (as shown on drawing number LDC.2272K 07C Passing Place Details) shall match those of the boundary wall with the highway in the location of these works.

The materials and appearance of the repositioned wall on Euridge Lane (as shown on drawing number LDC.2272G 07G Passing Place Details) shall match those of the boundary wall with the highway in the location of these works.

~~13.~~ 12.

During all events (as defined in condition 2) the parking and turning areas shown on plan number LDC.2272K 05C 'Site Plan Car Park' shall not be used for any purpose other than for the parking of vehicles associated with the event.

~~14.~~ 13.

The use hereby permitted shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed within 30 days of the date of failure to meet any one of the requirements set out in i) to iv) below:

- i. Within 1 month of the date of this decision a revised Travel Plan shall be submitted to the local planning authority for its written approval.
- ii. If within 3 months of the date of this decision the local planning authority refuse to approve the revised travel plan, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
- iii. If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted travel plan shall have been approved by the Secretary of State.
- iv. The use of the site hereby permitted in accordance with the approved travel plan.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

The use of the site hereby permitted shall be in accordance with the travel plan approved under the discharge of condition 14 against the original appeal (LPA ref: PL/2025/05324).

~~15.~~ 14.

Save for the mitigation works set out in the 'Mitigation and Enhancement Strategy in respect of Lesser Horseshoe Bats' revision b dated March 2024 (the Strategy), the development hereby permitted shall be carried out in accordance with the mitigation measures for bats set out in the Strategy or as modified by any Natural England European Protected Species Mitigation licence for the site for bats.

~~16.~~ 15.

Within one month of the date of this decision a timetable for the implementation of the mitigation works specified in the 'Mitigation and Enhancement Strategy in respect of Lesser Horseshoe Bats' revision b dated March 2024 shall be submitted to the local planning authority for its written approval. Upon the approval of the timetable, the mitigation works shall be carried out in accordance with the approved timetable.

The mitigation works specified in the 'Mitigation and Enhancement Strategy in respect of Lesser Horseshoe Bats' revision b dated March 2024 shall be carried out in accordance with the timetable approved under the discharge of condition 16 against the original appeal (LPA ref: PL/2025/05324).

~~17.~~ 16.

All external lighting shall accord with and be used at all times in accordance with the 'Lighting Strategy & External Detailed Lighting Design' Rev E dated April 2024.

~~18.~~ 17.

Fireworks, pyrotechnics and sky lanterns (whether noise generating or not) shall not be used at any time during an event, as defined in condition 2.

~~19.~~ 18.

None of the types of event lighting specified in the 'Event Lighting Restrictions' section at page 13 of the 'Lighting Strategy & External Detailed Lighting Design' Rev E dated April 2024 shall be used at any time during an event, as defined in condition 2.

~~20.~~ 19.

No person(s) shall occupy the holiday/event accommodation provided within the 'iglu pod' hereby permitted for a continuous period of more than 14 days in any calendar year and it shall not be reoccupied by the same person(s) within 28 days following the end of that period.

~~21.~~ 20.

The owners or operators of the site shall maintain an up-to-date register of the names of all occupiers of the holiday/event accommodation (the 'iglu pod') and of their main home addresses and shall make such information available at all reasonable times to the Local Planning Authority.