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## Appeal Decision

Site visit made on 25 November 2025

by **F Webber BSc (Hons), MSc, MRTPI, ACSM**

an Inspector appointed by the Secretary of State

Decision date: 06 March 2026

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**Appeal Ref: APP/E3335/W/25/3373049**

**Flyboat Farm, Pitminster Road, Pitminster, Taunton, Somerset TA3 7AS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
  - The appeal is made by Mr Parris, AP & SM Parris & Son against the decision of Somerset Council.
  - The application Ref is 30/25/0002.
  - The development proposed is for Outline Consent for Access and Scale with all other matters reserved for residential development of up to 2 dwellings.
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### Decision

1. The appeal is allowed and outline planning permission is granted for development described as 'outline planning with all matters reserved, except for access and scale, for the erection of 2 No. dwellings at Flyboat Farm, Pitminster Road, Pitminster' in accordance with the terms of the application, Ref 30/25/0002, subject to the conditions in the attached schedule.

### Preliminary and Procedural Matters

2. The description of the development is that stated in the Council's decision notice and transcribed by the appellant in the appeal statement.
3. This appeal scheme relates to an outline application with access and scale considered at this stage, with all other matters reserved for future consideration. For avoidance of doubt the Drawing No J24027-03 was submitted only for illustrative purposes. Consequently, this appeal has been determined accordingly and in respect of Drawing No J24027-01, Drawing No J24027-02, Drawing No J24027-04 and Drawing No J24027-05 only.
4. The submitted Design and Access Statement made reference to a property in North Curry, the appellant has confirmed that this is an error and amended the document to remove the reference. The Council are content that the removal of the reference does not prejudice the determination of this appeal.
5. The appellant has identified that an error was made in completing the planning application form, which was subsequently accepted by the Council. Certificate A had been completed but more recently the ownership of the access route within the red line area of the appeal site has now been identified to lie with a third party. The ownership of land is not a planning matter, and the error does not impede the determination of this appeal.
6. I note that reference has been made to an earlier outline planning application that was refused (Ref: 30/24/0018). I did not have sight of the details for the earlier refused application, but I am aware that it related to access only, with all other

matters reserved. In respect of this application the matters before me are therefore not the same and this appeal has been determined accordingly.

7. The Council have provided an example of another appeal reference APP/E3335/W/25/3360981, that was dismissed, in part because of sustainability. There are similarities in respect of location and access to services and facilities, as identified in that Inspectors decision, although I do not have access to all the evidence on which that decision was made. It is, however, different in terms of the nature of the proposed dwelling insofar as it was for market housing whilst this proposal is for self-build. Consequently, whilst I have had some regard to some areas of that decision, I have generally considered this proposal on its own merits and particular facts.
8. The proposal has been considered by the Secretary of State in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (SI 571/2017). A screening direction has been issued which states that the proposal is not Environmental Impact Assessment development.

### **Main Issues**

9. The main issues in this appeal are whether:
  - the proposed development would have an effect on the rural character of a National Landscape;
  - the site is in a suitable location having particular regard to the spatial strategy in the development plan and the accessibility of services and facilities; and
  - the proposal would be likely to have a significant effect on the integrity of the Somerset Levels and Moors (“SPA / Ramsar site”).

### **Reasons**

#### *Rural character of the National Landscape*

10. The appeal site lies within the Blackdown Hills National Landscape (“the NL”). The NL’s special qualities are as follows: landscape quality; scenic quality; relative wildness; relative tranquillity; natural heritage features; and cultural heritage.
11. The proposal seeks to demolish four redundant modern farm buildings and replace with two detached self-build dwellings. In terms of scale the proposed dwellings would have a combined footprint of approximately 460 square metres. The dwellings would be a combination of two- and one-storey. Near views of the site are afforded from Public Right of Way (“PRoW”) Footpath T21/65 and obscured from distant views from the road leading to the Church. The site is effectively screened from other near public viewpoints due to intervening buildings, mature trees, shrubs and hedgerows.
12. The Council contends that the proposed layout is incongruous and not, fronting onto the road, in common with the other properties in the farm complex. The appellant has provided an aerial photograph of the village of Pitminster and the surrounding countryside identifying a number of other dwellings not in line with neighbouring properties. On the day of my visit, I toured the village and side roads and noted that whilst there were properties, particularly in the village centre fronting directly onto the road, there were also a number of dwellings, mainly detached, set back from the road. Some of the latter dwellings had frontages

orientated away from the road and were also screened effectively by hedgerows and trees to their boundaries.

13. It is noted that the Council's Landscape and Green Infrastructure Specialist ("the LGIS") had provided a comprehensive response. The LGIS seeks a final design more in keeping with the Somerset West and Taunton Design Guide. The reason in part being to allow for planting of native species trees and shrubs to reinforce and protect existing boundary vegetation to enhance visual screening of the site. The appellant indicates that detailed design, including final layout and landscaping, would be brought forward as 'Reserved Matters'.
14. The Council contends that any planting to supplement the existing boundary treatment is 'temporary'. However, given the recommendations by the LGIS, regarding reserved matters, additional planting could be sought via condition. These recommendations are supported by the Blackdown Hills National Landscape Partnership ("the BHNLPP"), who have indicated that screen planting would mitigate any visual effects in respect of the NL.
15. The statutory duty at section 85 of the Countryside and Rights of Way Act 2000 (as amended) requires a decision-maker to seek to further the statutory purposes of the NL through conserving and enhancing its natural beauty. As the proposal would not result in harm to the NL, the statutory purposes would be achieved.
16. I therefore consider that subject to reserved matters, to secure the design and layout of the site, and the provision and maintenance of soft and hard landscaping, the proposed development would not have an unacceptable effect on the rural character of the NL. Hence, it would not be contrary to the criteria of Policy PD2 of the Blackdown Hills AONB Management Plan that seeks that development affecting the NL will conserve and enhance natural beauty and special qualities and Policy DM1d of the Taunton Dean Core Strategy 2012 TDCS, which has a general requirement that the appearance and character of any affected landscape, settlement, building or street scene would not be unacceptably harmed by the development. The proposal is also consistent with Policy CP8 of the TDCS that permits development outside of settlement boundaries where it would be appropriate in terms of scale, siting and design; protect, conserve or enhance landscape character and the interests of natural assets; and provide for any necessary mitigation measures. Consequently, the proposal would be consistent with paragraph 189 of the National Planning Policy Framework ("the Framework") which gives great weight to conserving and enhancing the landscape and scenic beauty in National Landscapes.

#### *Location*

17. The main parties agree that the appeal site is outside of a settlement boundary as defined under Policy SP1 of the TDCS. Therefore, the location of the appeal site is treated as countryside for planning policy purposes.
18. The appellant has provided a breakdown, of distances, to facilities and services in the area. The village of Pitminster has a public house, a Church and access to an on-demand bus service. Further afield are the villages of Trull that has a Primary School, of which the site is within the catchment. The nearest scheduled public transport is at Blagdon Hill being approximately 1.5 kilometres distant. A journey to Taunton by private car would be approximately 15 minutes, by cycle approximately 30 minutes and a combination of cycling and bus of 43 minutes.

19. The Council has not contradicted these distances and timings in their Statement but have maintained that the current development is not considered sustainable given its location in relation to everyday services.
20. I note that the Council did not cite Policy DM2 in their reason for refusal, but it was a consideration of the principle of the development in the Council's report and was reiterated in the Council's Statement of Case. Likewise, mention has been made to the Placemaking Principles for Somerset ("the PPS") in both submissions, although the status of this as a policy document is not clear and again it was not cited as a reason for refusal. I have noted the PPS primarily applies to the main urban settlements, although safe connectivity within rural communities is included.
21. I observed on the day of my site visit that the road is adequate to allow motorised vehicles to pass and was not, on that afternoon, heavily used. Walking and wheeling access to the village would be along local single carriageway roads that do not have footways or lighting, and it is noted that this is also the case in the centre of the village. Whilst there is a PRoW Footpath T21/22, across the road from the site entrance, it does not lead into the village.
22. It is noted that the BHNLP did indicate a preference that development should be planned for in accordance with the local plan, however no allocations have been made in respect of Open Countryside nor within the settlement boundaries of Pitminster.
23. Policy CP8 was addressed above, therefore consideration now turns to Policy DM2 of the TDCS which sets out the criteria for development in the countryside. Also of relevance is Policy A5 of the Taunton Site Allocations and Development Management Plan 2016 ("TSADM") that defines the accessibility of development to facilities and services in terms of distance, for walking and travel time by public transport and private car.
24. Policy DM2 supports community uses, business use, holiday and tourism, non-residential agriculture and forestry buildings, replacement dwellings, affordable housing, conversion of existing buildings and essential utilities infrastructure. Whilst this policy does not specifically exclude residential development, it does not offer specific support for this proposal and as such the proposed two self-build dwellings in the countryside would be contrary to Policy DM2 of the TDCS.
25. When taken together, these policies and the PPS appear more restrictive than the Framework particularly in relation to development outside defined settlements. Paragraph 83 of the Framework promotes sustainable development in rural areas, stating that housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.
26. Nevertheless, the policies form part of the areas spatial strategy and support key principles such as reducing the need to travel through strategic locational choices, promoting suitable rural uses, and ensuring new residential development, is well-connected to essential services and facilities. The spatial strategy of Policy SP1 of the TDCS seeks to prioritise the most accessible and sustainable locations with a strategic focus on the Taunton Urban area. This focus is reinforced through Policies CP1 and CP6 which seeks to reduce the need for travel, improve accessibility to jobs, services and community facilities, and mitigate and adapt to climate change.

27. However, and notwithstanding the lack of public transport and the practicalities of using alternatives to private cars, paragraph 110 of the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Consequently, I consider that given the undisputed timings provided by the appellant, the maximum acceptable travel times for 'Other areas', either by public transport or car to access services and facilities, as set out in Policy A5 of the TSADMP, are not exceeded. I also consider that the proposed development, being two self-build dwellings in a countryside location, would only give rise to very limited harm to the promotion of sustainable modes of travel and transport, as set out in Policies SP1, CP1a and CP6 of the TDCS and does not conflict with Policies SB1 of the TSADMP which seeks to maintain the quality of the rural environment.

*Integrity of the SPA / Ramsar site*

28. The appeal site lies within the catchment of the Somerset Levels and Moors Special Protection Area (SPA), a European designated site and a Ramsar site afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended) ("the Regulations"). There are high nutrient inputs into the water environment of the catchment, with evidence that this is causing eutrophication of the SPA / Ramsar site. These nutrient inputs are currently thought to arise predominantly from wastewater from existing housing and agricultural sources. This nutrient enrichment is contributing towards adverse impacts on the protected habitats and species within the SPA / Ramsar site.

29. Adopting a precautionary principle and without mitigation, new residential development is likely to have a significant effect on the sensitive interest features of the SPA, from increased nitrate and phosphate levels either alone or in combination with other proposals causing harm to nature conservation. It is necessary for me, as the competent authority for the purposes of the Regulations to conduct an appropriate assessment in relation to the effect of the development on the integrity of the SPA.

30. The SPA conservation objectives seek to ensure the integrity is maintained or restored as appropriate, with the site contributing to the aims of the Wild Birds Directive by maintaining or restoring:

- The extent and distribution of the habitats of the qualifying features;
- The structure and function of the habitats of the qualifying features;
- The supporting processes on which the habitats of the qualifying features rely;
- The population of each of the qualifying features; and
- The distribution of the qualifying features within the site.

31. In order for development to be acceptable, the Regulations require it to be demonstrated that it will have no likely significant effect on the SPA, either alone or in combination with other proposals. If it cannot, measures must be proposed to remove the impact, for example, a satisfactory scheme of mitigation (i.e. that can demonstrate the nutrient neutrality of the proposed development), or the proposal should be refused. Such mitigation also applies to the Ramsar.

32. The SPA is noted for the following qualifying features:

- Bewick's swan (Non-breeding)

- Eurasian teal (Non-breeding)
  - European golden plover (Non-breeding)
  - Northern lapwing (Non-breeding)
  - Waterbird assemblage
33. The Ramsar composed of a number of Sites of Special Scientific Interest (“the SSSI’s”) only differs from the SPA in terms of qualifying features being the inclusion of wetland invertebrate assemblage and the absence of the European golden plover.
34. The evidence before me indicates that additional accommodation within the catchment area for SPA / Ramsar site would add to the existing issues of eutrophication arising from phosphate levels from wastewater. A likely significant effect therefore cannot be ruled out.
35. As set out in the Council’s guidance, the effects of the development can be mitigated by developers providing mitigation measures. The total phosphate surplus of 0.53 kg / year would arise from the proposal, as assessed using the Somerset Levels and Moors Phosphorus Budget Calculator V2.1. To mitigate this level of loading, the proposal includes an approved scheme which operates through fallowing land in fields to the north and south at Flyboat Farm and secured by way of the purchase of nutrient credits (P-Credits).
36. Pursuant to a s.106 Agreement between the main parties dated 7 December 2023, a ‘Reservation Certificate’ dated 24 May 2024 has been signed. The certificate was included in Appendix E of the Nutrient Neutrality Assessment and Mitigation Strategy dated 12 June 2024 (“NNAMS”). Securing an Allocation Certificate would require the imposition of a Grampian condition to ensure the development is able to provide this solution before construction works commence on site. Natural England are content with this mitigation scheme.
37. As the competent authority, I am therefore satisfied that with the proposed mitigation, the proposal would not have an adverse effect on the integrity of the SPA / Ramsar. The proposal therefore complies with the Habitats Regulations and Policies CP8 and EN2 of the TDCS. Amongst other aspects, these seek to conserve and enhance the natural environment including the area’s SSSI’s and designated wildlife sites.

### **Other Matters**

38. The Council acknowledges that they cannot demonstrate a 5-year supply of deliverable housing land, although a specific figure has not been identified by the Council. The Council has not contended the appellants reference to the Council’s most recently published report (July 2025) which states 3.95 years. Therefore, subject to the provisions of footnotes 7 and 8, paragraph 11 (d) i and ii of the Framework are engaged. This sets out that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole.
39. Earlier, consideration was given to the effects on the National Landscape and the acceptance by the Council’s LGIS, that a scheme of mitigation can be secured

through condition, I judge that there is no evidence that there is a strong reason for refusing the development as set out in paragraph 11 (d) i.

40. Paragraph 038 (57-038-20210508) of the Planning Practice Guidance (“the PPG”) provides examples of how suitable permissions must be recorded in relation to self-build applications. Nevertheless, a relevant authority must be satisfied that development permission, being counted, meets the legislative requirements as set out in the Self-Build and Custom Housebuilding Act 2015 (as amended) (“the Act”). The Council confirms that there may be evidence to indicate that there are several self-builds already under construction and considers there is currently an adequate quota of plots yet to be developed. Notwithstanding an adequate quota, the proposal is intended to be self-build dwellings, and the Framework supports small sites to come forward for community-led development for housing and self-build and custom-build housing.
41. The proposal would secure two new dwellings and when complete the occupiers of the new dwellings would make a contribution to enhance and maintain the vitality of rural communities; and are likely to be built-out relatively quickly. Consequently, the proposal does meet the aims of paragraphs 73 and 83 of the Framework and would contribute to delivering a sufficient supply of homes, to which I give limited weight in favour; and provide for social and economic benefits to which I give moderate weight in favour of the development.
42. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering whether to grant planning permission for development which affects a listed building or its setting, special regard must be given to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.
43. Fly Boat Farmhouse, a Grade II listed building, is situated approximately 60 metres to the northeast of the appeal site. The Council indicated that no heritage assessment has been submitted. Further comment was made regarding the separation distance from the site, with intervening trees, and modern agricultural buildings, concluding that any direct impact would be limited. Nevertheless, the Council does consider that the proposal would introduce a residential layout into the former farmland setting, set back from the road and would be out of keeping with the general form of rural residences in the area.
44. I have taken account of the location and scale of the proposed development, with special regard to the setting of the listed building. This appeal relates to an outline application. I conclude that subject to approval of an acceptable layout and design secured through a condition, the proposed development would have little effect on the setting of the listed building, which would be preserved. Consequently, the proposal would not conflict with Chapter 16 of the Framework that requires that heritage assets are conserved in a manner appropriate to their significance.
45. The Parish Council, in their objection, referred to flooding of the highway at the access to the site. I note that the Council did not consider this was a matter of concern and that neither the neighbours nor Highways had raised an objection on this ground. I have no reason to disagree with the Council on this matter. In addition, ecological protection and enhancement would be reserved matters to be addressed through detailed design should the appeal be allowed.

## **Conditions and Planning Obligation**

46. The appellant has provided a schedule of conditions, and the Council have supplemented these with their own and / or on the request of the Local Highways Authority, and I have considered these against the advice in the PPG and the tests set out in the Framework. In addition to the standard conditions 1), 2) and 3) setting out the reserved matters, time limits for submission of reserved matters and commencement of the development, I have amended some of the suggested wording. It should be noted that in respect of condition 3) the following has been removed *“either ... or before the expiration of five years from the date of this permission, whichever is the later”*. In this instance no evidence has been proffered to necessitate a longer period for commencement of the development.
47. The proposed Condition 4 had listed Drawing No J24027-03 which is for illustrative purposes only. I have only had regard to the four listed in the condition below in determining this appeal. It is noted that the proposed parameters plan provides only information on the demarcation between the two- and one-storey elements of the scale and that precise details in respect of appearance and layout are subject of condition 1). The existing block plan is of relevance insofar as the demolition of the existing agricultural buildings would be subject to conditions 6), 7), 9), 10) and 12).
48. Condition 5 is necessary in view of the location of the site being within the NL and that any mitigation must be appropriate to protect and enhance the setting of the NL. Given the site location, I have removed *“substantial”* insofar as it is not precise and *“unless the Local Planning Authority gives written consent to any variation”* thereby ensuring that the development is carried out so as not to compromise the integrity of the NL, any changes would be better secured through other planning routes to vary conditions.
49. Conditions 6 and 7 are necessary given the identified and / or potential presence, of species afforded protection under the Wildlife and Countryside Act 1981 (as amended), that may be affected by the demolition of the existing agricultural buildings and site clearance prior to construction of the proposed dwellings.
50. Condition 8 is necessary to ensure that appropriate mitigation is in place to offset the additional nutrient load imposed on the Somerset Levels and Moors Ramsar site.
51. The condition relating to a construction management plan or method statement has not been included insofar as it is unreasonable, given that the proposal is for two dwellings only.
52. For Condition 9 the following has been replaced *“Prior to commencement in accordance with BS 5837:2012 (Trees in relation design, demolition & Construction - Recommendations), temporary protective fencing shall be erected in line with root protection areas (RPAs). No materials, fires lit, liquids tipped, rubbish dumped or plant shall be stored within defined root protection areas. The temporary protective fencing shall be retained for the duration of the works and shall not be altered or realigned without prior approval in writing by the Local Planning Authority.”* BS 5837:2012 is sufficiently prescriptive to ensure Root Protection Areas are established prior to and maintained during construction.
53. Condition 10 is necessary to protect the living conditions of the occupiers of the neighbouring properties.

54. For Condition 12 the following has been replaced *“The biodiversity enhancement and compensation measures set out within Section 4 of the Ecological Impact Assessment (prepared by Quantock Ecology and dated May 2024) shall be incorporated into the site proposal with photographs of installed features submitted to the Local Planning Authority prior to first occupation.”* The actual document title is not that quoted above and that a condition should be precise and enforceable. In addition, the requirement for photographic evidence is imprecise, as there can be no guarantee that photographs, being provided to the Council are of the installed features at the appeal site.
55. Conditions 11, 13, 14 and 15 are necessary to meet the standards for building regulations and in the interests of highway safety.
56. The proposed condition relating to self-build has not been included. PPG paragraph 038 (57-038-20210508) directs that the relevant authority must be satisfied that development permission being counted, meets the legislative requirements. In considering this condition against the advice in the PPG and the tests set out in the Framework, I judge that such a condition is neither appropriate nor enforceable.
57. Consequently, this is to be secured via the terms of the Unilateral Undertaking s. 106 planning obligation (“the UU”). This has been reviewed by the Council who have no objection to the UU, should all other matters be considered acceptable. No detailed evidence has been provided to demonstrate that the proposal would not comply with the definition of self-build and custom housebuilding outlined under the Act.
58. Paragraph 1 of the schedule, within the UU, requires the first occupiers of the self-build dwellings to submit the Self-Build Declaration to the Council, for approval prior to implementation of the development. Paragraph 2 sets out the conditions of residency to demonstrate compliance with the Act and the payment of a fee to the Council as a contribution towards the Council’s costs of monitoring the implementation of the Deed, as set out on the Council’s monitoring fees webpage.
59. Finally, paragraph 3 of the schedule sets out the terms for exemption from the delivery of Biodiversity Net Gain (“BNG”), under Schedule 7A of the Town and Country Planning Act 1990 as amended, and the mechanism to secure BNG should the dwellings cease to qualify as Self-Build Dwellings prior to first occupation.
60. From the available evidence, I find the obligation to meet the tests set out in the Framework. Namely, that it is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the proposed development.

### **Planning balance and conclusion**

61. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decision on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise. Whilst I have found that some areas of the proposal do conflict with some elements set out in the development plan, including Policies SP1, CP1a and DM2 of the TDCS, the harm associated with these matters are limited. The support by the LGIS and the BHNLP, given the mitigation proposals secured through a condition, would result

in no harm to the NL and therefore I consider this matter to not weigh either for or against the proposal in the planning balance. In regard to the provision of rural housing I find that there would be economic and social benefits, as set out above, that would weigh in favour in the planning balance, and I judge that as set out in paragraph 11 d) ii of the Framework any adverse impacts of allowing this appeal, would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard for directing development to sustainable locations, making effective use of land and securing well-designed places.

62. Overall, I find the proposal would not accord with the development plan when taken as a whole, but material considerations, especially the presumption in the Framework and notably that the Council cannot demonstrate a five-year housing land supply, outweigh the conflict. Therefore, for the reasons given, the appeal should succeed.

*F Webber*

INSPECTOR

## Schedule of Conditions

- 1) Details of the appearance, landscaping and layout (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.
- 2) The application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3) The development hereby permitted shall be begun before the expiration of two years from the date of the approval of the last of the reserved matters as set out in condition 1.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Drawing No J24027-01 Existing Location Plan;
  - Drawing No J24027-02 Existing Block Plan;
  - Drawing No J24027-04 Proposed Parameters Plan; and
  - Drawing No J24027-05 Existing & Proposed Access Elevations.
- 5) No development shall take place until a scheme of landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all planting, seeding and turfing, including species, sizes and numbers / densities of all proposed trees and shrubs, means of enclosure, and details of hard landscaping works.

The approved scheme shall be carried out in the first planting season following the completion of the development or in accordance with a timetable to be first agreed in writing by the Local Planning Authority.

Any trees or plants which, within a period of five years from the implementation of the scheme, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.
- 6) No development shall take place until a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP shall include the following:
  - i) Description and evaluation of features to be managed.
  - ii) Ecological trends and constraints on site that might influence management.
  - iii) Aims and objectives of management.
  - iv) Appropriate management options for achieving aims and objectives.
  - v) Prescriptions for management actions.
  - vi) Preparation of a work schedule.
  - vii) Details of the body or organization responsible for the implementation of the plan.
  - viii) On-going monitoring and remedial measures.

- ix) Details of how any adverse impacts on protected species and their habitat will be mitigated during the demolition of existing structures and construction of the development.
  - x) Investigation into opportunities to enhance habitat for all species within the development.
- 7) The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and / or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.
- 8) No development shall take place until an Allocation Certificate has been submitted to and approved in writing by the Local Planning Authority which addresses the additional nutrient input arising from the development within the fluvial catchment area upstream of the Somerset Levels and Moors Ramsar site and on the same hydrological pathway. The Allocation Certificate shall be a written certificate issued by the phosphate credit provider confirming the allocation of the full phosphate credit requirement generated by the development, thereby mitigating the additional nutrient load imposed on the Somerset Levels and Moors Ramsar site by the development when fully occupied enabling the local planning authority to conclude on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected site, having regard to the conservation objectives for the site.
- 9) All trees and hedgerows will be protected during the demolition / construction works, including groundworks, by the establishment of Root Protection Areas in accordance with BS 5837:2012 and shall be maintained throughout the demolition / construction period.
- 10) No demolition / construction work (other than internal fitting out works) or deliveries to and from the site shall take place outside the hours of 07:00 to 18:00 Mondays to Fridays, 08:00 to 13:00 on Saturdays, with the exception of specific works which shall have been agreed in advance and in writing by the local planning authority and shall include details of the task, the date and duration of works. No works to take place on Sunday and Public Holidays.
- 11) Construction above damp course level shall not commence until the proposed access over at least the first 6 metres of its length, as measured from the edge of the adjoining highway, shall be consolidated and surfaced (not loose stone or gravel) and drainage installed in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in full and maintained.
- 12) No dwelling hereby approved shall be occupied until the ecological enhancements set out in Section 4 of the Bat Survey – Preliminary Roost Assessment [Ezra Sherwell - Quantock Ecology dated May 2024] shall be installed and thereafter retained.

- 13) No individual dwelling hereby approved shall be occupied until the optional requirement for potential consumption of wholesome water by persons occupying that dwelling in Part G of Schedule 1 and Regulation 36 of the Building Regulations 2010 of 110 litres per person per day has been complied with.
- 14) No dwelling hereby approved shall be occupied until the proposed access has been constructed in accordance with the details shown on Drawing No J24027-05 Existing & Proposed Access Elevations and shall thereafter be retained and maintained.
- 15) No dwelling hereby approved shall be occupied until the proposed number of parking spaces for each dwelling, inclusive of electric vehicle charging points, cycle parking and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be retained and maintained.