

(7 December 2004)

## **EXMOOR NATIONAL PARK AUTHORITY**

Minutes of a special meeting of the Exmoor National Park Authority held on Tuesday 7 December 2004 at 12 noon in the Committee Room, Exmoor House, Dulverton.

### **PRESENT**

Mr S J Pugsley (Chairman)  
Mrs A Amory (Deputy Chairman)  
Mr J C Edwards (Second Deputy Chairman)

Mr F J Bray	Mr R Morrison-Smith
Mrs J Clark	Mr M J Pile
Mrs A M Clitheroe	Mr F Rawle
Mr J Dallyn	Dr J F Travis
Mr W J Dyke	Mr R J Webber
Mr M H Knight	Mr B O Windsor
Mrs A M Foxhuntley	Mr J Yabsley
Mr R J A Martin	

Apologies for absence were received from Mr M A Collins, Mr M Gammon, Mr D E Gladding, Mrs C M Lawrence, Miss E I Stacey and Mr M E Taylor.

### **58. DECLARATIONS OF INTEREST**

Mrs Clark and Dr Travis both declared personal and prejudicial interests in respect of the Exmoor National Park Local Plan First Alteration – Consideration of Proposed Modifications and Adoption (Minute 59 below) in respect of paragraph 3.7 of the Head of Planning and Community's report as Members of North Devon District Council which had lodged an objection. They indicated their intention to withdraw from the meeting when and if this matter was discussed (which it subsequently was).

### **59. EXMOOR NATIONAL PARK LOCAL PLAN FIRST ALTERATION: CONSIDERATION OF PROPOSED MODIFICATIONS AND ADOPTION**

The Authority considered the report of the Head of Planning and Community on the response to proposed modifications to the Local Plan First Alteration and additional objections from the Government Office for the South West (GOSW) relating to issues raised at various stages through the Plan process, including the Inquiry. An addenda to the report identifying further objections to the proposed modifications was circulated at the meeting. The report set out how these responses should be addressed, including the need for further proposed modifications to Policies H2 and Policy LNC20.

A further paper was also circulated which identified the opportunity to address some ambiguities in the wording of Policies H1, H2, and H7, and suggested an amendment to Policy H4 (paragraph 1 and supporting text) to allow within Local Rural Centres the change of use of non-residential buildings to single dwellings for open market occupation, without the need to meet the affordable housing criteria. The rationale behind this being that the Policy may otherwise discourage small scale conversions which would, in most cases, provide relatively affordable dwellings and mean less work for all concerned in trying to negotiate relatively small financial contributions for affordable housing. However, the Authority was unable to reach a decision on the matter during the course of this meeting and so delegation was agreed (see part (3) of the resolution below).

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It was noted that the making of further proposed modifications was likely to delay adoption of the Local Plan First Alteration for two months and a special meeting of the Authority to approve the adoption was provisionally set for Friday, 11 February 2005. The officers undertook to ensure that draft housing guidance was available by then to explain and elaborate on the Local Plan housing policies.

**Public Question Time:** Mr M Ryle, Exmoor Society expressed support for the way the Authority was dealing with concerns raised to the proposed modifications, including the proposed revision of Policy LN20 (even though it did not completely address the concerns of the Council for National Parks).

Further to Minute 58 above, as there was discussion on North Devon District Council's objection to limiting extensions to 90 sq m, Mrs Clark and Dr Travis withdrew from the meeting while it was taking place.

**RESOLVED:** (1) to note and welcome the representations received in response to the Proposed Modifications to the Proposed First Alteration of the Exmoor National Park Local Plan;

(2) to approve for consultation the following Further Proposed Modifications to the Proposed First Alteration:

- Policy H1, amend to read:

“... New housing will be occupied by a person(s) with a proven housing need in accordance with the local occupancy condition in Policy H2, except in the case of open market housing provided in Local Rural Centres under Policy H4.”

- Policy H2, amend paragraph 1 to read:

“... New housing will be in accordance with Policy H1 (except in the case of open market housing provided in Local Rural Centres under Policy H4) and will be occupied by a person(s) with a proven housing need in accordance with the following local occupancy condition:...”

- Policy H2, amend paragraphs 2 and 3 (counting the preceding roman numbered sections as sub-paragraphs of paragraph 1) to read:

“In assessing the community's need for a proposed development the extent and nature of that need will be judged by reference to an up to date local housing needs survey prepared by, or in consultation with, the district council (as local housing authority) and parish council(s).

In the case of proposals by an individual for a single dwelling under this policy the need will be judged as to the extent it forms part of a wider community need and by reference to

- (i) evidence of the circumstances of the intended occupier in terms of
  - (a) their compliance with the local occupancy condition above, and

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- (b) his or her present accommodation situation, and
- (c) their ability to afford to buy or rent existing accommodation in the locality, and
- (d) that they have searched for suitable accommodation in the locality; and
- (ii) the likelihood of the type, size and location of the property meeting an ongoing community need for housing in the event that the individual subsequently moves out of the property; and
- (iii) Any up to date local housing needs survey prepared by, or in consultation with the district council (as local housing authority) and parish council.
- Policy LNC20, amend to read: “Major developments will not be permitted in Exmoor National Park, except in exceptional circumstances and where it is also demonstrated to be in the public interest. Any proposals for such development will be subject to the most rigorous examination, including an assessment of
  - (i) the need for the development, including in terms of any national considerations;
  - (ii) the impact of permitting it, or refusing it, upon the local economy;
  - (iii) any recreational opportunities to be provided;
  - (iv) the cost of, and scope for, developing elsewhere outside the National Park, or meeting the need for it in some other way;
  - (v) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

In the event that permission for major development were permitted high environmental standards would be demanded, and appropriate planning conditions or other measures used to ensure these.

- Policy H7, amend paragraph 1, sub-paragraph (ii) to read:
  - “(ii) In the case of local need accommodation...for owner occupied properties...the net floorspace will be less than 90 sq m, except where
    1. The existing building is greater than 90 sq m, and
    2. It is desirable to retain all the existing structure, and
    3. It is demonstrated that the property is not capable of practicable conversion to two or more dwellings, and
    4. It is demonstrated that it would not be practicable to use part of the building as ancillary storage or garaging etc. to limit the habitable space to below 90 sq m.

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(3) to delegate authority to the National Park Officer, in consultation with the Forward Planning Advisory Group (which shall meet immediately on the rising of this meeting), to make a decision on whether to alter the wording of Policy H4, paragraph 1, and supporting text paragraph 4.36, as described in the preamble above, to include as a Further Proposed Modification;

(4) that, with the exception of those affected by the recommended Further Proposed Modifications above (see item 2) and possible Further Proposed Modification to Policy H4 and supporting text (see item 3), to approve the Proposed Modifications to the Proposed First Alteration;

(5) to delegate authority to the National Park Officer to include in the Further Proposed Modifications (i.e. for advertisement etc.) minor changes which would improve the consistency or clarity of the existing policies in the Proposed First Alteration;

(6) to delegate authority to the National Park Officer to make minor typographical, grammatical, drafting, factual, etc. corrections or improvements, provided these do not alter the substance of the Proposed First Alteration or any of its Proposed Modifications;

(7) to note the implications of the decisions above for the purposes of development control and for the future preparation of the Local Development Framework; and

(8) to thank the officers for their hard work on all the processes that the Local Plan First Alteration has gone through.

(The decision of the Authority was clearly carried)

(The meeting closed at 1.15 pm)

Chairman