

# Exmoor National Park

## Local Development Scheme



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## **1. Introduction**

- 1.1 This Local Development Scheme (LDS) is a public statement of Exmoor National Park Authority's programme for the preparation and review of local plan documents.
- 1.2 The 2004 Planning and Compulsory Purchase Act ('the 2004 Act') brought in 'Local Development Frameworks'. Local Development Framework documents include:
  - Development Plan Documents (for example the Local Plan which contains planning policies and policies maps and which guides development and the use of land within the National Park).
  - Supplementary Planning Documents (advice which aids adopted policy such as Rural Worker Dwelling Guidance).
  - Other documents, including Local Development Documents and other more 'procedural' documents such as the Local Development Scheme.
- 1.3 When introduced under the 2004 Act, LDSs included the different elements of the LDF (as above). Since the 2004 Act, the term 'Local Plan' has generally been used instead of 'Local Development Frameworks' (LDF) and the requirements for what LDSs contain is now less. National Planning Practice Guidance says:

"A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). This must specify (among other matters) the development plan documents (i.e. local plans) which, when prepared, will comprise part of the development plan for the area. Local planning authorities are encouraged to include details of other documents which form (or will form) part of the development plan for the area, such as Neighbourhood Plans. The Local Development Scheme must be made available publicly and kept up-to-date. It is important that local communities and interested parties can keep track of progress. Local planning authorities should publish their Local Development Scheme on their website".
- 1.4 Whilst this document will include commentary on the range of documents the Authority has in place or intends to prepare and review, it is important to note that the required scope of the LDS is the preparation of Development Plan Documents. Statements of Community Involvement and Supplementary Planning Documents do not need to be included.

## 2. Context

2.1. Exmoor was designated as a National Park in 1954. National Parks have two statutory purposes:

- *To conserve and enhance the natural beauty, wildlife and cultural heritage of the area and*
- *To promote opportunities for the understanding and enjoyment of its special qualities by the public.*

The National Park Authority has a duty, in pursuing the statutory purposes, *to foster the economic and social well-being of local communities.*

2.2. Under section 67(1) of the Environment Act 1995, Exmoor National Park Authority (NPA) is the Local Planning Authority (LPA) for the entire area of the National Park.

2.3. As the local planning authority for Exmoor National Park the NPA is responsible for:

- spatial and land-use planning, including planning policies,
- minerals and waste planning,
- development management,
- planning enforcement, and
- preparation of the Exmoor National Park Management Plan (over-arching strategic documents prepared by each National Park Authority).<sup>1</sup>

2.4. Matters such as transport, education, health or flood risk planning, are undertaken by Devon and Somerset County Councils. North Devon and Somerset West and Taunton District Councils are responsible for other functions such as economic development, housing, building control and environmental health.

2.5. National policy is that, in National Parks, great weight should be given to conserving landscape and scenic beauty which have the highest status of protection. The conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight.<sup>2</sup> National policy for National Parks is also in the National Parks Vision and Circular which sets out a vision for English National Parks, priority outcomes and suggested actions.<sup>3</sup>

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<sup>1</sup> HMSO Environment Act 1995, Section 66 (1)

<sup>2</sup> MHCLG (February 2019) NPPF. Paragraph 172

<sup>3</sup> DEFRA (March 2010) English National Parks and the Broads: UK Government Vision and Circular provides further guidance and information about National Park statutory purposes, management and other matters. Footnoted in MHCLG (February 2019) NPPF. Footnote 54

- 2.6. National policy and national planning practice guidance (PPG) are clear that the scale and extent of development in National Parks should be limited because of the importance of conserving and enhancing their landscapes and scenic beauty. National guidance also says that the location and design of development in National Parks needs to reflect their status as landscapes of the highest quality.<sup>4</sup>
- 2.7. The Exmoor National Park Management Plan establishes the long-term vision, aims and strategic policy framework for the National Park and guides the work of the National Park Authority and other organisations that contribute to the delivery of National Park purposes. The Exmoor National Park Management Plan is called the Partnership Plan and was adopted in April 2018. The Local Plan shares its vision with the Partnership Plan.<sup>5</sup>
- 2.8. The PPG explains that National Park Management Plans do not form part of the statutory development plan, but they help to set out the strategic context for development: providing evidence of the value and special qualities of National Parks, and as a basis for cross-organisational work to support National Park purposes. They may contain information which is relevant when preparing plan policies, or which is a material consideration when assessing planning applications.<sup>6</sup>

### **3. Current Plans in Exmoor National Park**

- 3.1. The Local Plan for Exmoor National Park (2011 – 2031) was adopted in 2017. Together with some of the Lyn Plan 2013-28 (the neighbourhood plan for Lynton and Lynmouth parish) and supplementary planning documents, they set the spatial planning strategy, policies and guidance for Exmoor National Park. An overview of the documents which form part of the local plan for Exmoor National Park is set out in Table 1.

#### **3.2. Supplementary Planning Documents (SPDs)**

The Local Plan is supported in its implementation by the Landscape Character Assessment Supplementary Planning Document (SPD) adopted in 2018. The Rural Worker and Succession Farm Dwelling Guidance is due to be adopted in 2020.

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<sup>4</sup> MHCLG Planning Practice Guidance Paragraph: 041 Reference ID: 8-041-20190721

<https://www.gov.uk/guidance/natural-environment>

<sup>5</sup> [https://www.exmoor-nationalpark.gov.uk/\\_data/assets/pdf\\_file/0009/1192437/Partnership-Plan-2018-2023-spreads.pdf](https://www.exmoor-nationalpark.gov.uk/_data/assets/pdf_file/0009/1192437/Partnership-Plan-2018-2023-spreads.pdf)

<sup>6</sup> MHCLG Planning Practice Guidance Paragraph: Paragraph: 040 Reference ID: 8-040-20190721

**Table 1: Current Local Planning Documents in Exmoor National Park**

<b>Document Name</b>	<b>Current Status</b>	<b>Plan Consultation</b>	<b>Submission</b>	<b>Public Examination</b>	<b>Adoption</b>
<p><b>Exmoor National Park Local Plan 2011-31 (Development Plan Document)</b> Sets out the vision, objectives and strategic priorities for spatial development in the National Park. Contains both strategic policies which take forward the vision, objectives and strategic priorities and set out the overarching approach to development in the National Park and development management policies which provide more detailed criteria to guide planning decisions. The Plan includes waste and minerals policies.</p>	<b>Adopted</b>	<p>Draft Plan: 2013</p> <p>Publication Draft: 2015</p>	2016	<b>2016-2017</b>	2017
<p><b>The Lyn Plan: Lynton &amp; Lynmouth Neighbourhood Plan 2013-2028 (Development Plan Document)</b></p>	<b>Adopted</b>	<p>Scoping: 2012</p> <p>Draft: 2012-13</p> <p>Examination Draft: 2013</p>	2013	2013	2013
<p><b>Landscape Character Assessment (LCA) (Supplementary Planning Document)</b> Provides a comprehensive update to the 2007 Exmoor National Park LCA and more detailed guidance on the policies relating to landscape character in the adopted Local Plan 2011-2031.</p>	<b>Adopted</b>	2017	–	–	2018
<p><b>Rural Worker and Succession Farm Dwellings Guidance (Draft Supplementary Planning Document)</b> Guidance to assist those seeking to provide a rural worker or succession farm worker’s dwelling.</p>	<b>Final Consultation</b>	<p>Informal: 2018</p> <p>Formal: 2019</p> <p>Representation Statement &amp; Final Draft: 2019</p>	–	–	Due 2020
<p><b>Statement of Community Involvement (SCI)</b> Sets out how Exmoor National Park Authority will consult, inform and engage with the public and other interested parties on local development documents and planning applications.</p>	<b>Adopted (Revised November 2015)</b>		–	–	2015
<p><b>Local Development Scheme</b> The timetable for local plan preparation</p>	<b>Current Draft (Revised 2019)</b>	–	–	–	Due 2019

#### **4. Statement of Community Involvement**

- 4.1. The 2004 Act requires that LPAs produce a Statement of Community Involvement (SCI). Following new regulations regarding Neighbourhood Plans it was necessary to revise the SCI. The Authority adopted a revised SCI in November 2015. The Act requires that a review of SCIs be completed every five years. The Exmoor National Park SCI will therefore need to be reviewed, any further work completed and a revised SCI adopted by November 2020 - within the timeframe of this LDS.

#### **5. Joint Working and Other Plans**

- 5.1. Although joint development plan documents can be prepared with other planning authorities, there are no current plans to prepare joint planning documents. The Authority is in close liaison with Somerset and Devon County Councils which are the mineral planning authorities for the rest of Somerset and Devon outside the National Park, to ensure there is up to date evidence to inform minerals policies within the local plan.

#### **6. Monitoring and Review**

- 6.1. Legislation requires that a review of the Local Plan be completed within five years of adoption. As adoption was in July 2017, the review must be complete by July 2022. It will involve a review and update of evidence and implementation including recent legislation and changes to national policy and guidance, National Park Authority corporate policies, housing need and delivery, including a review of the Adopted Local Plan indicative affordable housing figure and a review of employment. The timeframe for the Local Plan review, adoption of the rural worker SPD and review of the Statement of Community Involvement (SCI) is as follows:

<b>Review</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/2022</b>
<b>Adoption of Rural Worker and Succession Farm Dwellings SPD</b>		<b>Early 2020</b>	
<b>Completion of the SCI Review</b>		<b>November 2020</b>	
<b>Completion of the Local Plan Review</b>			<b>July 2022</b>

- 6.2. The Authority aims to produce an Authority Monitoring Report (AMR) annually. The Local Plan Monitoring Framework contains local plan indicators. The review and monitoring of affordable housing need and provision is set out in a specific Local Plan policy (MI-S1 Monitoring and Review of Housing Need and Provision – see Appendix 1).

- 6.3. Policy M1-S1 does two things; firstly, it requires a review of the indicative figure of affordable housing need for the Plan period by 31<sup>st</sup> December 2020 and, thereafter, at intervals of no more than five years. If a review shows that there has been an increase of more than 20% in the local affordable housing need figure for Exmoor National Park, Policy M1-S1 requires that there is a full or partial review of the Plan. It is intended, through Duty to Co-operate, that the Authority will engage and work co-operatively, including with the housing authorities regarding housing need evidence and the Authority will ensure that necessary evidence is in place by December 2020.
- 6.4. Secondly, Policy M1-S1 requires that delivery of affordable housing against the Local Plan indicative figure of 238 local need affordable dwellings is monitored to ensure a sufficient level of provision. If monitoring indicates that delivery has not met certain criteria, a review of the reasons with local stakeholders can be triggered. In certain circumstances, if this indicates that changes to the Plan are needed to increase delivery of affordable housing to meet local needs, there should be a full or partial review of the Plan to take forward the necessary changes.

## **7. The Duty to Co-operate and Statements of Common Ground**

- 7.1. The duty to cooperate was introduced by the Localism Act 2011.<sup>7</sup> It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.<sup>8</sup>
- 7.2. The NPPF states that strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans. They should also engage with their local communities and relevant bodies.<sup>9</sup> It notes the importance of effective and on-going joint working, in particular, to help determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.
- 7.3. The Authority agreed an Exmoor-wide Duty to Co-operate Protocol in 2015 with neighbouring planning authorities and other relevant bodies to guide co-operative working on strategic and cross-boundary issues affecting Exmoor.

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<sup>7</sup><http://www.legislation.gov.uk/ukpga/2011/20/section/110>. The duty to cooperate is set out in section 33A of the Planning and Compulsory Purchase Act 2004.

<sup>8</sup><http://www.legislation.gov.uk/ukpga/2004/5/section/33A>

<sup>8</sup> MHCLG Planning Practice Guidance Paragraph: 029 Reference ID: 61-029-20190315

<sup>9</sup><https://www.gov.uk/guidance/plan-making>

<sup>9</sup> MHCLG (February 2019) NPPF para 25

Regular Duty to Co-operate meetings are held at officer level to discuss such issues and input to Plan preparation including through commissioning joint evidence.

- 7.4. The NPPF states that authorities 'should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.'<sup>10</sup>

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<sup>10</sup> MHCLG (February 2019) NPPF para 27

## Appendix 1

### MI-S1 Monitoring and Review of Affordable Housing Need and Provision

1. The National Park Authority will complete a review of the indicative affordable housing need figure for the Plan period set out in paragraph 6.32 of the Plan, on the basis of the latest available evidence, by no later than 31 December 2020 and at intervals of no more than five years thereafter. If any review shows that there has been an increase of more than 20% in the indicative affordable housing need figure compared with the figure in paragraph 6.32 of the Plan, a full or partial review of the Plan will be undertaken to take account of this change.
2. If in any continuous three-year monitoring period the total number of affordable dwellings permitted in those three years is less than 10% of the indicative affordable housing need figure for the Plan period as a whole, set out in paragraph 6.32 of the Plan, the Authority will carry out a review of the reasons for this in consultation with local stakeholders unless:
  - a) cumulative delivery since 2011 meets or exceeds the total of the average annualised figure of affordable housing need to date; or
  - b) evidence from up to date parish housing need surveys shows that existing levels of provision are sufficient to meet local needs for affordable housing. In this context “existing levels of provision” means the existing affordable housing stock together with any affordable dwellings which are under construction or which have extant planning permission.
3. If a review is triggered in accordance with clause 2 of this policy and it indicates that changes to the Plan are needed to increase delivery of affordable housing to meet local needs, a full or partial review of the Plan will be undertaken to take forward the necessary changes.