EXMOOR NATIONAL PARK

Requirements for the Submission of Planning and Other Applications

October 2026

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1.0 Introduction

Exmoor National Park is a working and living community where development is necessary to ensure that the needs of the community, businesses and visitors are met. The Local Plan sets out a range of policies that allow development to take place and the National Park permit approximately 93% of the applications which are submitted.

The planning policies seek to ensure that development is of the right scale, in appropriate locations and conserves and enhances the character and appearance of the National Park. Development proposals should, therefore, be of a high quality so that the natural beauty, heritage, wildlife and character and appearance of the National Park are maintained.

Additional national advice and information can be found within the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG). The National Park Authority is the sole Planning Authority for the area.

The Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended) requires that every Local Planning Authority publishes a list of requirements to be used when validating planning and related applications ensuring that correct information is submitted to be able to determine the application.

All Local Planning Authorities are required to produce a list and are encouraged to review it on a frequent basis whilst bearing in mind a proportionate approach to the nature and scale of development in line with paragraph 45 of the NPPF. Authorities are required to review their published local validation list and revise and republish the list on a two-yearly cycle.

With an appropriate level of information submitted at the outset, consultees in the process such as Town and Parish Councils, neighbours and other bodies such as the Environment Agency will have a greater understanding and are more likely to be supportive. This should lead to swifter decision making. Applications that are not controversial and comply with the planning policies can be made as a delegated decision.

Pre- Application Advice:

Our pre-application service is a service aimed at giving applicants, architects and developers clear advice about whether the National Park would be likely to support a proposal. It is important to note that this service is for the provision of advice - it does not provide any formal approval or refusal, and all advice is given without prejudice to any decision the National Park may make on any subsequent application.

Why is pre-application advice helpful?

Open and constructive pre-application discussions are an opportunity for the National Park and applicants to work together. This helps to achieve developments

that deliver benefits to the individual, community, environment and the economy. It can also save time and costs and avoid unnecessary protracted discussions.

Benefits of pre-application enquiries and discussions include:

- Saving time and resources;
- Helping raise the quality of development;
- Speeding up the validation process;
- Gaining community acceptance through engagement if required;
- Reducing the number of unsuccessful planning applications;
- Identifying the need for specialist input earlier;
- Provide sufficient information to support final application

Pre-application advice requests should include:

- The relevant pre-application fee
- A site location plan, clearly identifying the site in question;
- A sketch plan showing the proposed development work;
- Full description of the development proposed; and
- Photographs of the site if they would help to put the development in context

and if appropriate;

- A summary of any community/neighbour consultation that has been carried out

Depending on the complexity of the proposal additional details may need to be provided. However, the more information you can give us initially, the more detailed and comprehensive the response from officers can be.

The charging schedule can be found here https://www.exmoor-nationalpark.gov.uk/planning/planning-advice

If there are queries regarding the level of information that is required with the submission, then please contact the Development Management Section of the National Park Authority.

For national planning guidance please see the details on the planning portal www.planningportal.co.uk and for details of the Exmoor National Park Local Plan 2011-2031 please see www.exmoor-nationalpark.gov.uk/planning/planning-policy

The Exmoor National Park Authority adopted its Local Plan at the Authority Meeting on the 4th of July 2017.

The National Park Authority's website also has an interactive map to look at planning applications, planning policies and land constraints. These can be found here:
For planning applications and land constraints: http://mapping.exmoor-nationalpark.gov.uk/. For planning policies: http://localplan.exmoor-nationalpark.gov.uk/

2.0 Standard Application Form

Standard planning application forms apply to all existing types of planning application forms, except for mineral workings. The forms are the only official method of submitting a planning application.

The forms can be found on the Planning Portal website at https://www.planningportal.co.uk/app/downloadable-forms

The Standard Application Form covers the following types of application;

- Householder consents
- Outline and full planning permission and approval of reserved matters
- Listed building consent
- Application for planning permission for relevant demolition in a conservation area
- Advertisement consent
- Consent under the Tree Preservation Orders and notification of proposed works to trees in conservation areas
- Lawful Development Certificates
- Applications for prior approval under the General Permitted Development Order 2015 (GPDO)
- Removal or variation of conditions
- Application for approval of details reserved by condition, and
- Non-material amendments to existing planning permissions.

Each application form type has a validation checklist that is unique and is available on the National Park Authority website: Validation Requirements | Exmoor Applicants should complete and return ensuring that all the required information is included. If you wish to discuss whether a specific element of information is required either discuss with Planning Officers or set out the case in writing with the application papers.

The information later in this document sets out the information requirements from the Local List that are required with each type of application.

The National Park Authority encourages the submission of your application electronically via the national Planning Portal. The Portal assists by providing a structured way to complete the forms; checks the planning fee and allows the process to be completed online (or partially online if you prefer). The Planning Portal also provides a range of planning and Building Control guidance. The Portal can be accessed at www.planningportal.co.uk. It will also be necessary to visit the National Park Authority website to ensure that the local list requirements, which are set out in this document, have been met.

The Planning Portal has introduced a service charge, currently set at £70.83 + VAT for the use of their service. The service charge is applied to planning applications submitted online that attract an application fee over £100.

If you do not wish to submit your application online then the planning application forms can be downloaded from the Planning Portal website Planning Portal. Please ensure the correct form is used.

However you wish to submit your application please can we reinforce the need to check and submit the details required on the validation checklist.

We aim to determine whether an application is valid within 3 working days of receipt. After this the application will either be registered and an acknowledgement letter sent, or a written explanation will be provided to the applicant or their agent explaining the requirements before validation can proceed. An application will be deemed invalid if:

The standard application form is insufficiently or incorrectly completed;
The correct fee has not been provided;
Mandatory or National List requirements are not met; and
The necessary plans, drawings and information as identified in the Local List of Validation Requirements have not been provided or are deemed inadequate.

If we do not receive the requested information from the applicant or their agent within six weeks, we will assume that you no longer wish to proceed with the application, and we will update our records accordingly (unless we have been requested and agreed to an extension of time).

If there is a disagreement regarding the required documents between the National Park Authority and the applicant/agent, then this should first be discussed with the Case Officer. If the dispute cannot be resolved and 8 weeks have passed since the application was submitted for determination, (13 weeks if the application is major) there may be a right of appeal for Non-Determination on the grounds of invalidity.

3.0 National Requirements for Outline and Reserved Matters Applications

Information requirements for applications for outline and reserved matters planning permission.

Outline applications can be appropriate when the principle of a development proposal needs to be established. However, in the National Park, given the sensitivity of the area, a full detailed planning application will usually be necessary to help to demonstrate that the impacts are acceptable. The Development Management Team are happy to advise on whether an outline application will be suitable for your proposal.

Applications for outline planning permission generally need not give details of any proposed reserved matters unless the matters include layout, scale or access. However, if the National Park receives an application for outline planning permission but decides that the application ought not to be considered separately from all or any of the reserved matters it must notify the applicant within one month from the receipt of the application that further details are submitted. The Authority will also specify what further details are needed.

The reserved matters which can be considered as a second stage are:

- **Layout** – the way in which buildings, routes, and open spaces are provided within the development and their relationship to buildings and spaces outside the development.

- **Scale** – the height, width and length of each building proposed in relation to its surroundings.

- **Appearance** – the aspects of a building or place which determine the visual impression it makes, excluding the external built form of the development.

- **Access** – this covers the accessibility to and within the site for vehicles, cycles and pedestrians in terms of positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

- **Landscaping** – this is the treatment of private and public space to enhance to protect the site's amenity through hard and soft measures, for example, through boundary treatments such as planting of trees or hedges or screening by fences or walls.

Even if layout, scale and access are reserved, an application will still require a basic level of information. As a minimum, applications for outline planning permission should always include information on:

- **Use** – the use or uses proposed for the development and any distinct development zones within the site identified.

- **Amount of development** – the amount of development proposed for each use (for retail this should be the gross retail floorspace expressed as square metres).

- **Indicative layout** – an indicative layout with separate development zones proposed within the site boundary where appropriate.

- **Scale parameters** – an indication of the upper and lower limits for height, width and length of each building within the site boundary.

- **Indicative access points** – an area or areas in which the access point or points to the site will be situated.

4.0 National Requirements - Information requirements for applications for all planning permissions.

The National Park Authority encourages all applications to be submitted electronically. However, applicants retain the option of submitting paper versions of the forms and information. Each plan submitted, either electronically or as a paper version, must have a unique plan reference number and name. Two copies of all the forms and information are required, unless submitted electronically.

The Ministry of Housing, Communities and Local Government has set out the national requirements to be submitted with planning applications. It is important to note that the requirements are clearly set out and the information and plans should be supplied if your application is to be validated.

If a particular plan or document is not considered necessary or appropriate in relation to the specific development proposal, then an applicant or agent should set out in writing why this is the case, and the National Park Authority will take this information into account when deciding whether to register an application as valid.

4.1 The location plan

All applications must include copies of a location plan based on an up-to-date map. This should be at a scale of 1:1250 or 1:2500 and wherever possible the plans should be scaled to fit onto A4 or A3 size paper. In exceptional circumstances plans of other scales may also be required. Plans should identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear. Where possible, these should include road names/numbers and postcodes to a grid reference.

The application site should be edged clearly with a red line. It should include all land necessary to carry out the proposed development – for example, land required for access to the site from a public highway, visibility splays, landscaping, car parking, areas of earth movement and/or disposal and open areas around buildings.

A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site. For agricultural dwellings and buildings, a blue line should be drawn around the related farm holding.

Crown Copyright – It should be noted that both Location and Site Plans should not breach Crown Copyright (e.g. A Land Registry document, photocopy or an image copied from the Web). Plans provided should clearly indicate a License Number to confirm that the user has the authority to reproduce those plans. If it is considered that Crown Copyright has been breached the Authority will contact the applicant or their agent to advise them.

4.2 Site Plan

A site plan should be submitted with the application. The site plan should be drawn at a scale of 1:500, 1:200 or 1:100 (depending on what is the most appropriate scale to clearly show the proposals in relation to other buildings, features, boundaries and land) and should accurately show:

a) The direction of North.

b) The proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries and/or a scale bar.

And the following unless these would NOT influence or be affected by the proposed development.

c) all the buildings, roads and footpaths on land adjoining the site including access arrangements,

d) all public rights of way (including footpath, bridleway, restricted byway or byway open to all traffic) crossing or adjoining the site,

e) the position of all trees on the site, and those on adjacent land that could influence or be affected by the development,

f) the extent and type of any hard surfacing, and

g) boundary treatment including walls or fencing where this is proposed.

4.3 Ownership Certificates

Under section 65(5) of the Town and Country Planning Act 1990, read in conjunction with Article 7 of the Town & Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority must not entertain an application for planning permission unless the relevant certificates concerning the ownership of the application site have been completed. All applications for planning permission must include the appropriate certificate of ownership. An ownership certificate A, B, C or D must be completed stating the ownership of the property.

For this purpose, an ‘owner’ is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years. Ownership Certificates must also be completed for applications for listed building consent, and conservation area consent for demolition.

4.4 Notice(s)

A notice to owners of the application site must be completed and served in accordance with Article 6 of the Town & Country Planning (Development Management Procedure) (England) Order 2015. The Agricultural Holdings Certificate is now included in this Notice.

4.5 The correct fee (where one is necessary)

Application fees are set nationally. The fee schedule is available to view online or on the Planning Portal website. The Planning Portal has a fee calculator available and with the submission of applications online, the fee is automatically calculated. The National Park are happy to advise on planning fees on specific cases.

A guide to fees for planning applications in England can be found on the Planning Portal on: How much does a planning application cost? - Planning Portal.

4.6 Design and Access Statement

A Design and Access Statement must be submitted for the following types of planning application:

1) Development categorised as "major"; (usually 10 or more houses or where the floorspace exceeds 1,000sqm) etc[1].

2) Development within a Conservation Area where the applications is for

   i) the provision of one or more dwellinghouse, or
   ii) the provision of a building or buildings where the floorspace created is 100sqm or more.

Where a Design and Access Statement is required, it shall

a) Explain the design principles and concepts that have been applied to the development;
b) Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
c) Explain the policy adopted as to access, and how policies relating to access in the Local Plan has been taken into account;

[1] Clause 2 of Part 1 of The Town and Country Planning (Development Management Procedure) (England) Order 2010 states that "major development" means development involving any one or more of the following—
(a) the winning and working of minerals or the use of land for mineral-working deposits;
(b) waste development;
(c) the provision of dwelling houses where—(i) the number of dwelling houses to be provided is 10 or more; or (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
(d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
(e) development carried out on a site having an area of 1 hectare or more;

d) State what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultations; and
e) Explain how any specific issues which might affect access to the development have been addressed

4.7 Biodiversity Net Gain

Biodiversity Net Gain (BNG) is a process designed for the planning system to ensure that development delivers a net positive impact on the natural environment. BNG is an approach to development and is defined as the achievement of measurable gains for biodiversity through new development i.e. biodiversity is left in a measurably better state than before development commenced.

BNG provision should make a meaningful contribution to nature recovery in line with the Exmoor Nature Recovery Vision, and it must therefore be additional, over-and-above other mitigation or compensation requirements such as that required for protected species or priority habitats, not just what is lost as a result of an individual development. Development likely to result in the loss or deterioration of irreplaceable habitats or protected sites will not be permitted.

BNG forms a material consideration for planning applications under the National Planning Policy Framework, and a minimum 10% biodiversity net gain is required unless they are specifically exempted. Information on which applications/proposals are exempted can be found here: **Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk)**

All wildlife habitat created or enhanced through BNG must be maintained for at least **30 years** after the development is completed. Monitoring reports to evidence this must be provided to the National Park. Developers are required to pay for habitat creation, enhancement, management and monitoring over this 30-year period.

BNG is calculated using the statutory biodiversity metric which is available from the government website; a completed version needs to accompany all major applications. A simpler version can be chosen, the Small Sites Metric, for all non-major applications, as long as there are no European protected species, protected sites or priority habitats (excluding some hedgerows and arable field margins) onsite: **Statutory biodiversity metric tools and guides - GOV.UK (www.gov.uk)**.

Devon County Council has produced some useful guidance relating to BNG. Please refer to the Devon County Council website for further details: **Biodiversity Net Gain - Environment (devon.gov.uk)**

An Exmoor specific **technical guidance note (TGN)** has been produced to support implementation of the BNG requirements and the delivery of the biodiversity enhancement Local Plan policy. The guidance also provides information on what is required to support a planning application, and ideas on how to make a meaningful contribution to nature recovery.

What other information is available to help with BNG?

The **Natural Environment Record (NER)** is Exmoor's repository for biological information, containing wildlife data collected from throughout the National Park. It includes an interactive map which can help with finding information on Exmoor's wildlife habitats, species and designations **Exmoor - Natural Environment Record**. For detailed data searches please contact the local records centre (Somerset Environmental Records Centre or Devon Biodiversity Records Centre).

Somerset's Local Nature Recovery Strategy can be found here

Devon's Local Nature Recovery Strategy can be found here

This flow chart has been produced by Somerset Council (and edited by Exmoor National Park Authority) to help with BNG preparation and implementation by providing an overview of the process.

Information required for validation:

If it is considered that that the application is exempt from BNG provision, in order to validate an application a statement setting out the reason(s) for the exemption should be provided alongside the submission.

The list of information that should be submitted, as a minimum, alongside an application that is not exempt from BNG in order to validate an application is:

- A completed metric
- A BNG report/statement
- Existing and Proposed Habitat Management Plans
- Where on-site delivery for BNG is proposed this must be included within the red line boundary denoted on the submitted Location Plan

5.0 The Local List of Plan Requirements

In addition to the statutory plan requirements other plans will normally be essential to explain the proposals. The following plans will normally be expected to be included in the application submission unless it is demonstrated why they are not required. **Each plan submitted must have a unique plan reference number and name.**

- **Existing and proposed elevations** (At a scale of 1:50 or 1:100)

  These should be drawn to a scale of 1:50 or 1:100 and show clearly the proposed works in relation to what is already there, where a change is proposed. If an elevation is not to be altered then this should be clearly stated on the plans, although it is not necessary to draw those unchanged elevations. The submitted elevations should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors.

  Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings and detail the positions of the openings on each property.

External height measurements should be specified on the elevational plans for all new build parts of the building. This is especially useful for applications submitted electronically and can help to avoid confusion or misunderstanding amongst third parties who may inspect the plans. Please include key written dimensions and/or a scale bar on the plans. These should be provided on both existing and proposed drawings.

- **Existing and proposed floor plans** (At a scale of 1:50 or 1:100)

  Existing and proposed floor plans are needed for new development and for existing buildings altered by the proposed development. These plans should be drawn to a scale of 1:50 or 1:100 and should explain the proposal in detail. Where existing buildings or walls are to be demolished these should be clearly shown. The drawings submitted should also show details of the existing building(s) as well as those for the proposed development. If the application relates simply to a change of use and no physical development work is to be carried out, a floor plan may not be necessary, although it could be helpful to explain how the new use may operate from a building.

  Again, external dimensions for all extensions and new buildings should be specified on the floor plans. Please include key written dimensions and/or a scale bar on the plans. These should be provided on both existing and proposed drawings.

- **Existing and proposed site sections and finished floor and site levels** (At a scale of 1:50 or 1:100)

  Such plans drawn at a scale of 1:50 or 1:100 should show a cross section(s) through the proposed building(s) and adjoining land. In all cases where a proposal involves a change in ground levels, illustrative drawings should be submitted to show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided.

  Full information should also be submitted to demonstrate how proposed buildings relate to existing site levels and neighbouring development. Such plans should show existing site levels and finished floor levels (with levels related to a fixed datum point off site) and show the proposals in relation to adjoining buildings. This will be required for all applications involving new buildings and/or where there are earth movements.

  In the case of householder development, the levels may be evident from floor plans and elevations, but particularly in the case of sloping sites it will be necessary to show how proposals relate to existing ground levels or where ground levels outside the extension would be modified. Levels should also be taken into account in the formulation of design and access statements.

- **Roof plans** (At a scale of 1:50 or 1:100)

  A roof plan, drawn at a scale of 1:50 or 1:100 will be required for all development proposing residential use to ensure that materials, flues and other details are clearly identified. In other cases, a roof plan may be helpful to explain complex roof formations with several pitches and ridges.

6.0 The Local List of Information Requirements.

In addition, following consultation and adoption, the National Park Authority has adopted a Local List of information required when submitting a planning and/or other application. The list has been tailored to the particular circumstances of the National Park and seeks to ensure that applicants and their agents submit detailed information which helps to justify their proposals and demonstrates that they are compatible with the planning policies seeking to conserve and enhance the National Park.

It is important to note that the scope and detail of the information which is submitted should be proportionate to the location and type of proposal. Each application will need to be considered on its merits, and some proposals will require more detailed analysis of some information subjects than others. The National Park has set out guidance for each subject heading that forms part of the Local List to assist applicants in deciding the type and range of information that is needed in each case. It is recommended that each heading is set out in the accompanying statement so that is it is clear that each subject has been considered and appropriate information submitted. Some information, such as the need for landscaping details, are a requirement of the local list and the Design and Access Statement (where necessary) and these can be cross referenced to prevent duplication. Planning Officers are happy to discuss the information requirements for each proposal.

The particulars and evidence required by the National Park Authority to be included in the application will be reasonable having regard, in particular, to the nature and scale of the proposed development and where those issues are about a matter which it is reasonable to think at the registration stage will be a material consideration in the determination of the application

If a particular plan or document is not considered necessary or appropriate in relation to the specific development proposal, then an applicant or agent should set out in writing why this is the case, and the National Park Authority will take this information into account when deciding whether to register an application as valid.

There is a formal procedure for resolving these matters whereby the applicant can, if the Authority requires particular information, send a Notice under Section 12 of the 2015 Order[2] and the Authority then must decide how the matters are to be progressed including rights of appeal. While this is a formal process and is available to applicants, we would much prefer to discuss matters and agree on the detail of any application and submission because this is likely to be quicker and cheaper.

The table below sets out the Local List requirements for each type of application.

[2] The Town & Country Planning (Development Management Procedure) (England) Order 2015

7.0 TABLE OF LOCAL LIST REQUIREMENTS BY APPLICATION

	Adaptable & Accessible Housing	Affordable Housing Statement	Agricultural Justification	Biodiversity Net Gain **	CLEUD list of information	Climate Emergency & Renewable energy Statements	Ecological Impact Assessment &	Excavated material Assessment	FRA	Foul Sewage & Surface Water Assessment	Heritage Statement	Landscaping	Landscape Visual Impact Assessment	Lighting Assessment	Photographs	Planning Statement	SCAIL	Structural Survey	Tree Survey and Impact Assessment	Ventilation/ Extraction Statement
Outline Planning Permission	✓5	✓1		✓		✓	✓	✓3	✓	✓		✓	✓8	✓	✓	✓	✓6		✓4	✓7
Full Planning Permission	✓5	✓1	✓	✓		✓	✓	✓3	✓	✓		✓	✓8	✓	✓	✓	✓6	✓	✓4	✓7
Approval of Reserved Matters		✓1				✓		✓3	✓	✓		✓	✓8	✓	✓	✓			✓4	✓7
Householder Application						✓	✓		✓					✓	✓	✓			✓4	
Listed Building Consent						✓	✓2				✓			✓	✓			✓		
Demolition in a Conservation Area						✓	✓2				✓			✓	✓					
Removal or Variation of a Condition				✓		✓	✓2		✓					✓	✓	✓				
Advertisement Consent						✓									✓					
Hedgerow Removal Notice															✓					
Prior Notification – proposed demolition						✓	✓2								✓					
Certificate of Lawful Existing Use or Devt					✓										✓					

1 Only for housing proposals **2** For where roof spaces are affected and in other cases subject to a checklist of considerations **3** Only for development excavating more than 250 cubic metres of material, **4** Only for trees within 15m of any development works **5** see Adaptable and Accessible Housing **6** For agricultural livestock buildings within Impact Risk Zone. **7** Only for catering proposals **8** for Major development (see Section 8.7) ** See Biodiversity Net Gain section 4.7

* **Non-Material Amendment applications – the same information requirements as for an original proposal.**
* **Minor Material Amendments – the same information requirements as for an original application.**
* **Application for approval of details reserved by Planning Condition – those details specifically required under the condition.**

8.0 Local List of Pre-Registration Requirements

8.1 Affordable Housing Statement

Self-build local needs affordable dwelling

Background

The National Park has well established planning policies for the provision of affordable housing to meet the housing needs of local communities (these lie within Section 6 – Achieving a Thriving Community of the Local Plan). Up to date parish household need surveys are the most accurate way of assessing affordable housing need for parishes within the National Park, to enable housing to be delivered where it is needed, such surveys are made available on the National Park Authority's website. Most applicants, (individuals, Registered Providers e.g. Housing Associations, or developers) proposing affordable housing will have had discussions with the Planning Policy Team or Somerset Council's or North Devon Council's Housing Officer to ensure that their application reflects the needs of that community or an individual household for housing.

Following a needs led approach, parish surveys will in practice be the basis for assessing local housing need for planning applications for affordable local need housing schemes. Where there are no up to date surveys, some information on local housing need may be sought from the Council's Housing Officer, who may also consider evidence from Somerset Homefinder or Devon Homechoice - particularly if there appears to be a high level of households in housing need and a stated local connection – however, this is unlikely to provide detailed information that would ensure individual households meet the local connection criteria of the Local Plan.
This may, however, be a potential source of information particularly where a conversion of a building to an affordable dwelling may be sought with no individual household identified to occupy the dwelling. Proof of an individual household's need for an affordable dwelling, including for custom/self build affordable homes, will be established through a Local Housing Needs Questionnaire which is available on the National Park Authority's website.

Planning Officers would welcome discussions to ensure that applicants provide sufficient information to demonstrate that there is a need for the type of affordable housing that is sought.

Requirements

That those proposing local needs affordable housing should demonstrate that there is a local need for the proposals and that may include the evidence from a Local Needs Survey or in parishes without a completed or up to date survey, the Local Housing Needs Questionnaire should be completed by individual households (this questionnaire will be analysed by the National Park and the details provided will remain confidential). The information provided with an application should specify the number of dwellings, the mix of units including size, type, gross internal area and the tenure, with numbers of habitable rooms and/or bedrooms showing how the housing needs of the community have been taken into account. The affordable housing statement should also include details of any Registered Providers acting as partners in the development. If different levels or types of affordability or tenure are proposed for different units, this should be clearly and fully explained.

Viability

In certain circumstances it may not be viable to deliver 100% affordable homes, and an element of Principal Residence market housing may be considered only where this is essential to facilitate the provision of needed affordable housing. Principal Residence housing is market housing that has a planning condition to ensure that they can only be occupied by someone as their sole or principal residence. This can only occur where:

- two or more affordable homes are proposed on a greenfield site in Local Service Centres and Villages, or
- for affordable homes proposed through the conversion of a building which would provide more than one dwelling unit in the named settlements.[3]

In such cases, the National Park Authority will require a robust viability assessment that will use an 'open book' approach to be certain that any Principal Residence market housing is essential for the viability and deliverability of the affordable housing scheme. The proposal should demonstrate that there are no alternative sources of funding and that development costs and land values are reasonable i.e. commensurate with rural exception site values. The number of any Principal Residence market homes which may be permitted will be the minimum number needed to deliver the affordable housing and will also need to reflect the sizes and types of homes to help create a more balanced housing stock for the area. The underlying principle is that the Principal Residence housing will enable the affordable homes to be built rather than increase value of the land or the building to be converted.

S106 Agreements

All new affordable housing will require a S106 legal agreement to be agreed and signed before planning permission can be granted. There is a charge for the preparation of Section 106 agreements. Appendix 2 attached to this document sets out the S106 agreement legal fees applicable at the time of the adoption of this document. It should be noted that these fees are updated and reviewed periodically.

[3] See policy GP3 Spatial Strategy and Table 3.1 in the Local Plan
[4] HM Government - The Building Regulations 2010 Approved Document M Access to and use of Buildings – Volume 1 Dwellings: Category M4(2) Accessible and adaptable dwellings

Adaptable and Accessible Housing

New housing development is encouraged to be designed to enable it to meet the Building Regulation requirement for accessible and adaptable dwellings to help meet the needs of people over their lifetime.[4] This should improve the suitability of new housing so that as their needs change, people can remain in their own homes for longer. For housing developments of five or more dwellings, there is a requirement to meet this standard for at least 20% of the dwellings.

Extended Family Dwellings

Policy HC-D5 Extended Family Dwellings Criteria sets out criteria to assess proposals for the re-use of an existing traditional building as a dwelling for Extended Family. The existing building must be either in a settlement within the curtilage of an existing dwelling or on a farmstead within a group of buildings. The intention of the policy is to provide appropriate opportunities for the re-use of an existing traditional building to enable families to provide support for each other by living close by. Given Exmoor's ageing population, it is considered particularly important to enable support within local communities.

In respect of local needs housing or Extended Family dwellings, permission will only be granted outside a settlement in the open countryside where there is an existing dwelling in a farmstead, and not in isolated locations. In assessing proposals for the conversion of groups of redundant traditional buildings, encouragement will be given to joint business use.

Rural Worker Dwellings and Succession Farm Dwellings

Housing for rural workers in agriculture and forestry who have an essential need to live permanently at or near their place of work can sometimes justify a new home in the open countryside. Nevertheless, a rural enterprise must be acceptable in its location before a new home is even considered, and it will often be more sustainable for workers to live in nearby towns or villages or in suitable existing housing.

Policies HC-D7 Conversions to Dwellings in the Open Countryside, and HC-D8 New Build Dwellings in the Open Countryside, therefore require applicants, in all cases, to demonstrate that the need for new housing in the open countryside cannot be met within the existing housing stock, from sites or buildings already with planning permission for housing or through the extension and/or subdivision of an existing home.

Proposals for new build rural worker or Succession Farm Dwellings will need to accord with HC-D8 New Build Dwellings in the Open Countryside and be well related to existing buildings on the holding such that the dwelling and farm buildings operate as a single entity. Considerations will include whether there is a joint access.
Ensuring that the proposal relates well to existing buildings can also provide other benefits such as increased security through 'natural surveillance'

HC-D9 of the Local Plan relates to rural workers dwelling and states that new housing to meet the needs of rural workers in the open countryside will be permitted subject to certain criteria.

HC-D10 of the Local Plan relates to succession farming – second dwellings on established farms and states that new housing to meet the needs of succession farmers in the open countryside will be in accordance with HC-D7 Conversions to Dwellings in the Open Countryside, or HC-D8 New Build Dwellings in the Open Countryside. A new second dwelling on a single farm holding within the open countryside will only be permitted subject to certain criteria.

Custom/Self Build Housing

Policy HC-D6 seeks to encourage custom/ self-build housing where it will meet an identified local affordable housing need. Such proposals will be considered in named settlements (policy GP3 Spatial Strategy) in accordance with either policy HC-D2 Conversions to Dwellings in Settlements) or policy HC-D3 New Build Dwellings in Settlements. Policy HC-D6 Custom/Self Build Local Need Housing, also extends the principle of custom/self-build to rural communities to provide opportunities for small scale development to address the needs of a community for affordable housing. Rural communities are very small communities in the open countryside. They are not identified in the settlement strategy and are defined as those which have service provision in the form of a shop, public house or a community meeting place/hall and are therefore considered to be appropriate locations for self-build opportunities to meet local affordable housing needs. During the preparation of this Plan the rural communities that have such facilities are identified as: Allerford, Countisbury, Hawkridge, Heasley Mill, Kentisbury, Luccombe, Martinhoe, Oare/Malmsmead, Selworthy, Twitchen, West Porlock and Withycombe.

The Government wants to enable more people to build their own home and defines custom build housing as either that constructed by a builder contracted by a homeowner to create a ‘custom built’ home or where an individual builds their own home as a ‘self-build’. Surveys of local residents should be considered to assess local housing need for this type of housing, and a local list or register compiled of people who want to build their own homes. Exmoor National Park Authority has established a register of people, including local people, interested in self-build or custom build. It will be used to help identify and address the local need for affordable housing from those who have a local connection in the National Park in line with Policy HC-S1 Housing, and other housing policies in this plan. Potential sites can be on greenfield or brownfield land, including the conversion/change of use of existing buildings.

Some sites have been assessed through the SHLAA process and would be considered for self-build schemes.

Custom or self-build housing can be achieved in different ways: a) Self-build: being physically involved in part or all of the construction; b) Self-finish: taking on a property which is structurally complete and finishing the building; c) Community self-build: being physically involved in part of all of the construction, as part of a wider scheme on one site; d) Custom build - where a house builder offers a serviced building plot and may also provide a design and build service.

8.2 Agricultural Justification Statement.

The National Park Authority is supportive of farming activity on Exmoor not least because of the close relationship between farming and the landscape. It is accepted as a matter of principle that on occasions farmers may require further agricultural buildings and some of the modern livestock buildings proposed can be large. While there may be issues of landscape impact and highway access etc in the way of all applications, there is also a need to demonstrate that an agricultural building of the size proposed is reasonably necessary for the purposes of agriculture on that holding. In the past it has not always been clear why an agricultural building has been required, and this has led to concerns and delays with dealing with farm building applications. Further guidance can be found in Policy SE-S4 Agricultural and Forestry Development of the adopted Local Plan.

Requirements

The Agricultural Justification Statement is the opportunity for the applicant to set out:

- the size of the farm,
- activities on the holding,
- details of the stocking levels now and proposed in the future,
- any existing agricultural buildings and their uses, and
- the agricultural justification or functional requirement for the new building, track or other development proposal.

8.3 Ecological Impact Assessment & Enhancement

Background

The National Park is rich in wildlife and aims to increase Exmoor's biodiversity, targeting those species and habitats most valued nationally and locally. The Framework also identifies Exmoor's priority habitats and species. There is also a range of accompanying targets for wildlife in the Exmoor National Park Partnership Plan. The Local Plan has a policy which seek to protect the nature conservation value of sites and species (CE-S3 Biodiversity and Green Infrastructure).

Some of Exmoor's wildlife is given special consideration through a hierarchy of site designations which provide different levels of protection in recognition of their international, national or local importance. Many parts of the National Park are designated Special Areas of Conservation (SACs), Sites of Special Scientific Interest (SSSIs) or County Wildlife Sites; this includes several water courses, which are also identified as sites important for both flora and fauna. These designations are shown on the Local Plan Policies Map.

Within the National Park there are a number of rare, localised and characteristic plant and animal species, many of which are protected by law. Even simple development proposals can give rise to biodiversity issues and potentially affect wildlife and habitats. For instance, the National Park is home to 17 of the British bat species which can roost in many types of building and/or trees and are often found in the roofs of application sites. Simple applications such as the provision of forestry and farm tracks can affect habitats for protected species such as dormice which need to be considered and addressed in application proposals.

Examining wildlife issues and constraints at the outset will allow applicants to understand a potential key consideration to their proposals and demonstrate how issues have been addressed. Many species, such as bats, are protected by law and it would be a criminal offence to disturb such species and their roosts. If some harm is justified to a habitat, then the Ecological Impact Assessment will give the ability for applicants to set out mitigation and replacement habitat, if that is possible. Early engagement with ecological surveys/assessments can also help positively influence design to make Biodiversity Net Gain achievable.

Requirements

Applications for development should ensure that sufficient information is provided regarding the wildlife sites or species that may be affected by a proposal. The Exmoor Biodiversity Trigger List, which should accompany planning applications, seeks to help applicants identify when wildlife issues may require greater investigation. The information is intended to target the situations where it is most likely that a wildlife issue needs to be understood and addressed in the initial design work. Where the checklist indicates that on initial evaluation no wildlife issues are evident then the application can be submitted with only the checklist completed.

However, this does not exclude the consideration and potential requirement to address wildlife issues which may arise during the processing of an application. Where the checklist highlights that an Ecological Impact Assessment is required then, unless it is can be demonstrated that an exemption applies, the survey report and analysis will need to be submitted with the application for it to be registered. If an initial survey report requires further survey work such as emergence surveys for bats, this further survey work must be carried out and further reports provided in support of the application.

Enhancement recommendations should be set out in line with measures set out within the National Planning Policy Framework, the Local Plan and Appendix 1 of the Technical Guidance Note for Biodiversity Net Gain.

8.4 Flood Risk Assessment (FRA)

Background

Many properties/sites and village centres within the National Park fall within land that the Environment Agency has identified as liable to flood. Flood Risk Assessment is a very important part of an application's assessment in those areas liable to flood. It not only helps reduce the potential threat to individuals and damage to individual properties but also assesses the potential displacement of flood water; and therefore, examines the potential for other properties to be flooded from development. The Environment Agency is very specific in their requirements, and the submission of an FRA is a requirement for an application in flood risk areas. This is supported by Policy CC-D1 of the Local Plan.

There are guidance notes in respect of a Flood Risk Assessment on Flood risk assessments: applying for planning permission - GOV.UK. Standing advice for flood risk assessment, including advice for minor extensions (a minor extension is a householder or non-domestic extension with a floor space of no more than 250 square metres) in Flood Zone 2 or 3, can be viewed via Preparing a flood risk assessment: standing advice - GOV.UK

The Environment Agency is prepared to check and discuss a draft Flood Risk Assessment prior to the submission of a planning application and if flood risk is a key constraint to development this consultation is strongly recommended www.environment-agency.gov.uk.

The Environment Agency identifies three zones of potential flood risk. Flood Zone 3 shows flooding from rivers with greater than a 1% (1 in 100) chance of happening each year or flooding from the sea with greater than with 0.5% (1 in 200) chance of happening each year. Flood Zone 2 shows the extent of an extreme flood with a greater than 0.1% (1 in 1000) chance of happening each year. Flood Zone 1 is the remaining area outside of Flood Zones 2 and 3, where there is less than a 0.1% (1 in 1,000) chance of flooding each year.

The Flood Zone category of any particular site can be identified by visiting the Environment Agency website http://www.environment-agency.gov.uk/ Please note that the Environment Agency regularly update their flood risk maps and with the effects of climate change the area that they consider likely to flood has increased over past map revisions.

A Level 1 Strategic Flood Risk Assessment has also be carried out on behalf of the National Park Authority and can be viewed on our website.[5] The SFRA defines Flood Zones 3a (high risk) and 3b (functional floodplain) within the principal local service centres of Dulverton, Porlock and Lynton and Lynmouth. For areas outside of these settlements, the precautionary approach has been adopted whereby the whole of Flood Zone 3 is considered to constitute the functional floodplain.

Requirements

A Flood Risk Assessment (FRA) will be required for development proposals of 1 hectare or greater in Flood Zone 1 and for all proposals for new development located in Flood Zones 2 and 3 as designated by the Environment Agency. It may be necessary to undertake a sequential approach for some forms of development if it proposed in an area liable to flood.

The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding include the design of surface water management systems such as Sustainable Drainage Systems (SUDs). Advice on SUDs can be found on our website http://www.exmoor-nationalpark.gov.uk/planning/planning- advice/sustainable-drainage-systems. The FRA should also address the requirement for safe access to and from the development in areas at risk of flooding.

8.5 Foul Sewage and Surface Water (Sustainable Drainage Systems) Assessment

Background

Sewage disposal issues are often raised by the drainage bodies and/or local residents who question whether a development proposal will be acceptable in relation to the capacity of existing sewerage systems. While some of the more complex issues arise with larger scale developments there is also the issue that some of the local sewerage systems and treatment works within the National Park are near capacity. On other occasions many properties do not have any connection to the public mains sewerage system.

It is reasonable for developers to have investigated the sewage systems that will be used in relation to their development and to explain this in the application submission. With new development it will often be necessary to connect to existing mains services, and this may have either a visual, tree or archaeological impact. It will be necessary for applicants to work through these issues at some stage of the development process and there are considered benefits if this information is included at the registration stage.

With some sites it is not feasible or available to connect to a public/mains sewer, there will be a need for a treatment system which releases a discharge to a watercourse. This will require a Discharge Consent from the Environment Agency and the specification of that consent will depend on the watercourse where the out flow is being discharged to. Many water courses have been identified for their conservation importance and that can have an impact on the requirements set out in the consent and, in turn, the system that can be installed to meet those requirements.

Requirements

All new buildings need separate connections to foul and storm water sewers. If an application proposes to connect a development to the existing drainage system, then details of the existing system should be shown on the application drawing(s). It should be noted that in most circumstances surface water is not permitted to be connected to the public foul sewers. It will be necessary to demonstrate in all submissions how surface water will be dealt with.

[5] http://www.exmoor-nationalpark.gov.uk/planning/planning-policy/local-plan/evidence-base/strategic- flood-risk-assessment

Advice regarding Sustainable Drainage Systems (SuDS) can be found at: http://www.exmoor-nationalpark.gov.uk/planning/planning-advice/sustainable-drainage-systems

Other useful links include:

Devon County Council Sustainable Drainage Guidance which can be found here: https://www.devon.gov.uk/floodriskmanagement/planning-and-development/sustainable-drainage/ .

Land Drainage Consents on Ordinary Watercourses which can be found here: https://www.devon.gov.uk/floodriskmanagement/land-drainage-consent/ in order to assist with the protection of these watercourses.

Somerset Council – Lead Local Flood Authority – Guidance can be found here: Lead Local Flood Authority

National Standards for sustainable drainage can be found here: National standards for sustainable drainage systems (SuDS) - GOV.UK.

Where the development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, then a fuller foul drainage assessment will be required including details of the method of storage, treatment and disposal. A foul drainage assessment should include a full assessment of the site, its location and suitability for storing, transporting and treating sewage. Where connection to the mains sewer is not practical, then the foul/non-mains drainage assessment will be required to demonstrate why the development cannot connect to the public mains sewer system and show that the alternative means of disposal are satisfactory. Guidance on the consideration of non-mains drainage assessment is provided through National Planning Practice Guidance and Building Regulations Approved Document Part H[6].

Policy CC-S6 of the Local Plan relates to Waste Management and states that the National Park will work with the waste collection and disposal authorities, partner organisations and local communities to promote sustainable management of waste through the waste hierarchy.

If the proposed development results in any changes/replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. This will include a location plan, cross sections/elevations and specification. Drainage details that will achieve Building Regulations Approval will be required. If connection to any of the above requires crossing land that is not in the applicant's ownership, other than on public highway, then notice may need to be served on the owners of that land. That land should also be included in the application red-lined site.

8.6 Heritage Statement

Background

Dunster Castle Gatehouse

The first purpose of the National Park designation is to conserve and enhance the natural beauty, wildlife and cultural heritage of Exmoor. The National Park is rich in history and important cultural heritage.

Listed buildings, Conservation Areas and scheduled monuments are all statutory designations which provide these sites with legal protection. Exmoor also contains many more sites which are of local significance, including locally listed buildings, Principal Archaeological Landscapes and other non-designated heritage assets.

Policies CE-S4 and CE-D3 of the adopted Local Plan (2011-2031) explain and offer guidance on Exmoor's cultural heritage, historic environment and conserving heritage assets. Annex 1 of the adopted Local Plan (2011-2031) offers guidance on the conduct of archaeological work and historic building recording.

Requirements

A Heritage Statement is required if a planning application seeks permission for a development affecting a heritage asset or its setting; this would include applications for:

- Development that may affect the character or appearance of a listed building
- Development within the setting or adjacent to a listed building
- Development (inc. outline) within or otherwise affecting a conservation area

The Heritage Statement will need to explain how the approach of the application ensures that the historic and special architectural important of the listed building or conservation area, and any contribution made by its setting, is understood and preserved or enhanced. Where an aspect of the design has the potential to affect this adversely, the statement should explain why it is necessary, and what measures have been taken to minimise its impact.

[6] www.planningportal.gov.uk/england/professionals/en/1115314110382.html

As a minimum the historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, we may require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

As the Listing Description is only a method to identify a listed building and is unlikely to form a list of the key historic features, commenting only on the listing description is unlikely to meet the requirements of a Heritage Statement.

For applications for listed building consent, a written statement would be required that includes:

- an analysis of the significance of archaeology, history and character of the building/structure,
- a schedule of works to the listed building(s),
- the principles of and justification for the proposed works and their impact on the special character of the listed building or structure,
- an analysis of its setting and the setting of adjacent listed buildings may be required.
- a structural survey may be required to support the application.

The scope and degree of detail necessary in a Heritage Statement will vary according to particular circumstances of each application. Applicants are advised to discuss proposals with either a planning officer or a conservation officer before any application is made. The following is a guide to the sort of information that may be required for different types of application.

For applications for planning permission for relevant demolition in a conservation area written statement that includes:

- a structural survey,
- an analysis of the character and appearance of the building/structure,
- the principles of and justification for the proposed demolition, and
- its impact on the special character of the area may be required.

Information about the archaeological and historic built environment of Exmoor can be found on the Historic Environment Record Home - The Historic Environment Record for Exmoor National Park

8.7 Landscaping

Bossington Hill

Background

The landscape treatment of development sites is a key element in assisting its assimilation into the wider landscape setting and demonstrating that proposals will be acceptable. Criteria c) of Policy CE-S6 (which relates to design and sustainable construction principles) requires the design of development proposals to "reinforce landscape character and the positive arrangement of landscape features through planting and landscaping scheme, boundary treatments, and surfacing. Existing features such as trees, hedges and stone walls should be retained particularly where they are characteristic of the streetscape and/or the local area".

Policies CE-S1 and CE-D1 relate to landscape character and protecting Exmoor's landscapes and seascapes. An updated Landscape Character Assessment has been produced and will be adopted as a supplementary planning document. This can be viewed on our website http://www.exmoor-nationalpark.gov.uk/Whats-Special/landscape/landscape-character-assessment-2017

Requirements

Many sites will require only a simple landscape scheme which shows the retention and further planting of existing trees, hedges and vegetation while others will need to be more extensive proposals. The National Park Authority is predominantly interested in the structural, long-term planting and its maintenance rather than the individual planting in gardens. The Design and Access Statement can set out the approach to the landscaping of the site, including an understanding of the main viewpoints and what the landscaping is intended to achieve. The statement should also explain how the scheme responds to and enhances the sense of place and character of the site.

Some applications may require the submission of a Landscape Visual Impact Assessment (LVIA) or a Landscape Visual Appraisal (LVA) which are used to assess how a proposed development could affect the existing landscape setting and on people's visual appreciation of the landscape and views they enjoy.

All major applications should be accompanied by an LVIA, carried out by a qualified landscape professional. In addition, for other large and/or prominent proposals an LVIA should be provided. For some development, where the potential impact relates to a specific issue, a Landscape and Visual Appraisal will be acceptable. The appraisal should be proportionate to the type and scale of development it is assessing. Applicants are encouraged to agree the scope of a landscape appraisal through pre-application advice, but as a minimum, a landscape appraisal must set out in a clear and rational manner, any effects of the proposal on the landscape and views, and proposed mitigation.

There is the option at the registration stage of submitting an Indicative Landscaping Scheme. These plans should be at a scale of a least 1:500 and identify the trees, hedges and other vegetation to be retained and the additional areas where planting is proposed. The plans should also show existing and proposed hard surface areas such as paths and parking areas, together with the existing and proposed materials.

The alternative, at the registration stage, is to submit a Detailed Landscaping Scheme which should be shown on a plan, usually at a scale of 1:100 or 1:200 and set out in detail the proposals. The soft landscaping scheme should specify the size, species and siting of any trees and, for hedges and other planting, the density and position of plants. The landscape scheme should also set longer term management and maintenance of the planting.

While the Indicative Landscaping Plan may give a general impression of proposed landscaping if permission is granted it is likely that a condition would be attached to any approval requiring the submission of a Detailed Landscaping Scheme to ensure that precise details on planting, where needed, are agreed prior to work commencing. If a Detailed Landscaping Scheme is submitted at the registration stage, and it is considered acceptable, then the planting will form part of the overall permission and there will not then need to be a need to submit a further scheme post approval.

8.8 Climate Emergency Statement

Background

To help meet the challenges relating to climate change, the Local Plan includes policies which seek to influence, contribute and challenge development to help meet the Climate Emergency. GP1 ‘Achieving National Park Purposes and Sustainable Development’ sets out that the need to consider future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change.

Policy CC-S1 ‘Climate Change Mitigation and Adaption’ states that climate change mitigation will be encouraged, development which reduces demand for energy, using small scale low carbon and renewable energy, looks to situate development which avoids sites

that would put wildlife at risk together with measures which avoids the risk of flooding. Furthermore, Policy CC-S5 'Low Carbon and Renewable Energy Development' seeks to support small scale renewable energy schemes that assist in contributing towards reducing greenhouse gas emissions and moving towards a carbon neutral National Park. Policy CE-S6 'Design and Sustainable Construction Principles' seeks to incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.

Paragraph 161 of the National Planning Policy Framework requires that "the planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."

Furthermore, an increasing important element when considering applications are the sustainability and renewable energy elements of design and how an application has incorporated them into the proposals. Paragraph 4.159 of the Local Plan states:

"Proposals for new residential and non-residential development are encouraged to incorporate sustainable construction and passive design methods which not only address energy efficiency and seek to incorporate renewable energy technologies, but consider other sustainability issues such as waste, pollution, resource use, and health and well-being".

A Renewable Energy Statement should explain how opportunities to include sustainability and renewable energy elements have been incorporated into the design. For example, there may be opportunities to insulate the building or extension to a higher standard than the Building Regulations, use of local and/or sustainable materials in construction, design for solar gain, triple glaze, recycle building materials, use grey water and in terms of energy incorporates a wood burning stove, biomass/woodfuel boiler, Solar and/or PV panels, air or ground source heats pumps and other technology. Applicants need to look at the potential for each site which will be different. Such measures usually lead to reduced heating and running costs for occupiers as well as reducing carbon emissions in the longer term.

The requirement to analyse the sustainability and renewable energy issues is reinforced by the advice in the National Planning Policy Framework.

<u>Requirements</u>

A statement to identify how the applicant has addressed impacts in relation to climate change and interconnected environmental impacts, in construction (or demolition) and over the lifetime of the development. Please evidence how you have delivered / would deliver reductions in carbon emissions (greenhouse gases) and consumption of natural resources through design, construction and operational systems.

The Renewable Energy Statement should set out the options that have been considered and the resulting conclusions which have led to the incorporation of the various measures in the building design and specification. All building projects can accommodate some form of sustainability and/or renewable energy elements in their proposals and these needs to be detailed in the Statement to ensure that all reasonable steps have been made in the case of the application submission.

The level of information should be proportionate to the development proposals. For example, it could include a short descriptive response to a question, pointing to how each matter has been considered in the development proposal, or it might signpost to specific evidence provided in other documents submitted in support of the planning application.

8.9 Lighting Assessment

Background

One of the identified special qualities of the National Park is a landscape mostly free from intrusive development including light pollution. The Local Plan (para 4.32) states "The remote, open landscapes of the moorland and lack of human habitation have helped to define a 'core dark sky area' within the National Park as part of the Dark Sky Reserve, which Exmoor National Park was awarded in 2011."

Policy CE-S2 of the Local Plan amongst other things seeks to protect Exmoor's dark night sky and states that development proposals should seek to reduce light spillage and eliminate all unnecessary forms of artificial outdoor lighting. Policy CE-S2 also states that external lighting, outside the Dark Sky Core Zone, will only be permitted where it can be demonstrated that they are required for safety, security or community reasons and where the details minimise light spillage, having regard to the Lighting Management Plan guidance.

Policy CE-S3 of the Local Plan relates to 'Biodiversity and Green Infrastructure'. It states that the conservation and enhancement of wildlife, habitats and sites of geological interest within the National Park will be given great weight, and this includes through appropriate lighting design strategies for bats.

Requirements

Development proposals should include a lighting assessment where any external lighting is to be provided. This can be very simple if only limited lighting is proposed. The details and design of the lighting should be set out in the application details together with hours of operation (if appropriate), intensity of light, beam orientation and any cowls to ensure that lighting is directed on to the ground and not into the night sky. The proposed lighting shall be shown on the elevations and lay out plan. The lighting management plan referred to in Policy CE-S2 provides technical advice to inform external lighting requirements for future development. This can be found on our website http://www.exmoor-nationalpark.gov.uk/__data/assets/pdf_file/0004/753997/EB50-Paterson,-J.H.-2011-Exmoor-National-Park-Lighting-Management-Plan-2011.pdf

8.10 Photographs

Replacement dwelling, Malmsmead

Background

Applications are scrutinised by many bodies such as statutory consultees and Parish Councils who may not have the opportunity to visit the site. Photographs of the application site provide a valuable tool for understanding and appreciating the character of a site and the related proposals by all in the process and help to speed up determination of the application.

Requirements

That photographs appropriate to the application proposal be included within the submissions. They should include relevant elevations of the building and its setting and can be used to demonstrate the suitability of the development proposals. For Listed Building applications, the photographs should cover all the elements that are to be altered / replaced including internal areas. Any building or part of a building to be demolished should to be photographed.

Please note that the photographs will form part of the application submission and will be included in the application file and on the National Park Authority website and be available for public inspection.

8.11 Planning Statement

Background

A planning statement is required with the initial submission of an application. It gives the opportunity for applicants to set out their case to demonstrate compliance with planning and other policies and allows the public, Parish Councils, officers and members to understand the planning case which is being made. The statement needs to be proportionate to the development proposal under consideration.

The Planning Act requires that decisions be made in accordance with the policies of the Development Plan unless material considerations indicate otherwise. The analysis of compliance with policies of the Development Plan is therefore crucial to the determination of applications. The Local Plan can be viewed at the National Park Authority website under the Planning Policy section.

Applicants are asked to ensure that they are familiar with the various planning policies, particularly those in the Local Plan. There are both general planning policies such as GP1 (General Policy: National Park Purposes and Sustainable Development) and CE-S6 (Design and Sustainable Construction Principles) which will be applicable to all applications and certain policies, such as, HC-D15 (Residential Extensions) and RT-D11 (Equestrian Development) which will be relevant to specific applications. The planning statement should look at each of the relevant policies and explain how the proposals have been designed and/or adapted to meet the policy requirements.

For development proposals in Lynton and Lynmouth Parish, a planning statement will need to consider the policies under the Lyn Plan, which is the neighbourhood plan for that area. The Lyn Plan can be viewed at the National Park Authority website under the Planning Policy section and 'neighbourhood plans'.

The National Planning Policy Framework provides important advice on planning matters that should be addressed in any submission.

Requirements

The planning statement should identify the context and need for a proposed development and includes an assessment of how the proposed development accords with relevant national and local planning policies. It may also include details of consultations with the National Park Authority and wider community/statutory consultees undertaken prior to submission.

8.12 Excavated Material Assessment

Many developments require the excavation of material, either from foundations or to level a sloping site. The resulting material has, with some applications in the past, not been considered as part of the submission proposals. This has resulted in tipping at some sites with adverse impact on the landscape or on other occasions excessive lorry movements to remove material that has had an impact on narrow country lanes, even though the development itself has been acceptable.

It is important that the amount of excavated material from a proposed development is estimated and a method statement as to how it will be dealt with set out with the planning application submission. With some proposals such as the construction of agricultural barns or the formation of equestrian arenas the material which is excavated can be many hundreds of tonnes. If the material is clean, it could be used on site, say to construct a hedge bank, extend a track or fill in undulations in a field. In these circumstances, this should be explained in the Assessment and the areas for the deposit of the material included within the application red lined site.

An assessment is only required when the estimated excavated material exceeds 250 cubic metres, although it is good practice to explain how any excavated material will be dealt with in all application cases. Policy CC-S6 of the Local Plan gives guidance on Waste Management.

Requirements

That an Excavated Material Assessment be submitted with all applications where the material to be excavated exceeds 250 cubic metres in volume. The Assessment should identify the volume and type of material to be excavated, opportunities for the reuse and recovery of materials on site and demonstrate how off-site disposal of waste will be minimised and managed.

8.13 Structural Survey

Background

The Local Plan has a series of policies that allow the reuse of buildings in rural areas on the basis that the building can be converted rather than substantially reconstructed. It is important for applicants to demonstrate to the National Park Authority that the application building is structurally stable and can be converted. To accord with the policy CC-S5 of the Local Plan, it is considered that a structural survey is an important information requirement for building works where they are being converted to any form of residential use.

Requirements

A structural survey shall be included in support of an application if the proposal involves conversion of a building to any form of residential use.

8.14 Tree Survey and Impact Assessment

Background

Trees and the relationship of development to those trees can be a point of controversy and concern with applications. Mature trees are important within the landscape and the setting of buildings within villages. The national requirements for the submission of applications require trees to be plotted on the application plans where they may be affected by development proposals. There are established British Standards for the construction and positioning of buildings in relation to trees and often developers do not take these standards into account when designing and positioning new buildings and extensions. This leads to amendments to applications and/or the submission of further details, all which delay the determination of a proposal.

Requiring the submission of a report on tree matters at the submission stage, where necessary, will help ensure that the importance and protection of trees are given increased weight and is more likely to ensure appropriate siting of development in the first place. This requirement is reflected by Policy CE-S1 which seeks to protect woodlands, groups of trees or individual trees of significant landscape or amenity value.

Requirements

Tree Survey and Information will be required where there are trees within the application site or on land adjacent to it that could influence or be affected by the development. There is a need for a survey and impact assessment if any building or earth works are proposed within 15m of the base of a tree. Also, the storage of materials and equipment, site access by heavy machinery as well as the digging of service trenches will need to be included in the survey and impact assessment.

Within that 15m area, information will be required on which trees are to be retained with an explanation of why these are important whilst others are proposed to be felled. It should be demonstrated why the retained trees will not be adversely affected by the development and on the means of protecting these trees during construction works. This information should normally be prepared by a suitably qualified and experienced arboriculturist.

The survey information, protection plan and method statement that should be provided with an application shall follow the guidance in the current BS5837: 2012 - ‘Trees in relation to Design, Demolition and Construction — Recommendations’.

Using the methodology set out in BS5837: 2012 should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.

The Devon and Cornwall Tree Officers Group, on behalf of Tree Officers throughout the Southwest have provided guidance to explain the requirements and so that there is consistency in approach across the region. They have advised that:

"If your site or the land adjacent to your site contains trees, your Planning Application will need to be accompanied by the following details in accordance with British Standard 5837:2012 - Trees in Relation to Demolition, Design and Construction – Recommendations', unless otherwise agreed with the National Park Authority:

Tree Survey and Associated Reports

This is a factual record of trees on or adjacent to the site and should:

a) Include a suitably scaled location plan scale to show trees, shrubs and hedgerows.
b) Include a schedule as set out in British Standard 5837: 2005 Section 4.4.2.5. The following information should be provided: a reference number, species, height, stem diameter, branch spread, height of crown clearance, age class, physiological condition, structural condition, preliminary management recommendations, estimated remaining contribution in years and a category grading in accordance with Tables 1 and 2.
c) Include a Tree Constraints Plan with proposals (including all service runs).

Design Statement

This must demonstrate how the development will achieve a satisfactory juxtaposition of retained trees, including shrubs, hedges and hedgerows, with the proposed development. It will include:

a) Arboricultural Impact Assessment
b) An Arboricultural Method Statement including a Tree Retention and Protection Plan as set out in BS5837: 2012 section 5.5.

The National Park Authority Trees and Woodlands Officer would be willing to look at draft Tree Surveys and Reports to help advise whether development is acceptable in relation to trees.

8.15 Ventilation / Extraction statement

<u>Background</u>

Food related sites, which have ventilation and extraction equipment, have the potential to cause noise and odour nuisance to adjoining properties. However, where the equipment is fit for purpose, it usually operates quietly and prevents odour problems to the locality. Environmental Health Officers usually advise planning officers on the suitability of the equipment. If the details are submitted at the registration stage, then the correct specification can be agreed and the full visual impact taken into account.

Requirements

Details of the position and design of ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics, will be required to accompany all applications for the use of premises for purposes of the sale of food and drink for consumption on the premises, drinking establishments, use as a public house, wine-bar or other drinking establishment, and hot food takeaways.

8.16 Simple Calculation of Atmospheric Impact Limits (SCAIL)

Emissions of nitrogen oxides (NOx), sulphur dioxide (SO2) and ammonia (NH3) and their subsequent deposition to sensitive sites can impose a major environmental burden both nationally and internationally (Bobbink et al., 1998; Pearce and van der Wal, 2002). At a local scale the deposition of these pollutants can result in eutrophication of sensitive ecosystems and the acidification of soil. As part of the Habitats Directive, environmental regulators have a duty to consider the potential impacts of emissions from regulated industrial installations on designated European Sites.

In considering the designated European sites, under the provisions of the Habitats Regulations, the competent authority, in this case, Exmoor National Park Authority, should have regard for any potential impacts that a plan or project may have.
Proposed projects can include industrial/commercial processes, livestock & poultry units, slurry lagoons and digestate stores and manure stores and depend on the Impact Risk Zone (IRZ) (defined by Natural England) that the proposed project may fall under. The particular IRZ will also indicate the size of buildings/structures that require consultation with Natural England.

Habitats regulations assessments: protecting a European site - GOV.UK

The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Simple Calculation of Atmospheric Impact Limits (SCAIL) is a suite of screening tools for assessing the impact from agricultural and combustion sources on semi- natural areas like Sites of Special Scientific Interest (SSSIs) and Special Areas of Conservation (SACs). SCAIL can provide an estimate of the amount of acidity, nitrogen or sulphur deposited on to a habitat or sensitive ecosystem which can then be used to assess whether impact limits for the habitat are exceeded or not. This will also take into account why the SSSIs and SACs were designated.

This information is likely to be required as part of the application process and consultation process with Natural England for applications involving new buildings/structures for cattle, pig and poultry housing, slurry lagoons and farmyard manure storage.

8.17 Applications for a Lawful Development for an Existing use or operation or activity including those in breach of a Planning Condition.

Certificates of Existing Lawful Use and Development (CLEUD) seek to demonstrate that a building or use has gained legality by the passage of time. These applications can be controversial, and the evidence is often challenged. The legislation requires the applicant to supply the evidence to verify their case. If all the evidence is submitted at the outset it is helpful to local residents and Parish Councils so they can understand the case that is being made. The National Park Authority will require detailed information to be able to judge whether, on the balance of probabilities, the case has been proven.

Requirements

As part of CLEUD applications the following information should be submitted at the applications stage, unless it is demonstrated that the requirements are not relevant to the determination of the application.

- Existing elevations (e.g. at a scale of 1:50 or 1:100)
- Existing floor plans (e.g. at a scale of 1:50 or 1:100)
- Existing site survey plan (e.g. at a scale of 1:50 or 1:100)
- Lawful Development Certificate supporting information (e.g. statutory declaration(s) from people with personal knowledge of the existing use/operation/breach of condition), bills, and other supporting information such as receipts and records.
- Photographs
- Supporting statement

8.18 Non-Material Amendment Applications.

This procedure allows applicants to apply to change the details on approved applications. The changes that fall to be considered under this procedure are by definition non-material and very minor, such as swapping the position of doors and windows on a development. Neighbour notification does not take place in this case, and the National Park Authority will normally decide the request within 28 days. Nevertheless, it is important that sufficient information is submitted with these applications to ensure the details, and any agreed changes are clear.

Requirements

The plans required to be submitted with non-material amendment applications are the same plan requirements as with the original submission. The previous plans and the proposed plans will need to be submitted with the proposed changes annotated. If all other circumstances have not changed, then providing this is specified in the submission it will not be necessary to submit the various supporting paperwork and information statement again with the non-material amendment application.

8.19 Minor Material Amendment Applications.

Removal or Variation of Condition.

This procedure allows changes to approved permissions that are more substantial than can be considered under the Non-Material amendment route. The changes may not be substantially different from the original approval such as a small enlargement of the floorspace or a minor repositioning of a building. The process operates by applying to vary the planning condition which specifies the approved plans. It seeks to replace an approved plan with another. It is important that sufficient information is submitted to ensure that the details and proposed changes are clear, particularly as the proposals are subject to public consultation and comment.

Requirements

The plans required to be submitted with minor material amendment applications are the same plan requirements as with the original submission. The previous plans and the proposed plans will need to be submitted with the proposed changes annotated. If all other circumstances have not changed, then providing this is specified in the submission it will not be necessary to submit the various supporting paperwork and information statement again with the minor material amendment application.

Where an amendment leads to a change in the planning permission that requires the alteration/amendment of the S106 agreement, additional legal fees will be applicable. Appendix 2 of this document relates to S106 agreement – legal fees table and sets out the costs of a deed of variation to a S106 agreement. It should be noted that the fees are updated and reviewed periodically.

8.20 Application made under a planning condition

These applications can be subject to notification and consultation as would any planning application.

Requirements

An application for any consent, agreement or approved required by a condition or limitation attached to a grant of planning permission must-

a) Be made in writing to the Local Planning Authority and must give sufficient information to enable the Authority to identify the planning permission in respect of which it is made; and
b) Include such particulars and be accompanied by such plans and drawings, as are necessary to deal with the application.

Discharge of condition

You should clearly indicate the materials/details that are being submitted for approval. In some circumstances (e.g. when seeking approval of a large number of materials) the submission of individual samples (or collectively show on a materials sample board) may be appropriate.

Part discharge of condition(s)

If the details being submitted only discharge part of a condition(s) then this should be clearly set out together with a description of that part of the condition to which the application relates.

Appendix 1 – Analysis of drivers for each Local List item

Reviewed Local List Requirements

Information item	Policy Driver	Types of application	Reasoning	Further assistance
Adaptable & Accessible Housing Statement	HC-D4	Full and outline applications relating to residential schemes of five or more dwellings	To demonstrate that relevant schemes meet a requirement of at least 20% of housing meeting accessible and adaptable standards	Planning officers, planning agents
Affordable Housing Statement	HC-S1, HC-S2, HC-S3, NPPF	Affordable housing schemes only	To demonstrate accordance with the exceptions approach to housing	Planning officers
Agricultural Justification	SE-S4 and Part 6 of GPDO	All agricultural development schemes	To ensure that proposals are reasonably necessary for the purposes of agriculture on that holding	Planning officers, planning agents and land agents
Biodiversity Net Gain	TCPA, NPPF, Environment Act 2021	See section 4.7	To demonstrate a minimum 10% biodiversity net gain would be achieved	Environment Wildlife Officer, planning agents, planning officers
CLEUD list of information		Certificate of lawful existing use or development applications	To ensure that a reasonable level of information is provided to support a case	Planning officers
Climate Emergency & Renewable Energy Statements	CE-S6, CC-S1, CC-S5, CC-D3, CC-D4, NPPF	All applications for development	To ensure that applicants consider the needs and opportunities to incorporate sustainable design and renewable energy into development schemes	Planning agents, planning officers, renewable energy consultants
Ecological Impact Assessment & Enhancement	CE-S3, CE-D2, CE-S6, NPPF	Screened in accordance with wildlife checklist	To ensure that all legislation requirements are taken into account and that the wildlife on Exmoor is safeguarded. And to provide biodiversity enhancement within development schemes	Environment Wildlife Officer, local ecology consultants, Natural England
Excavated material Assessment	GP1, CE-S1, CE-D1, CE-S6, NP First Purpose	All applications where excavated material exceeds 250 cubic metres	To ensure that any resulting excavated material is considered at an early stage in the interests of visual amenity and the sustainability of the development	Planning agents, interested parties
Flood Risk Assessment	CC-D1, NPPF	All large scale applications and those in identified flood risk areas	To ensure that life and property is safeguarded from flood risk.	Environment Agency, Lead Local Flood Authority

Foul Sewage & Surface Water Assessment	CC-D5	Predominately those developments with no mains connection	To ensure that there is adequate means of waste disposal	Water and Drainage Boards, Building Regulations, Environment Agency and Lead Local Flood Authority
Heritage Statement	GP1, CE-S4, CE-D3, NPPF, NP First Purpose	Listed Buildings, conservation areas, areas of archaeological importance	To ensure that statutory tests and requirements are met, to comply with NP first purpose in the interest of the heritage of Exmoor	Conservation and Listed Building Officers, Historic England
Landscaping	GP1, CE-S1, CE-D1, CE-S6, NPPF, NP First Purpose	All planning applications where landscaping would be appropriate or necessary	To demonstrate how development can be assimilated into the area in the interests of the wider landscape and the requirements of the First NP Purpose	Planning agents, consultants, NP officers
Lighting Assessment	GP1, CE-S2, NP First Purpose	All applications when lighting is proposed	To ensure that the dark night sky of Exmoor is protected as this is a special quality reflected in Exmoor being a Dark Sky Reserve	Landscape officers, planning agents, lighting engineers
Photographs		All applications	This helps to demonstrate the location, context and setting of a scheme. It helps interested parties, such a Parish Councils, with understanding a proposal without visiting the site	Planning agents, interested parties
Planning Statement	LP Policies, NPPF	All applications	This allows applicants to demonstrate compliance with planning policies and justify their proposals, thereby assisting consultees, interested parties, Parish Councils and the LPA. Speeds up the processing of planning applications	Planning officers, planning agents, consultants
SCAIL	CE-S3, NPPF	Livestock buildings within an Impact Risk Zone	To ensure effects of emissions from new livestock buildings do not harm habitat sites	Environment Wildlife Officer, local ecology consultants, Natural England
Structural Survey	CE-S5, NPPF	Conversion of building proposals to residential	To ensure that works constitute a conversion rather than a re-build, thus helping to demonstrate compliance with policies	Planning agents and Structural Engineers
Tree Survey and Impact Assessment	CE-S3, NPPF	All applications in proximity of a tree	To ensure the consideration of trees within the development process	Arboricultural consultants, Woodland Officers
Ventilation/ Extraction Statement	CE-S6, NPPF	Applications for catering establishments	To ensure the amenity of neighbours is protected	Environmental Health officers, Ventilation engineers

Appendix 2 – S106 Agreements – Table of legal fees

Exmoor National Park 106 Agreement Fees

S106 Agreements

Standard affordable housing template	£750.00
Standard Extended Family Dwelling template	£750.00
Standard Succession Farming/Rural Workers template	£750.00
Standard affordable housing template plus no more than one financial/highways/POS contributions/viability assessment	£950.00 - £1250.00
Complex affordable housing template plus multiple financial/highways/POS contributions/viability assessment	£1250.00 -£1750.00
Bespoke 106 Agreements e.g. multiple uses/flexible use	refer direct to DCC for estimate of fees

Unilateral Undertaking

Principal Residence	£750.00

Deed of Variation

Straight forward/basic variation of no more than one obligation	650.00
Complex re-drafting of multiple clauses	£750.00 -£1250.00

Deed of Covenant

Standalone Deed of Covenant	£450.00
With Certificate of Compliance	£650.00

Disbursements

Disbursements will be charged separately and as incurred. Example disbursements include:

Land Registry Official Copies	£3.00 per document
Restriction Fee	£20.00

VAT

The above fees are net of VAT and VAT will be charged at 20% on the above fees.

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