



# 6. ACHIEVING A THRIVING COMMUNITY

**Objective 12:** *To address local and affordable housing needs, making the best use of existing developed land and buildings; ensuring a mix of housing and a housing stock which helps sustain local communities.*

**Objective 13:** *To improve the sustainability, resilience and self-sufficiency of the National Park's settlements by supporting the retention, provision of, and access to community services and facilities.*

## Housing

### Context

**6.1** The housing policies in this section provide the framework to address the housing needs of the National Park's local communities and to ensure that the level of housing development is compatible with the conservation and enhancement of Exmoor. The focus is on addressing the needs of those people who live and work in the area, prioritising the need for affordable housing and ensuring that the National Park's housing stock as a whole meets the needs of all sections of the local community. Providing a range of accommodation types and sizes and thereby a better mix of housing should help create more balanced, living and working communities. This will be achieved through a needs led rural exceptions approach in order to maximise the ability to deliver affordable housing. This Plan also makes provision for housing for rural workers and accessible and adaptable homes for older people.

**6.2** National policy for the delivery of housing in rural areas is that local planning authorities should respond to local circumstances and plan for housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate.<sup>254</sup>

**6.3** The National Planning Policy Framework (NPPF) sets out a presumption in favour of 'sustainable development' and indicates where development should be restricted.<sup>255</sup> Objectively assessed needs should be met unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in it indicate development should be restricted. Such

policies include those within a National Park.<sup>256</sup> The Government has clarified that need alone is not the only factor to be considered. Account should be taken of any constraints which indicate that development should be restricted and which may restrain the ability of an authority to meet its need.<sup>257</sup> National Parks have the highest status of protection in relation to landscape and scenic beauty and great weight should be given to conserving them and the conservation of wildlife and cultural heritage which are important considerations in National Parks.<sup>258</sup> The Planning Practice Guidance (PPG) acknowledges that housing supply and affordability are issues in rural areas, recognising the role of housing in supporting the broader sustainability of rural settlements to ensure the viable use of local services and facilities to maintain thriving communities.<sup>259</sup>

**6.4** The NPPF references the National Parks' and the Broads Vision and Circular. In National Parks it wishes to foster local communities living in landscapes notable for their natural beauty; with the focus on the local need for affordable housing as part of sustainable local rural communities and economies. It recognises that National Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them. Authorities should include policies that pro-actively respond to local housing needs.<sup>260</sup>

### Past Approaches to Housing Provision in Exmoor National Park

**6.5** It has consistently been recognised that National Parks are not suitable locations for unrestricted housing development. Previously, rates of new

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<sup>254</sup> DCLG (2012) National Planning Policy Framework, London: DCLG, para. 54.

<sup>255</sup> Ibid. para. 14 and footnote 9 to para. 14.

<sup>256</sup> DCLG (2014) Planning Practice Guidance: Do housing and economic needs override constraints on the use of land, such as Green Belt? Paragraph: 044 Reference ID: 3-044-20141006 [Online].

<sup>257</sup> DCLG (2014) Planning Practice Guidance: Do local planning authorities have to meet in full housing needs identified in needs assessments? Paragraph: 045 Reference ID: 3-045-20141006 [Online].

<sup>258</sup> DCLG (2012) National Planning Policy Framework, London: DCLG, para. 115.

<sup>259</sup> DCLG (2014) Planning Practice Guidance: How should local authorities support sustainable rural communities? Paragraph 001, Reference ID: 50-001-20160519 [Online]

<sup>260</sup> DEFRA (2010) English National Parks and the Broads UK Government Vision and Circular, London: Department for Environment, Food and Rural Affairs, para. 78.

house building/conversions within the National Park had consistently exceeded Structure Plan housing provision figures but had very little impact in helping provide housing to satisfy local needs and house prices continued to rise.<sup>261</sup> Strategic plans therefore focused on the need for affordable housing in rural areas to meet the needs of local communities only.<sup>262</sup> The approach to housing in the Joint Structure Plan, and, subsequently, the draft South West Regional Spatial Strategy (RSS) was therefore to help meet local needs for housing.<sup>263</sup> The draft RSS provided for an estimated provision against local needs only and did not set housing targets for the Exmoor National Park thereby enshrining a needs led approach to provide housing only where need was demonstrated and where it did not otherwise conflict with National Park purposes.<sup>264</sup>

**6.6** The approach in the 1997 Local Plan was to encourage affordable housing. It restricted open market new build housing within villages to redevelopment sites.<sup>265</sup> This was a response to the high level of open market in-fill housing built during the previous 5-20 years that had tended to erode the character of Exmoor's villages.

**6.7** Within the context of restraint necessary in a National Park, the 2005 Plan provided a clear focus to prioritise the needs of local communities: exceptionally, new affordable housing to meet a local need and delivered through a needs led 'exceptions' approach would be considered.<sup>266</sup> An important principle underpinning the approach was that the level of housing development should be compatible with the conservation and enhancement of Exmoor, making maximum use of existing

accommodation and buildings to reduce the need for greenfield development.

**6.8** This focused approach resulted in the number of new affordable homes completed in the National Park in 2011/12 outstripping the number of open market homes for the first time and showing that the policies were having the intended effect.<sup>267</sup>

### Exmoor National Park's Population and Housing Market

**6.9** Exmoor's population declined by 5.5% from 10,873 in 2001 to 10,273 in 2011.<sup>268</sup> Comparison with England as a whole, indicates the extent to which Exmoor's population profile is skewed towards older age groups:

- a) a higher than average proportion is aged 65 or above - the same as West Somerset district which has the highest average age in England;<sup>269</sup>
- b) almost twice the average proportion is aged 45 to 64;<sup>270</sup>
- c) a lower than average proportion of younger people;<sup>271</sup>
- d) a higher than average proportion of households with one person (especially of over 65s) and two people. By contrast, the proportion of households with children is lower than average;<sup>272</sup>
- e) Older age groups moving into the area from other parts of the UK, including the South East, London, the Midlands and East Anglia, are predicted to be the most significant reason for population change.<sup>273</sup>

<sup>261</sup> ENPA (2005) Exmoor National Park Local Plan 2001-11, Dulverton: ENPA. Para. 4.6, Table 4.1.

<sup>262</sup> GOSW (2001) Regional Planning Guidance for the South West: RPG10, paras. 7.9 to 7.16 and Policy HO3.

<sup>263</sup> Somerset County Council and ENPA (2000) Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011, Somerset County Council and ENPA Policy 33: Provision for Housing. Taunton: SCC and ENPA. South West Regional Assembly (2006) Draft Regional Spatial Strategy for the South West 2006-26, Taunton: SWRA, Policy SD4, para. 3.5.3, Development Policy C, para. 4.5.3 and Table 4.1.

<sup>264</sup> South West Regional Assembly (2006) Draft Regional Spatial Strategy for the South West 2006-26, Taunton: SWRA, para. 4.5.3 and Table 4.1.

<sup>265</sup> ENPA (1997) Exmoor National Park Local Plan 1991-2001, Dulverton: ENPA.

<sup>266</sup> ENPA (2005) Exmoor National Park Local Plan 2001-11, Dulverton: ENPA. Chapter 4 pp 64-83.

<sup>267</sup> ENPA (2012) Annual Monitoring Report 2011-2012, Dulverton: ENPA, chart 6.2 and para. 6.31

<sup>268</sup> Office for National Statistics (2013) 2011 Census: Key Statistics for National Parks in England and Wales, [online]: Available: <http://www.ons.gov.uk/ons/rel/census/2011-census/key-statistics-for-national-parks-in-england-and-wales/index.html>

<sup>269</sup> Housing Vision (March 2015) Strategic Housing Market Assessment Update: Exmoor National Park, Dulverton: ENPA, para 2.2 and Table 2.1

<sup>270</sup> Ibid.

<sup>271</sup> Ibid.

<sup>272</sup> Housing Vision (2015) Strategic Housing Market Assessment Update: Exmoor National Park, Dulverton: ENPA, paras 2.2 to 2.4 and Housing Vision (January 2014) Strategic Housing Market Assessment Update: Exmoor National Park in West Somerset, Dulverton: ENPA. Paras 2.3 to 2.4 and Table 2.1.

<sup>273</sup> ENPA (2016) Local Plan Housing Topic Paper, ENPA Dulverton

**6.10** Evidence on the occupancy of open market houses permitted in line with planning policies from previous Local Plans showed that 30% of new properties were occupied by retired people (the majority from the south east region and elsewhere in the UK) and 23% as second or holiday homes. Of the fully occupied properties only one in 10 of all new homes went to people from National Park communities.<sup>274</sup> This appears to still be the case as the projected demand for new housing is from households moving from other parts of the UK rather than locally arising needs.<sup>275</sup>

**6.11** Exmoor's housing market therefore continues to be under considerable pressure as the high quality environment of the National Park makes it an attractive place for people, particularly those aged 45 or above, to move to or own a second home, while younger people and a smaller number of older people are moving away. As retired people continue to move into the area and older people become more aged, large increases in the proportion of people aged over 65 and even greater increases in those aged 85 and above are predicted to 2035.<sup>276</sup> The age imbalance is therefore likely to become more acute. Continuing to address the local need for affordable housing remains an urgent task to help ensure that younger people of working age can remain in the National Park to achieve balanced and sustainable communities on Exmoor.

### Exmoor National Park's Housing Stock

**6.12** New build dwellings account for only a small proportion of housing in the National Park. Nearly 90% of the total stock are houses of which almost half are detached. There are fewer one and two bedroom dwellings and therefore more modest (and more affordable) terraces and flats than average, and a well above average proportion of larger bedroom homes.<sup>277</sup>

**6.13** Two thirds of Exmoor's housing is owned, nearly half outright. About one third is rented of which

approximately half is in the private rented sector, much of it for holiday letting purposes. The proportion of housing which is affordable shared ownership or social rented tenures is below the regional and national average.<sup>278</sup> Nearly one in five of all homes are second/holiday or empty homes.<sup>279</sup> This adds pressure to the limited housing stock and further exacerbates affordability issues and the ability (or otherwise) to satisfy the needs of local communities.

**6.14** The 'Right to Buy' of Council properties, introduced in 1981 had a significant impact on Exmoor's affordable housing stock.<sup>280</sup> Concerted efforts have been made to try to redress the loss of Exmoor's affordable homes lost through Right-to-Buy.

**6.15** As a designated 'rural area', new registered housing provider (RP) properties built after April 1996 were excluded from 'Right-to-Buy'. National changes after 2010, have enabled RPs to sell affordable homes on the open market to help fund new schemes which can be outside the National Park, further reducing Exmoor's stock of affordable housing. Since suitable housing sites on Exmoor are few and finite and the delivery of new schemes is complex, Exmoor National Park Authority, working with partners, will seek the retention of affordable housing for the longer term.

**6.16** In the 1990s, most dwellings approved and built in the National Park were larger, generally three bedroom houses.<sup>281</sup> More recent planning policies sought to provide for a better mix of dwelling types and sizes and since 2005, local need affordable housing tended to be more modest in size - the majority having two bedrooms.

**6.17** A targeted approach to providing for local needs affordable housing has resulted in occupancy by households with a high proportion of children, young people and working age adults - the reverse of the age profile for those older households who

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<sup>274</sup> ENPA (2000) Residential Occupancy Survey, Dulverton: ENPA

<sup>275</sup> Housing Vision (2015) SHMA Update: Exmoor National Park, Dulverton: ENPA, para 5.11

<sup>276</sup> Ibid, p.92

<sup>277</sup> Housing Vision (2015) Strategic Housing Market Assessment Update, Exmoor National Park, Dulverton: ENPA Table 3.1.

<sup>278</sup> Housing Vision (2015) Strategic Housing Market Assessment Update: Exmoor National Park, Dulverton: ENPA, Table 3.2

<sup>279</sup> Office for National Statistics (2013) 2011 Census: Key Statistics for National Parks in England and Wales, Percentage of households with no usual residents. [online]: Available: <http://www.ons.gov.uk/ons/rel/census/2011-census/key-statistics-for-national-parks-in-england-and-wales/index.html>

<sup>280</sup> Figures supplied by Magna West Somerset and North Devon Homes Housing Associations to whom West Somerset and North Devon local authority housing stock was transferred.

<sup>281</sup> ENPA (2000) Residential Occupancy Survey, ENPA, Dulverton

tend to move to market homes in the National Park.<sup>282</sup> Provision of local need housing provides an opportunity for those with a local connection who cannot afford to buy on the open market, including younger/working age people and families, to remain living in the National Park helping to achieve a more balanced community.

### Housing Affordability in Exmoor National Park

#### Income, House Prices, Rental Levels and Affordability

**6.18** Housing 'affordability' has to be considered at a local level in the context of local incomes and house prices. Average gross household income within the National Park is between £28,000 and £29,000.<sup>283</sup> However, many people are on lower incomes and in the West Somerset area of the National Park, 45% of households are on incomes of £20,000 or less (with lower quartile incomes averaging £16,000) - substantially lower than the national average.<sup>284</sup> As well as many seasonal and part-time jobs, a high proportion - over a quarter - of West Somerset's work-force is self-employed with lower average earnings than employee-employment equivalents. Comparing rental levels and house prices with income levels and the availability of mortgages within the National Park demonstrates the magnitude of the problem.

**6.19** Between 1998 and 2012, average Exmoor house prices rose by over 300% due to very high external market demand.<sup>285</sup> In 2014, they were significantly higher than the South West and England and Wales.<sup>286</sup> The disparity between household incomes and house prices means there is an 'affordability gap' with average house price to average household income being a ratio of 10:1 and lower quartile house price to lower quartile income 11:1.<sup>287</sup> Consequently, the majority of properties is well beyond the means of many local people in housing need, especially first-time buyers and families needing larger accommodation.

**6.20** Based on 25% of gross income being spent on rent as affordable, private market rents in Exmoor are beyond the reach of many households on an average income. This is particularly the case for those families requiring a larger (3-4 bed) property.<sup>288</sup>

**6.21** Social rental levels (and sometimes known as 'formula' or 'target' rents) are affordable to households on average income but only one and two bed housing are affordable for those households on lower quartile incomes. Larger homes are borderline affordable or unaffordable.<sup>289</sup>

**6.22** National changes to offset reductions in public housing grants and the introduction of 'Affordable Rents', pegged at up to 80% of local open market rents, have led to higher (and less affordable) rents than social (or 'formula') rent levels. On average incomes, 80% rents are only affordable for up to three bedroom housing. All properties, including one bed dwellings, are at the higher end or above of what is considered affordable for those on lower quartile incomes.<sup>290</sup>

#### Landscape Sensitivity and Housing Land Availability

**6.23** Severe physical constraints, such as flood risk, topography and the sensitivity of Exmoor's landscape, affect the capacity of Exmoor's settlements to absorb more housing development. Within the context that land in a National Park is recognised as being nationally important, the Exmoor National Park Landscape Sensitivity Study assessed greenfield land in and around settlements in terms of its sensitivity to, and capacity for, new build housing.<sup>291</sup> It demonstrated the limited landscape capacity over the longer term (and beyond the period of the Local Plan).

**6.24** The Exmoor National Park Strategic Housing Land Availability Assessment (SHLAA) examined the potential of land to deliver future housing development to address identified need over the Plan period. It was based on realistic assumptions

<sup>283</sup> Cumulus Consultants Ltd (2013) Valuing England's National Parks, National Parks England

<sup>284</sup> Housing Vision (2014) Strategic Housing Market Assessment Update: Exmoor National Park in West Somerset, ENPA, Dulverton: p32

<sup>285</sup> ENPA (2012) Exmoor National Park Annual House Price Survey, Dulverton: ENPA, Table 1.

<sup>286</sup> ENPA (2015) Exmoor National Park Annual House Price Survey 2014, Dulverton. ENPA: (median average house price)

<sup>287</sup> Ibid, median average figure.

<sup>288</sup> Nathaniel Lichfield and Partners (2012), Assessment of Housing and Affordable Housing Needs, Dulverton: ENPA, para 2.30.

<sup>289</sup> Ibid. Table 2.3

<sup>290</sup> Nathaniel Lichfield and Partners (2012), Assessment of Housing and Affordable Housing Needs, Dulverton: ENPA, Table 2.3 & para. 2.31.

<sup>291</sup> Bryan, P. (2013) Exmoor National Park Landscape Sensitivity Study 2013 [updated 2015], ENPA, Dulverton



about the availability and suitability of land taking account of constraints. The potential for the re-use of existing buildings was also examined and those considered suitable were included as a means of delivering housing and to reduce the need for greenfield land.<sup>292</sup>

**6.25** There is a low number of brownfield sites suitable for new housing within the National Park. If the few remaining suitable housing sites and traditional buildings within Exmoor's settlements are not used to provide local needs housing, then it will put pressure on other sites outside settlements that have the potential to harm the landscape. The approach of providing housing to meet local needs through the Local Plan has to be based upon the 'exceptions' approach - to grant planning permission where general open market housing would not be permitted. Sites will not be allocated, including because of the need to maintain land at 'rural exceptions site' values in order to maximise delivery

of local needs affordable housing. Instead they will be released on an individually, based upon the needs evidence.

#### Objectively Assessed Housing Need (OAHN)

**6.26** In line with national policy, the need (both affordable need and market demand) for housing in the Northern Peninsula Housing Market Area (HMA) has been objectively assessed. The 2008 Northern Peninsula Strategic Housing Market Assessment (SHMA) was prepared in partnership with the other local authorities in the HMA and updates were subsequently completed to take account of changes in economic and market conditions.<sup>293</sup> A joint review of the implications of the 2014 household projections provides evidence to underpin planning for the delivery of housing in the HMA over the Plan period.<sup>294</sup>

**6.27** The objectively assessed housing need (OAHN) for Exmoor National Park is 541 units 2011-31.<sup>295</sup>

<sup>292</sup> ENPA (2014) Exmoor National Park Strategic Housing Land Availability Assessment, Dulverton: ENPA.

<sup>293</sup> Housing Vision (2008) Strategic Housing Market Assessment for the Northern Peninsula.

<sup>294</sup> Housing Vision (September 2016) Northern Peninsula Housing Market Area SHMA: The Implications for Housing Need of the 2014-based Household Projections

<sup>295</sup> Housing Vision (September 2016) Northern Peninsula Housing Market Area SHMA: The Implications for Housing Need of the 2014-based Household Projections. Figures derived from Tables 2.3 and 2.4

**6.28** Provision to meet the housing need identified for the part of North Devon in Exmoor National Park, a proportion of which will be affordable, is included in the North Devon and Torridge Local Plan housing requirement to be met in the North Devon area outside the National Park. North Devon Council has taken the view that the additional housing should be located close to and accessible to the National Park boundary and that community aspirations for growth identified by Ilfracombe, South Molton and local centres complement this objective.

**6.29** The remaining area of the National Park is within the West Somerset housing authority area. In this Plan, the focus is on the delivery of affordable housing for which it is projected that there will be a need for **238** units over the Plan period.<sup>296</sup>

### Strategic Policy: Housing

**6.30** National policy is that if adverse impacts would outweigh the benefits when assessed against the policies in the NPPF or where specific policies indicate development should be restricted, such as within a National Park, objectively assessed housing need should not be met.<sup>297</sup> The National Parks and the Broads Vision and Circular states that National Parks are not suitable locations for unrestricted housing and general housing targets are not provided.<sup>298</sup>

**6.31** The National Park Authority has taken account of statutory National Park purposes, the local socio-economic duty to National Park communities and constraints which indicate that development should be restricted and that the ability to meet the full need (demand) for housing over the Plan period is constrained.

**6.32** The approach to housing delivery in this Plan is therefore to provide positively for housing, working with estimates of housing provision through a rural exceptions approach and without a target to deliver

locally needed affordable housing up to the point at which the National Park would be harmed. **The indicative figure of affordable housing units needed in the National Park 2011-2031 for this Local Plan is 238 units.**

**6.33** This approach is appropriate in a remote rural area, given the small size of Exmoor's settlements, landscape sensitivity and capacity, and SHLAA supply and is consistent with National Park purposes, the duty to local communities and national policy and guidance.

### Assessing the Need for Affordable Housing in the National Park

**6.34** Feedback from the community 'Your Future Exmoor' events demonstrated widespread support for housing that is affordable to local people.<sup>299</sup> The National Park Authority, through being based on Exmoor, and working in partnership with others (including the District Housing Authorities) has a good understanding of the needs of the area.

**6.35** Housing Authority waiting lists have been replaced with a housing register which may not record local connection or may define it differently from planning policies. Households bid for affordable housing as it becomes available. As with the former waiting lists, there remains an issue with rural households registering on the system.

**6.36** It is therefore important that actual need is assessed. The National Park Authority hosted the Rural Housing Project (RHP). Its approach, carrying out rural parish housing need surveys across West Somerset, North Devon and Exmoor National Park to provide more accurate information on affordable need, consistently revealed a local, albeit often small, need for affordable housing in settlements (sometimes fewer than three households), as well as information on size, type and tenure.<sup>300</sup>

<sup>296</sup> Housing Vision (September 2016) Northern Peninsula Housing Market Area SHMA: The Implications for Housing Need of the 2014-based Household Projections. Figures derived from Tables 2.3 and 2.4

<sup>297</sup> DCLG (2012) National Planning Policy Framework, London: DCLG, footnote 9 of paras. 14 & 47. DCLG (2014) Do housing and economic needs override constraints on the use of land, such as Green Belt? [Online] available: Paragraph: 044 Reference ID: 3-044-20141006 Underlining in text has been added. DCLG (2014) Do local planning authorities have to meet in full housing needs identified in needs assessments? [Online] available: Paragraph: 045 Reference ID: 3-045-20141006.

<sup>298</sup> DCLG (2012) National Planning Policy Framework, London: DCLG, para. 115 footnote 25. DEFRA (2010) English National Parks and the Broads UK Government Vision and Circular, London: Department for Environment, Food and Rural Affairs, para. 78.

<sup>299</sup> ENPA (2010) Your Future Exmoor' Feedback Reports (2010). [online: available: <http://www.exmoor-nationalpark.gov.uk/planning/planning-policy/local-development-framework/your-future-exmoor>

<sup>300</sup> <http://www.exmoor-nationalpark.gov.uk> At September 2013 the estimate of affordable need for Exmoor National Park was 90 units

**6.37** The affordable need figure of 238 units is considered helpful in framing the Local Plan housing strategy to 2031.<sup>301</sup> However the housing figures set out in this Plan should not be used in determining individual planning applications and parish surveys may ultimately show a different figure for the remaining period of the Local Plan.

**6.38** It is intended that the method of assessing local housing need by household developed by the RHP will continue to inform a needs led approach providing data by parish as housing needs change and additional need arises. Proposals in the National Park will only be permitted where there is evidence of an identified local affordable need (or where proposals for accessible and adaptable, 'rural worker' or Extended Family dwellings are consistent with the policies in this Local Plan). As well as new provision, some identified need is likely to be met through re-lets of existing affordable housing.

**6.39** Reflecting the change in the NPPF and in response to reductions in national affordable housing grant, the policies in this plan provide for some flexibility on exception sites / conversions to consider market (Principal Residence) housing in Local Service Centres and Villages where it is essential to enable delivery of affordable housing consistent with Plan policies.<sup>302</sup> Such housing may include accessible and adaptable housing helping to address the needs of Exmoor's ageing population.

**6.40** Any Principal Residence market housing that may be permitted in accordance with policies in this Plan, including other types of housing such as homes for extended family or rural workers, would indirectly contribute to meeting the objectively assessed need for housing across the whole housing market area.<sup>303</sup> It is inappropriate to identify a figure for such housing in Exmoor National Park and the National Parks' Circular is clear that National Parks are not suitable locations for unrestricted housing and general housing targets are not provided for them.<sup>304</sup>

**6.41** Allowing for an element of Principal Residence housing as a response to the reduction in levels of public housing grant available to registered housing

providers to deliver affordable housing on exceptions sites will result in additional units set against the housing supply identified in the SHLAA. This would use up the finite supply of suitable housing land at a faster rate – land with the potential to accommodate future local needs affordable housing both in and beyond the period of this Local Plan.

**6.42** In such cases, the National Park Authority will ensure robust assessments using an 'open book' approach to: inform viability; be certain that Principal Residence housing is essential for the viability of the scheme; ensure there are no alternative sources of funding; and ensure that development costs and land values are reasonable, commensurate with a rural exception site approach. The number of any Principal Residence market homes which may be permitted will be the minimum number needed to deliver the affordable housing. The underlying principle is that the Principal Residence housing would replace previously available public housing grant to registered housing providers rather than increase site or building value. Higher land or building values would impact on scheme viability resulting in a greater number of Principal Residence units of housing to deliver affordable homes. This would use up suitable existing sites and buildings more quickly, reducing the ability to deliver affordable housing in the National Park in the longer term.

### Assessing and Controlling Affordability

**6.43** Applying the 'exceptions' approach - that local need affordable housing may be permitted, where new housing would not normally be allowed - has the effect of reducing the value of land and buildings to a more reasonable level so that local communities and housing providers can acquire sites and buildings for affordable housing. Within the terms of the local needs housing policies, affordability is judged on a household-by-household basis. Those in need of affordable housing will be households who cannot afford to rent or buy a home on the open market.

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<sup>301</sup> Housing Vision (September 2016) Northern Peninsula Housing Market Area SHMA: The Implications for Housing Need of the 2014-based Household Projections, Figures derived from Tables 2.3 and 2.4.

<sup>302</sup> DCLG (2012) National Planning Policy Framework, London: DCLG, Para. 54.

<sup>303</sup> Housing (September 2016) Northern Peninsula Housing Market Area (SHMA) The Implications for Housing Need of the 2014-based Household Projections, Figures derived from Tables 2.3 and 2.4

<sup>304</sup> DEFRA (2010) English National Parks and the Broads UK Government Vision and Circular, London: Department for Environment, Food and Rural Affairs, para. 78.

**6.44** A range of tenures can contribute to the stock of affordable housing - housing for rent, shared equity or low-cost 'intermediate' owner occupied housing. This reflects the range of incomes of those households in need of affordable housing. Intermediate housing will be affordable to a proportion of households in housing need but is unlikely to be affordable to those households on the lowest incomes. In Exmoor National Park, to be considered as affordable housing, eligibility will be determined with regard to local incomes and local rents/house prices and will include restrictions, including local occupancy ties, through a planning obligation to ensure they remain affordable for future eligible households in perpetuity. Since the National Park Authority cannot directly control tenure through planning conditions or agreements, different needs will be matched to the appropriate type of property.

#### The Need for Rented Affordable Housing

**6.45** Because of low income levels, most local households in housing need will need rented property controlled by a Registered Housing Provider or other landlord.<sup>305</sup> Evidence of income and affordable rent levels indicates that to be truly affordable, rent will need to be based on social rent levels.

**6.46** Anyone building housing to rent out should set the rent at or below the current 'Affordable Rent' used by Registered Providers building in the National Park. In all cases, the National Park Authority will work with applicants and seek the advice of the District Housing Authorities on a case by case basis to consider the scheme as a whole, including viability, and to assess whether potential rental levels are likely to be genuinely affordable to households in local housing need.

**6.47** Some households, who are not able to afford a home on the open market but who are on incomes higher than the lowest incomes, may consider owner occupation. Often called 'intermediate housing' these are homes for sale below market levels subject to the criteria in paragraph 6.44 above. These can include low cost homes for sale and shared equity (shared ownership and equity loans). The policies in this Plan provide a flexible approach for affordable housing with local occupancy ties which can apply to owner

occupied housing as well as to rented housing where there is an identified local need for it. This includes custom/self-build housing and/or housing for first time buyers. In this way, Plan policies apply the Government's objectives for custom/self-build, starter homes and shared ownership appropriately in an Exmoor National Park context.

**6.48** Exmoor National Park Authority will work with partners, including local communities, who may wish to consider ways in which households can be assisted to provide homes, including site preparation and provision of services for self/custom build. The Authority will also consider proposals for low cost shared ownership housing. It will be necessary to ensure it is genuinely affordable. In all cases, the need for the number, type, size, and tenure of proposals will be assessed. There is growing interest in the potential for community land trusts to initiate affordable housing schemes and this approach may be able to achieve mixed schemes with, for example, rented affordable housing, potentially managed by Registered Providers, local need custom/self-build housing and/or housing for first time buyers to address the range of needs within a community.

#### Controlling Affordability

**6.49** Taking account of the significant gap between open market private rents and house prices in the National Park and many local incomes, affordability of owner occupied dwellings will be achieved through both:

- a) the local occupancy tie, which will reduce house values; and
- b) keeping the size of properties as small as possible commensurate with the needs of the intended household, and recognising the role of the property to meet future community needs for affordable housing. Individual privately or owner occupied dwellings should therefore have a gross internal area of 93 square metres (sqm) or less unless it is housing controlled through a Registered Provider where the gross internal area will need to be consistent with the identified need (policy HC-S2 A Balanced Local Housing Stock).<sup>306</sup>

<sup>305</sup> Housing Vision (2014) SHMA: Exmoor National Park in West Somerset Update. ENPA, Dulverton Table 5.2 and key findings. 50.44% of all ENP households need social rent and 10.8 % intermediate housing. (i.e. of those households in need of affordable housing almost five times as many need social rented housing than owner occupied/rented intermediate affordable housing)

<sup>306</sup> 93 sqm is consistent with a 3 bedroom, 2 storey, 5 person standard in nationally described space standards

**6.50** The intention of the policies is to provide opportunities for people to stay in their communities. The overall costs of delivery of affordable housing, including those promoted by private developers for sale, need nevertheless to be realistic, given local income levels in case there is a need to sell. For this reason, proposals will be closely scrutinised to ensure that the dwellings will be genuinely affordable in relation to identified needs, land value, site development costs and local incomes/mortgage availability. This should be borne in mind by applicants and developers so that the price they pay for the site/land, building, construction and finishing reflects its reduced market value. In addition to limiting size and type, the National Park Authority will require demonstration of the intent to build a house (or houses) in the affordable range. Applicants will be expected to provide evidence, including for land and construction costs, and an independent financial appraisal of the development through the district valuer may be required to show that the resulting dwellings will be genuinely affordable.

**6.51** The National Park Authority considers that due to rapid changes in the housing market, it is challenging to establish a meaningful relationship between incomes and house prices. However, by virtue of the limitations on size, type and occupancy, housing provided through the Plan policies will always remain (all other things being equal) 'more affordable' than it would otherwise be.

**6.52** The strategic policy HC-S1 Housing, carries forward the policy approach to housing in Exmoor National Park; that it is not appropriate to permit new housing simply in response to the significant external demand for open market housing. Instead, within the National Park, policies provide for new housing as an exception to normal policies of restraint.

**6.53** The limited number of opportunities for new housing development emphasises the importance of concentrating on the identified local need for affordable (including intermediate) housing within the National Park. Addressing the local need for affordable housing helps those who cannot compete in the open housing market. It is a justifiable reason for new housing provided there is no harm to the National Park and its special qualities. It can also help people who move away from the National Park (e.g. for further or higher education, early careers and service families<sup>307</sup>) to return within a reasonable period and counteract, to some degree, the overall trend towards an ageing population. Such housing can also be lived in by people with a work connection in the National Park. Live-work arrangements are set out in policy SE-D1 Home Based Businesses.

**6.54** As a remote area with all settlements defined as rural, in Exmoor National Park the use of the rural exception sites approach for affordable housing to meet local needs is appropriate. The exceptions approach does not define or allocate sites in a plan. HC-S1 makes it clear that the principal community identified need is for affordable housing with local occupancy ties.

**6.55** Policy HC-S1 Housing, also makes provision for the identified local housing needs of rural land based workers (linking to policies for housing in the open countryside through HC-D7 on conversions, HC-D8 for new build dwellings, HC-D9 for rural workers and HC-D10 Succession Farming). It provides for Extended Families through the reuse of an existing traditional building (policy HC-D5) and for older people and/or other vulnerable members of the community in need of accessible and adaptable housing (policies HC-S2 A Balanced Local Housing Stock and HC-D4 Accessible and Adaptable Housing for Exmoor's Communities).

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<sup>307</sup> Members of the armed forces and ex-services personnel

<sup>308</sup> Bryan, P. (2013) Exmoor National Park Landscape Sensitivity Study, Dulverton, ENPA - Capacity for 326 units.

**6.56** Prioritising what is most needed by Exmoor's communities is important because evidence demonstrates how few greenfield housing sites there are in the National Park's settlements.<sup>308</sup> In addressing local housing needs, maximum use should therefore be made of the existing stock of accommodation, buildings and previously developed land/buildings. This should help to minimise the level of greenfield housing development within the National Park and ensure that, in the longer term beyond the period of this Plan, there will still be some suitable housing sites in settlements to help meet the needs of National Park communities.

**6.57** The special measures necessary in protected landscapes together with experience of the ways in which housing providers and others such as local housing trusts can contribute to the local need for affordable housing, suggest that affordable homes do not always need to be newly built. There is potential to exercise a 'local preference' when those existing affordable homes, which are not subject to a local needs occupancy tie, become available for re-letting and this approach has been applied in the area by some Registered Housing Providers.

**6.58** Additionally, both the number and proportion of affordable homes might sometimes be increased by buying suitable existing open market homes and creating new units through subdivision. The purchase of existing dwellings would offer an opportunity to improve their energy efficiency and also benefit places where there is no capacity to build new homes. Since a local occupancy tie would not be required, housing providers and authorities would exercise their own discretion about the eligibility of occupants. The National Park Authority will work with its partners to further explore the potential for approaches and the benefits that they might bring over time. Policies also permit the replacement of existing occupancy conditions with local occupancy ties (policy HC-D12 Replacement of Rural Workers Occupancy Conditions and HC-D13 Replacement of Holiday Occupancy Conditions and Extended Family Occupancy ties). This is compatible with National Park purposes and landscape

conservation as it would reduce the overall number of households in housing need and the number of new build homes and conversions needed.

**6.59** Policy HC-D14 Subdivisions of Existing Dwellings, also provides for the subdivision of existing open market dwellings to create smaller units of accommodation. Additionally, policy HC-D15 Residential Extensions, controls the size of extensions, to ensure a range of dwellings, including smaller dwellings remain available.

**6.60** The National Park Authority will work in partnership to help implement housing policies: delivering housing for the benefit of local communities while conserving and enhancing the National Park. Delivery will be monitored and reported. This will enable the Authority to openly review the effectiveness of policy; taking into account changing circumstances in housing finance and delivery and the capacity to accommodate development in order to secure the necessary amounts of locally needed affordable housing. It will also require legal agreements to provide a framework within which local and affordable housing can be secured in perpetuity.

**6.61** Reference to 'Dwelling', 'Housing' or 'Accommodation' within the following policies includes flats and self-contained annexes.

<sup>305</sup> Housing Vision (2014) SHMA: Exmoor National Park in West Somerset Update. ENPA, Dulverton Table 5.2 and key findings. 50.44% of all ENP households need social rent and 10.8 % intermediate housing. (i.e. of those households in need of affordable housing almost five times as many need social rented housing than owner occupied/rented intermediate affordable housing)

<sup>306</sup> 93 sqm is consistent with a 3 bedroom, 2 storey, 5 person standard in nationally described space standards [DCLG (2015) Technical housing standards – nationally described space standard]

## HC-S1: Housing

1. The purpose of housing development will be to address the housing needs of local communities. The principal community identified need is for affordable housing with local occupancy ties. Exceptionally, new housing development will be permitted where it addresses an identified local housing need for:
  - a) Affordable homes that remain affordable in perpetuity and which will be occupied by local persons in proven housing need in accordance with the local occupancy definition in HC-S3.
  - b) Homes for rural workers in agriculture, forestry or other rural land based enterprises with a proven essential, functional need in accordance with HC-D9 or to enable succession farming on established farm businesses in accordance with HC-D10.
  - c) An Extended Family dwelling, in accordance with HC-D5, which will be occupied by local persons in perpetuity.
2. Accessible and adaptable housing for older people and other vulnerable members of the community will be permitted where:
  - a) it meets an identified need for accessible and adaptable affordable housing in accordance with clause 1(a) above; or
  - b) it will cross-subsidise at least two units of local need affordable housing, as part of a wider new-build housing development, or will cross-subsidise at least one unit of local need affordable housing as part of a wider housing conversion scheme (HC-S2, HC-D4).
3. Consistent with an exceptions approach to housing, provision will not be made for housing solely to meet open market demand and housing land will not be allocated in the development plan. Principal Residence market housing will only be permitted where:
  - a) it is essential to deliver local need affordable housing in a Local Service Centre or Village to meet an identified local need and it accords with Policy HC-S4; or
  - b) the proposal relates to a Vacant Building in a Local Service Centre or Village (HC-D1).
4. Clause 3 b) above and policy HC-D1 of this Plan will only apply as long as government guidance on planning obligations relating to vacant buildings credit is extant. If the guidance changes, policy HC-D1 and clause 3 b) above will be reviewed.

## HC-D1 Vacant Buildings in Settlements

1. Exceptionally, Principal Residence market housing may be permitted through the change of use or redevelopment of an existing Vacant Building where:
  - a) the proposal accords with Policy HC-S1 clause 3 b) and 4;
  - b) sufficient evidence is provided to demonstrate that the building can be considered to be Vacant through meeting the following tests:
    - i) it is not abandoned;
    - ii) it has been unoccupied, without content and has been marketed for a minimum of 3 years;
    - iii) it is not an agricultural building or previously developed land without a building;
    - iv) it can be demonstrated that the building has not been made vacant for the sole purpose of re-development and there has been no intent to leave the building empty or cause it to become empty in order to circumvent affordable housing requirements. Extant or recently expired planning permissions applying to the building for the same or similar development will be taken into account in considering proposals;
    - v) the building is within a Local Service Centre or Village; and
    - vi) clear and robust evidence demonstrates that no affordable housing can be provided on site or as part of the development for viability reasons. In such cases, provision for a commuted sum towards local need affordable housing in the National Park will be sought commensurate with an agreed and robust viability assessment.
2. Proposals for the change of use of a Vacant Building to Principal Residence market housing will only be permitted where:
  - a) the existing building is able to accommodate two or more dwelling units of 93sqm floorspace in size (HC-D2);
  - b) the existing building(s) is considered to be worthy of conservation and it does not have an adverse impact on the character and visual amenity of the area; and
  - c) they will accord with CE-S5.
3. Proposals for the redevelopment of a Vacant Building for Principal Residence market housing will only be permitted where:
  - a) the existing building is not a traditional building, is not listed or considered to be of historic or architectural importance worthy of conservation and it has an adverse impact on the character and visual amenity of the area;
  - b) the redevelopment proposal will achieve demonstrable environmental enhancement of the building and its locality; and
  - c) the gross floorspace of the Principal Residence housing achieved will be no greater than the existing gross floorspace of the existing Vacant Building(s). Housing which would exceed the gross floorspace will be required to meet an identified local affordable need in accordance with Plan policies.

## A Balanced Local Housing Stock

### Size and Type of Housing

**6.62** The housing stock as a whole should provide a range of accommodation sizes, types and tenures to meet the needs of all sections of the local community. The National Park's existing housing stock has a higher than average proportion of larger and detached dwellings. To create more balanced communities and address the needs of existing and future households, there is a need for smaller and more affordable dwellings, such as terraces and flats, and for tenures of new housing that are aligned to identified needs. Smaller dwellings are also likely to take up less land - an important consideration given the scarcity of suitable housing land in Exmoor's settlements.

**6.63** This plan necessarily focuses on new development - which is a small part of the National Park's existing housing stock. Policy HC-S2 A Balanced Housing Stock, aims to ensure, in terms of size, type and tenure that new housing permitted in the National Park will result in a better mix of dwellings and that it contributes to that which is needed locally by giving those in housing need, including young people, the opportunity to stay in their community and contribute to the viability of important services such as schools.

**6.64** In delivering affordable homes, housing providers have to consider a variety and range of needs for different sizes, types and tenure of home (such as those for local workers, accessible and adaptable housing, housing for those with care needs, and single people or young families). This is an important part of assessing need and housing providers and developers of two or more affordable homes, will need to show that they have taken into account the housing needs of the community. Single properties will tend to be from private developers or self-builders aiming to satisfy a particular individual (though proven) need. Following a rural exceptions site approach, the need for the mix of dwellings and the viability of a proposal, will be assessed on a case-by-case basis.

**6.65** New housing development will be encouraged to be designed to enable it to meet the Building Regulation requirement for accessible and adaptable dwellings to help address the needs of people over their lifetime. This should improve the suitability of new housing so that as their needs change, people can remain in their own homes for longer. This is particularly important in Exmoor given the ageing population.<sup>309</sup> Evidence indicates that it will be viable for 20% of dwellings in housing developments of five or more to meet this standard.<sup>310</sup>

**6.66** Any market (Principal Residence) housing to deliver affordable housing will also need to reflect the needs of the area for sizes and types of homes to help create a more balanced housing stock.

**6.67** Local need affordable dwellings, including individual privately or owner occupied dwellings and self/custom build, should have a gross internal area of 93sqm or less unless it is housing controlled through a Registered Provider.

**6.68** The National Park Authority will consider local need dwellings larger than 93sqm floorspace only where they are controlled through a Registered Provider (including owner occupied dwellings controlled through a Registered Provider), and where the identified need is for a larger dwelling. Housing of a modest size including terraced and semi-detached houses and flats will be expected in the majority of cases. The only other exception to the 93sqm floorspace would be where the proposal is for the conversion and change of use of an existing building to a dwelling and the existing building is larger than 93sqm (but not large enough to accommodate more than one dwelling).<sup>311</sup> Proposals should accord with policy CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings.

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<sup>309</sup> ONS (2011) 2011 Census Exmoor National Park. 20.9 % of the population have their day-to-day activities either limited a lot or a little.

<sup>310</sup> Three Dragons(2016) Exmoor National Park Viability Assessment, Dulverton, ENPA

<sup>311</sup> 93sqm is consistent with a 3 bedroom, 2 storey, 5 person standard in nationally described space standards [DCLG (2015) Technical housing standards – nationally described space standard]

**6.69** The fundamental objective under these housing policies is to ensure that new affordable dwellings remain more affordable to meet the community's needs in perpetuity. The size of accessible and adaptable housing (policy HC-D4 Accessible and Adaptable Housing for Exmoor's Communities) and Extended Family dwellings (policy HC-D5) are also limited to 93sqm. The size of rural worker dwellings and Succession Farm Dwellings should be in accordance with policies HC-D9 Rural Workers, and HC-D10 Succession Farming – Second Dwellings on Established Farms, respectively.

**6.70** Permitted development rights granted by the Town and Country Planning (General Permitted Development) Order 2015 will be removed to ensure that dwellings do not exceed 93sqm in size to enable the National Park Authority to assess the impact of increasing the size on the affordability of these dwellings on an individual basis. In the case of subdivisions, it will also enable assessment of the cumulative impact of successive extensions. Applications for extensions will be assessed against policy HC-D15 Residential Extensions.

**6.71** Additionally, permitted development rights may be withdrawn for extensions to dwellings proposed to be subdivided (HC-D14 Subdivisions of Existing Dwellings), in the following circumstances:

- a) to protect the character and appearance of the existing building; or
- b) where the existing dwelling has already been extended up to the 35% threshold (policy HC-D15 Residential Extensions) before an application for subdivision is made, or
- c) to ensure that any new dwelling created through the subdivision, if below 93sqm gross internal area, would not exceed this size (this is to ensure that a stock of smaller more affordable dwellings contributes to the overall mix of dwelling sizes across the National Park).

In respect of the conversion/change of use of buildings, the additional reason for withdrawing permitted development rights is to protect the character and appearance of the building.



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## HC-S2 A Balanced Local Housing Stock

1. Having regard to the existing housing stock in the locality, all new residential development will contribute towards the creation of sustainable, balanced and inclusive Exmoor communities by ensuring a mix of dwellings (in terms of size, type and tenure), that will meet the needs of present and future generations.
2. New housing will offer a good standard of accommodation by being constructed to be neither too large nor too small.
3. All new build housing developments will be encouraged to be constructed in accordance with Building Regulations Requirement M4(2) for accessible and adaptable dwellings or successor regulations. In new build developments of 5 or more dwellings, a minimum of 20% will be required to meet this standard.
4. Wheelchair user dwellings will be encouraged to be constructed in accordance with Building Regulations Requirement M4(3) (or successor regulations) and will be encouraged where a specific local need for a wheelchair adaptable or accessible dwelling is identified.
5. For local need affordable dwellings permitted under HC-S1 and HC-D2, or HC-D3, HC-D6, or HC-D7, the dwelling(s) will be affordable by size and type to local people and will remain so in perpetuity.
6. For local need affordable dwellings, including custom/self-build (HC-D6), accessible and adaptable housing for Exmoor's communities (HC-D4), and Extended Family dwellings (HC-D5), the gross internal area will be 93 square metres or less.
7. For local need affordable housing controlled through a Registered Provider, a gross internal area greater than 93 square metres may be permitted only where there is a proven need for a larger dwelling.
8. Where permission is granted for:
  - a) dwellings of up to 93sqm, a condition will be attached removing permitted development rights in respect of extensions, or
  - b) dwellings created through subdivisions (HC-D14) (including those up to 93sqm) a condition may be attached removing permitted development rights in respect of extensions.
9. Where permission is granted for employment uses as part of a proposal, a condition may be attached tying the occupation of the dwelling to the operation of the business space.

## Local Occupancy Criteria for Affordable Housing

**6.72** In meeting National Park statutory purposes, the legal duty refers to seeking to foster social or economic wellbeing. Broadly, and in the context of housing provision, 'social' relates to family and community ties established over a period of time and 'economic' to ensuring the local rural workforce has access to adequate housing. The definition of 'local' within policy HC-S3 Local Occupancy Criteria for Affordable Housing, incorporates both these aspects.

**6.73** Before new affordable housing can be considered, the local community need for the new dwelling(s) (including conversions) must be established. The distinction between 'demand' and 'need' has to be recognised. The assessment of community need will be through an up-to-date local housing needs survey based on the process and survey forms established by the Rural Housing Project and prepared by or in consultation with the district council (as local housing authority) and in consultation with the town/parish council(s). Private surveys, without the assistance of Devon or Somerset Rural Community Councils, or District Council (as housing authority) are not acceptable. Proof of an individual's need within a community will be established through a detailed questionnaire. In assessing proposals for a single local needs dwelling, the extent to which it forms part of a wider community need including any up to date local housing need survey and the likelihood of the type, size and location of the property meeting an ongoing community need for housing if the individual subsequently moves out of the property will be scrutinised. There needs to be evidence that an ongoing need exists before permission is granted. In each case the National Park Authority will carefully examine the survey results to ensure that a genuine need exists for the number, size, type and tenure of dwellings proposed.

**6.74** In order to comply with the Local Plan strategy to minimise new build housing on greenfield land, before applying for a new dwelling or housing an individual or group will be expected to have examined the availability of properties and existing buildings in their own and adjoining parishes and the locality. Where existing property of a suitable price, size and type is, or is likely to become, available and the existing owner has indicated a willingness to sell or where there are opportunities for extensions and/or subdivision to create smaller more affordable units of accommodation, new build housing is unlikely to be permitted.

**6.75** Plan policies (GP1 Achieving National Park Purposes and Sustainable Development; GP4 The Efficient Use of Land and Buildings and CE-S6 Design and Sustainable Construction Principles) therefore require applicants to demonstrate that:

- a) the need for housing cannot be met within the existing dwelling stock or from sites/buildings already with planning permission including through the subdivision/appropriate extension of existing dwellings; or
- b) there are no suitable sites that are well related to existing buildings in settlements; or
- c) there are no suitable brownfield sites that can reasonably be developed in place of a proposal on greenfield land.

Proposals should demonstrate that best use is made of land in terms of the density of development (consistent with Partnership Plan and Local Plan objectives) to ensure the design of all new housing development respects the character of its setting, reinforces the identity of its settlement, the local vernacular architecture and incorporates sustainable development principles.

**6.76** In respect of site selection, justification of a local need does not itself outweigh other policies for conserving the National Park, and these will have to be taken into account in judging any particular proposal. The policies aim to provide most new housing in settlements.

**6.77** Where parishes do not have an identified settlement (or suitable site within one), the search for a site for local needs housing will be directed towards an adjoining parish. Where parishes are split by the National Park boundary and the settlement lies outside the National Park, the need for housing should be met in that part of the settlement lying outside the National Park and in accordance with the relevant District Council's planning policies. Where parishes are split by the National Park boundary and there is no identified settlement outside the National Park in that parish, then residents who otherwise meet the requirements of HC-S3 Local Occupancy Criteria for Affordable Housing, including one or more local connection criteria, may be considered for local needs housing in the National Park. For housing proposals in rural communities in the open countryside, only those with a local connection to that parish will be considered to comply with the policy. Where a rural community in the National Park is in a parish split by the National Park boundary, only those households with a residency in that part of the parish lying within the National Park will be considered to comply with the local connection.

**6.78** Residential conversions in settlements, as well as in the open countryside, will be expected to contribute to the stock of local needs housing. For larger buildings, affordability will be achieved through creating more than one unit. This will need to be done sympathetically to help retain the building's original character. Conversions providing employment space alongside a dwelling(s) are also positively encouraged. Registered housing providers can play a valuable role in sub-dividing existing properties within settlements to create smaller units of affordable accommodation.

### Local Connection

**6.79** For the purposes of the policies within this Local Plan 'local needs' housing is defined as housing which is intended to meet the needs of the local community. Local community includes those people with strong local connections to a parish or adjoining parish(es), defined as a minimum period of 10 years permanent and continuous residency. This includes people who have previously lived within the parish(es) for 10 years or more and who want to return to their community - 10 in the last 30 years means they can have lived away for up to 20 years. This may apply to service families with a member(s) of the household who has lived elsewhere as a result of serving in the armed forces, who wishes to return and who is in affordable housing need.

**6.80** The local occupancy definition also includes those with a 10-year connection to the National Park as a whole but who do not qualify as having lived for 10 years or more in any one parish/adjoining parish. In such cases, a strong connection to the parish will need to be demonstrated.

**6.81** As well as residency requirements, the definition of local connection includes people who carry out work, which is remunerated in some way from either being employed or self-employed, and that work is of value to the National Park and its communities. They should also demonstrate a need to live close to their place of work within the parish or its adjoining parishes to be able to carry out that work effectively. Evidence from the applicant on the security of their jobs will also be assessed.

## Housing Need

**6.82** Local housing need includes those people with strong local connections, but who cannot afford to buy or rent existing housing in the locality. 'Locality' includes the parish, adjoining parishes and an area within a reasonable travelling distance of their place of work and local services.

**6.83** Justification for the need for new affordable housing will only be accepted on the basis of evidence of those households meeting the requirements of HC-S3 Local Occupancy Criteria for Affordable Housing, clauses 1 a) to e). All applications for new dwellings will be scrutinised thoroughly to ensure that intended occupants are both 'local' and in 'need' of such accommodation. Individual applications will be assessed as part of the need of the community as a whole, in line with Government policy, based on evidence of the circumstances of the intended occupier in terms of their compliance with clauses 1(a) to (e) of policy HC-S3 Local Occupancy Criteria for Affordable Housing, and demonstrating that they have searched for suitable accommodation in the locality. This will ensure decisions are applied in a fair and consistent way, and that all new housing permitted under these policies remains available to meet the needs of the local community in perpetuity.

**6.84** The National Park Authority will consult the District Council Housing Officer and work with the Rural Housing Enabler as appropriate, to obtain assessments of whether applicants are in affordable housing need including their ability to afford existing housing and whether they are currently in unsuitable housing. For housing through Registered Providers, the Devon Homechoice or Somerset Homefinder systems hold information provided by potential tenants on affordable housing need.

**6.85** Local people with incomes/savings to enable them to afford to buy/rent suitable accommodation in the locality will not meet the requirements of policies HC-S1 Housing, or HC-S3 Local Occupancy Criteria for Affordable Housing. In assessing need, account will be taken of any properties owned, or previously sold or otherwise disposed of, by the intended occupants of the new accommodation to avoid any abuse of the policy. In respect of claims of a relative's care needs, medical evidence will be required.

**6.86** Policy HC-S1 Housing requires that housing is affordable to local people in perpetuity. Policy HC-S3 Local Occupancy Criteria for Affordable Housing, ensures that this will be secured through requiring applicants to enter into a legal agreement (in the form of a planning obligation under Section 106 of the Town and Country Planning Act 1990). The National Park Authority considers that obligations provide greater certainty in securing housing for local needs and ensures that in any change of occupation, the new occupant is aware of the restriction.

**6.87** The policy includes provisions or cascades in the event that a local needs affordable home is or becomes vacant. In the first instance only those with a local connection as set out in 1 a) to e) of policy HC-S3 Local Occupancy Criteria for Affordable Housing, will qualify. However, where there are no-local persons meeting criteria 1 a) to e), the policy allows that local persons meeting the other policy requirements but with a minimum period of 5 years permanent and continuous residence in that parish or an adjoining parish may qualify.

**6.88** Where there are no local persons meeting the above requirements, the planning obligation will allow that the cascade can include those people in affordable housing need living in the relevant district council area of the National Park or the National Park as a whole.

**6.89** Ultimately the cascade can go as far as the National Park boundary for privately owned dwellings. Occupants living outside the National Park will only be considered where they meet the local definition in clauses 1 c), d) or e) of policy HC-S3 Local Occupancy Criteria for Affordable Housing i.e. those persons with a previous residence of 10 or more years in the last 30 years; or who need to move into the National Park to live close to a local person for age/medical reasons or to live close to their place of work.

**6.90** For housing owned or controlled by a Registered Provider, (including Housing Associations) where there are no local persons meeting the above requirements, the cascade will then go as far as the district council area outside the National Park to allow persons with strong local ties to the remaining district council area outside the National Park, to occupy the dwellings. This approach provides sufficient flexibility to ensure that an occupier can be found with a connection to the area, while ensuring that private/owner occupied dwellings remain more affordable.

## HC-S3 Local Occupancy Criteria For Affordable Housing

1. New local need affordable housing will be occupied by a person(s) (and their dependents) with a proven housing need who cannot afford (to rent or buy) accommodation in the locality and who meets one or more of the following definitions:
  - a) has a minimum period of 10 years' permanent residence in the parish or an adjoining parish and who is forming an independent household or is currently homeless or living in otherwise unsatisfactory accommodation;
  - b) has a minimum period of a total of 10 years' permanent residence within parishes within the National Park and who can demonstrate a clear link with a parish or its adjoining parish and is forming an independent household or is currently homeless or living in otherwise unsatisfactory accommodation;
  - c) is not now resident in the parish or an adjoining parish but with a local connection with the parish including a period of permanent residence of 10 years or more within the last 30 years;
  - d) has an essential need to live close to another person who has a minimum of 10 years permanent and continuous residence in the parish or an adjoining parish, the essential need arising from proven age or medical reasons; or
  - e)
    - i) carries out paid work which is of value to the National Park and its communities; and
    - ii) needs to live in the parish or adjoining parish in order to carry out that work effectively.
2. A planning obligation will be secured to ensure that occupancy of the dwelling(s) is confined to persons in local affordable housing need in perpetuity.
3. The definition of local affordable need shall initially be based on criterion 1 above. Where there are no local people meeting criterion 1 and properties are vacant, a cascade approach will apply and the planning obligation will allow the dwelling to be occupied by:
  - a) other local persons with a minimum period of 5 years permanent and continuous residence in the parish or an adjoining parish;
  - b) where there is no-one meeting the 5-year residency qualification, other local persons with strong local ties living in the relevant district council area of the National Park; and
  - c) where there is no-one living in the relevant district council area of the National Park, other local persons with strong local ties living in the National Park as a whole.
4. For privately owned dwellings, the planning obligation will ensure that the occupancy cascade will not go wider than the National Park area unless for those subsequent occupants who qualify under clauses 1(c), 1(d) or 1(e) above; or
5. For dwelling(s) owned or controlled by a registered provider (including housing associations) the planning obligation will ensure that the dwelling may be occupied by other local persons with strong local ties to the remaining District Council area outside the National Park.

## Principal Residence Housing

**6.91** Principal Residence housing is a form of market housing controlled by a mechanism which ensures it can be lived in by anyone but only as their principal residence. The aim of this mechanism is to prevent any new market housing being used as a second or holiday home given the existing high percentage of homes in the National Park with no usual residents (19%) and its impact on the social well-being of a number of communities where the overall proportion may be significantly higher e.g. Lynton & Lynmouth where 28.5% of household spaces have no usual residents. New housing in the National Park should be affordable housing to meet local needs.

Principal Residence housing will therefore only be permitted in very specific circumstances where it can be demonstrated to be essential to enable the delivery of affordable housing schemes in accordance with policies HC-D2 Conversions to Dwellings in Settlements or HC-D3 New Build Dwellings in Settlements. Principal Residence housing will also apply to any new dwelling units created through the subdivision of existing dwellings (HC-D14) and the conversion/change of use of hotels/guesthouses to dwellings and in accordance with the tests set out in policy RT-D3 Safeguarding Serviced Accommodation.

### HC-S4 Principal Residence Housing

1. Any new market housing development will be Principal Residence housing and will only be permitted, through the change of use of non-residential buildings to housing in settlements, and/or where it is required to enable the delivery of affordable housing to meet local needs in accordance with policy HC-S1 Housing, clause 3 a) or b) and in accordance with:
  - a) HC-D2 Conversions to Dwellings in Settlements;
  - b) HC-D3 New Build Dwellings in Settlements;
  - c) HC-D4 Accessible and Adaptable Housing for Exmoor's Communities
  - d) RT-D3 Safeguarding Serviced Accommodation; or
  - e) HC-D14 Subdivision of Existing Dwellings.
2. Where permission is granted for a Principal Residence market dwelling, a condition will be attached to ensure that the occupancy of the dwelling(s) is confined to a person's sole or principal residence.

## Housing in Settlements

**6.92** The capacity of Exmoor's settlements to accommodate further housing on greenfield sites without harming the landscape of the National Park has been investigated through a detailed landscape sensitivity study. This demonstrates the importance of making maximum use of the existing stock of accommodation, buildings and previously developed land/buildings to reduce the level of greenfield housing development within the National Park and ensure that, in the longer term, there will still be some suitable housing sites in settlements to help meet the needs of local communities. This Plan seeks to address the needs of Exmoor's communities by ensuring that most housing development is in settlements helping to sustain them over the long term. The spatial strategy is set out in Section 3 of this plan (policy GP3).

**6.93** A range of affordable tenures can help address the local need for affordable housing. Custom/self-build can be a means of local people meeting their own need for affordable housing (policy HC-D6 Custom/Self Build Local Need Housing).<sup>312</sup>

**6.94** Planning policies continue to prioritise affordable housing. In Local Service Centres and Villages, an element of Principal Residence market housing may be considered only where this is essential to facilitate the provision of needed affordable housing. Where there is evidence of need for custom/self-build housing and/or accessible and adaptable housing, the National Park Authority, in discussion with the relevant housing authority, will seek to ensure that it is provided for through proposals, either as part of the affordable local needs housing itself (including custom/self-build plots) or where it is proven to be required to deliver the affordable housing as Principal Residence housing.

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<sup>312</sup> DCLG (2014) Planning Practice Guidance: Housing and economic development needs-assessment [Online] Paragraph: 021 Reference ID: 2a-021-20150326

## Conversions To Dwellings In Settlements

**6.95** Policy HC-D2 Conversions to Dwellings in Settlements, provides for the change of use of existing buildings to housing in settlements where they are well related to existing buildings and the proposal conserves or enhances the character of the settlement (policy CE-S1 Landscape and Seascape Character). Proposals must also accord with policy CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings.

**6.96** All housing must meet an identified local need for affordable housing and be lived in by people who meet the requirements of the local occupancy criteria in perpetuity. This will be secured through a planning obligation (policy HC-S3 Local Occupancy Criteria for Affordable Housing). All such housing will have a floorspace of 93sqm or less in accordance with policy HC-S2 A Balanced Local Housing Stock.

**6.97** A key factor in achieving affordable housing is to obtain buildings at the lowest possible value taking account of existing use value, such that it is possible for housing associations, community land trusts and local households to acquire it for the purposes of affordable housing. The impact of the housing policies within this Local Plan, based on the rural 'exceptions' approach, should be to keep building development values lower than would otherwise be the case.

**6.98** For clause 2 of Policy HC-D2 Conversions to Dwellings in Settlements, buildings which can only accommodate one dwelling unit will need to be affordable housing. Whether a building is able to accommodate more than one dwelling unit, will be judged on the basis of a maximum floorspace of 93sqm or less.

**6.99** Where a scheme would provide more affordable homes than are needed in the parish and the adjacent parishes, based on robust assessments of housing need as set out in the reasoned justification to policy HC-S3 Local Occupancy Criteria for Affordable Housing, a financial contribution will be required towards affordable housing needed elsewhere in the National Park in accordance with policy GP5 Securing Planning Benefits - Planning Obligations.

**6.100** Where there is evidence of need for accessible and adaptable housing, this should be included as part of proposals for the change of use of existing buildings to housing in accordance with policy HC-D4 Accessible and Adaptable Housing for Exmoor's Communities, whether as local needs affordable housing or where it is proven to be required to deliver needed affordable housing.

**6.101** Policies provide for Extended Family Dwellings in settlements through the change of use of an existing traditional building and where they otherwise accord with Policy HC-D5 Extended Family Dwellings Criteria including within the curtilage of, and in close association with, an existing dwelling.

**6.102** Proposals for the change of use of hotels to dwelling(s) within settlements should accord with the tests in Policy HC-D2 Conversions to Dwellings in Settlements.

**6.103** Where permission is granted, condition(s) will be attached removing permitted development rights in respect of extensions to local need affordable dwellings and dwellings of up to 93sqm in accordance with HC-S2 A Balanced Local Housing Stock to ensure that the dwellings remain more affordable and contribute to a mix of housing. Alterations should ensure that the character of the building is conserved in accordance with Policy CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings.

## HC-D2 Conversions to Dwellings in Settlements

1. Within the named settlements, the change of use of a non-residential building(s) to a dwelling(s) will be permitted where the building is well related to existing buildings, the proposal conserves or enhances the character of the settlement and accords with CES5 and where:
  - a) there is a proven local need for the dwelling(s) which will meet an affordable local need, and the intended occupants meet the requirements of the local need occupancy criteria in perpetuity in accordance with HC-S3; and
  - b) the dwelling(s) will be affordable by size and type to local people and will remain so in perpetuity in accordance with HC-S2.
2. The intention will remain the provision of 100% affordable housing to meet an identified local need and the change of use of a non-residential building to residential will address an identified local affordable need. Where the building is able to accommodate more than one dwelling unit, and an element of Principal Residence housing is proposed, the following tests will also apply:
  - a) it is clearly and robustly demonstrated that an element of Principal Residence market housing (HC-S4) is required to enable delivery of local need affordable housing (HC-S3) which cannot be made financially viable without it;
  - b) it is within a named settlement (GP3);
  - c) it is the minimum number of Principal Residence market dwellings required to support the delivery of the required affordable housing and will maximise the proportion of affordable homes within viability constraints;
  - d) in terms of size and type, the affordable housing and mix of Principal Residence market housing is in accordance with Policy HC-S2;
  - e) the affordable housing and Principal Residence market housing will be indistinguishable and will be fully integrated on the development site; and
  - f) the affordable housing will be provided broadly in-step with the Principal Residence housing as development progresses; unless
  - g) the building is in a Local Service Centre or Village, it is accepted to be Vacant and proposed Principal Residence housing through the change of use of a Vacant Building(s) accords with HC-S1 clauses 3b) and 4 and Policy HC-D1.
3. The National Park Authority will ensure that, whether through a single permission or incremental permissions, the number of affordable dwellings created is that which would have been required if the scheme had been constructed as a single development having regard to the planning unit and

*...continued overleaf*

previous permissions since the adoption of the March 2005 Local Plan. In the case of the creation of one or more dwellings from a single previous planning unit (whether at once or over a period of time), the development should contribute the maximum number of local need affordable homes consistent with this policy.

4. Where there is reason to believe that the proposal is formulated with a view to circumventing or mitigating affordable housing requirements, including where the National Park Authority considers that a building is able to accommodate more than one dwelling unit, its capacity will be re-calculated.
5. Where a scheme would provide more affordable homes than are needed in the parish and the adjacent parishes now and in the near future, a financial contribution will be required towards affordable housing needed elsewhere in the National Park in accordance with Policy GP5.
6. Proposals for accessible and adaptable housing will be permitted where they accord with HC-S1.

### New Build Housing In Settlements

**6.104** Given the outstanding character of Exmoor's settlements, new build housing will have to be located and designed so that it conserves or enhances the individual character of each settlement.

**6.105** This Plan continues the approach in settlements of seeking all new build housing to be affordable housing to meet local needs. This has been successful in delivering new affordable housing through the rural exceptions site approach, minimising new housing especially on greenfield sites to that which is essential so as to maintain a supply of sites for local community needs in the longer term. The National Park Authority wishes to retain the focus on addressing the community's need for affordable housing. It is therefore not considered appropriate to provide for new build cross subsidy housing in Exmoor National Park.

**6.106** However, national changes to the way in which affordable housing is funded including to housing grant and the setting of higher 'Affordable Rent' levels have resulted in a greater reliance on private lending for affordable housing schemes which means that it is very difficult for registered housing providers to deliver affordable housing on exception sites. The National Park Authority has therefore taken the difficult decision, while seeking all housing to be for affordable local need, to consider cross subsidy through the minimum number of Principal Residence market dwellings where it can be clearly demonstrated that there are no other means of funding a scheme including through cross-subsidy from other schemes in a Registered Provider's programme outside the National Park. In the meantime, the case for realistic levels of grant funding will continue to be made to ensure that the National Park can be protected and local needs affordable housing can be provided without the need for additional cross subsidy housing.

**6.107** Clause 2 of Policy HC-D3 New Build Dwellings in Settlements, applies the approach set out in the NPPF that planning authorities should consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs. The timing and delivery of the affordable and Principal Residence housing will be secured through the planning approval. Single new-build dwellings in settlements will only be permitted where the dwelling meets a local need for affordable housing and does not require cross-subsidy.

**6.108** Where permission is granted, condition(s) will be attached removing permitted development rights in respect of extensions to local need affordable dwellings and dwellings of up to 93sqm in size in accordance with policy HC-S2 A Balanced Local Housing Stock to ensure that the dwellings remain more affordable.

**6.109** Consistent with GP3 Spatial Strategy the National Park Authority will monitor permissions for housing in relation to the landscape capacity of individual settlements and the National Park as a whole to accommodate new housing development. Where monitoring indicates that the capacity to accommodate local needs housing over the longer term may be compromised, a review of the approach to providing for additional housing to help deliver affordable housing schemes will be triggered to ensure that it is consistent with National Park purposes. In such an event, the potential for alternative approaches to providing for local affordable housing will be crucial.

## HC-D3 New Build Dwellings in Settlements

1. New build housing development will be permitted in named settlements where the site is well related to existing buildings and any development would conserve or enhance the character of the traditional settlement pattern and the character and appearance of the site and its surroundings and
  - a) it will meet an affordable local need and there is a proven local need for the dwelling(s) that cannot be met within the existing housing stock, or from sites/buildings already with planning permission;
  - b) the intended occupants meet the local need occupancy criteria requirements in accordance with HC-S3; and
  - c) the dwelling(s) will be affordable by size and type to local people and will remain so in perpetuity in accordance with HC-S2.
2. All new build housing must address an identified local need and be affordable with occupation restricted to local people in perpetuity unless, in the named Local Service Centres and Villages, for reasons of financial viability, it can be clearly and robustly demonstrated that:
  - a) An element of Principal Residence market housing (HC-S4) is required to enable delivery of more than one unit of local need affordable housing which cannot be made financially viable without it. The intention will remain the provision of 100% affordable housing to meet an identified local need.
  - b) It is the minimum number of Principal Residence houses required to support the delivery of the required affordable housing.
  - c) In terms of size and type, the affordable housing and mix of Principal Residence market housing is in accordance with HC-S2;
    - i) the affordable housing and Principal Residence housing are indistinguishable and fully integrated on the development site; and
    - ii) the affordable housing will be provided broadly in-step with the Principal Residence housing as development progresses; unless
    - iii) the building is in a Local Service Centre or Village, is accepted to be Vacant and proposed Principal Residence housing through the redevelopment of a Vacant Building(s) will be in accordance with HC-S1 clauses 3b) and 4 and Policy HC-D1.
  - d) Proposals for accessible and adaptable housing will be permitted where they accord with HC-S1.
3. Where permission is granted for local need or accessible and adaptable housing of up to 93sqm floorspace, a condition will be attached removing permitted development rights in accordance with HC-S2.

## Accessible and Adaptable Housing for Exmoor's Communities

**6.110** Policy HC-D4 Specialist Housing for Exmoor's Communities, makes provision for accessible and adaptable housing for older people and other vulnerable members of the National Park's communities who have a proven local connection. Such housing should meet the national standard for accessibility and be capable of adaptation to meet the changing needs of those who live in them. Policy HC-D4 therefore aims to provide opportunities to address the needs of Exmoor's communities, including its ageing population. Consistent with policy HC-S1 Housing, such housing will also help to deliver an identified local need for affordable housing.

**6.111** National policy confirms that authorities and agencies should work together to meet the needs of local communities.<sup>313</sup> Planning authorities should be responsive to local circumstances and plan for housing to reflect local needs, including a mix of housing to cater for the needs of older people and people with disabilities (such as retirement homes and specialised housing for those with support or care needs).<sup>314</sup> To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Guidance highlights the need for housing for older people. Consideration should be given to the size, location and quality of dwellings needed in the future.<sup>315</sup>

**6.112** West Somerset and Exmoor National Park have the highest average age in England. On Exmoor, over 65s make up nearly one third of the population. It is predicted that Exmoor will continue to have a well above average older population with a high proportion of over 65s households living alone. Within the National Park a significant proportion of households includes one or more persons with a long term health problem or disability.<sup>316</sup>

**6.113** As people grow older, their housing needs often change and homes may become unsuitable with many single elderly residents living in large houses or housing that is otherwise not appropriate to their needs. Older people, or those with disabilities, may have accommodation needs that are not met by the general housing stock. The National Park Authority recognises the importance of supporting the housing needs of an ageing population and, within the context of National Park designation and other housing policies in this plan, the Authority considers it is important that opportunities should be taken to address the local need for accessible and adaptable housing.

**6.114** The financial implications of an ageing population and measures necessary to sustain independent living by older people are being considered nationally including equity release arrangements and services that help older people to adapt their homes to allow them to live in them for longer.<sup>317</sup>

**6.115** Policy HC-D14 Subdivision of Existing Dwellings provides for the creation of smaller units of accommodation through the subdivision/adaptation of existing homes. Older people and/or other members of the community who require adapted homes and who have access to appropriate support and finance may be able to take such measures. Subdivision may provide equity for necessary adaptations or enable a family member to provide support through living next door.

**6.116** An identified need for accessible and adaptable housing may also be addressed through new housing. For those in affordable need, this may be through appropriately designed affordable housing with local occupancy ties in accordance with housing policies. Policy HC-S2 A Balanced Housing Stock, encourages all new build housing to be constructed to accessible and adaptable Building Regulation Requirement M4(2) and

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<sup>313</sup> DEFRA (2010) English National Parks and the Broads UK Government Vision and Circular, London: Department for Environment, Food and Rural Affairs, para. 79.

<sup>313</sup> DCLG (2012) National Planning Policy Framework, London: DCLG paragraph 50 and Annex 2.

<sup>313</sup> DCLG (2014) Planning Practice Guidance: Housing and economic development needs-assessment (Paragraph: 021 Reference ID: 2a-021-20140306) [Online]

<sup>313</sup> Office for National Statistics (2011) Census 2011. London: The Stationery Office.

<sup>313</sup> DCLG (2008) Lifetime Homes, Lifetime Neighbourhoods: a National Strategy for Housing in an Ageing Society; HCA (2009) Panel for Innovation, Housing our Ageing Population: HAPPI report. All Party Parliamentary Group (2012) Housing and Care for Older People, Housing our Ageing Population: Plan for Implementation (HAPPI 2' Report); National Housing Federation (2012) Housing in Later Life Planning Ahead for Specialist Housing for Older People; House of Lords Select Committee (2013) Public Services and Demographic Change: Ready for Ageing?

requires 20% of dwellings in housing developments of 5 or more dwellings to meet the standard. The intention is to build up a stock of housing which should be suitable for people over their lifetime. This also applies to Principal Residence market housing, where it is proposed as an element of a scheme to help to fund affordable housing, and justified in the first instance, by a local need for affordable housing (HC-D2 Conversions to Dwellings in Settlements or HC-D3 New Build Dwellings in Settlements).

**6.117** New accessible and adaptable housing should be reasonable in size; evidence indicates that two bedroom housing is likely to be the most needed size. Policy HC-S2 A Balanced Local Housing Stock therefore requires that accessible and adaptable housing for Exmoor's communities should not exceed 93sqm gross internal area.<sup>318</sup> Where a specific need for a wheelchair adaptable or accessible dwelling is identified it should be constructed in accordance with Building Regulations Requirement M4(3).

**6.118** Proposals should accord with policy CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings and, where they relate to existing traditional buildings, should ensure that any alterations or conversion work do not harm the fabric or character of the building. Proposals should accord with Policy AC-D3 Parking Provision and Standards, to ensure that provision is appropriate for the needs of residents.

**6.119** Local need affordable housing has occupancy ties to ensure it is lived in by people meeting the local occupancy requirements. However, the high external demand for housing in the National Park from older age groups means that there is a likelihood that new Principal Residence accessible and adaptable housing to fund the affordable housing, although of a size and type needed by Exmoor's communities, could predominantly be bought by older people moving from other parts of the UK, exacerbating the trend towards an older population. Given the limited availability of suitable housing sites and the competing demands on them to satisfy the needs of local communities, the question of meeting general needs beyond those of the National Park becomes an important issue. Policy HC-D4 Specialist Housing for Exmoor's Communities, provides for accessible and adaptable housing to address a local need. Local occupancy ties will be attached to permissions through the use of planning obligations. In this way, such housing will address the locally arising needs of the National Park's older residents and other vulnerable members of the community.

**6.120** Proposals for residential institutions (policy HC-S7), including specialist accommodation providing care such as nursing homes, should also provide evidence of the local need for the development.



<sup>318</sup> Housing Vision (2014) Strategic Housing Market Assessment Update: Exmoor National Park in West Somerset

## HC-D4 Accessible and Adaptable Housing for Exmoor's Communities

1. Proposals for accessible and adaptable homes for older people and/or other vulnerable members of the community who have an established local connection, and require homes that can be adapted to meet their needs over their lifetime, will be encouraged.
2. Proposals will be permitted where:
  - a) they are in accordance with clause 2 of HC-S1, and with HC-D2 or HC-D3 as appropriate.
  - b) the dwelling size accords with HC-S2;
  - c) they will be integrated into the local community to enable access to required services and facilities;
  - d) they are constructed in accordance with Building Regulations Requirement M4(2) (accessible and adaptable dwellings) or M4(3) (wheelchair user dwellings) regulations and they accord with Policy HC-S2, clauses 3 or 4 as appropriate; and
  - e) adaptation or conversion work accords with CE-S5.
3. A planning obligation will be secured to ensure that the occupancy of accessible and adaptable housing is confined in perpetuity to a local person (and their dependents) who has a minimum period of a total of 10 years permanent residence within parishes in the National Park and where permission is granted, a Principal Residence occupancy condition will be attached in accordance with HC-S4.
4. Where permission is granted a condition will be attached removing permitted development rights in accordance with HC-S2.
5. The provision of specialist accommodation offering care and assistance through a residential institution, should be in accordance with HC-S7.

### Extended Family Dwellings

**6.121** 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 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.

**6.122** In accordance with policies including CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings, proposals will have to be sensitively designed and lead to an enhancement of the immediate setting to conserve the character of the building and the landscape of the National Park. Policy HC-D5 Extended Family Dwellings Criteria, therefore requires that Extended Family dwellings will only be acceptable through the re-use of an existing traditional building within the curtilage of a dwelling in a settlement (a Local Service Centre or a Village-policy GP3 Spatial Strategy) or in an existing group of buildings on a farmstead, and not in isolated locations.

**6.123** Clause 3 of the policy requires the occupants to be 'immediate family' as a direct descendent or antecedent i.e. children, grandchildren, great grandchildren, parents, grandparents or great grandparents. Occasionally, relatives who do not meet the definition of immediate family may be considered where they are a dependent relative with an essential need to live close to another person because of age, family or medical reasons. In all cases, the occupier of the associated existing

dwelling or the new dwelling should have a local connection of 10 years or more residence in the parish or adjoining parish. The policy will provide additional housing choice and reflects the National Park Authority's statutory duty to Exmoor's local communities.

**6.124** Where permission is granted for an Extended Family dwelling, occupancy will be controlled through a local occupancy tie.

## HC-D5 Extended Family Dwellings Criteria

1. An Extended Family dwelling will only be permitted through the change of use of an existing traditional building in accordance with CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings, and in close association with an existing dwelling:
  - a) in settlements within the curtilage of an existing dwelling; or
  - b) a farmstead within an existing group of buildings.
2. The dwelling size will be in accordance with HC-S2 A Balanced Local Housing Stock.
3. Extended Family dwellings will be occupied by a person(s) (and their dependents) who can demonstrate that:
  - a) the occupier of the associated existing dwelling or the new dwelling has a minimum period of 10 years or more in the last 30 years permanent and continuous residence in the parish or an adjoining parish; and
  - b) they are immediate family by virtue of being a direct descendent or antecedent of the permanent occupier of the associated existing dwelling; or
  - c) exceptionally, they are a dependent relative who has an essential need to live close to another person, the need arising from age, family or medical reasons.
4. A planning obligation will be secured to ensure that the intended occupants meet the requirements of the Extended Family occupation in this policy and to tie the dwelling(s) to the main house to ensure that they are not sold off separately.
5. The variation of a planning obligation which restricts the occupancy of an Extended Family dwelling as set out in this policy will only be permitted where the occupancy of the dwelling is limited by agreement to local persons as defined in HC-S1 Housing, and HC-S3 Local Occupancy Criteria for Affordable Housing, or as a holiday let where the proposal is in accordance with HC-D13 Replacement of Holiday Occupancy Conditions and Extended Family Ties.
6. Where permission is granted a condition will be attached removing permitted development rights in accordance with HC-S2 A Balanced Local Housing Stock.

## Custom/Self Build Housing

**6.125** 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 home owner to create a 'custom built' home or where an individual builds their own home as a 'self-build'.<sup>319</sup> 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.<sup>320</sup> 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.

**6.126** 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.

**6.127** Exmoor National Park Authority has a strong track record in helping to deliver affordable housing for local people. A number of individuals have converted an existing building or had a new home built. This recognises that self/custom build can be a more affordable way of owning a home, be of benefit to first time buyers and enable more control over design and sustainability (policy CE-S6 Design and Sustainable Construction Principles). This form of housing can

include single homes on small plots, as well as community self-build projects. All new build housing will remain more affordable in perpetuity through a local need occupancy tie and upper size limit.

**6.128** Experience of implementing the housing policies in the 2005 Plan has shown that there may be opportunities for registered housing providers to provide serviced self-build plots, for example as part of a larger scheme. The National Park Authority will work with partners, including local communities, who may wish to consider ways in which households can be assisted to provide homes including site preparation and provision of services for self/custom build. There is growing interest in the potential for community land trusts to initiate affordable housing schemes and they may be able to achieve mixed schemes including, for example, local need custom/self-build housing to address the range of needs within a community.

**6.129** 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.

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<sup>319</sup> DCLG (2012) National Planning Policy Framework DCLG; para. 50 and DCLG (2012) House Building Policy [Online] Available: [www.gov.uk/government/policies/increasing-the-number-of-available-homes/supporting-pages/self-builders](http://www.gov.uk/government/policies/increasing-the-number-of-available-homes/supporting-pages/self-builders)

<sup>320</sup> DCLG (2014) Planning Practice Guidance: Housing and economic development needs-assessment (Paragraph: 021 Reference ID: 2a-021-20140306) [Online]

**6.130** Providing opportunities for limited new self-build housing to address the local need for affordable housing should help to sustain these rural communities over the longer term. The National Park Authority will monitor permissions for housing in relation to the landscape capacity of rural communities and the National Park as a whole to accommodate new housing development. Where monitoring indicates that the capacity to accommodate local needs housing over the longer term may be compromised, a review of the approach to providing for additional housing to help

deliver affordable housing schemes will be triggered to ensure that it is consistent with National Park purposes. In such an event, the potential for alternative approaches to providing for local affordable housing will be crucial.

**6.131** Opportunities for employment premises or other uses should be met through the change of use and/or conversion of existing buildings within the settlement, or through the extension of existing business premises in accordance with policy SE-S3 Business Development in the Open Countryside.

## HC-D6 Custom/Self Build Local Need Housing

1. Exceptionally, new build including custom/self-build housing will be permitted where:
  - a) it is in a named settlement or in a rural community in the open countryside (proposals in a named settlement will be determined in accordance with HC-D2 Conversions to Dwellings in Settlements, or HC-D3 New Build Dwellings in Settlements, as appropriate);
  - b) the site is well related to existing buildings, any development is proportionate in scale and it would conserve or enhance the traditional pattern of the rural community, landscape character and the appearance of the site and its surroundings;
  - c) there is a proven local need for the dwelling(s) which will meet an affordable local need, and the intended occupants meet the requirements of the local need occupancy criteria which will be secured in perpetuity through a planning obligation in accordance with HC-S3 Local Occupancy Criteria for Affordable Housing; and
  - d) the dwelling(s) will be affordable by size and type to local people and will remain so in perpetuity in accordance with HC-S2 A Balanced Local Housing Stock.
2. Where permission is granted, a condition will be attached removing permitted development rights in respect of extensions in accordance with HC-S2 A Balanced Local Housing Stock.
3. In rural communities, housing schemes that require cross subsidy through Principal Residence housing or accessible and adaptable housing (HC-D4 Accessible and Adaptable Housing for Exmoor's Communities) whether new build or through the change of use of existing non-residential buildings will not be permitted.

## Housing Outside Settlements

### Conversions to Dwellings, New Build Dwellings in the Open Countryside

#### Rural Workers and Succession Farm Dwellings

**6.132** National policy states that housing should be located where it will enhance or maintain the vitality of rural communities and that new isolated homes in the countryside should be avoided.<sup>312</sup> Policies in this Plan therefore focus new build housing in the settlements named in Policy GP3 Spatial Strategy.

**6.133** 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 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.

**6.134** Justifying a new home outside of a named settlement, in the open countryside depends on the essential functional and financially sound needs of an enterprise for full-time employees to live at their place of work. Normally, this will be full-time agricultural workers, as forestry employment based upon contract labour is often less locationally fixed. Dwellings for rural workers in the open countryside, whether through a conversion or for a new build dwelling, will therefore require the submission of an independently prepared appraisal to accompany an application. This will need to justify an essential functional need for a rural worker and the long-term financial viability of the business, with a requirement that the worker(s) needs to be readily available at most times, day and night for most of the year, and bearing in mind current and future business requirements. The requirement for an evaluation of financial viability is part of an appropriate framework that is necessary to demonstrate the essential need

for a new dwelling in the open countryside within the National Park. Where there is any doubt as to the permanent need for the dwelling, or the financial viability of the business is marginal, then temporary permission may be given for a residential caravan in accordance with policy HC-D11 Residential Caravans.

**6.135** Rural worker dwellings (HC-D9) and Succession Farm Dwellings (HC-D10) are required to be 93sqm or less. A rural worker dwelling or, exceptionally, a Succession Farm dwelling larger than 93sqm may be permitted where it is justified by the needs of the business, for example to accommodate space required for the operation of the farm holding.

**6.136** Policy HC-D9 Rural Workers, sets out criteria to assess applications for housing for rural workers in agriculture, forestry or other rural land based enterprises in the open countryside. Proposals for both the conversion of existing buildings to dwellings (policy HC-D7) or for new build housing for rural workers (policy HC-D8) will need to accord with policy HC-D9 or for Succession Farm workers with policy HC-D10. A rural worker in agriculture, forestry or other land based rural enterprise operating in the locality will need to be a worker who is engaged in actual physical work, actively contributing to the management of the land. This is because non-physical work, although it may be associated with the business, can be achieved away from the enterprise and such cases will not meet the exceptional tests needed to justify a new home in the open countryside (see Annex 2 to this Plan). Proposals for housing for workers in the open countryside who are not employed in agriculture, forestry or other rural land based enterprises will be considered through the reuse of existing buildings for local need affordable housing in accordance with policy HC-D7 Conversions to Dwellings in the Open Countryside, and the local occupancy criteria in policy HC-S3 clause 1 e) Local Occupancy Criteria for Affordable Housing.

**6.137** The conversion of buildings in the open countryside to provide accommodation helps to reduce demand for further house building elsewhere on greenfield sites. Policy HC-D7 Conversions to Dwellings in the Open Countryside, provides for the

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<sup>312</sup> DCLG (2012) NPPF, para 55.

conversion of existing buildings to dwellings for the essential functional need for a rural worker (as above) and as local need dwellings. It also makes provision for Extended Family accommodation or for Succession Farming. Where permission is granted for residential re-use for local needs, policy HC-D7 Conversions to Dwellings in the Open Countryside, requires that occupancy will be controlled through planning obligations in the same way as conversions within settlements. For rural (or Succession Farm) workers, occupancy will be controlled through occupancy conditions consistent with the approach for a new build dwelling in the open countryside. The requirements for initial and subsequent occupiers of such dwellings are set out in Annex 2 of this Plan.

**6.138** Policy HC-D7 Conversions to Dwellings in the Open Countryside, sets out criteria on the different locational requirements which will apply in each case depending on the proposed occupier. The building will need to be located:

- a) for local need accommodation, in a hamlet or farmstead where there is an existing dwelling;
- b) for Extended Family accommodation, in a farmstead within an existing group of buildings, and in close association with an existing dwelling;
- c) for rural worker or Succession Farm Dwellings, well related to existing buildings on the holding such that the dwelling and farm buildings operate as a single entity.

**6.139** 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'.

**6.140** 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.

**6.141** In accordance with Policy CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings, proposals will have to be sensitively designed to conserve the character of the building and its landscape setting.

**6.142** In considering proposals for a new build dwelling for a rural worker through Policy HC-D8 New Build Dwellings in the Open Countryside, the National Park Authority will need to be satisfied that there is no existing accommodation potentially available (or which has recently been sold) which could have met the needs, or that the conversion/change of use of existing buildings or a temporary caravan are not a viable alternative. Where necessary, the National Park Authority will attach a condition to any other existing dwelling(s) on the holding, restricting the occupancy to those engaged in agriculture, forestry or other business.

Exceptionally, planning obligations may also be attached tying the dwelling to the holding or business to ensure that dwellings are not disposed of separately from the business as a whole. Such cases may include where there is a history of fragmentation of the farm holding leading to new agricultural workers dwelling(s). It is considered there may be occasions where this can be justified to conserve the National Park and/or its special qualities.

**6.143** Residential development associated with a low impact sustainable or environmental land-based lifestyle (known as 'One Planet Development') may include temporary structures such as traditional benders or yurts constructed of natural materials for which no conventional foundations are required. Any such proposals will be considered in terms of whether they are in accordance with the policies in this Plan. These include the spatial strategy (policy GP3), housing, landscape character and design policies.

**6.144** Where permission is granted through policies HC-D7 Conversions to Dwellings in the Open Countryside, and HC-D8 New Build Dwellings in the Open Countryside, condition(s) will be attached removing permitted development rights granted by the Town and Country Planning (General Permitted Development) Order 2015 in respect of extensions, in accordance with policy HC-S2 A Balanced Local Housing Stock to ensure that the dwellings remain

more affordable and contribute to a mix of housing. Alterations should ensure that the character of the building is conserved in accordance with policy CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings.

**6.145** Applications to remove agriculture or rural worker occupancy ties will be carefully assessed. Succession Farm Dwellings permitted under policy

HC-D10 may be occupied by other rural workers when the dwelling becomes vacant. When the exceptional need for this type of home no longer exists it can contribute to the provision of local need, including intermediate or “more affordable” housing or where a need cannot be identified, holiday let accommodation. Policies in this Plan set out the criteria to be met in such cases.

## HC-D7 Conversions to Dwellings in the Open Countryside

1. In the open countryside the change of use of a non-residential building(s) to a dwelling(s) will be permitted where:
  - a) the need for the dwelling(s) cannot be met within the existing housing stock, from sites/buildings already with planning permission or through the acceptable extension and/or subdivision of an existing dwelling; and
  - b) it is in accordance with CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings; and
  - c) in the case of local need accommodation, the building is located in a hamlet or farmstead where there is an existing dwelling. The intended occupants will meet the local need criteria in HC-S3 Local Occupancy Criteria for Affordable Housing, and a planning obligation will be secured to ensure that occupancy of the dwelling(s) is confined to persons in local housing need in perpetuity; or
  - d) in the case of Extended Family accommodation, the building is located in a farmstead within an existing group of buildings, in close association with an existing dwelling and the proposal otherwise accords with HC-D5 Extended Family Dwellings Criteria; or
  - e) in the case of a rural worker or Succession Farm dwelling, the building is well related to existing buildings on the holding. The occupancy of a rural worker dwelling will be limited to a person(s) able to demonstrate a proven essential need for the accommodation in accordance with HC-D9 Rural Workers or, for a Succession Farm dwelling, the occupancy requirements in HC-D10 Succession Farming – Second Dwellings on Established Farms.
2. In the case of buildings within an existing agricultural or other primary business responsible for land management, a change of use will only be permitted where it can be demonstrated that the agricultural use of the existing building(s) to be reused is redundant.
3. Where permission is granted a condition will be attached removing permitted development rights in respect of extensions in accordance with HC-S2 A Balanced Local Housing Stock, and in respect of alterations in accordance with CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings.

## HC-D8 New Build Dwellings in the Open Countryside

1. New dwelling(s) in the open countryside will only be permitted where:
  - a) the accommodation is designed to meet a proven need for a rural worker in accordance with HC-D9 or Succession Farm worker in accordance with HC-D10 that cannot be met:
    - i) within the existing housing stock including through the subdivision of an existing dwelling, from sites/buildings already with planning permission; or
    - ii) through the provision of a temporary residential caravan in accordance with HC-D11 Residential Caravans; or
    - iii) the conversion/change of use of an existing building in accordance with CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings, and HC-D7 Conversions to Dwellings in the Open Countryside;
  - b) the dwelling is well related to existing buildings on the holding such that the dwelling and farm buildings operate as a single entity; and
  - c) the design and layout of the development meet the requirements of CE-S6 Design and Sustainable Construction Principles, and the size will accord with HC-D9 Rural Workers, or HC-D10 Succession Farming – Second Dwellings on Established Farms, as appropriate.
2. Where permission is granted a condition will be attached removing permitted development rights in respect of extensions.
3. Where permission is granted for a new dwelling on an agricultural or forestry holding that has an existing dwelling(s) under the control of the applicant which needs to be used in connection with the enterprise, a condition will be attached to ensure that the occupancy of any existing dwelling(s) is also limited to persons able to demonstrate a proven essential need for that accommodation.

## HC-D9 Rural Workers

1. New housing to meet the needs of rural workers in the open countryside will only be permitted in accordance with HC-D7 Conversions to Dwellings in the Open Countryside, or HC-D8 New Build Dwellings in the Open Countryside, and where:
  - a) it is justified by a proven essential functional need for a full time rural worker in agriculture, forestry or other rural land based enterprises to live permanently at or near their place of work;
  - b) in the case of agriculture or other rural land based enterprises, the business is proven to be financially viable in the long term, it is extensive in nature, the land management activity contributes to the conservation or enhancement of the natural beauty and wildlife of the National Park and is in accordance with the tests set out in Annex 2 of this Plan;
  - c) where the need for a dwelling is proven, a planning condition will be attached to ensure that occupancy of the dwelling(s) is confined to a rural worker in agriculture, forestry or another rural land based enterprise operating in the locality; and
  - d) the gross internal area will be 93sqm or less unless it is demonstrated that a larger dwelling is required in which case, the size of the dwelling will be commensurate with the needs of the holding, it can be sustained by the farm business and it would be affordable for the essential need in perpetuity.

### Succession Farming - Second Dwellings on Established Farms

**6.146** Consultation indicated support for the re-use of existing buildings to provide for Succession Farming.<sup>322</sup> There is evidence of an ageing farming population on Exmoor. To encourage younger people to manage farm businesses, a second dwelling may be considered on established farms that are financially sustainable where the criteria for a full time worker as set out in policies HC-D8 New Build Dwellings in the Open Countryside and HC-D9 Rural Workers cannot be fully satisfied. To satisfy the terms of the policy it will be required that the proposal accords with Annex 2 of this Plan; and:

- a) there are secure and legally binding arrangements in place to demonstrate that the farm business is jointly held, including by a person younger than the person currently responsible for management, or management of the farm business has been

transferred to a person younger than the person currently responsible for management, or that transfer of management is only conditional upon grant of planning permission for the dwelling. The younger person should demonstrate majority control over the farm business and be the decision maker for the farm business;

- b) there is an existing functional need for an additional 0.5 or more of a full time worker;
- c) the enterprise and activity concerned have been established for at least three years and both the enterprise and the business need for the job are financially sound, being profitable for at least one of them with a clear prospect of remaining so for a reasonable period of time. Evidence of

<sup>322</sup> ENPA (2011) Local Plan Options (November 2011) [Online] [http://www.exmoor-nationalpark.gov.uk/\\_\\_data/assets/pdf\\_file/0004/251536/Local-Plan-Options-Consultation-Document.pdf](http://www.exmoor-nationalpark.gov.uk/__data/assets/pdf_file/0004/251536/Local-Plan-Options-Consultation-Document.pdf)

actual or potential economic performance will be required. To assess economic sustainability, it will be necessary to show the business has a reasonable prospect of providing a market return for all operators for the amount of management and manual labour inputs, including the job for which the rural enterprise dwelling is being sought, for at least five years from the anticipated completion of the proposed development. This should be assessed on the basis of what is a realistic income for the skills of the operator. Policy HC-D10 Succession Farming – Second Dwellings on Established Farms, requires that dwellings will be 93sqm or less in size, unless in exceptional cases, a larger dwelling can be demonstrated to be necessary for the operation of the enterprise. The requirements of the enterprise rather than those of the owner or occupier will determine the size of dwelling that is appropriate;

- d) the functional need could not be fulfilled by another dwelling or by converting an existing suitable building, or any other existing accommodation; and
- e) it must also be demonstrated that the management successor or part time worker is critical to the continued success of the farm business, and that the need cannot be met in any other reasonable way, e.g. through the re-organisation of labour responsibilities.

**6.147** In considering proposals, the National Park Authority will need to be satisfied that there is no existing accommodation including through the extension and/or subdivision of an existing dwelling or through the conversion/change of use of existing buildings (or any of these have recently been sold which could have met the need). The Authority may investigate the history of the enterprise to establish the recent pattern of use of land and buildings (a sale may constitute evidence of lack of need) and why labour or residential arrangements cannot be re-organised to ensure that the existing accommodation meets the needs of the enterprise without the need for a further dwelling.

**6.148** The policy will only apply to the first additional dwelling to be attached to an established farm after the adoption of this Plan and not to subsequent Succession Farm Dwellings. Further new build dwellings will only be permitted where there is a full agricultural justification.

**6.149** The National Park Authority may attach a condition removing permitted development rights for extensions, which could result in the size of a dwelling exceeding what could be justified by the functional requirement, and which could affect the continued viability of the property for its intended use. A planning obligation will be secured tying the dwelling(s) to the holding or business to ensure that dwellings are not disposed of separately from the business as a whole. The Authority may, where necessary, attach a condition upon any other existing dwellings on the holding, restricting the occupancy to those engaged in agriculture, forestry or other business.

## HC-D10 Succession Farming - Second Dwellings on Established Farms

1. 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 where:
  - a) the accommodation is designed to meet an existing proven functional need for an additional 0.5 or more of a full time agricultural worker to live permanently at their place of work on an established enterprise;
  - b) the business is proven to be financially viable in the long term, it is extensive in nature and where the farming activity contributes to the conservation or enhancement of the natural beauty and wildlife of the National Park and is in accordance with the tests set out in Annex 2 of this Plan;
  - c) a planning obligation will require that there are secure and legally binding arrangements in place to demonstrate that:
    - i) the farm business is jointly held; or
    - ii) management of the farm business has been transferred to a person younger than the person currently responsible for management; or
    - iii) transfer of management will take place on planning permission being granted for the dwelling;
  - d) the need cannot be met in any other way including through the re-organisation of labour responsibilities;
  - e) the design and layout of the development meet the requirements of Policy CE-S6 Design and Sustainable Construction Principles;
  - f) the gross internal area will be 93sqm or less unless, exceptionally, it is demonstrated that a larger dwelling is required, in which case the size of the dwelling will be commensurate with the needs of the holding, and that it can be sustained by the farm business in perpetuity; and
  - g) a planning condition is attached to ensure that occupancy of the dwelling(s) is confined to rural workers in accordance with Policy HC-D9 Rural Workers.
2. The policy will apply only to a single additional succession farm dwelling to be attached to an established farm after adoption of this Plan. Permission will not be granted for subsequent succession farm dwellings on the holding.

## Residential Caravans

**6.150** The siting of mobile homes or static caravans in the open countryside of the National Park causes significant landscape harm by reason of the adverse impact on landscape character and visual amenity because of their design and form of construction. Such structures are therefore not considered acceptable as permanent residential accommodation in the National Park. This approach is consistent with policy RT-D8 Static Caravan Sites.

**6.151** However, temporary (time-based) proposals to site a mobile home, static caravan or other temporary dwelling for rural land-based business reasons, will be considered in accordance with policy HC-D9 Rural Workers to allow time for the sustainability of a business to be tested.

**6.152** The siting of mobile homes or static caravans on a temporary basis should be located close to existing buildings related to the land-based business. This will form part of the functional need as it will need to be demonstrated that workers will be readily available to attend to the needs of the business at most times. Specific consideration will be given to the visual impact of the structure and its potential

impacts on landscape character and nature conservation interests. Applicants should therefore submit a landscaping scheme as part of any proposal to demonstrate how the structure can be effectively screened and impacts on the surrounding landscape character minimised (policy CE-D1 Protecting Exmoor's Landscapes and Seascapes). Siting should also take account of access and parking requirements, connection to utility services and avoidance of flood risk.

**6.153** The National Park Authority will monitor the occupancy of all temporary residential structures and ensure that no additions to the mobile/home caravan or ancillary structure are erected that would change its status from a temporary structure to a building.

**6.154** A condition will be attached to any temporary planning permission to ensure the static caravan or mobile home is removed from the site at the end of the permitted period and the land restored to its former condition, including the removal of all ancillary works and structures. The occupancy will also be restricted to named persons and their dependents.



## HC-D11 Residential Caravans

1. The siting of residential caravans, mobile homes or other temporary structures for use as permanent residential accommodation in the open countryside will not be permitted.
2. Permission will only be granted on a temporary basis where specific circumstances apply in relation to a proven essential need for a rural worker for the caravan in accordance with tests set out in policy HC-D9 Rural Workers and where it is demonstrated that:
  - a) there is a clear intention to develop the rural land-based business;
  - b) the functional need could not be met by an existing dwelling on site or within the local area;
  - c) the structure, including access and parking arrangements, can be easily accommodated without adversely impacting on landscape character, visual amenity, sensitive habitats and wildlife species; and
  - d) the site is not located in an area at risk of flooding.
3. Planning conditions will be attached to a planning permission or an obligation secured, to ensure that any permissions:
  - a) are for a time-limited period only;
  - b) are confined to persons and their dependents able to demonstrate the essential need for the accommodation; and
  - c) clearly state that when the time period for the accommodation expires, the temporary residential structure shall be removed from the site and the land restored to its former condition within a specified period.

## Replacement Of Rural Workers Occupancy Conditions

**6.155** The workforce needs of individual agricultural, forestry or other rural land-based enterprises change. Where the specific 'rural worker' occupancy is no longer required for a particular holding or business, the existing dwelling can still play an important role in meeting local affordable needs which may include workers in the local area (policy HC-S3 Local Occupancy Criteria for Affordable Housing).

**6.156** Existing dwellings permitted prior to the adoption of the Local Plan with an agricultural or forestry worker condition or planning obligation will be permitted to alter the occupancy condition or vary the planning obligation to include rural workers, as defined in paragraph 6.136, where the National Park Authority considers the reasons for replacing the existing occupancy tie to be acceptable (i.e.

where there is no longer an identified need on that holding). This may allow some flexibility in relation to the range of rural workers that are linked to rural land-based enterprises including circumstances where the nature of the rural land-based enterprise has changed.

**6.157** Applications for the removal of a 'rural worker' or Succession Farming occupancy condition will be rigorously assessed. This will include examining how long the property has been built/converted and occupied by a rural worker or extended farming family (in relation to Succession Farming). The National Park Authority will require evidence that appropriate steps have been taken to try to sell or rent the property with the occupancy condition at a price reflecting the condition and potential market. If

after a reasonable period of a minimum of twelve consecutive months, the property has not been sold or let, then permission to remove the condition and replace it with a local need affordable occupancy agreement in accordance with policies HC-S1 Housing, and HC-S3 Local Occupancy Criteria for Affordable Housing, may be permitted.

**6.158** In appropriate cases, the National Park Authority will favourably consider the subdivision of larger dwellings to ensure that a dwelling permitted as an exception remains available to local persons in need of affordable accommodation (policy HC-D14 Subdivision of Existing Dwellings clause 3). Holiday let accommodation may be considered as a temporary solution until there is a qualifying permanent resident.

## HC-D12 Replacement of Rural Workers Occupancy Conditions

1. Proposals for the alteration of a condition, or variation of a planning obligation, which restricts the occupancy of a dwelling to a person employed or last employed in agriculture or forestry (permitted prior to the adoption of the Local Plan) to include the occupancy of a dwelling by a rural worker employed in the locality will be permitted where the need has become redundant on that holding.
2. The removal of a condition, or variation of a planning obligation, which limits the occupancy of a dwelling to a person employed or last employed in agriculture or forestry (prior to the adoption of the Local Plan), for a rural worker as identified in policy HC-D9, or for succession farming as identified in policy HC-D10, will be permitted where it can be demonstrated that:
  - a) reasonable attempts have been made to allow the dwelling to be used by a person who could occupy it in accordance with the condition or obligation; and
  - b) the long term need for the dwelling in the locality, in accordance with the condition or obligation, has ceased and removing the condition would be more appropriate than a temporary relaxation.
3. Where, permission is granted for the removal of the occupancy condition or variation of a planning condition identified in clause 2, the occupancy of the dwelling will be limited by agreement to a person(s) in local affordable housing need as defined in policy HC-S3 Local Occupancy Criteria for Affordable Housing.
4. Where a local person cannot be found to occupy the dwelling, temporary permission will be given, on a personal basis, to let the dwelling for non-serviced accommodation until such time as a rural worker or a local affordable housing need arises. A holiday occupancy condition will be attached to any temporary permission granted

## Replacement of Holiday Occupancy and Extended Family Occupancy Ties

**6.159** On Exmoor, there is a considerable stock of self-catering holiday accommodation where the occupancy is restricted for the purposes of holiday letting. These units have been provided predominantly through the conversion of traditional buildings outside settlements.

**6.160** Given that one of the key objectives of housing provision is to minimise new build housing development on greenfield land by re-using existing buildings, there is an opportunity to utilise the resource of those buildings converted as holiday lets, to provide accommodation for local people in affordable housing need. This may be of particular value in the open countryside, where most holiday lets have been permitted historically, and because a large proportion of Exmoor's workforce is based on part-time employment (33% of people in employment work part time).<sup>323</sup> This approach, presents an opportunity for a local need affordable dwelling where the tests for new-build housing under Policies HC-D9 Rural Workers or HC-D10 Succession Farming- Second Dwellings on Established Farms, cannot be met.

**6.161** For holiday-lets subject to a holiday occupancy condition, a flexible approach to accommodate local housing needs will be taken to enable the replacement of holiday occupancy conditions with an agreement which will limit the occupancy to persons:

- a) in affordable housing need who meet the local occupancy criteria in policy HC-S3 Local Occupancy Criteria for Affordable Housing and where the location accords with policy HC-D2 Conversions to Dwellings in Settlements or HC-D7 Conversions to Dwellings in the Open Countryside; or
- b) who meet the criteria for Extended Family Dwellings in policy HC-D5 Extended Family Dwellings Criteria.

**6.162** Additionally, for those dwellings permitted as Extended Family Dwellings in accordance with policy HC-D5, permission may be granted to vary the occupancy to persons in affordable housing need who meet the local occupancy criteria in policy HC-S3, or, where the requirements of policy RT-D4 Non-Serviced Accommodation are met, the occupancy may be limited to short-term holiday occupancy.

**6.163** Measures will be put in place to ensure that the use of the unit can be occupied as the permitted use or as the original use (holiday let or Extended Family dwelling). This allows flexibility to revert to either self-catering accommodation with a holiday occupancy condition or as Extended Family accommodation through a planning obligation without the need to apply for planning permission.

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<sup>323</sup> Office for National Statistics (2013) - 2011 Census, Key Statistics for National Parks in England and Wales.

## HC-D13 Replacement of Holiday Occupancy Conditions and Extended Family Occupancy Ties

1. Permission will be granted for the replacement of a holiday occupancy condition with an agreement limiting occupancy to:
  - a) local persons in affordable housing need where the occupants meet the requirements of policy HC-S3 Local Occupancy Criteria for Affordable Housing; or
  - b) persons meeting the requirements of Extended Family accommodation in accordance with policy HC-D5 Extended Family Dwelling Criteria.
2. In accordance with clause 1 it should be demonstrated that:
  - a) there is a local need for the accommodation; and
  - b) the building is capable of being permanently occupied without the need for any major reconstruction, extension or alteration that could be harmful to the character of the building or the amenity of neighbouring properties; and
  - c) sufficient curtilage space can be provided without harming the setting of the building or surrounding landscape character.
3. For residential units where occupancy is restricted to Extended Family accommodation (HC-D5) permission will be granted for the replacement of the occupancy tie to:
  - a) local persons in affordable housing need where the occupants meet the requirements of policy HC-S3 Local Occupancy Criteria for Affordable Housing; or
  - b) occupancy as a holiday let in accordance with policy RT-D4 Non Serviced Accommodation.

## Subdivision of Existing Dwellings

**6.164** The sub-division of existing dwellings is a flexible way to help address Exmoor's long term housing needs by providing for smaller and therefore more affordable homes within the National Park. Consultation has shown that subdivision is considered an important way to make efficient use of existing buildings and provide homes to help address the needs of local communities, enabling older people to downsize, or allowing extended families to live independently while providing support where required e.g. care for older people or help with childcare arrangements.<sup>324</sup>

**6.165** This policy only applies to existing residential dwellings (Use Class C3) at the time of adoption of the Local Plan. A condition may be attached to any planning permission removing any permitted development rights granted for extensions by the Town and Country Planning (General Permitted Development) Order 2015. This is to help retain a range of smaller, lower cost dwelling units (policy HC-S2 A Balanced Local Housing Stock), to protect the character and appearance of the building, or where the existing dwelling has already extended up to the 35% threshold (policy HC-D15 Residential Extensions) before an application for subdivision is made. For existing dwellings with no occupancy tie, the new dwelling unit created through the subdivision of the property will be a Principal Residence dwelling in accordance with policy HC-S4 Principal Residence Housing.

**6.166** Registered Providers can also play a valuable role in sub-dividing existing properties within settlements to create smaller units of affordable accommodation to help meet the housing needs of the community.

**6.167** The main considerations will be the impact an additional dwelling may have on the natural and built character of the area as well as on local amenity and nearby residents or other neighbouring uses. Such considerations are likely to include whether there are sufficient parking arrangements, or private amenity space available and any potential impacts caused by increased vehicular use.

**6.168** Where a building is considered to be of historic or architectural merit, careful consideration will be given to the impact that any proposed alterations may have on the historic or architectural character of the building and its setting.

**6.169** For those dwellings that have a local affordable occupancy tie to restrict the occupancy to persons in local affordable housing need, subdivision will only be permitted where sufficient habitable space is created. In such cases the National Park Authority will require the new unit(s) of accommodation to have the same occupancy tie.

**6.170** Dwellings with an agricultural, rural worker, or Succession Farming occupancy tie are permitted in the open countryside as an exception and therefore will only be permitted to subdivide to create a new unit of accommodation where the occupancy of the new dwelling unit is for a proven need for a rural worker in accordance with policy HC-D9 Rural Workers, for a Succession Farming Dwelling in accordance with policy HC-D10, or where the additional unit(s) created will have a local affordable occupancy tie (policy HC-S3 Local Occupancy Criteria for Affordable Housing).

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<sup>324</sup> ENPA (2010) Your Future Exmoor (YFE) consultation events January – March 2010

## HC-D14 Subdivision of Existing Dwellings

1. Proposals for the subdivision of existing residential dwellings will be permitted where:
  - a) there would be no adverse impact on the character of the area, amenity of neighbouring occupiers, or highway safety;
  - b) any necessary alterations will not adversely affect buildings of historic and/or architectural merit (CE-S4 Cultural Heritage and Historic Environment, CE-D3 Conserving Heritage Assets); and
  - c) any additional units created will be Principal Residence housing and subject to a condition limiting occupancy to a person as their only or principal home (HC-S4 Principal Residence Housing).
2. Where a property has a local affordable occupancy tie, any subdivision would require that the new unit(s) created would retain the same occupancy restriction.
3. Proposals to subdivide a dwelling with a rural worker or succession farming occupancy tie will only be permitted where:
  - a) the additional unit(s) created will be occupied in accordance with HC-S3 Local Occupancy Criteria for Affordable Housing; or
  - b) the additional unit(s) created will be occupied in accordance with the requirements for HC-D9 Rural Workers Dwelling or HC-D10 Succession Farming – Second Dwellings on Established Farms.
4. Where permission is granted a condition may be attached removing permitted development rights in accordance with HC-S2 A Balanced Local Housing Stock.

## Residential Extensions

**6.171** The role of this policy is to provide reasonable flexibility for dwellings to be updated and extended whilst ensuring that the impacts of extensions are acceptable and to retain a mix of dwelling sizes that will help to sustain balanced communities across the National Park. The overall size and design of extensions should not be excessive to ensure that the character of the surrounding landscape, individual buildings and settlements are conserved or enhanced.

**6.172** The National Park Authority will require that extensions are sympathetically designed and proportionate in scale, bulk and form to the original dwelling, consistent with policy CE-S6 Design and Sustainable Construction Principles and CE-D4 Extensions to Buildings. A floorspace increase of 35% will be used and proposals for extensions which individually or cumulatively (taking account of previous extensions - including those built with permitted development rights) increase the floorspace of the original dwelling beyond this range are unlikely to achieve the aims of the policy.

**6.173** For the purposes of implementing the policy, floorspace shall be measured externally and shall include enclosed porches and conservatories. The 'original dwelling' is the dwelling as it existed on 1 April 1974 or as constructed if this was a date after 1 April 1974 (this being the date when the discharge of planning responsibilities was transferred to the National Park Committee of Somerset County Council).

**6.174** Extensions for dwellings that are subject to an occupancy tie to ensure they meet the local community's need for affordable (or more affordable housing) will be very carefully considered where they would result in a dwelling exceeding 93sqm gross internal area. The need for an extension will be considered taking account of Nationally Described Space Standards and the effect on the affordability of the dwelling in the longer term. This is because such homes have been permitted to provide an

opportunity for local people to own their own home, who would otherwise be unable to afford to buy a home on the open market. Together with the local need occupancy tie, the size of these dwellings ensures that they remain more affordable for local people in perpetuity.

**6.175** Temporary dwellings, such as those considered to be essential to support a rural land-based business and granted permission for a period of three years, will not be permitted to extend.

**6.176** Extension proposals exceeding 35% will only be justified if it can be demonstrated that the extension would significantly enhance the character and appearance of the existing dwelling and its surroundings, and is clearly of the highest quality in terms of its construction and design; or if the extension is a conversion scheme of an existing building that is clearly demonstrated to be adjoining or well related to the existing dwelling.

**6.177** Changes to permitted development rights have meant that the rules concerning extensions, improvements and alterations a householder can make to their house without the need for a planning application have been altered.<sup>325</sup> Some dwellings may also have permitted development rights withdrawn. Further information can be found on the Planning Portal.<sup>326</sup> To avoid doubt, given the variations for permitted development rights within National Parks, applicants are advised to contact the National Park Authority in the first instance.<sup>327</sup>

**6.178** Proposals to extend the residential curtilage of a property, will be carefully considered in terms of the impact the change of use of the land to a residential use (e.g. from agricultural grazing land) may have on the surrounding area in terms of its visual appearance in the wider landscape, its impact on landscape and/or settlement character. Proposals should particularly have regard to the settlement form and the use of traditional boundary treatments that reflect the historic character of the area.

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<sup>325</sup> HM Government (2015) Town and Country Planning (General Permitted Development) (England) Order 2015. The Stationery Office, London.

<sup>326</sup> Planning Portal (2015) Permitted Development Rights [Online] <http://www.planningportal.gov.uk/permission/responsibilities/planningpermission/permitted>

<sup>327</sup> Article 2(3) land – land within a National Park, the Broads, an area of outstanding natural beauty, an area designated as a conservation area, and land within World Heritage Sites. As defined by: HM Government (2015) Town and Country Planning (General Permitted Development) (England) Order 2015. The Stationery Office, London.



## HC-D15 Residential Extensions

1. Proposals for residential extensions will be permitted where they:
  - a) accord with the principles set out in CE-S6 Design and Sustainable Construction Principles and CE-D4 Extensions;
  - b) ensure there is sufficient space within the existing curtilage to accommodate the extension without resulting in overdevelopment of the site or adversely impacting on residential amenity space and parking provision;
  - c) are not disproportionate to the original dwelling and in any case do not increase the external floorspace of the original dwelling by more than 35% (taking into account any extensions provided through permitted development rights); and
  - d) ensure the maintenance or replacement of any bat and barn owl roosts that may be present.
2. Residential extensions will not be permitted for temporary dwellings.
3. Extensions to residential curtilages will only be permitted where it can be demonstrated that it will not adversely affect visual amenity, the setting of the residential building, and the surrounding landscape, biodiversity and/or settlement character of the area.

## Outbuildings

**6.179** Policy HC-D16 Outbuildings, applies to ancillary outbuildings within the domestic curtilage for a purpose incidental to a dwelling such as garages, garden sheds, greenhouses, workshops, and swimming pools. Home offices or stabling that may be proposed within the domestic curtilage should accord with the following policies:

- a) Proposals for buildings for the purpose of home working: policy SE-D1 Home Based Businesses.
- b) Proposals for horse-related development within the residential curtilage, such as stabling and tack rooms: RT-D11 Equestrian Development.

**6.180** It is important that the number, scale and design of any buildings within the curtilage of a dwelling should not detract from the character or appearance of the dwelling, the site and the surrounding area, as the siting and design of outbuildings can potentially be as significant as any other built development. Care should be taken to ensure that the position and design of ancillary outbuildings safeguards the amenity of neighbouring occupiers. Proposals which would reduce the level of private amenity space, including parking provision, around the dwelling to an unacceptable level should be avoided. This is to prevent issues in the future such

as the relocation of private parking to on-street parking in locations where public parking demand is high or where it could interrupt the flow of traffic.

**6.181** Where the conversion of an existing building is proposed within the domestic curtilage the applicant will be required to ensure that the building's character and appearance is conserved or enhanced in accordance with policy CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings or CE-S6 Design and Sustainable Construction Principles.

**6.182** The National Park Authority will need to be assured that the loss of existing outbuildings, such as garaging to other uses, will not result in subsequent proposals for additional new outbuildings which may result in overdevelopment of the site with potential adverse impacts on residential amenity and the character and appearance of the dwelling and surrounding area. Planning conditions limiting the use of the outbuilding to purposes incidental to the dwelling on the site will be attached to any planning permission.

**6.183** Proposals that aim to provide primary living accommodation such as additional sleeping accommodation or extra living space will be considered under policy HC-D15 Residential Extensions.

## HC-D16 Outbuildings

1. Proposals for ancillary outbuildings within the domestic curtilage of a dwelling will be permitted where:
  - a) in terms of scale and massing they are proportionate to the dwelling they are to serve;
  - b) there is no unacceptable adverse impact on the character, appearance or setting of the existing dwelling, the surrounding landscape, or the amenity of neighbouring occupiers by reason of their siting and design in accordance with policy CE-S6 Design and Sustainable Construction Principles;
  - c) in the case of the conversion of an existing building, the character and appearance of the building is conserved in accordance with policy CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings; and
  - d) private amenity space around the dwelling will not be reduced to an unacceptable level.
2. Any element of the proposal that pertains to primary living accommodation should accord with the requirements of policy HC-D15 Residential Extensions.

## Replacement Dwellings

**6.184** Applications for replacement dwellings often come forward where an existing dwelling is in disrepair. In many cases such dwellings are of timber construction, modest in size and built prior to the introduction of planning control. Listed buildings or dwellings that are considered to be of historic or architectural importance will not be considered for replacement (policies CE-S4 Cultural Heritage and Historic Environment, CE-D3 Conserving Heritage Assets). The Exmoor National Park Historic Environment Record has an extensive source of information that includes the historic built environment and can provide useful evidence for applicants proposing to replace an existing dwelling. Where the residential use has been abandoned, any proposals will be assessed against policies for new build residential dwellings (policies HC-D3 New Build Dwellings in Settlements and HC-D8 New Build Dwellings in the Open Countryside).

**6.185** Applicants will need to be able to demonstrate that the existing building adversely affects the landscape or built character of the area (CE-S1 Landscape and Seascape Character). Dwellings recently destroyed by accident/fire will be eligible for replacement.

**6.186** Replacement by a new dwelling of modern building and energy efficiency standards demands particular attention to design and siting (CE-S6 Design and Sustainable Construction Principles) to avoid harm to the landscape and character of the area, including providing vehicular access and establishing a domestic curtilage. The replacement dwelling should be sited on or close to the existing footprint of the building unless the benefits that may be achieved for landscape character, wildlife or cultural heritage can justify the replacement dwelling to be sited in an alternative location. In such situations, locations that are inherently more sustainable will be favoured such as replacing a remote substandard dwelling in the open countryside with a dwelling in a nearby settlement.

**6.187** The replacement dwelling should be of a similar scale, massing and floorspace as the original dwelling to avoid any adverse harm to landscape character and visual amenity. Where existing dwellings have a gross internal area of less than 93sqm, the proposed replacement should not exceed 93sqm. In terms of policy HC-D17 Replacement Dwellings, the 'original dwelling' is the dwelling as it exists at the point of application to the National Park Authority. This approach will help to ensure that a stock of smaller, more affordable dwellings remains in the National Park.

**6.188** Conditions will be attached to any granting of permission to remove permitted development rights in relation to extensions on replacement dwellings of less than 93sqm to ensure they are more affordable to local people. For replacement dwellings larger than 93sqm, the 35% extension allowance should not be factored into the proposals for the replacement dwelling as this would result in a considerably larger dwelling in terms of scale and massing than the existing dwelling. A separate application would be required for any subsequent extension to the replacement dwelling (unless within permitted development rights) to ensure that the design does not adversely impact on the surrounding landscape, settlement character and the amenity of neighbouring occupiers in accordance with policies CE-D4 Extensions to Buildings and HC-D15 Residential Extensions.

**6.189** A condition will also be attached to any planning permission to ensure that where the existing building is not demolished prior to construction, it is removed from the site prior to the replacement building being occupied or, for family homes, up to 3 months after first occupation in accordance with policy CC-S6 Waste Management.

**6.190** Proposals will need to be acceptable in respect of parking and access in accordance with policies AC-D1 Transport and Accessibility Requirements for Development, and AC-D3 Parking Provision and Standards.

## HC-D17 Replacement Dwellings

1. Proposals for the erection of a replacement dwelling will be permitted where the existing dwelling:
  - a) is not listed or considered to be of historic or architectural importance worthy of conservation;
  - b) has an adverse impact on the character and visual amenity of the area; and
  - c) the residential use has not been abandoned.
2. The proposed replacement dwelling should:
  - a) be sited on or close to the footprint of the existing dwelling, unless alternative siting would provide benefits for landscape, wildlife or cultural heritage;
  - b) be no larger in size than the original dwelling or 93 square metres gross internal area, whichever is the larger;
  - c) reflect the massing and scale of the original dwelling; and
  - d) accord with the design and sustainable construction requirements of policy CE-S6.
3. Where permission is granted, conditions will be attached to:
  - a) remove permitted development rights granted by the Town and Country Planning (General Permitted Development) Order 2015 in respect of extensions on dwellings of less than 93 square metres to ensure they do not exceed this size; and
  - b) ensure that the existing dwelling is demolished and removed from the site prior to or within 3 months of the replacement dwelling first being occupied.

## Travelling Communities

**6.191** The accommodation requirements of travelling communities, who include gypsies, travellers and travelling show people, are part of the overall accommodation needs to be addressed across a local planning area and considered alongside the housing needs of settled communities.

**6.192** National Government aims to ensure fair and equal treatment for travellers in a way that facilitates their traditional and nomadic way of life while respecting the interests of the settled community. National planning policy highlights the importance of ensuring that traveller sites are sustainable, recognises that some areas may have special or strict planning constraints and that local planning authorities have a duty to co-operate on planning issues that cross administrative boundaries.<sup>328</sup>

**6.193** Working collaboratively with neighbouring local planning authorities, authorities should set pitch targets for gypsies and travellers and plot targets for travelling show people which address the likely permanent and transit site accommodation needs of travellers in their area. Where there is no identified need, criteria-based policies should provide a basis for decisions on any applications which may come forward.<sup>329</sup>

**6.194** In rural areas, local planning authorities should, where viable and practical, consider allocating and releasing sites solely for affordable traveller sites, including using a rural exception site policy for traveller sites to enable the use of small sites in small rural communities that would not normally be used. Such sites should be used in perpetuity specifically and only for affordable traveller sites to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection, whilst also ensuring that rural areas continue to develop as sustainable, mixed, inclusive communities.<sup>330</sup>

**6.195** An assessment of gypsies and travellers for a partnership of Devon local planning authorities including the whole of Exmoor National Park was completed in 2015.<sup>331</sup> The study identified the level of accommodation need and demand for each local planning authority within the partnership area. For

Exmoor National Park the evidence demonstrates that there is no demonstrable need for permanent or transit pitches to 2034, nor is there any requirement for additional housing to meet the 'bricks and mortar' needs of travelling communities.

**6.196** Because no demonstrable need was identified within the National Park, this Plan includes a criteria based policy and does not include pitch or plot targets or sites.

**6.197** As a result of concerns over the landscape impacts of residential caravans or mobile homes in a National Park, if a future local need for traveller sites were to be identified, the policy seeks to accommodate that need outside the National Park. The National Park Authority will work closely with local housing authorities to achieve this. Nevertheless, this Local Plan sets out an approach which acknowledges small scale provision may be justified in exceptional circumstances. Consistent with the conservation and enhancement of the National Park, the duty to local communities, and the overall approach to housing in Exmoor, a rural exception site policy approach will be used to seek to address the proven needs of the local community for small traveller sites. Sites should be accommodated without harm to the National Park (including sensitive habitats and wildlife) and in accordance with policy GP3 Spatial Strategy, so they are well related to existing buildings in or adjoining settlements. Assessment of landscape impact will be required including to take into account the variations in tree and hedgerow cover through the seasons, and a landscaping scheme to ensure a development is screened effectively.

**6.198** The policy requires that a site should respect the principles of sustainable development, and not result in undue pressure on local infrastructure and services. This will include the provision of suitable water and sewerage infrastructure to ensure there will be no adverse impacts on water resources or air quality. Identification of sites will need to consider flood risk issues as caravans are classed as a vulnerable form of development and proposals will therefore need to accord with policy CC-D1 Flood Risk.

<sup>328</sup> DCLG (2015) Planning Policy for Traveller Sites, para 10.

<sup>329</sup> Ibid. para 3 9 & 11

<sup>330</sup> Ibid, para 15.

<sup>331</sup> RRR Consultancy Ltd (2015): Devon Partnership Gypsy and Traveller Accommodation Assessment 2015 Final Report

## HC-S5 Travelling Communities

1. To ensure that the travelling communities' traditional and nomadic way of life is recognised, where an identified need for caravans or mobile homes for travelling communities can be demonstrated, the National Park Authority will work with the relevant housing authorities to appropriately address that need. Exceptionally, small sites may be permitted where:
  - a) there is a proven local need for a site to accommodate the affordable need of travelling communities who have a proven local connection through employment, longstanding residency or family, in the parish or adjoining parish;
  - b) there are no suitable sites that can meet the need outside the National Park boundary;
  - c) the site will respect the principles of sustainable development, be located in a named settlement in accordance with GP3 Spatial Strategy, be well-related to existing buildings, conserve or enhance the settlement character and pattern, and be accessible to appropriate health and educational facilities;
  - d) the application is accompanied by a landscaping scheme that secures effective screening of the caravans or mobile homes;
  - e) there are no impacts on sensitive habitats and wildlife that cannot be mitigated for;
  - f) the interests of the settled community will be respected and not result in undue pressure on local infrastructure and services; and
  - g) a planning obligation will be secured to ensure the site will be affordable to local travelling communities and will remain so in perpetuity.

## Community Services and Facilities

**Objective 11:** *To enable Exmoor's communities and partnerships to plan development in their neighbourhoods to help meet their needs and aspirations while conserving the special qualities of the National Park.*

**Objective 13:** *To improve the sustainability, resilience and self-sufficiency of the National Park's settlements by supporting the retention, provision of, and access to community services and facilities.*

### Context

**6.199** The National Park Authority recognises the important role of community services and facilities within Exmoor communities and for those who visit the National Park and is supportive of maintaining and enhancing their provision. The Authority will seek to work with County Councils, District Councils, Parish and Town Councils and local communities to achieve this objective.

**6.200** National policy aims to ensure strong, vibrant, healthy and inclusive communities with accessible local services that reflect the community's needs by planning positively, to retain (or safeguard), and develop the range of local social, health, recreational and cultural facilities and services, to help to meet the day to day needs of local communities.

**6.201** Whilst guarding against the loss of services and facilities, existing shops, services and facilities should be able to develop and modernise in a sustainable way so that they can be retained for the benefit of the community.<sup>332</sup>

**6.202** Evidence has shown that, for a rural area with small settlements, Exmoor National Park already supports a comparatively strong and diverse commercial services sector, such as shops, cafés and restaurants, and retains a range of other important services and facilities such as schools, doctors' surgeries and petrol stations. Problems associated with the provision of services in rural areas are well documented and include the loss of services such as shops, post offices, pubs, schools and petrol stations and lower levels of public transport provision resulting from public sector cuts. Despite such problems, Exmoor benefits from active and dedicated communities that work together to achieve positive benefits including community-run shops at Wootton Courtenay and Brompton Regis and the refurbishment of Bridgetown village hall by local residents. Community and parish plans have emphasised the importance of services and facilities in their settlements and a number have been registered with district councils as Assets of Community Value.

**6.203** There is a high level of support for retaining existing community services, including out-reach services, and ensuring there is flexibility so that a range of services can continue to be provided in communities such as in a single premises. The need to improve and provide for open space and recreation facilities in communities is also evident.<sup>333</sup> Some settlements on Exmoor link together in terms of the collective services and facilities they provide – communities can become stronger and more resilient when they operate as a cluster or network in order to sustain or develop joint facilities in the most sustainable location – e.g. the village hall at Monksilver also serves the communities of Elworthy and Nettlecombe (EMN Hall).

**6.204** Without local service provision, some older people, people with disabilities or limiting long term illnesses, and those without access to private

transport often have to move to surrounding towns for their transport, care needs and access to services; those who remain can become excluded from many social activities.<sup>334</sup> Access to services and facilities tends to be difficult for those without access to private modes of transport. Health and social welfare issues are a priority in dispersed rural areas such as Exmoor. An increasingly older population is likely to put pressure on local social services and healthcare, whilst the viability of other services, such as local schools may be threatened. Other policies in this Plan will help to meet the affordable housing needs of the local community and key workers including those in need of accessible and adaptable housing (HC-S1 Housing).

**6.205** Across most of Exmoor, the local service sector is dominated by local independent traders. Local Service Centres are settlements with most shops and services; having high levels of both convenience (food) and comparison (non-food) shops. These shops are complemented by pubs, cafés, and restaurants. This range of services is a consequence of visitor spend, the relative remoteness from larger towns, and the reliance of surrounding communities. These factors reinforce each other as, for example, convenience stores will be bigger and offer a wider range of goods because of additional visitor spend which will also benefit residents, support jobs and have a positive knock-on effect on the local economy. Tourist expenditure can therefore help to support (and keep open) shops and services which may not be supported by local residents' expenditure alone.

**6.206** Other settlements on Exmoor, particularly to the west of the A396, are dispersed and relatively remote from larger settlements outside of the National Park. This appears to have enabled the retention of local services such as shops, post offices, pubs and petrol stations well in excess of what might be expected for settlements of this size. This aspect of the National Park's settlements is important for local communities and visitors, and helps to protect and enhance local services.<sup>335</sup> With limited public transport the private car is important to many for shopping and accessing local services and facilities on Exmoor.

<sup>332</sup> DCLG (2012) National Planning Policy Framework (paragraph 7) – DCLG

<sup>333</sup> ENPA (2015) Exmoor National Park Open Space Assessment. Exmoor House, Dulverton

<sup>334</sup> Office for National Statistics (2013) - 2011 Census, Key Statistics for National Parks in England and Wales – 28.2% of households with at least one person with a long-term limiting illness, 11.8% of households do not have a car/van

<sup>335</sup> GVA & C4G (2011) Quantitative Needs Assessment – West Somerset Council and ENPA

**6.207** Schools, including pre-schools, are an essential community service important for child and family well-being and a focal point where people regularly interact. They also provide a venue for extended services, and offer facilities such as sports fields/pitches for community use.

**6.208** A high level of support was demonstrated for the protection of local services as well as for the multi-functional use of existing buildings to provide a range of services and facilities to help increase the viability of services at risk of closure.<sup>336</sup> Although policies in this plan cannot ultimately protect against the loss or closure of community services and facilities, the change of use can be managed where permitted development rights do not apply.<sup>337</sup> Community action and setting up not-for-profit enterprises have been significant in maintaining key services and facilities in some Exmoor communities.

**6.209** The provision of new or extended community services and facilities is supported where it is demonstrated to meet the needs of those communities and rural residents – this may be identified through community-led action or a parish plan. Proposals which represent community views or are proposed on behalf of the community will be taken into account in demonstrating the need for a new or extended service or facility.

**6.210** Proposals which reuse existing buildings (CE-S5 Principles for the Conversion or Structural Alterations of Existing Buildings) or support a multipurpose service or facility will be encouraged to maintain service provision and community cohesion. Preference will be given to the conversion of traditional buildings, however, where this is not possible the conversion and change of use of non-traditional buildings will be considered in accordance with GP4 The Efficient Use of Land and Buildings. New community facilities, such as village halls, should be designed to ensure that wider community service provision can take place, such as 'out-reach' services and flexible meeting spaces, to serve local groups and societies. The medical centre in Dulverton that opened in 2009 has enabled the GP practice and dental surgery to be located in one building with capacity for external health practitioners.

**6.211** The Exmoor National Park Open Space Assessment evaluates the amount, distribution and quality of existing open amenity space within communities across the National Park; including:

- a) Parks and gardens (including designed landscapes);
- b) Outdoor sports facilities;
- c) Provision for children and young people;
- d) Allotments;
- e) Churchyards and cemeteries;
- f) Green corridors;
- g) Amenity green space.<sup>338</sup>

**6.212** Policies HC-S6 Local Commercial Services and Community Facilities and HC-D19 Safeguarding Local Commercial Services and Community Facilities, support the provision and retention of new outdoor recreation areas and publicly accessible amenity spaces (as listed above) and the retention of existing outdoor recreation and amenity areas as identified on the Policies Map and in Annex 3 Important Open Space in Allerford and Luccombe. When submitting an application for additional open amenity space and outdoor sport and recreation facilities, the need for such development within the named settlements should be established through the evidence provided within the Exmoor National Park Open Space Strategy or other sources of evidence including community-related information. Communities can also designate 'local green space' through the preparation or review of a Local Plan or Neighbourhood Plan. This designation can only be used where:

- a) the green space is in reasonably close proximity to the community it serves;
- b) the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- c) the green area concerned is local in character and is not an extensive tract of land.<sup>339</sup>

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<sup>336</sup> ENPA (2010) Your Future Exmoor (YFE) consultation events January – March 2010

<sup>337</sup> HM Government (2015) Town and Country Planning (General Permitted Development) (England) Order 2015. The Stationery Office, London.

<sup>338</sup> ENPA (2015) Exmoor National Park Open Space Assessment. Exmoor House, Dulverton

<sup>339</sup> DCLG (2012) National Planning Policy Framework (paragraphs 76-78) – DCLG

**6.213** Local commercial services and community facilities in settlements on Exmoor include those defined by the following use classes:

- a) A1-A5: includes local commercial services that serve Exmoor communities and visitors to the National Park and includes shops (together with community shops), public houses, cafés, restaurants and takeaways;
- b) D1: non-residential institutions e.g. health centres, day nurseries, schools, libraries,

places of worship, village/community halls; and

- c) D2: assembly and leisure e.g. indoor/outdoor sports and recreation facilities, cinemas and gyms.

**6.214** The policies also apply to some sui generis uses (a use 'on its own' for which any change of use will require planning permission) within settlements that include petrol stations, public toilets, police stations, fire stations and public amenity spaces.

## HC-S6 Local Commercial Services and Community Facilities

1. The National Park Authority will work with constituent local authorities, parish and town councils and communities to ensure that Exmoor's communities are sustained, the economy strengthened, and the needs of visitors addressed.
2. The provision of new or extended local commercial services and community facilities will be supported where it can be demonstrated that they:
  - a) will benefit the local resident community and the needs of visitors; and
  - b) are of a scale and location appropriate to the community they serve.
3. For new developments or extensions to existing premises, preference will first be given to the reuse of existing traditional buildings (CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings). The re-use of non-traditional buildings (CE-S5), will be considered if enhancement of the built and natural environment can be achieved.
4. New build developments should be located within the named settlements or, for community facilities where no suitable site exists, should be well-related to these settlements. Proposals specifically for new build and ancillary local commercial services should be in accordance with policy HC-D18 Local Commercial Service Provision.
5. Proposals enabling the enhancement of existing services and facilities, or the flexible use of new or existing buildings to allow a range of community services or facilities to take place on site will be encouraged – where this applies to an existing service the sharing of facilities should support the retention of the primary use.
6. The provision of publicly accessible green space within or adjoining the named settlements will be supported.
7. Local commercial services and community facilities will be safeguarded in accordance with policy HC-D19 Safeguarding Local Commercial Services and Community Facilities.
8. Important visual amenity space identified within and adjoining the settlements will be protected in accordance with policy HC-D20 Important Visual Amenity Space.

### New Local Commercial Service Provision

**6.215** Policy HC-D18 applies to new build local commercial services ('A' use classes) in the named settlements and includes modest improvements and additions to them. Proposals should be of a scale, design and nature that accords with the character of the area and should complement the existing range of such services and not undermine the existing centres of settlements. Evidence shows that there is limited available expenditure to provide for significant growth within this sector.<sup>340</sup>

### Local Service Provision In Settlements

**6.216** Policy HC-S6 Local Commercial Services and Community Facilities supports the reuse of existing buildings, and, in principle, it may also include those buildings with an existing use, including residential (with the exception of local need affordable housing), to enable a change to a local commercial service. Proposals should demonstrate that there are no other suitable, available, existing premises in the locality. In order to encourage entrepreneurship, any changes of use from an existing use, such as residential, to local commercial services falling within A1 to A5 of the Use Classes Order permitted after the adoption of this Local Plan, will have conditions attached to enable flexibility for the premises to operate either as the existing use or the local commercial service use.

**6.217** In some circumstances, an impact assessment may be required for a proposed local commercial service provision. The objective of an impact assessment is to measure and, where possible, quantify the impacts of proposals. In the case of small scale commercial services or extensions to existing services, an impact assessment is unlikely to be required. However, applicants should seek advice from the National Park Authority at an early stage to agree the need, scope for and level of detail of impact assessments in advance of applications being submitted. Key factors that an impact assessment should include are the:

- a) need for the development,
- b) scale of development,
- c) impacts of the development on trade, the vitality and viability of the settlement and nearby centres and the degree of overlap, in terms of the range, type and quality of goods available, between the proposed development and other local commercial service uses both within the proposed settlement and, if appropriate, nearby centres.

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<sup>340</sup> GVA & C4G (2011) Quantitative Needs Assessment – West Somerset Council and ENPA

**6.218** Conditions may be attached to planning permissions for new local commercial services to manage the impacts of development including to:

- a) prevent developments from being sub-divided into a number of smaller units;
- b) ensure that ancillary uses remain subservient to the existing use within the development;
- c) limit any internal alterations intended to increase the amount of gross floorspace by specifying the maximum floorspace permitted;
- d) limit the range of goods sold, and to control the mix of convenience (food) and comparison (non-food) goods;
- e) guard against adverse issues relating to traffic resulting from the development; and
- f) guard against adverse impacts from the operation of the development on the amenity of neighbouring residents, such as the timing of the delivery of goods to shops and adequate provision for loading and unloading.

**6.219** Where new local commercial services are granted planning consent, permitted development rights may be withdrawn to ensure that some changes of use will not apply in these circumstances.<sup>341</sup> This is because they may result in the loss of services and facilities in smaller settlements where, in many cases, there may be very few or only one remaining service, such as a shop. Therefore, the national change to permitted development rights does not fully reflect the role of services within a sparse rural area such as Exmoor National Park, where the retention of local services is essential to community well-being.

### Local Commercial Services in the Open Countryside

**6.220** Commercial services in the open countryside include farm shops selling local produce; such businesses can also provide for the needs of local communities which may offer a different range of goods from other shops nearby or provide a service where a village shop may not be viable.

**6.221** The policy also allows for other services that may require a location outside the named settlements, including cafés and shops that are associated with visitor facilities, craft workshops, or camping/caravan sites. The provision of small-scale services in the open countryside should accord with the principles set out in SE-S3 Business Development in the Open Countryside to ensure a consistent approach with other forms of business development outside the named settlements. Applicants should demonstrate that the provision of these services will support the function of the existing business and will not adversely affect similar service provision within nearby settlements.

**6.222** In certain circumstances permitted development rights apply to the change of use of agricultural buildings to A1, A2 and A3 uses.<sup>342</sup> For avoidance of doubt, applicants are advised to contact the National Park Authority to ascertain whether a planning application is required. Where planning permission is required, applications will be assessed against policy HC-D18 Local Commercial Service Provision.

### Mobile Trading

**6.223** Mobile trading occurs in several locations throughout the National Park and although this does not always require planning consent, the agreement of the landowner is needed. Where planning consent is required the National Park Authority will generally resist this activity on Exmoor, due to its visual intrusion, litter and impact on tranquillity; although there may be a case for specialist traders within the settlements. In cases where particular problems are being caused the Authority will consider serving Article 4 Directions so the activity is brought under planning control.<sup>343</sup>

<sup>341</sup> HM Government (2015) Town and Country Planning (General Permitted Development) (England) Order 2015. The Stationery Office, London. Part 4 of Schedule 2 to the General Permitted Development Order grants planning permission in respect of certain temporary buildings and uses.

<sup>342</sup> HM Government (2015) Town and Country Planning (General Permitted Development) (England) Order 2015. The Stationery Office, London. Part 3 of Schedule 2.

<sup>343</sup> An article 4 direction is made by the local planning authority. It restricts the scope of permitted development rights either in relation to a particular area or site, or a particular type of development anywhere in the authority's area.

## HC-D18 Local Commercial Service Provision

1. Proposals for new build, extensions or change of use of buildings for local commercial service provision within the named settlements will be permitted where:
  - a) the proposed location contributes to the overall vitality of the settlement and the local economy;
  - b) they will not adversely affect the locality, National Park, or the amenity of nearby residents as a result of traffic or parking (AC-D1 Transport and Accessibility Requirements for Development); and
  - c) if required by the National Park Authority, an impact assessment has been submitted, the scope of which has been agreed prior to submission.
2. Proposals for new local commercial service provision in the open countryside, through the reuse of existing buildings, will only be permitted in accordance with SE-S3 Business Development in the Open Countryside, and where:
  - a) they are small scale ancillary retail development/operations principally offering for sale goods which are produced at the premises; or
  - b) they principally comprise the sale of crafts and goods made on site, or shops and/or cafés which are ancillary to farms, visitor facilities, or camping and caravan sites; and
  - c) they will not have adverse impacts on adjoining land uses; and
  - d) it can be demonstrated that they will not adversely affect service provision in nearby settlements.
3. Extensions to existing local commercial services will be permitted in accordance with policy CE-D4 Extensions to Buildings.

## Safeguarding Local Commercial Services and Community Facilities

**6.224** Policy HC-D19 seeks to safeguard both local commercial services including shops, cafés and public houses and community facilities in terms of their role in providing services and facilities for communities and visitors and in providing local employment.

**6.225** In a dispersed rural area such as Exmoor, the availability of community services and facilities is important socially and economically and they help to reduce the need to travel longer distances (see also policy AC-S1 Sustainable Transport). Services should therefore be safeguarded over the longer term.

**6.226** Policy HC-D19 Safeguarding Local Commercial Services and Community Facilities, sets out criteria and a test of viability to enable a number of factors to be assessed when determining a proposal for a change of use which may result in the loss of a service or facility. The policy also includes criteria against which proposals for the change of use for specific uses within the Use Classes Order will be considered.<sup>344</sup> Any proposals for the change of use of local commercial services and community facilities should provide evidence to demonstrate there is no longer a need for a specific service or facility in the longer term, a suitable replacement service or facility is provided, or there is an existing similar facility

<sup>344</sup> HM Government (1987) Use Classes Order (as amended)

accessible to the local community. Where a replacement service or facility is to be provided, a planning obligation will be used to ensure that the replacement facility is secured at an appropriate time in relation to changing the use of the existing facility. The representative views of the community will be taken into account in determining any proposals for the change of use of a community service or facility. Uses which are deemed to benefit the community will be favourably considered including other community uses, local affordable housing, or employment use.

**6.227** In relation to clause 1d) of policy HC-D19, local commercial services such as shops, pubs, cafés (A class uses) or petrol stations (sui generis), will be required to demonstrate that all appropriate measures, including the opportunity for community not-for-profit schemes, have been taken to improve viability of the service before a change of use is proposed. In some cases, the community may wish to consider taking over the business to be run as a community-led enterprise such as the Wootton Courtenay Villagers' Stores. Such initiatives and alternative approaches can enable a facility to remain open. Diversification of local commercial services may be considered to support the viability of businesses. Proposals are more likely to be supported where the diversified use is incidental to the main use of the business and is of a nature and scale that complements the current use. For example, some shops have diversified from solely retail to also provide refreshment facilities, or pubs have provided space for a small convenience store. Conditions may be attached to any granting of planning permission to ensure that the diversified use remains ancillary to the main business (policy HC-S6 Local Commercial Services and Community Facilities supports shared services and flexible arrangements to enable the diversification of services).

**6.228** The viability tests set out below will be used to assess whether a commercial service can be made viable, and will require evidence of realistic marketing at a reasonable price. To provide impartial evidence regarding viability and marketing of the property an independent valuation by the District Valuation Office is likely to be required to inform the decision-making process.

**6.229** Where it can be demonstrated that a local commercial service (A use class) is no longer viable and the case for a change of use is accepted on grounds of viability and in accordance with HC-D19 Safeguarding Local Commercial Services and Community Facilities, the preferred approach, particularly for shops (A1 use), is that they remain in an alternative 'A' class use or otherwise a change of use to:

- a) D1 or D2 uses will be favourably considered - if this is not possible then;
- b) other compatible employment uses (B1a - offices) may be permitted; or
- c) residential dwellings to meet local needs may be permitted in accordance with policies HC-D2 Conversions to Dwellings in Settlements or HC-D7 Conversions to Dwellings in the Open Countryside where it can be demonstrated that A, D1, D2 or B1a uses or another community use are not possible.

**6.230** In order to ensure that the above priorities are achieved, where only a part of a building is occupied by a commercial service and it is accepted as being unviable, a change of use to residential, as an extension of the existing dwelling will only be allowed if it can be clearly demonstrated that it is not possible for the commercial part of the building to operate independently of the main house; for example where the only means of access to the house is through the part of the building occupied by the commercial service.

**6.231** Applicants considering the change of use of a site or building from a local commercial service under policy HC-D19 Safeguarding Local Commercial Services and Community Facilities, are encouraged to contact the National Park Authority at an early stage to discuss any proposals. Applicants will need to demonstrate that all possible options to improve the viability and sustainability of the service/business have been explored and that the marketing of the land or buildings has resulted in no reasonable offers of purchase before considering applying for a change of use.

**6.232** Proposals will be assessed using the viability tests set out in the checklist below, which are informed by the Campaign for Real Ale (CAMRA) Public House Viability Test, and may be used to assess whether or not a commercial community service or facility can be made viable under policy HC-D19 Safeguarding Local Commercial Services and Community Facilities:

- a) Business viability: include evidence of how the business is managed, whether the service has been run successfully in the past, and whether there have been any attempts to improve viability including by diversifying the business. Are there other circumstances affecting viability such as business rates/taxes/rents, and have reasonable attempts to obtain funding or grants been made?
- b) Location: whether it lies within a named settlement or in the open countryside.
- c) Trade Potential: what is the catchment area, community use and impact of tourism?
- d) Accessibility: the availability and frequency of public or community transport services in the area, and whether there is access to appropriate car parking nearby.
- e) Competition: whether there are any other facilities offering a similar range of goods within a convenient distance, and the potential to cater for different groups.
- f) Flexibility: has the flexible/multiple use and scope of the site for extensions or extending service provision been investigated (including unused rooms/outbuildings or adjoining land), and is the building well maintained? Is there scope for multiple use to combine its function to other community service uses?

- g) The Sale: has the service/facility been marketed/investigated in terms of its potential for other uses permitted by the GPDO and cannot be made viable?<sup>345</sup> Is there evidence of realistic marketing of the service/facility at a competitive price for a period of 12 consecutive months that reflects recent trading? A longer marketing period may be required if the market is stagnant. This period may have the added benefit of allowing communities time to develop community led proposals and will also be relevant if the property has been registered as an Asset Of Community Value with North Devon or West Somerset district councils.<sup>346</sup>

**6.233** In relation to Clause g) above, the marketing steps and evidence required include the following:

- a) The applicant/owner has advertised the premises on site and in local newspapers, estate/property agents (including with specialist trade agents) and, where appropriate, the District Council's sites and premises register and otherwise as requested by the National Park Authority.
- b) If the applicant/owner is considered to be a willing seller and has failed to provide a willing buyer/occupier in the first three months of marketing they have re-advertised the premises in the aforementioned publications at three month intervals thereafter.
- c) The applicant/owner has provided advertisement details, including sales particulars with a guide price to reflect the realistic market value of the site/building(s).
- d) Written evidence of all enquiries received and the reasons why potential buyers/occupiers found the site/buildings unsuitable.

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<sup>345</sup> HM Government (2015) Town and Country Planning (General Permitted Development) (England) Order 2015. The Stationery Office, London.

<sup>346</sup> CAMRA (2014) Public House Viability Test – Version 3 (31/3/14) [Online] <http://www.camra.org.uk/documents/10180/20788/PublicHouseViabilityTest-2014-03-31.pdf/fd7f1665-f279-45bf-b89a-6eb3c235b7d1>

## HC-D19 Safeguarding Local Commercial Services and Community Facilities

1. Proposals to change the use of a local commercial service or non-commercial community facility will not be permitted unless it can be clearly demonstrated that:
  - a) there is no longer a need for the specific service or facility by the community, including over the longer term; and
  - b) a need for other permitted uses or other services and facilities has been explored and is not required; or
  - c) a replacement service or facility accessible to the local community of at least equivalent standard is provided; or
  - d) in the case of local commercial services, they cannot be continued and made viable over the longer term.
2. In the case of publicly funded/non-commercial services, including schools and libraries, tests 1 a), b) or c) will apply. Where the tests for a change of use set out in clauses 1 a), b) or c) are met, favourable consideration will be given to changes of use which benefit the community and the local economy consistent with policies in this Plan.
3. In respect of 1 c), planning conditions or obligations will be used to ensure that the replacement provision is secured at an appropriate time in relation to the redevelopment of the site/building.
4. In Local Service Centres changes of use from an existing local commercial service in the A use class to another commercial service in the A use class will be permitted, providing they will have an acceptable impact on neighbouring uses.
5. In respect of 1 d) proposals for the change of use of local commercial services and facilities (other than proposals relating to clause 4), will need to provide detailed evidence to demonstrate that:
  - a) all available opportunities of grant funding and financial support to help retain the service or facility on the premises have been fully explored;
  - b) diversification is not suitable or viable;
  - c) opportunities for community/voluntary not-for-profit service provision have been investigated; and
  - d) realistic marketing of the site or premises at a reasonable value for the current permitted use class for a minimum period of 12 consecutive months has occurred.
6. Where the case for a change of use is accepted:
  - a) favourable consideration will be given to 'A' 'D1' or 'D2' uses before
  - b) other compatible employment uses (B1a) may be considered, or otherwise
  - c) where it can be demonstrated that the change of use to A, D1, D2 or B1a uses or another community use are not possible, a change of use to housing in accordance with policies HC-D2 Conversions to Dwellings in Settlements or HC-D7 Conversions to Dwellings in the Open Countryside may be permitted.

## Important Visual Amenity Space

**6.234** The Exmoor National Park Landscape Character Assessment identifies landscape character types and areas across the National Park (see policy CE-S1 Landscape and Seascape Character). At a more local scale, there are smaller areas of land that have a landscape value to communities and the settlements they live in. The settlement inset maps (part of the Local Plan Policies Map) identify land of visual amenity value within and adjoining settlements, recognising the significance of these green areas for the setting of buildings and other features, and their importance to the overall character of a settlement.<sup>347</sup> These are different to those areas in settlements which are considered to be recreational, amenity and public green space open to everyone to use; and defined as important open space for recreation policies HC-S6 Local Commercial Services and Community Facilities and HC-D19 Safeguarding Local Commercial Services and Community Facilities.

**6.235** Land of visual amenity value may form a focal point for a settlement, or may be significant in allowing views into and out of settlements in the wider landscape. Other areas are important in terms of historic landscape character or for cultural reasons. These green areas are not always publicly accessible, but may be on occasions, such as when a local event is held.

**6.236** Important visual amenity spaces were identified by local communities as part of the 1997 Local Plan Review and the Local Plan 2001 – 2011, and continue in this Local Plan. At each stage, public consultation has identified further areas for consideration which have then been assessed using the criteria outlined below, and included where it has been demonstrated that such areas positively contribute to settlement character. The Landscape Assessment of Important Visual Amenity Space outlines and reviews the specific green areas identified in individual settlements to provide evidence for this designation.<sup>348</sup>

**6.237** These areas are primarily identified for their significance within and adjoining Exmoor's settlements but they also contribute to a green infrastructure network (CE-S3 Biodiversity and Green Infrastructure) that can provide ecosystem services, such as linkages between habitats and sites, positive benefits for the health and wellbeing of local communities and visitors, and enhance the overall environmental quality of settlements.



<sup>347</sup> There are areas of Important Visual Amenity Space located at Allerford and Luccombe –these settlements do not have inset maps as they are not identified as a named settlement within the spatial strategy (see Section 14: Annex 3 for relevant maps)

<sup>348</sup> ENPA (2012) Landscape Assessment of Important Visual Amenity Space 2012 update. Exmoor House, Dulverton

**6.238** The selection of local landscapes or green areas is based on those identified by communities through consultation, considered to be important to settlement character and assessed by a professional landscape architect using a set of identifiable criteria. The criteria used for the assessment are summarised below:

- a) Sense of Arrival/Place: a core area usually in association with community facilities.
- b) Potential Arrival Spaces at the fringes of settlements which could act as future core spaces and which should be protected from development.
- c) Screening/Setting: areas containing trees and shrubs which provide a contrast in texture to a building mass.
- d) Breaks in Settlements: areas that break up settlements into smaller neighbourhood areas and reduces the impact of buildings in the landscape.
- e) Cohesion with Countryside: areas that physically or visually connect with the surrounding countryside such as riverside corridors, woodland or farmland.
- f) Countryside Experience: remnants of countryside within settlements which help to reduce the urban and increasingly suburban character of rural settlements.

- g) Visual Experience: important in providing an alternative visual experience to enclosed spaces as many of Exmoor's settlements are enclosed, tucked into valley bottoms, sunless and with no long views.
- h) Areas of Historic and Cultural Significance which have historically been used for activities such as markets, fairs or meeting places including notable historic events, or areas which add to the historic context of buildings.
- i) Use: current use of space will be considered and sites used informally by the public will have greater value e.g. for informal dog walking.<sup>349</sup>

**6.239** Development proposals should not erode the visual amenity value and unique sense of place these green areas provide for individual settlements on Exmoor. As conservation area status does not prevent the development of such land in principle, this local landscape designation will also apply within conservation areas.

## HC-D20 Important Visual Amenity Space

Development proposals will not be permitted where they cause harm or detriment to the visual amenity value of those areas of important visual amenity space identified on the Settlement Inset Maps and their relationship to settlement character, the surrounding landscape or the cultural/historic traditions of individual settlements.

<sup>349</sup> ENPA (2012) Landscape Assessment of Important Visual Amenity Space 2012 update. Exmoor House, Dulverton

## Residential Institutions

**6.240** Residential institutions are defined under the Use Classes Order as class C2: “residential accommodation and care to people in need of care”, such as residential schools, hospitals and nursing homes.<sup>350</sup> Policy HC-S7 Residential Institutions supports, in principle, the reuse of existing buildings across the National Park as residential institutions. This may include residential care homes and nursing homes that, given the increase in the proportion of Exmoor’s population over retirement age, could help address a local need for specialist accommodation, or residential educational facilities to promote the understanding and enjoyment of the National Park and its special qualities.

**6.241** National policy states that local planning authorities should work with other authorities and providers to assess the quality and capacity of infrastructure for social care and take account of and support local strategies to improve health, social and cultural wellbeing for all.<sup>351</sup> Government policies also encourage care in the community to help people remain independent within their own homes and communities.<sup>352</sup> Nevertheless, it is important to ensure that there is a policy framework to provide for a range of specialist residential accommodation should the need for it be necessary.

**6.242** Proposals for residential education facilities that promote the enjoyment and understanding of Exmoor and its special qualities will also be favourably considered where they can be demonstrated to be in accordance with policies in this plan.

**6.243** Consistent with the approach for the provision of hotels and guesthouses (RT-D1 Serviced Accommodation), new residential institutions should be provided through the reuse of existing buildings as they are a means of achieving new residential institutions without the need to build new premises, which encourages sustainable resource consumption. This approach is considered to be more appropriate in a National Park where the priority is to minimise building on greenfield land,

given the potential scale of such development. Suitable buildings include former hotels and Policy RT-S3 clause 1 provides some flexibility to change their use to other employment premises including residential institutions. The conversion and structural alteration of buildings should accord with the principles set out in policy CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings. Care should be taken with the conversion and structural alteration of buildings, particularly physical changes such as car parking, fire escapes, and extensions that can have a detrimental impact on the character of the building and its setting. For buildings identified as a heritage asset or within a conservation area, policies CE-S4 Cultural Heritage and Historic Environment, and CE-D3 Conserving Heritage Assets will also apply. Proposals for extensions to new or existing residential institutions should accord with policy CE-D4 Extensions to Buildings.

**6.244** Residential institutions, such as care homes, created through a change of use should be located in Local Service Centres to enable access to essential facilities including health services, shops, bus routes, and other community services or in Villages with a good level of service provision. Such considerations will be a key factor in marginal decisions unless a case can be made that a location in the open countryside is required. In such circumstances the applicant should provide a Transport Assessment or Statement (AC-D1 Transport and Accessibility Requirements for Development) to demonstrate that transport impacts will be minimised to an acceptable level. Proposals for residential institutions should avoid areas at risk of flooding and consider whether any adaptations to climate change impacts will be required; Porlock Weir would not be considered to be a suitable location for a highly vulnerable category such as a residential institution given the risk of coastal change and flooding. Appropriate climate change mitigation measures will also be encouraged (CC-S1 Climate Change Mitigation and Adaptation).

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<sup>350</sup> HM Government (1987) The Town and Country Planning (Use Classes) Order 1987 (as amended), The Stationery Office, London

<sup>351</sup> DCLG (2012) National Planning Policy Framework – DCLG

<sup>352</sup> Department of Health (2013) Care in local communities – A new vision and model for district nursing

**6.245** Adequate parking should be provided in accordance with policy AC-D3 Parking Provision and Standards. Gardens or grounds within the curtilage of the building should be of an adequate size to support the intended use of the property.

**6.246** The use of a building as a residential institution should not compromise local amenity, including by way of overlooking, loss of privacy, noise and disturbance, and the intensification of use should not adversely affect the character of the area.

**6.247** Proposals that relate to secure residential institutions (use class C2a) will also be considered under this policy.

## HC-S7 Residential Institutions

1. Proposals for new residential institutions will be supported where they meet the following principles:
  - a) they re-use existing buildings without the need for significant extension and accord with policy CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings;
  - b) they seek to mitigate climate change effects and adapt to its impacts, including avoiding areas at risk of flooding;
  - c) the design and layout of access and parking requirements are compatible with landscape character and built heritage;
  - d) traffic generation can be accommodated by the local road network without adversely affecting road safety and capacity - if it is considered that the proposal would have significant transport implications a transport assessment or statement will be required; and
  - e) the use does not compromise local amenity.
2. Regard should be had to location and the level of services and facilities that may be required to support the proposed use.
3. Proposals which encourage the understanding and enjoyment of the National Park and its special qualities will be encouraged.
4. Small scale extensions to existing residential institutions will be permitted where they accord with policy CE-D4 Extensions to Buildings.

