



EXMOOR
NATIONAL PARK

EXMOOR NATIONAL PARK AUTHORITY
EXMOOR HOUSE, DULVERTON
SOMERSET TA22 9HL
TEL: (01398) 323665
FAX: (01398) 323150
E-mail: info@exmoor-nationalpark.gov.uk
www.exmoor-nationalpark.gov.uk

21 November 2019

EXMOOR NATIONAL PARK AUTHORITY

To: All Members of the Exmoor National Park Authority

A meeting of the Exmoor National Park Authority will be held in the Committee Room, Exmoor House, Dulverton on **Tuesday 3 December 2019 at 10.00am.**

The meeting will be open to the press and public subject to the passing of any resolution under s.100(A)(4) of the Local Government Act 1972.

There is Public Speaking at this meeting, when the Chairperson will allow members of the public two minutes each to ask questions, make statements, or present a petition relating to any item relevant to the business of the Authority or relating to any item on the Agenda. Anyone wishing to ask questions should notify the Corporate Support Officer by 4pm on the working day before the meeting of the agenda item on which they wish to speak, indicating a brief summary of the matter or matters to be raised (contact Judy Coles on 01398 322250 or email jcoles@exmoor-nationalpark.gov.uk).

Please be aware that this is a public Authority Meeting and will be **audio and video recorded**. We will make the recordings available via our website for members of the public to listen to and/or view, within 72 hours of the meeting taking place.

Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairperson so that those present may be made aware.

(The agenda and papers for this meeting can be downloaded from the National Park Authority's website www.exmoor-nationalpark.gov.uk).

Sarah Bryan
Chief Executive

AGENDA

The first section of the meeting will be chaired by Mr R Milton, the Chairperson of the Authority. If the Chairperson is absent, the Deputy Chairperson shall preside.

1. Apologies for Absence

2. Declarations of Interest/Lobbying of Members/Unaccompanied Site Visits

Members are asked to declare:-

- (1) any interests they may have in relation to items on the agenda for this meeting;
- (2) any lobbying by anyone concerned with a planning application and any unaccompanied site visits where contact has been made with any person concerned with a planning application.

(NB. When verbally making these declarations, members are also asked to complete the Disclosures at Meetings form – attached for members only).

3. Chairperson's Announcements

4. **Minutes** (1) To approve as a correct record the Minutes of the meeting of the Authority held on 5 November 2019 (Item 4).

- (2) To consider any Matters Arising from those Minutes.

5. **Public Speaking:** The Chairperson will allow members of the public to ask questions, make statements, or present a petition. Questions of a general nature relevant to the business of the Authority can be asked under this agenda item. Any questions specific to an agenda item can be posed when that item is considered subject to the discretion of the person presiding at the meeting.

Agenda items relating to the Authority's role as sole local planning authority for the National Park area including determination of planning applications. This section of the meeting will be chaired by Mr S Pugsley (Deputy Chairperson (Planning)). If the Deputy Chairperson (Planning) is absent, the Deputy Chairperson of the Authority shall be preside.

6. **Appeals:** To note the decision of the Secretary of State for Housing, Communities and Local Government to dismiss the appeal against a refusal to grant a certificate of lawful use or development (LDC) – Application 62/11/18/002 – Groom's Cottage, Wellfield, Countisbury, Lynton EX35 6NG (Item 6)

7. **Development Management:** To consider the report of the Head of Planning and Sustainable Development on the following:-

Agenda Item	Application No.	Description	Page Nos.
7.1	62/50/19/011	Proposed change of use of garage, workshop and store to three bedroom holiday cottage unit - Heddon Valley Mill, Parracombe, Nr Barnstaple, Devon	1 – 16

- | | | | |
|-----|--------------|--|---------|
| 7.2 | 62/41/19/028 | Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for the proposed replacement of footbridge – Woodside Bridge, Watersmeet Path, Lynmouth, Devon | 17 - 28 |
| 7.3 | 6/9/19/124LB | Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for Listed Building Consent for the installation of insulation and dry lining of storage building together with works to remedy water ingress – Retrospective – Exmoor House, Dulverton, Somerset | 29 - 36 |
| 7.4 | 6/10/19/112 | Lawful Development Certificate for the proposed replacement of rear conservatory – The Barns, Ellicombe Lane, Alcombe, Minehead, Somerset | 37 - 44 |
- 8. Application Decisions Delegated to the Chief Executive:** To note the applications determined by the Chief Executive under delegated powers ([Item 8](#)).
- 9. Site Visits:** To arrange any site visits agreed by the Committee (the reserve date being Friday 3 January (am)).
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The remaining section of the meeting will be chaired by Mr R Milton, Chairperson of the Authority. If the Chairperson is absent, the Deputy Chairperson of the Authority shall preside.

- 10. Progress Implementing the Corporate Plan 2019-2020:** To consider the report of the Head of Strategy and Performance ([Item 10](#)).
- 11. Annual Estate Review 2018/19:** To consider the report of the Land and Property Manager ([Item 11](#)).
- 12. Authority Meetings Schedule for 2020 and 2021:** To consider the report of the Head of Strategy and Performance ([Item 12](#)).
- 13. Exmoor National Park Local Plan, Exmoor National Park Authority Local Development Scheme:** To consider the report of the Head of Strategy and Performance ([Item 13](#)).
- 14. Personnel Update**

Starters:

25.11.19 Amy Sanders – Assistant Planning Officer

Leavers:

30.11.19 Joanna Symons – Planning and Community Manager – resignation

15.12.19 Tim Braund – Head of Information and Communication – resignation

Other:

Fixed Term Contract extended to 07.02.21

Rosie Wilson – Assistant Ranger

Fixed Term Contracts extended to 31.03.21

Jackie Kiberd – Get Involved Project Coordinator

Lucy McQuillan – Families United through Nature (FUN)

Jess Twydall – Get Involved Community Engagement Officer

Sophie Tyler – Outreach and Engagement Coordinator

Katrina Munro – Economy Project Officer

15. Any Other Business of Urgency

Further information on any of the reports can be obtained by contacting the National Park Authority at the address and telephone numbers at the top of the agenda. Details of the decisions taken at this meeting will be set out in the formal Minutes which the Committee will be asked to approve as a correct record at its next meeting. In the meantime, details of the decisions can be obtained from Judy Coles, Corporate Support Officer, at Exmoor House.

ITEM 4

EXMOOR NATIONAL PARK AUTHORITY

MINUTES of the Meeting of the Exmoor National Park Authority held on Tuesday, 5 November 2019 at 10.00am in the Committee Room, Exmoor House, Dulverton.

PRESENT

Mr R Milton (Chairperson)	
Mr S J Pugsley (Deputy Chairperson (Planning))	
Mrs L Blanchard	Mrs F Nicholson
Mr R C Edgell	Mr J Patrinos
Mr M Ellicott	Mr P Pilkington
Mr N Holliday	Mr B Revans
Mr J Holtom	Mr M Ryall
Mr J Hunt	Mrs E Stacey
Mr M Kravis	Mrs S Takle
Mrs C M Lawrence	Mr N Thwaites
Mr E Ley	Mr V White

Apologies for absence were received from Miss A V Davis.

59. DECLARATIONS OF INTEREST:

The following interests were declared in relation to Item 6.1 – Application No. 6/10/19/111 - Proposed change of use to provide a café to include the siting of a Portakabin for use as cooking and preparation space to serve a proposed indoor seating and serving area within part of the stable building, for a temporary 12 month period (Full) – Dunster Castle, Castle Hill, Dunster, Somerset, the following declarations were made:

- Mr M Kravis declared a personal interest as a District Councillor for Old Cleeve & District Ward, which includes Dunster.
- Mrs C Lawrence declared a personal interest as the County Councillor for Dunster Division.
- Mr P Pilkington declared a personal interest as a District Councillor for Old Cleeve & District Ward, which includes Dunster.

In relation to Item 6.2 – Application No. 6/3/19/115 - Proposed agricultural workers dwelling and garage (Full) - Land at Higher Nicholls, Brompton Regis, Dulverton, Somerset, Mr J Holtom declared a pecuniary interest as he had acted in a professional capacity for the applicant and would withdraw from the meeting when this item was considered.

- 60. CHAIRPERSON'S ANNOUNCEMENTS:** The Chairperson advised that this would be the last meeting that Tim Braund, Head of Information and Communication, would attend before he left the Authority. On behalf of all Members, the Chairperson thanked Mr Braund for his immense and valued contribution to the important work of the Authority, throughout his longstanding service. The Committee wished Mr Braund well in his future career.

61. MINUTES

- i. **Confirmation:** The **Minutes** of the Authority's meeting held on 1 October 2019 were agreed and signed as a correct record.
- ii. **Matters arising:** There were no matters arising.

62. PUBLIC SPEAKING:

See Minutes 63 and 65 for details of public speakers.

Items relating to the Authority's role as sole local planning authority for the National Park area including determination of planning applications. This section of the meeting was chaired by Mr S J Pugsley, Deputy Chairperson (Planning).

DEVELOPMENT MANAGEMENT

63. Application No. 6/10/19/111

Location: Dunster Castle, Castle Hill, Dunster, Somerset

Proposal: Proposed change of use to provide a café to include the siting of a Portakabin for use as cooking and preparation space to serve a proposed indoor seating and serving area within part of the stable building, for a temporary 12 month period (Full)

The Authority considered the **report** of the Head of Planning and Sustainable Development.

Public Speaking:

- (1) Mr A Rice, local resident (written submission tabled)
- (2) Mr G Ebbern, local business owner
- (3) Mr S Rogers, applicant (National Trust)

RESOLVED: To grant planning permission subject to the conditions set out in the report.

Before the officer presentation Mr J Holtom left the meeting room.

64. Application No. 6/3/19/115

Location: Land at Higher Nicholls, Brompton Regis, Dulverton, Somerset

Proposal: Proposed agricultural workers dwelling and garage (Full)

The Authority considered the **report** of the Head of Planning and Sustainable Development.

RESOLVED: To grant planning permission subject to the conditions set out in the report.

After the vote, Mr J Holtom returned to the meeting room.

65. Application No. 62/49/19/002

Location: Longstone Wells, Heasley Mill, North Molton, Devon

Proposal: Proposed formation of a new access track and associated landscaping (Retrospective)

The Authority considered the **report** of the Head of Planning and Sustainable Development.

Public Speaking:

(1) Sir R Peek, North Molton Parish Council

(2) Mrs L Selmi, applicant

RESOLVED: To grant planning permission subject to the conditions set out in the report.

66. APPLICATION DECISIONS DELEGATED TO THE CHIEF EXECUTIVE: The Authority noted the **decisions of the Chief Executive determined under delegated powers**.

67. SITE VISITS: There were no site visits to arrange.

The remaining section of the meeting was chaired by Mr R Milton, Chairperson of the Authority.

The meeting closed for recess at 11.10am and reconvened at 11.19am.

68. REVISED BUDGET FOR 2019/20

The Authority considered the **report** of the Chief Finance Officer.

Authority's Consideration

Members held a useful discussion regarding the principle of introducing a charge for pre-application planning advice, however the Committee ultimately felt that further information was required before they could come to a decision on this matter.

Officers were requested to gather additional statistical information and present it to Members at a future Members' Forum or Workshop, so that further discussions could take place with a view to bringing a report back to the Authority at a later date.

The Authority Committee thanked the Head of Finance & Operations for his excellent work in the management and effective stewardship of the Authority's financial position.

RESOLVED:

- (1) To approve the revised Core Budget for 2019/20 as set out in Appendix 1 with changes to core staffing.

- (2) To note the position regarding reserves as set out in Appendix 3 to the report and the projected balance on the General Fund at 31 March 2020 of £300,000 at the level agreed with the auditors.
- (3) To authorise the Chief Executive and Chief Finance Officer to make such adjustments as are necessary to keep within the overall budget and with the objective of transferring underspends that arise to reserves.
- (4) To ask Officers to provide more detail at a Members' Forum or Workshop regarding the possibility of charging for pre-application planning advice, with a view to bringing a report back to the Authority.

Mr J Hunt and Mr V White left the meeting room.

69. TREASURY MANAGEMENT MID-YEAR REPORT

The Authority considered the [report](#) of the Chief Finance Officer.

RESOLVED: To note the Treasury Management Outturn for the first six months of the 2019-20 financial year.

Mr J Hunt and Mr V White returned to the meeting room.

- 70. EXMOOR CONSULTATIVE & PARISH FORUM:** The Authority received and noted the draft minutes of the Exmoor Consultative & Parish Forum meeting held on 12 September 2019.
- 71. PERSONNEL UPDATE:** The Authority noted the recent staff changes as set out on the agenda.
- 72. ANY OTHER BUSINESS OF URGENCY:**

The meeting closed at 12.39pm

(Chairman)

Appeal Decision

Site visit made on 9 October 2019

by Andy Harwood CMS MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 November 2019

Appeal Ref: APP/F9498/X/18/3216478

Groom's Cottage, Wellfield, Countisbury, Lynton EX35 6NG

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
- The appeal is made by Mr Mark Guard against the decision of Exmoor National Park Authority.
- The application Ref 62/11/18/002, dated 7 March 2018, was refused by notice dated 15 June 2018.
- The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 as amended (the Act).
- The development for which a certificate of lawful use or development is sought is described as "the conversion of the adjoining former stable to extend the existing residential accommodation at Groom's Cottage."

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Grooms Cottage is a 2 storey stone cottage which is alongside a former stable building and lean-to garage. The appeal site is within a very rural, area surrounded by woodland, close to the coast of north Devon.
3. The description of the proposal, as set out in the heading above, does not refer to any extensions to these existing buildings. The appellant in the initial planning statement stated that the application is for "lawful use of adjoining stable and garages as an extension to the house". However, the same document also refers to a "proposed rear extension" being "1.8m deep". This aligns with what is shown on the submitted plans.
4. The initial statement also states that "it is proposed to reconstruct the removed timber loft access to use as a staircase to the first floor". Again, this is shown on the submitted plans but the appellant's subsequent appeal statement confirms in section 12, paragraph c) that the stair tower "does not form part of the application for a lawful development certificate". The Exmoor National Park Authority (NPA) have referred to this part of the building within their decision but I will take the appellant's latest unambiguous clarification to the effect that it is not part of the proposal.
5. The NPA altered the description of the proposal on their decision notice. It is not clear that the change of description was formally agreed by the appellant and I have not therefore used it. Under s192 of the Act, I do not have the

power to amend the description of development. I am however satisfied that the terms of what is proposed is the use of the former stable building as a part of the dwellinghouse at Groom's Cottage along with the proposed extension to the northern part of the stable building.

Reasons

Background

6. Grooms Cottage has recently been accepted through the issuing of a LDC (Appeal ref APP/F9498/X/17/3170649) as a dwellinghouse. That LDC decision provides some background to this case. The context of the appeal at that time meant that the Inspector did not need to consider or explain definitively what the extent of the cottage was.
7. In the present case, the main issues that I need to consider are the extent of the original dwellinghouse and whether the extensions would be permitted development under the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (the GPDO). In particular, permitted development rights relevant here are those for the enlargement, improvement or other alteration of a dwellinghouse, therefore those within Article 3, Schedule 2, Part 3, Class A.

Original dwellinghouse

8. Article 2(1) of the GPDO defines "original" as "in relation to a building, other than a building which is Crown land, existing on 1st July 1948, as existing on that date". This definition is also referred to along with other advice with the Technical Guidance¹. In considering the relevant permitted development rights, it is necessary to determine on the balance of probabilities, what parts of the building did exist and what they were used for, at that time.
9. There is no dispute that the former stable building attached to the side of the dwelling physically existed in on 1 July 1948. The Inspector in the 2017 LDC decision also considered that the outside lavatory was part of the facilities required for day-to-day private domestic existence. The NPA accepts that there is no evidence to dispute that an interconnecting door between Grooms Cottage and the stables was installed before 1939 after the horses were moved out. It seems to me that when the occupation of Grooms Cottage relied upon the use of the external lavatory, residents would have been likely to use the most convenient and weather protected route to those facilities. The stables would have, at least to that extent, been used incidentally to the occupation of the dwellinghouse. A building that had such a close physical relationship to the dwellinghouse and also a functional link with it would be difficult to extricate from being considered, on the balance of probabilities, as part of that dwellinghouse. I therefore consider on this basis that the stables were part of the original dwellinghouse.
10. The garage as currently in place adjoins the stable. It has a lean-to roof that joins the gable end of the building a little above the height of the arched headers of the openings in the south of the building. The photographs included within the NPA appeal statement from 2017 show that at that time, there was a clear gap between the side of the stable and a detached timber structure.

¹ Permitted development rights for householder – Technical Guidance, April 2017

These confirm what is shown in more detailed, undated photographs submitted by the appellant but which have a NPA date-stamp of 2010.

11. A planning application was submitted in 2002 and the plans dated 2002 as well as photographs from 1996 and 1998 show a timber garage on the side in the place of the present structure albeit with a different flat-roof form. The appellant has also provided other evidence in the form of certified aerial images. One of those from 1946 shows what appears to be a flat-roofed structure, above the level of the surrounding ground, in a similar position.
12. It therefore seems to me, on the balance of probabilities, that a garage was positioned to the side of the stables on 1 July 1948 and with this having the lavatory at the rear used by occupants of the dwelling, can reasonably be considered as a part of the original dwellinghouse. Given the issues as they are set out above, I do not need to consider whether the formation of the current garage structure (which would require an application under the provisions of s191 of the act) required planning permission.

The proposals

13. It is necessary to interpret the words of the GPDO in their ordinary meaning and not to read other things into them that are not included. For the consideration of original dwellinghouse therefore, the GPDO definition needs to be taken at face value. Class A does not for example state that the limitations are related to the original dwellinghouse that still exists at the present time.
14. The lavatory element of the original dwellinghouse protrudes beyond the rear wall of the remainder of the building. The footprint of the original dwellinghouse therefore had a stepped, 'L' shape due to the lavatory protrusion. This means that as well as the 'outer' side elevations, the dwelling also had an 'inner' side elevation. The Technical Guidance at page 23 provides an illustration to explain how to interpret what constitutes a wall forming a side elevation when there is a stepped footprint like this. Paragraph A.2. of Class A of the GPDO states that on land on 'article 2(3) land' (which includes land in National Parks) certain forms of development are not permitted by Class A. This includes, by reason of paragraph A.2.(b) if "the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse".
15. The proposed development would involve the construction to the side of the current position of the lavatory protrusion and which forms a side extension. Although this would also be an extension rearward of the original dwellinghouse, the proposed extension overall would not be permitted development due to it not complying with paragraph A.2.(b) of the GPDO.

Conclusion

16. For the reasons given above I conclude that the Council's refusal to grant a certificate of lawful use or development in respect of the conversion of the adjoining former stable to extend the existing residential accommodation at Groom's Cottage, was well founded and that the appeal should fail. I will exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act as amended.

A Harwood

INSPECTOR

7.1



Committee Report

Application Number:	62/50/19/011
Registration Date:	03-Sep-2019
Determination Date:	09-Oct-2019
Applicant	Mr P Hitchen
Agent:	
Case Officer:	Kieran Reeves
Site Address:	Heddon Valley Mill, Parracombe, Nr Barnstaple, Devon
Proposal:	Proposed change of use of garage, workshop and store to three bedroom holiday cottage unit. As per amended plans and additional information. As per Additional Information.
Recommendation:	Approve with conditions

Relevant History

62/50/04/006 – Erection of a garage, workshop, store and independent shed.
(Alternative proposal to that withdrawn under application 62/50/04/005 – Approved on 17/08/2004

62/50/04/005 – Erection of double garage with store and workshop over – Withdrawn on 04/06/2004

Site Description & Proposal

The reason this application comes before the Authority Committee is that Parracombe Parish Council have voted against the application, which is contrary to the Officer recommendation to approve the development.

Planning permission is sought for the conversion of a workshop/storage building at Heddon Valley Mill to a self-catering holiday let. Heddon Valley Mill consists of a dwelling that is occupied by the applicant and a further four residential units that are tied as self-catering holiday lets. The application building is sited approximately 100 metres north east of the rest of the buildings that form Heddon Valley Mill. It is accessed via a track from the main car park at the property and the track is shared with a public footpath.

The proposal is to convert the building to a self-catering holiday let. A section of the building would be retained for storage. There would be no physical extension of the building. New openings and rooflights are proposed. The applicant has explained that

the existing storage and workshop, which would be lost as a result of the proposed development, would be provided within existing buildings elsewhere at the property.

Consultee Representations

Parracombe Parish Council initial response 02/10/19 – Discussion took place on this proposed change of use and the original retrospective permission that was granted in order to store items and provide garage and workshop to meet the needs of the residences on the property and their letting cottages. It appeared from the application that the needs met by the subject building remained and therefore the building could not be described as redundant, if correct the proposal did not appear to conform to policy RT-D4. The meeting was concerned that the cycle could be repeated and that this proposal already amounted to an over intensification.

The building is in very close proximity to the neighbour's property and indeed their trees overhang the building. The change of use would impact on tranquillity and local amenity (close to PROWs and neighbouring land).

This proposal would lead to increased use of the access and parking by a greater number of vehicles affecting the PROW that follows the private access for most of its length. Concerns at the limitations of the public road serving the property, which is already heavily trafficked, steep and very narrow and is an important link between PROWS (both footpaths and bridleways).

The Chairman put it to a vote and it was agreed unanimously to object to this application on the above grounds.

Parracombe Parish Council reconsultation response 06/11/19 – The Chairman reported that he had looked into this application in some depth and had found out that there had been a breach of regulations in 2005 and in 2012 and that they had tried to remedy this but without success. He had received an email from the Planning department at ENP that stated – “They had had a look at the letter sent by the applicant for the above application. All seems factually correct from a planning perspective with the exception for the building in 2004. The letter is correct that the building was erected in the position agreed by David Wyborn but the application approved had the building in the incorrect location. This resulted in enforcement action being taken but did not include the relocated building. Therefore, no retrospective planning application was submitted and that their understanding is that no planning permission is in place for the building”. After discussion it was agreed that the Council felt they were not in a position to give a valued judgement in which to grant change of use for a building that has no planning consent and is a planning enforcement matter by ENP. It was agreed therefore to refer this planning application back to the ENP planning enforcement department as the Parish Council were not in a position to make any recommendations.

7.1

North Devon Council 04/09/19 – No observations.

Environment Agency initial response 09/09/19 – In the absence of a flood risk assessment (FRA), we object to this application. The reason for this position and advice is provided below.

Reason – Part of the application site is located within flood zones 2 and 3, indicated by Environment Agency flood maps as having medium to high probability of flooding. The National Planning Policy Framework states that an FRA must be submitted when development is proposed in such locations. An FRA is vital to making informed planning decisions. In its absence, the flood risks posed by the development are unknown. The site is also located adjacent to the Heddon River, classified as a main river at this location. Whilst the design and access statement correctly identifies that the proposed dwelling will be in flood zone 1, an area of low risk, the applicant needs to provide clarification as to whether there is operational development proposed for the track located within the flood zone. The applicant also needs to consider safe access and egress for the proposed holiday cottage unit and assess the potential risk to users during a flood event.

Overcoming our objection – To overcome our objection, the applicant should submit an FRA which demonstrates that the development is safe without increasing risk elsewhere. Where possible, it should reduce flood risk overall.

Environment Agency reconsultation response 14/10/19 – We have reviewed the applicants revised Flood Risk Assessment and we raise no objections to the proposal from the development and flood risk perspective.

ENPA Public Rights of Way Officer 08/11/19– Public footpath 250FP10 runs close to the development site and coincides with the proposed access to the site. The owner has already been in touch to request Highway Authority consent to concrete a short section of the public footpath where the access to the site diverts from it and this HA consent has been granted.

The conversion of the building to holiday accommodation will lead to a slight increase in the number of vehicular movements along the line of the public footpath but I consider that this will not have a great impact on users of the public footpath. Parts of the building may be visible to members of the public using the public footpath but I do not consider there will be any detrimental effect on their enjoyment of the public footpath as a result of this proposal.

It is important that the public footpath is kept clear and unobstructed at all times during the proposed works to the building – see below for standard advice for development in the vicinity of public rights of way.

ENPA Wildlife Officer 23/09/19 - The proposed works would pose a risk of disturbance through noise, light and vibration, injuring or killing bats (if undertaken

7.1

when bats are present) and is likely to result in damage/destruction of multiple roosting sites for species including lesser horseshoe, greater horseshoe, soprano pipistrelle and possibly brown long-eared bat. The proposed works would therefore require a European protected species licence (EPSL) from Natural England. An EPSL can only be applied for once planning permission has been granted.

All species of bats and their resting places are afforded strict protection under the Habitats Regulations 2017 and individuals from reckless and intentional disturbance under the Wildlife and Countryside Act (WCA) 1981 (as amended). I would therefore recommend that the following is conditioned given the scope for mitigation measures:

Prior to the commencement of any works a Bat Mitigation and Compensation Strategy, an ecological watching brief and a copy of the European protected species licence pre-commencement conditions are considered necessary as there is a need to protect the local bat population.

As the 'competent authority' under the Habitats Regulations we are obliged to assess the Favourable Conservation Status (FCS) of populations of European protected species affected by development as one of 'three tests' (The other two are consideration of alternatives and over-riding public interest).

Please attach the following informative in the event that birds are present within the building to be converted:

The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended).

Furthermore, as an enhancement and compensation measure, and in accordance with National Planning Policy Framework (NPPF), please apply the following conditions to any planning permission granted, to be captured within a landscape plan submitted to the LPA (and discharged through reviewing photographs of installed enhancements):

- 2x standard passerine bird nest boxes, purchased or built, shall be installed on the northern or eastern elevation of the converted building, or onto a mature tree on the site, at a height above 3 metres.
- 1x large open sided nest box, suitable for jackdaws, built to RSPB specifications, shall be installed on the northern or eastern elevation of the converted building or onto a mature tree on the site, at a height above 3 metres.

Representations

No public letters of representation have been received

Policy Context

Exmoor National Park Local Plan 2011 - 2031

GP1 - General Policy: Achieving National Park Purposes and Sustainable Development

CE-S1 - Landscape and Seascape Character

CE-D1 - Protecting Exmoor's Landscapes and Seascapes

CE-S2 - Protecting Exmoor's Dark Night Sky

CE-S3 - Biodiversity and Green Infrastructure

CE-S5 - Principles for the Conversion or Structural Alteration of Existing Buildings

CE-S6 - Design and Sustainable Construction Principles

RT-S1 - Recreation and Tourism

RT-D4 - Non-serviced Accommodation

RT-D12 - Access Land and Rights of Way

AC-D2 - Traffic and Road Safety Considerations for Development

AC-S3 - Traffic Management and Parking

AC-D3 - Parking Provision and Standards

The National Planning Policy Framework (NPPF) is also a material planning consideration.

Planning Considerations

The main material planning considerations are considered to be the principle of development, the design, scale and materials of the development and its impact on the landscape, biodiversity, neighbouring amenity, highway safety and public rights of way.

Principle of Development

Policy RT-D4 of the Exmoor National Park Local Plan 2011 - 2031 states that proposals for the change of use and conversion of buildings to non-serviced accommodation will be permitted where they:

- a) create additional unit(s) on an existing self-catering complex;
- b) accord with Clause 3(a) of Policy RT-D3 (Safeguarding Serviced Accommodation);
- c) reuse a redundant building associated with a hotel/guesthouse premises; or
- d) relate to the diversification of a rural land-based business, where the building is well-related to an existing grouping of buildings.

Parracombe Parish Council have suggested that the proposal is not compliant in principle with Policy RT-D4 of the Local Plan as in their view the building is not redundant. Officers would respectfully like Members to note that the building only has to be redundant if it is a building associated with a hotel/guesthouse business. Heddon Valley Mill is not a hotel/guesthouse and is actually more likely to comply with Clause (a) as an existing self-catering complex, as explained below. There is no requirement for the building to be redundant under Clause (a). This aside, the applicant has explained that part of the building would be retained for storage and all

other items and activities would be accommodated within buildings elsewhere on the property.

The preamble to the policy (Paragraph 8.38) states that there are circumstances where self-catering complexes (a property where there is more than one holiday let unit with a holiday occupancy condition) may be permitted to expand, through the conversion of existing buildings to create additional units.

The planning history for the site indicates that there are four self-catering units that are conditioned as holiday letting accommodation, Meadow and Leat Stream (planning permission reference 62/50/01/008) and Waterside and Granary Cottage (planning permission reference 62/50/07/006). The planning history for the site confirms that the Heddon Valley Mill is a self-catering complex. As such, the principle of providing an additional holiday letting unit at the property would be compliant with Clause (a) of Policy RT-D4.

The main question is whether the application building is part of the complex of self-catering accommodation. The building is situated away from the building group of the self-catering units and the applicant's dwelling. However, it is noted that the application building is only accessed via the same drive as the rest of the property. It is also noted that Condition 3 of the 2004 planning permission (planning permission reference 62/50/04/006) only allows the building to be used for purposes associated with the holiday letting units, the applicant's dwelling and the wider holding. As such, it is considered that the building is integral to the wider self-catering complex that functions from Heddon Valley Mill. It therefore follows that the proposed conversion of the building does constitute an additional unit on an existing self-catering complex. The proposed development is therefore policy compliant in principle, subject to other material planning considerations being satisfied.

Design, Scale and Materials & Impact on Landscape

Policy CE-S6 of the local plan encourages the use of traditional, natural and sustainable materials to ensure that the appearance of new development conserves and enhances the quality and character of the built.

Policies CE-S1 and CE-D1 of the Local Plan seek to conserve, enhance and protect Exmoor's landscapes and seascapes. Policy CE-D1 states that development will be permitted where it can be demonstrated that it is compatible with the conservation and enhancement of Exmoor's landscapes and seascapes.

The proposed conversion does not include the increase in the physical massing and footprint of the building. It does include the insertion of additional openings. However, these openings are discretely placed on elevations that are not overtly visible to the public and they are considered to be in keeping in terms of their size and construction material (timber). Other than the four new well-proportioned windows and the new pair of double doors, the proposed development would make use of existing openings. This is taking into account that there is more scope for external alteration

due to the non-traditional appearance of the building and its limited historical interest. This also leads Officers to consider that the modest Juliette balcony on another discrete elevation is acceptable as well. This is subject to the balcony being constructed from suitable materials, such as timber or black painted metal balustrading. Overall, the proposed development is considered to be a sensitive conversion of this modern non-residential building.

The fact that there would be no physical increase in massing or footprint of the building, and that the conversion itself is considered to be acceptable, Officers consider that there would not be material harm to the character and appearance of the landscape as a result of the proposed development. This is subject to a condition being attached that removes permitted development rights for additional development to take place to the building and the land around it, and a further condition requiring a sample of the patio surface to be submitted prior to installation.

Impact on Biodiversity

Policy CE-S3 of the Local Plan relates to biodiversity and green infrastructure and states that the conservation and enhancement of wildlife, habitats and sites of geological interest within the National Park will be given great weight.

The Authority's Wildlife Officer has advised that the proposed development would pose a risk of disturbance through noise, light and vibration, injuring or killing bats (if undertaken when bats are present) and is likely to result in damage/destruction of multiple roosting sites for species including lesser horseshoe, greater horseshoe, soprano pipistrelle and possibly brown long-eared bat. The proposed works would therefore require a European Protected Species Licence (EPSL) from Natural England. An EPSL can only be applied for once planning permission has been granted. All species of bats and their resting places are afforded strict protection under the Habitats Regulations 2017 and individuals from reckless and intentional disturbance under the Wildlife and Countryside Act (WCA) 1981 (as amended). The Wildlife Officer has therefore recommended pre-commencement conditions that require the submission of a Bat Mitigation and Compensation Strategy and a copy of the EPSL in the interests of the strict protection afforded to European protected species.

As the 'competent authority' under the Habitats and Species Regulations 2017, the Local Planning Authority are obliged to assess the Favourable Conservation Status (FCS) of populations of European protected species affected by development as one of 'three tests' (The other two are consideration of alternatives and over-riding public interest).

The three tests are:

- Regulation 55(2)(e) states: a licence can be granted for the purposes of "preserving public health or public safety or other imperative reasons of overriding public interest

including those of a social or economic nature and beneficial consequences of primary importance for the environment”.

- Regulation 55(9) (a) states: the appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”.

- Regulation 55(9) (b) states: the appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”.

With regards to the first test, it is considered that the proposed development would see a long term viable use of the application building that would create additional income for the self-catering business that runs from the property. Given the positive input self-catering accommodation can have on the socio-economic tourist industry on Exmoor and the additional income this would create to help keep this particular self-catering complex viable, which contributes to the local tourism trade, it is considered that the proposed development would have an overriding public interest of a social and economic nature. As such, the first test is considered to be satisfied.

Policy RT-D4 only permits the creation of holiday letting accommodation through the conversion of an existing building. The policy specifically states that holiday letting accommodation shall not be provided thorough the erection of a new building. Given that the application building is the only available building at the property for conversion, it is considered that there is no satisfactory alternative and that the second test has been satisfied.

For the third test, it is the Wildlife Officer’s consideration that it is likely that other sites within the area will support a similar suite of bat species and that a Bat Mitigation and Compensation Strategy would mitigate and compensate for roosting provision lost when carrying out the proposed development. It is considered that with suitable mitigation measures a favourable conservation status would be maintained, and that the third test has been satisfied.

In respect of nesting birds, the Wildlife Officer has recommended the attachment of an informative that would draw the attention of the applicant, and their contractors, to the potential for nesting birds and action to take should nesting birds be discovered. In addition, as an enhancement and compensation measure, and in accordance with National Planning Policy Framework (NPPF), the Wildlife Officer has recommended the attachment of a condition requiring the installation of nesting provision for birds.

Impact on Neighbouring Amenity

Policy GP1 of the Local Plan states that particular attention will be paid to the impact on the amenities of local residents or occupiers of neighbouring properties. Policy CE-S6 states that development should not detrimentally affect the amenities of surrounding properties and occupiers including overlooking, loss of daylight, overbearing appearance, or other adverse environmental impacts.

Parracombe Parish Council have raised a concern that the proposal would impact negatively on the owner of neighbouring land.

Heddon Valley Mill sits in an isolated position within the open countryside. It is surrounded by woodland and agricultural land, and there are no neighbouring properties near the application site. The nearest residential property is Higher Bumsley on the opposite side of the valley. The neighbouring land to the north east is a part of the wider woodland and is not a private amenity space akin to someone's garden. As such, Officers consider that the proposed development would not have a material impact on neighbouring amenity as a result of overbearing, overlooking or loss of light.

Impact on Highway Safety

Policies AC-S3, AC-D2 and AC-D3 of the Local Plan relate to traffic management and road safety considerations.

Policy AC-S3 states that the approach to traffic management on Exmoor will take into account the needs of all users including pedestrians, walkers, cyclists, horse-riders, and disabled people and that the Exmoor Route Network will form the framework for traffic management in the National Park.

Policy AC-D2 states that in the determination of proposals for development the Exmoor Route Network will be considered to ensure that the capacity of the roads serving developments is adequate for the traffic likely to be generated. Policy AC-D2 also states that development which will cause unacceptable levels of traffic in terms of the environmental or physical capacity of the local road network, or would prejudice road safety interests, will not be permitted.

Policy AC-D3 states that proposals will be permitted where they make appropriate provision for parking and are guided by the standards set out in Table 9.1. Policy AC-D3 also states that parking provision should take into account environmental constraints, be well designed and integrated with a high quality environment.

Parracombe Parish Council have raised a concern that the proposal would cause highway safety issues.

The application site, and the property as a whole, is accessed via a single width access drive. No other properties are accessed via this drive. There would be an increase in traffic movements along the access and an increase in use of the junction with the public highway. However, there is considered to be sufficient visibility splays at the junction to accommodate the increase in vehicle movements. In addition, the increase in vehicle movements to and from the property are not considered to be to a level that would compromise the safety of the local road network leading to and from the Heddon Valley, when taking into account the number of dwellings already located at Heddon Valley Mill. There is also considered to be sufficient space adjacent to the application building to accommodate vehicles parked at the site and also turn them

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within the confines of the site, without them manoeuvring on the nearby public right of way. The proposed development is not considered to cause material harm to highway safety.

Impact on Public Rights of Way

Policy RT-D12 of the Local Plan states that the access network will be safeguarded by ensuring that development proposals will not adversely affect a) the condition of the access network, b) users' interests and c) character and appearance.

Parracombe Parish Council have raised a concern that the proposal would cause harm to the users of a nearby public right of way.

The Authority's Public Rights of Way Officer has considered the proposal as the access to the application site is shared with Public footpath 250FP10. The Officer has advised that the applicant has already been in touch to request Highway Authority consent to concrete a short section of the public footpath where the access to the site diverts from it and this HA consent has been granted.

In terms of the proposal itself, the Public Rights of Way Officer has stated that the conversion of the building to holiday accommodation will lead to a slight increase in the number of vehicular movements along the line of the public footpath but it is considered that this will not have a great impact on users of the public footpath.

Taking these comments into account, it is considered that there would not be any detrimental effect on the public's enjoyment of the public footpath as a result of this proposal.

Other Matters

The application building is on higher ground outside Flood Zones 2 and 3. However, part of the access to the site is within these designations. The Environment Agency initially objected to the application due to there being no flood risk assessment present with the application papers. The applicant subsequently provided a flood risk assessment that the Environment Agency reviewed and then they removed their objections to the development and flood risk perspective. It is considered that the flood risk assessment demonstrates that the development would be safe without increasing risk elsewhere.

Human Rights

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Conclusion

Officers have taken the comments of Parracombe Parish Council into account. However, it is considered that the proposal does comply in principle with Policy RT-

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D4 of the Local Plan as an existing building that is related to an existing self-catering complex. Officers also consider that for the reasons set out above the proposal is acceptable in terms of the manner of conversion and its wider impact on other material considerations, such as the landscape, highway safety and biodiversity. It is therefore concluded that the proposed development is acceptable and in accordance with the relevant development plan policies. Officers therefore recommend that the application be approved, subject to appropriate conditions.

Recommendation

Approved subject to:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out strictly in accordance with the approved Location Plan and Site Plan, dated stamped by the Local Planning Authority on 3rd September 2019, and the approved plans stamped by the Local Planning Authority as "FILE No. 8", "FILE No. 9" and "FILE No. 10", all of which were date stamped by the Local Planning Authority on 24th September 2019.

Reason: To ensure a satisfactory standard of development in the interests of amenity.

3. No works associated with this planning permission shall be commenced unless a copy of a European Protected Species Licence has been submitted to the Local Planning Authority and the Local Planning Authority have confirmed receipt of the licence in writing.

Reason: Pre-commencement condition in the interests of the strict protection afforded to European protected species.

4. Prior to the commencement of the development hereby approved, a Bat Mitigation and Compensation Strategy comprised of timing of works and number, type and location of roost compensation features, shall be submitted to, and approved in writing by, the Local Planning Authority. The Strategy shall be based on up to date survey information of potential roost sites.

The mitigation measures shall include provision of alternative roosting provision for bats, measures to minimise any potential disturbance to

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acceptable levels and measures to maintain the favourable conservation status of the species present. Recommended mitigation measures include carrying out works under an ecological watching brief and providing retained and/or alternative roosting provision for lesser horseshoe, greater horseshoe and soprano pipistrelle within the converted dwellings.

Under no circumstances shall a breathable roofing membrane (BRM) be used to line the roof of the approved self-catering holiday let as the long fibres that make up BRMs have a tendency to be pulled out by roosting bats and pose an entanglement threat to them.

Reason: Pre-commencement condition in the interests of the strict protection afforded to European protected species.

5. Prior to installation, samples/details of the patio shown on the approved plans shall be submitted to, and approved in writing by, the Local Planning Authority. The patio shall only be installed in accordance with the approved samples/details, and shall be retained as such thereafter.

Reason: In the interests of the satisfactory appearance of the development upon completion.

6. All new windows and doors installed in the building, and any replacement windows or doors, shall only be constructed from natural timber, and shall be retained as such thereafter.

Reason: In the interests of the satisfactory appearance of the development upon completion.

7. The rooflights to be installed in the roof of the self-catering holiday let hereby approved shall only be conservation style rooflights and they shall be fitted so they are flush with the outer surface of the roof plane. The rooflights shall be retained as such thereafter.

Reason: In the interests of the satisfactory appearance of the development upon completion.

8. The external walls of the self-catering holiday let hereby approved shall be retained in natural timber boarding and natural stone, and the roof shall be retained in natural slate. No other materials shall be used in external works to the building at any point in time.

Reason: To ensure that the character and appearance of the building is retained in the long term through the retention of natural and sustainable construction materials.

9. Prior to first occupation of the self-catering holiday let hereby approved, the following ecological enhancement measures shall be carried out:

- The installation of 2 no. standard passerine bird nest boxes shall be installed at a height exceeding three metres above adjacent ground level on the northern or eastern elevation of the application building; and
- The installation of 1 no. open sided nest box, suitable for jackdaws, shall be installed at a height exceeding three metres above adjacent ground level on the northern or eastern elevation of the application building.

Reason: To ensure the proposal meets the requirement within the National Planning Policy Framework 2018 (NPPF), allowing the development to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

10. The holiday letting unit hereby approved shall not be used otherwise than for the provision of short let holiday accommodation. The properties shall not be occupied as permanent dwellings and shall not be occupied by any person for a period exceeding 28 days in any calendar year. The owner or operator shall maintain a register of occupants for each calendar year. This shall be made available on request for inspection by any duly authorised officer of the Local Planning Authority.

Reason: To ensure that the development is occupied as holiday accommodation thereby according with the policies of the Development Plan, protecting the amenities of the area and promoting the local economy.

11. The holiday letting unit hereby approved shall not be used other than in accordance with Condition 10 above and in conjunction with Heddon Valley Mill. The holiday unit hereby approved shall not be sold or otherwise disposed of separately from Heddon Valley Mill, which is within the blue line on the approved Location Plan.

Reason: To confirm the terms of the permission and to ensure that the holiday unit is retained as part of a self-catering holiday let complex in accordance with Policy RT-D4 of the Exmoor National Park Local Plan 2011 – 2031.

12. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting those Orders with or without modification), the following development shall not be carried out without the prior written consent of the Local Planning Authority:

- The enlargement or extension of the application building;
- The alteration of the external fabric of the building (such as alterations to the external walls or roof slopes and/or the installation or replacement of windows or doors);

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- The installation of flues, vents or chimneys;
 - The installation of renewable energy systems;

Reason: To allow the Local Planning Authority to formally consider the impact of further works to the application building, in the interests of conserving the character and appearance of the building.

13. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting those Orders with or without modification), no external lighting shall be installed on the self-catering holiday let hereby approved unless details have first been submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter be installed and operated fully in accordance with the approved scheme.

Reason: In the interests of visual amenity, the conservation of protected species and habitats and to protect Exmoor's dark night sky.

Informatives

Monitoring of Development

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email plan@exmoor-nationalpark.gov.uk.

Conditions and Informatives and the Submission of Further Details

Please check all the conditions and informatives attached to this Decision Notice. If there are any conditions which require submission of details and/or samples prior to work commencing on site it is vital that these are submitted and agreed in writing by the Local Planning Authority before work starts. Given the High Court's interpretation of the Planning Acts and their lawful implementation it is unlikely that the Local Planning Authority will be able to agree to a sample/details after the commencement of works if that sample/details should have been approved prior to commencement. If a sample/detail is not agreed as required prior to commencement and works have started then it is likely that this matter may only be able to be rectified by the submission of another application. To avoid delay, inconvenience and the need to

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submit a further application, please ensure that all appropriate details/samples are submitted and agreed at the specified time.

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications on an informal basis.

The Department of Communities and Local Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission. This can deal with changes to plans which do not fundamentally alter the form of permission but are a variation to the approval. The appropriate form is available by request at Exmoor House or by downloading from the National Park Authority web site. Applications can be made via the Planning Portal.

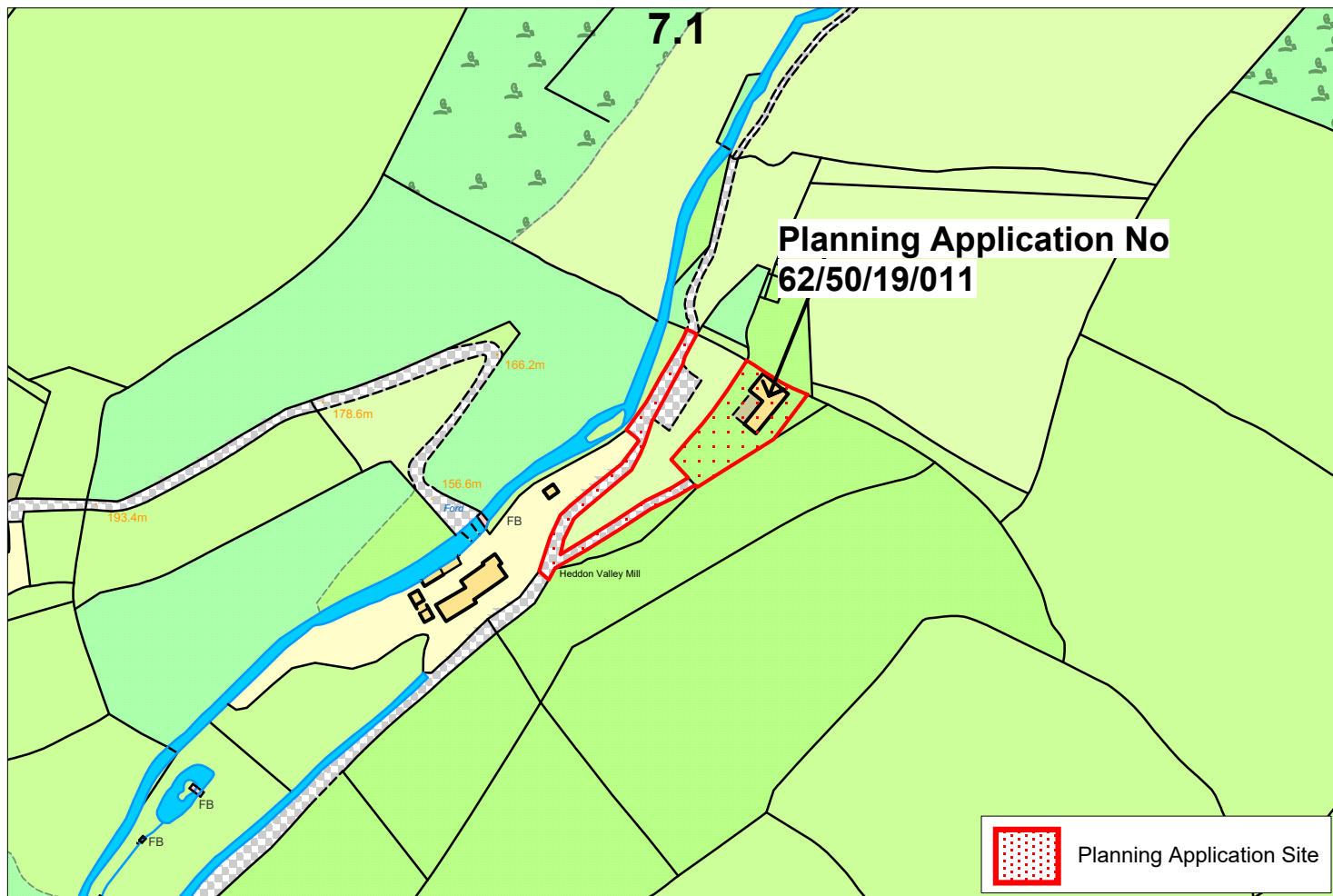
Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

Advisory Note – Nesting Birds

The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

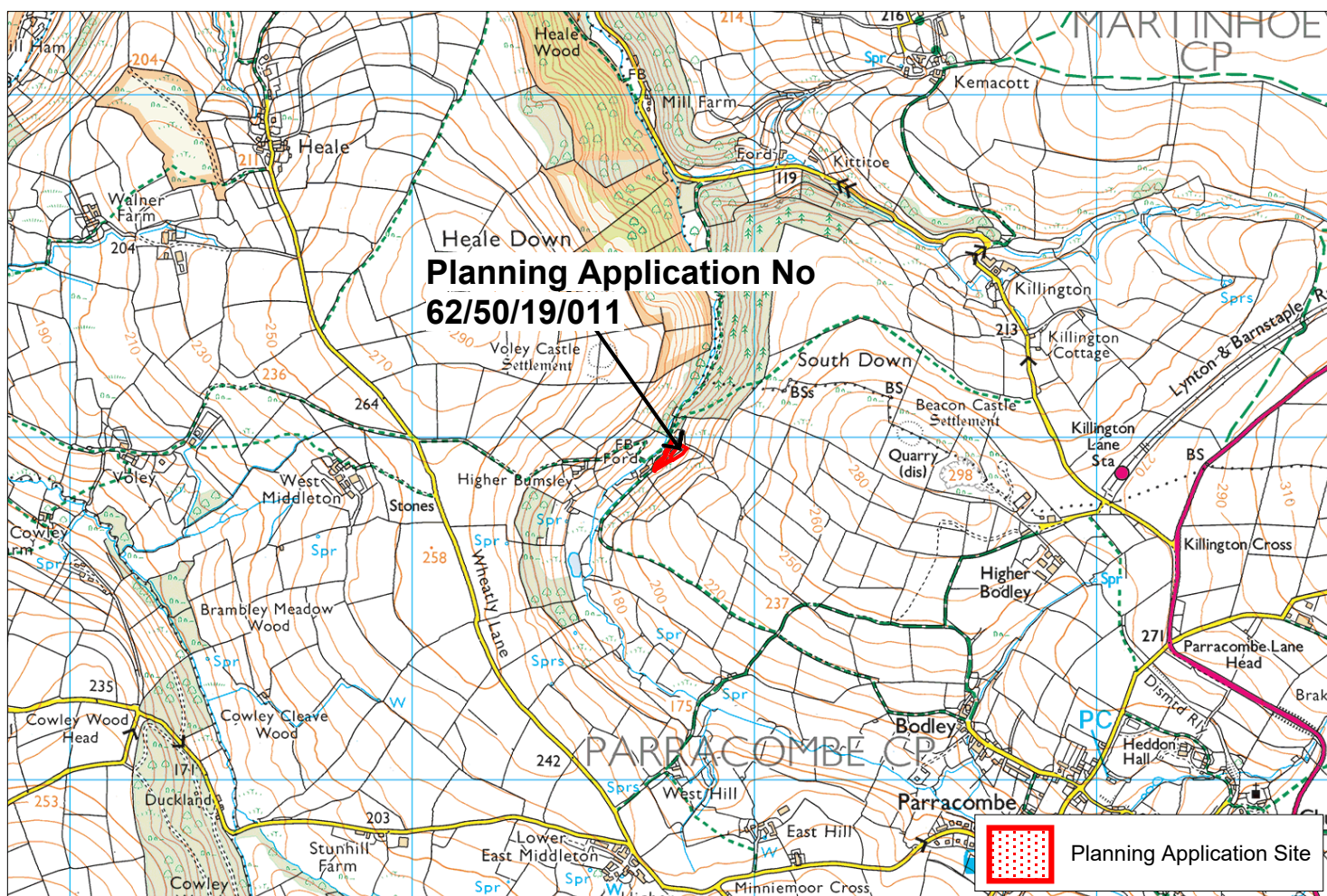
Statement of Engagement

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National Park Authority has endeavoured to work positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed to achieve a positive outcome.



Site Map
1:2500

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Overview Map
1:20000

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Committee Report

Application Number:	62/41/19/028
Registration Date:	19-Sep-2019
Determination Date:	28-Oct-2019
Applicant	Mr D Barnett
Agent:	Staddons Architectural Services
Case Officer:	Kieran Reeves
Site Address:	Woodside Bridge, Watersmeet Path, Lynmouth, Devon
Proposal:	Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for the proposed replacement of footbridge. As per Additional Information.
Recommendation:	Approve with conditions

Relevant History

62/41/93/010 – Replacement of bridge with new timber super structure using existing buttresses – Approved on 13/04/1993

NE 241 – Proposed footbridge – Approved on 02/04/1959

Site Description & Proposal

This application comes before Members under the adopted Scheme of Delegation as the application has been submitted by Exmoor National Park Authority.

Planning permission is sought for the reinstatement of a footbridge over the East Lyn River near Lynmouth. The previous footbridge was erected in the 1990s but was removed in 2016 after it fell into disrepair. The footbridge would connect two public rights of way that are on opposite sides of the river, one of which provides access to Watersmeet House from Lynmouth.

The proposed footbridge would consist of a steel frame that would be clad in oak. The posts and rails of the handrail would be constructed from oak, as would the decking across the bridge. Stone walls would be constructed either side of the paths leading up to the bridge on both sides of the river.

Consultee Representations

Natural England 03/10/19 – As the Competent Authority, Exmoor National Park Authority is required to conduct a Habitat Regulations screening to determine the

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significance of impacts on European sites and the scope for mitigation and to demonstrate that the requirements of Regulations 63 and 64 of The Conservation of Habitats and Species Regulations 2017 have been considered by your authority.

European sites - the Exmoor and Quantock Oakwoods Special Area of Conservation (SAC)

The development is within the Exmoor and Quantock Oakwoods SAC. As the competent authority under the provisions of the Habitats Regulations, Exmoor National Park Authority should have regard for any potential impacts that a plan or project may have on the SAC.

Taking a precautionary approach, your authority should conduct a Habitat Regulations Assessment to determine whether the proposal is likely to have a significant effect on the Exmoor and Quantock Oakwoods SAC proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England is a statutory consultee at the Appropriate Assessment stage.

The Conservation Objectives for the Exmoor and Quantocks Oakwoods SAC explain how the site should be restored and/or maintained

Watersmeet Site of Special Scientific Interest (SSSI)

Based on the information provided, the development is unlikely to have a significant impact on the features for which the SSSI (at Watersmeet) is notified due to the scale and duration of the proposal.

The greatest risk will be during construction and a construction environment management plan (CEMP) should include all measures to protect the natural environment during construction, ensure appropriate reinstatement of ground post development and ensure all contractors working on site are made aware of the Watersmeet SSSI in relation to the development site.

ENPA Wildlife Officer 12/11/19 – Further to the basic recommendations made within the assessment, the following informative/condition to the works/permission are recommended:

- No vegetation removal works around the site shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of any trees, ivy, shrubs, scrub and marginal and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on

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site. Any such written confirmation should be submitted to the local planning authority.

Reason: Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended). Although this is a legal obligation the law does not specify a time period – some species can breed outside the time frame given.

Environment Agency 09/10/19 – No objection to the works as no alterations are being made to the bridge abutments either side of the river. It is also noted that this is a like-for-like replacement with no change in height of the bridge deck above the base of the river bed.

Devon County Council Flood Risk Management 24/09/19 – No in-principle objections to the above planning application, from a surface water drainage perspective, at this stage.

Exmoor Rivers and Streams Group 03/10/19 – No objection to this application.

Lynton and Lynmouth Town Council 09/10/19 – Support the application. This fulfils the criteria for Exmoor National Park Local Plan, Policy GP1 - Achieving National Park Purposes and Sustainable Development.

Representations

No public letters of representation have been received.

Policy Context

Exmoor National Park Local Plan 2011 - 2031

GP1 - General Policy: Achieving National Park Purposes and Sustainable Development

CE-S1 - Landscape and Seascape Character

CE-D1 - Protecting Exmoor's Landscapes and Seascapes

CE-S3 - Biodiversity and Green Infrastructure

CE-S6 - Design and Sustainable Construction Principles

CC-D1 - Flood Risk

RT-D12 – Access Land and Rights of Way

The Lyn Plan 2013 - 2028

P1 - Overall Objectives for New Development

ENV1 - Location of Development & Enhancement of the Local Environment

The National Planning Policy Framework (NPPF) is also a material planning consideration.

Planning Considerations

The main material planning considerations in the case of this application are the principle of the development, the design, scale and materials of the development, and its impact on the landscape, biodiversity and neighbouring amenity.

Principle of Development

There has been a footbridge at this location since the late 1950s when planning application reference NE 241 was approved. The original bridge was then replaced in the 1990s under planning application reference 62/41/93/010. This second bridge fell into disrepair and was removed in 2016.

Exmoor National Park Authority and the Lyn Development Community Trust have been campaigning to raise funds for a new footbridge since 2017.

The northern edge of the river that the bridge would span the East Lyn accommodates public footpath 241FP19, which leads from Lynmouth to Watersmeet, and the southern edge of the river accommodates public footpath 241FP41, which provides access to Middleham Gardens from Lynmouth, but currently results in a dead end due to the missing bridge.

The proposed replacement bridge would re-connect the two public rights of way on opposite sides of the river that had been connected together since the 1950s. It would allow a more convenient public access route along the downstream stretch of the East Lyn River by facilitating movement from Watersmeet or the parking area at the end of Tors Road to Middleham Gardens, which currently requires a circuitous route using bridges further downstream.

Given the history of a footbridge across this part of the river and the benefit it would bring to the community and visitors using the rights of way network, it is considered by Officers that the proposed erection of the replacement footbridge is acceptable in principle, subject to other material considerations being satisfied.

Design, Scale and Materials

Policy CE-S6 of the Local Plan encourages the use of traditional, natural and sustainable materials to ensure that the appearance of new development conserves and enhances the quality and character of the built environment.

The footbridge would be constructed off the existing abutments. The bridge would be constructed from steel beams clad with oak, together with oak posts, rails and decking. At both ends of the bridge, stone walls would be constructed on both sides of the paths leading up to the bridge. The stone would be a local stone and the walls would be constructed to a height of 900mm with Cock and Hen stone coping. These walls would be constructed upon the abutments. The design and materials of the development are considered to be acceptable and compliant with the requirements of

the Local Plan. The scale is also considered to be acceptable as it would not be larger than the previous bridge and would be sized to meet the need for pedestrian access only across the river.

Impact on Landscape

Policies CE-S1 and CE-D1 of the Local Plan seek to conserve, enhance and protect Exmoor's landscapes and seascapes. Policy CE-D1 states that development will be permitted where it can be demonstrated that it is compatible with the conservation and enhancement of Exmoor's landscapes and seascapes.

The application site lies within Landscape Character Type B – High Wooded Coasts, Combes and Cleaves. The site is noted for its tranquil setting and nearby footpaths that provide users with a quiet and undeveloped landscape to enjoy. The Local Planning Authority typically seeks to restrict development away from developed areas such as settlements. However, this proposed development utilises existing built form that has remained following the removal of a similar structure approximately three years ago. In addition, it is considered that there is significant public benefit from erecting the footbridge would enhance the public rights of way in the local area and the bridge would be constructed in a manner that would be reflective of its setting with the finishing materials consisting of timber and local stone. Overall, it is considered that there would be a degree of harm to the landscape as a result of erecting a bridge in this open countryside location. However, the fact that the development is the replacement of a previous bridge, it utilises remaining built form of that bridge and it is designed and finished in a manner that is sympathetic to its surroundings lowers the harm that would be caused. When taking into account the significant public benefit, it is considered that the level of harm caused to the landscape when taking into account all factors would be outweighed.

Impact on Biodiversity

Policy CE-S3 of the Local Plan relates to biodiversity and green infrastructure and states that the conservation and enhancement of wildlife, habitats and sites of geological interest within the National Park will be given great weight.

The application site is within the Exmoor and Quantock Oakwoods Special Area of Conservation (SAC). Natural England have advised that as the Competent Authority, Exmoor National Park Authority is required to conduct a Habitat Regulations screening to determine the significance of impacts on European sites and the scope for mitigation and to demonstrate that the requirements of Regulations 63 and 64 of The Conservation of Habitats and Species Regulations 2017 have been considered by the Authority.

The Authority have carried out a Habitats Regulations Assessment and the assessor (the Authority's Wildlife Officer) has concluded that the proposed development would not have an adverse effect on the integrity of the SAC. This is subject to the attachment of conditions that are already covered in the documentation submitted with the application papers and that is discussed later in this report. An additional

condition is recommended that restricts vegetation removal around the site to outside the bird nesting season.

The application site is also within the Watersmeet Site of Special Scientific Interest (SSSI). This SSSI is notified predominantly for its woodland interest. Based on the information provided, Natural England has advised that the development is unlikely to have a significant impact on the features for which the SSSI is notified due to the scale and duration of the proposal. The development will make use of the existing concrete supports on the river banks to support the new footbridge, the stone walls will be constructed on the existing abutment/steps foundation and access to site will be via existing hard tracks.

The greatest risk will be during construction and a Construction Environment Management Plan (CEMP) should include all measures to protect the natural environment during construction, ensure appropriate reinstatement of ground post development and ensure all contractors working on site are made aware of the Watersmeet SSSI in relation to the development site.

A Management System Plan and an Environmental Risk Assessment have already been submitted with the application papers, and a condition should be attached that requires compliance with these documents, together with a requirement for all contractors working on site to be made aware of the Watersmeet SSSI in relation to the development site.

Impact on Neighbouring Amenity

Policy GP1 of the Local Plan states that particular attention will be paid to the impact on the amenities of local residents or occupiers of neighbouring properties. Policy CE-S6 states that development should not detrimentally affect the amenities of surrounding properties and occupiers including overlooking, loss of daylight, overbearing appearance, or other adverse environmental impacts.

The proposed footbridge would not be located near to a residential property and the distance to the nearest property is considered to be sufficient to prevent harm to neighbouring amenity as a result of overbearing, overlooking, loss of light or noise.

Other Matters

The site for the footbridge spans a main river and lies within Flood Zones 2 and 3. The Environment Agency have been consulted and they have advised that they have no objection to the works as no alterations are being made to the bridge abutments either side of the river. They have also noted that this is a like-for-like replacement with no change in height of the bridge deck above the base of the river bed.

The Lead Local Flood Authority (LLFA) at Devon County Council have advised that as the proposal is to reinstate the Woodside Bridge located on the East Lyn near Lynmouth, the proposed work will not cause any increase in surface water runoff or flood risk and the LLFA, therefore, raise no objections to the proposed development.

Exmoor Rivers and Streams Group have confirmed that they have no objections either.

Human Rights

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Conclusion

The proposal to reinstate a footbridge that has been present over this section of the East Lyn since the late 1950s, and which is a vital link between two public rights of way, is considered to be an acceptable and compliant proposal in principle. The design, scale and materials of the bridge are considered to keep any impact to the landscape from being materially harmful, and with careful conditioning, the biodiversity interests around the site (SAC and SSSI) are considered to be at least conserved.

For the reasons outlined above the proposed development is considered acceptable and in accordance with the relevant development plan policies. Officers therefore recommend that the application be approved, subject to appropriate conditions.

Recommendation

Approve subject to:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out strictly in accordance with drawing numbers SAS280 02, SAS280 03, SAS280 04, SAS280 05, SAS280 06 and SAS280 07, date stamped by the Local Planning Authority on 19th September 2019.

Reason: To ensure a satisfactory standard of development in the interests of amenity.

3. No vegetation removal works within, and adjacent to, the application site shall take place between 1st March and 31st August inclusive, unless an ecologist has undertaken a careful, detailed check of any trees, ivy, shrubs, scrub and

marginal and tall ruderal vegetation, which are to be cleared, for active birds' nests immediately before clearance works proceed and provided written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Reason: Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended).

4. The development hereby approved shall not be carried out other than in accordance with the Management System and Environmental Risk Assessment documents submitted with the application.

In addition to complying with the Management System and Environmental Risk Assessment documents, a tarpaulin shall be temporarily placed under the new bridge and over bankside vegetation to prevent any cut vegetation, debris or materials entering the watercourse. Tarpaulins shall be removed immediately after completion of works, and when leaving the site overnight.

Prior to works commencing on site, all contractors involved in the works associated with the approved development shall be made aware of requirements of this condition and that the site lies within the Exmoor and Quantock Oakwoods Special Area of Conservation and Watersmeet Site of Special Scientific Interest.

Reason: To protect the environment and the features of the Exmoor and Quantock Oakwoods Special Area of Conservation and Watersmeet Site of Special Scientific Interest that they are designated for.

5. Prior to construction of any stone walls associated with the development hereby approved, a sample panel measuring at least 0.5 metre by 1 metre, using a pre-approved facing stone and demonstrating the proposed coursing, mortar mix and pointing detail, shall be constructed on site. The construction of any stone walls shall not commence until a sample panel is approved in writing by the Local Planning Authority. The stone walls shall then be constructed in accordance with the approved sample panel and retained as such thereafter.

Reason: In the interests of the satisfactory appearance of the development upon completion.

Informatives

Monitoring of Development

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning

condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email plan@exmoor-nationalpark.gov.uk.

Conditions and Informatives and the Submission of Further Details

Please check all the conditions and informatives attached to this Decision Notice. If there are any conditions which require submission of details and/or samples prior to work commencing on site it is vital that these are submitted and agreed in writing by the Local Planning Authority before work starts. Given the High Court's interpretation of the Planning Acts and their lawful implementation it is unlikely that the Local Planning Authority will be able to agree to a sample/details after the commencement of works if that sample/details should have been approved prior to commencement. If a sample/detail is not agreed as required prior to commencement and works have started then it is likely that this matter may only be able to be rectified by the submission of another application. To avoid delay, inconvenience and the need to submit a further application, please ensure that all appropriate details/samples are submitted and agreed at the specified time.

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications on an informal basis.

The Department of Communities and Local Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission. This can deal with changes to plans which do not fundamentally alter the form of permission but are a variation to the approval. The appropriate form is available by request at Exmoor House or by downloading from the National Park Authority web site. Applications can be made via the Planning Portal.

Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

Statement of Engagement

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National Park Authority has endeavoured to work positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all

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relevant planning considerations have been appropriately addressed to achieve a positive outcome.



Committee Report

Application Number:	6/9/19/124LB
Registration Date:	29-Oct-2019
Determination Date:	06-Dec-2019
Applicant	Mr M Harley
Agent:	
Case Officer:	Kieran Reeves
Site Address:	Exmoor House, Dulverton, Somerset
Proposal:	Application Under Regulation 3 of The Town & Country Planning General Regulations 1992 for Listed Building Consent for the installation of insulation and dry lining of storage building together with works to remedy water ingress. Retrospective.
Recommendation:	Approve with conditions

Relevant History

None applicable

Site Description & Proposal

This application comes before Members under the adopted Scheme of Delegation as the application has been submitted by Exmoor National Park Authority.

Listed building consent is sought for the retention of works carried out without the relevant consent in place. The works have included external and internal works to an attached outbuilding at Exmoor House.

Exmoor House is a Grade II listed former workhouse. It was completed in 1855 and was designed to hold 100 men, women and children. The exterior is finished in random rubble stone under natural slate roofs. The building was converted in the early 20th Century.

The outbuilding in question is located in the rear car park. A floor plan from the mid-19th Century shows that the outbuilding was used as a "Dead House" (mortuary). It is constructed off the perimeter wall of the site and has a mono-pitched roof finished in natural slate. The external walls are finished in random rubble stone.

The external works have involved the removal of a section of the perimeter wall above the outbuilding and its reconstruction to address water ingress. Insulation has been installed under the slate roof and the interior of the building has been dry lined.

Please note that at the time of writing this report the consultation period for the application has not expired. Any comments received after the publication of this report shall be provided to Members at the December Committee meeting.

Consultee Representations

ENPA Historic Buildings Officer – As the installation of the dry lining alters the character, appearance and size of the room it was deemed necessary for a Listed Building Consent to be submitted. Dry lining is a commonly used means of creating a void to the internal face of solid walls which can be insulated, or as a way to hide internal damp to walls. The works are reversible and do not cause harm to the fabric of the building.

The works to the roof and the wall capping to the rear of the store was required to prevent water ingress and does not cause harm to the fabric of the building. The wall has been rebuilt to match its previous appearance. This was felt to be a maintenance issue that would not normally require LBC but was included in the application at my request to formalise the works.

Recommend approval.

ENPA Wildlife Officer – The photos within the case file and the assessment made by Helix Ecology and description made by Ali Hawkins indicate that the building previously had moderate to low potential to support bat roost. However, based on a letter from Helix Ecology that was submitted with the application papers, it is advised that is reasonable to conclude that the storage building did not previously support bats and their roosts.

Somerset County Council Highway Authority – No observations.

Representations

No public representations received

Policy Context

Exmoor National Park Local Plan 2011 – 2031

CE-S4 - Cultural Heritage and Historic Environment

CE-D3 - Conserving Heritage Assets

A Listed Building application and proposed works must be considered under the Planning (Listed Buildings and Conservation Areas) Act 1990. In particular regard under Section 16 the Local Planning Authority has a statutory duty to have special

regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses.

The National Planning Policy Framework (NPPF) is also a material planning consideration.

Planning Considerations

Exmoor House is a Grade II listed building and therefore the main consideration for this listed building application is the impact of the retrospective works on the historic significance of this designated heritage asset.

Exmoor National Park Authority have various areas of the building at Exmoor House that are utilised for storage but it was considered that this previously unused small part of the building (the outbuilding) was serving little purpose in its previous state and could be utilised for additional dry storage in light of the ongoing demand for storage at the Authority. This outbuilding had been used for occasional storage for the last 15 years but to realise its full potential the problem with water ingress needed to be addressed to allow a more wide range of storage potentials, for example, the storage of files. It is considered by Officers that the works that have been carried out to provide a more useful and long term use for this part of the building has been sufficiently justified to comply with the requirements of Paragraph 194 of the National Planning Policy Framework (NPPF).

The works have included external works, such as the removal of a section of perimeter wall along the top of the outbuilding, the insertion of a full-width lead tray and the reconstruction of the section of perimeter wall. The slate roof covering of the outbuilding has also been removed, insulation has been inserted between the rafters and then the slate has been reapplied with new felt and battens underneath. These works have addressed the water ingress issue that was previously occurring. The outbuilding has also had dry lining installed internally. These internal works, together with the roof insulation should help to prevent internal issues from condensation.

The Historic Buildings Officer has advised that the works to install dry lining are reversible and do not cause harm to the fabric of the building. It is also advised that the works to the roof and the wall capping to the rear of the store was required to prevent water ingress and also does not cause harm to the fabric of the building as the wall has been rebuilt to match its previous appearance. The Historic Buildings Officers has recommend approval.

The works that have been carried out are considered to have been done so in a manner that is sympathetic to the character and appearance of the listed building.

Without these works taking place, whether it was to facilitate additional storage space or not, there is the potential that damage could have occurred to the fabric of the

building over time. As such, the works can be considered to have been of benefit to the long term future of this part of Exmoor House.

As the works have involved the alteration of a roof and that previous surveys of Exmoor House have indicated that the main building is used by bats, it is necessary to consider the impact on bats as part of the determination of this application.

The Authority's Wildlife Officer has taken account of an assessment made by Helix Ecology that advises that the outbuilding would have been of low to moderate potential for bats, with the final assessment downgraded to low because of the poor condition of roof that permitted water ingress. Helix Ecology have also advised that when they carried out surveys in 2017 and earlier this year (August 2019), although they were not directly monitoring the outbuilding, surveyors would have detected any bats emerging from this area, and none of them did. The Wildlife Officer has stated that based on the evidence available, it is reasonable to conclude that the storage building did not previously support bats and their roosts.

Human Rights

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Conclusion

Given the works are considered to be necessary to conserve the historical and structural integrity of the listed outbuilding, which are considered to have been carried out in an appropriate manner, the application is considered to be compliant with the development plan and to satisfy the requirements of Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990. As such, Officers recommend that the application be approved, subject to the attached of appropriate conditions.

Recommendation

Approved subject to:

1. The works hereby approved shall be carried out strictly in accordance with the approved Location Plan and Site Plan, and drawing numbers EXMH 3, EXMH 4, EXMH 5 and EXMH 6, all of which were date stamped by the Local Planning Authority on 29th October 2019.

Reason: To confirm the terms of the consent.

Informatives

Monitoring of Development

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email plan@exmoor-nationalpark.gov.uk.

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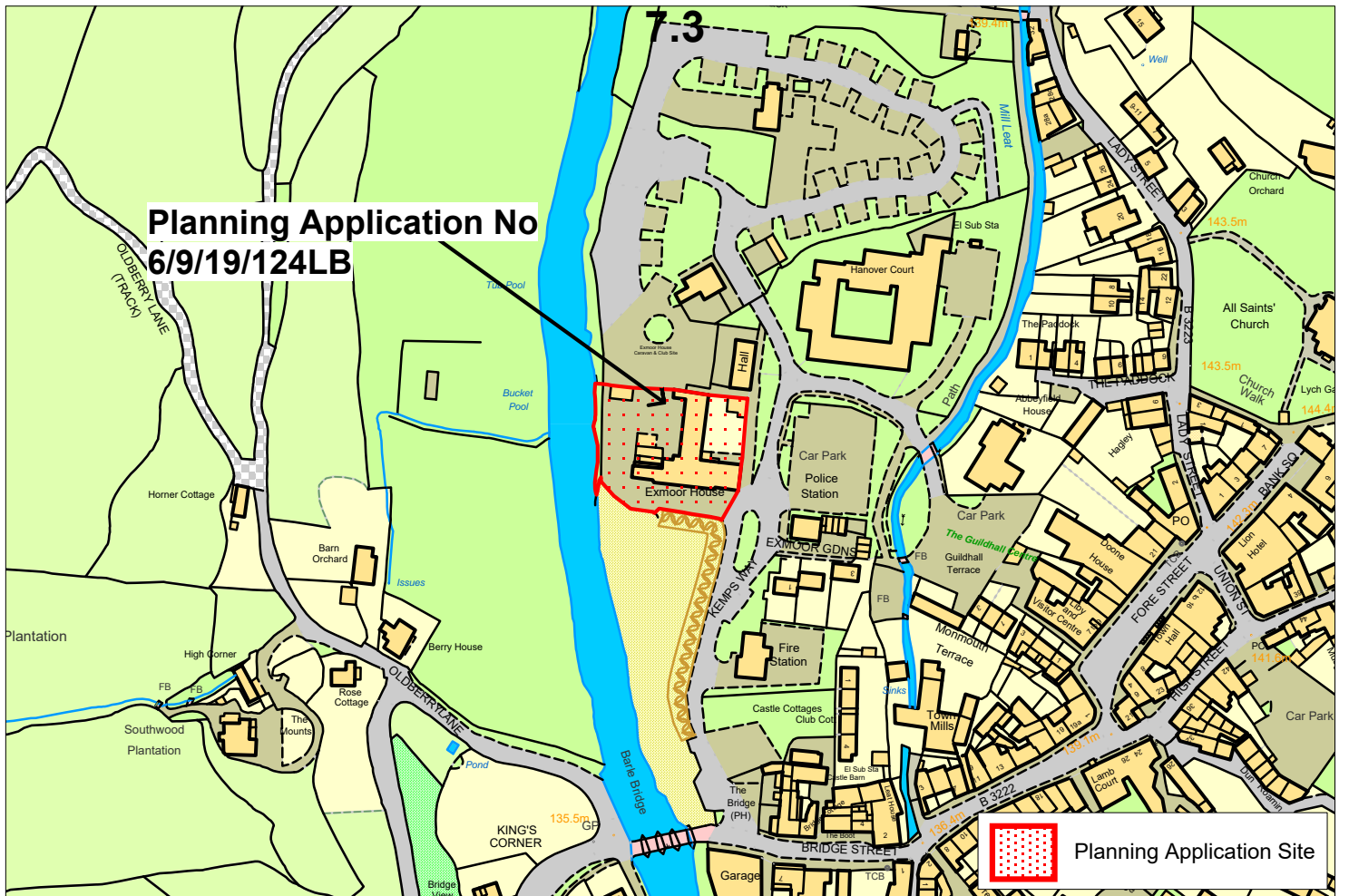
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Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

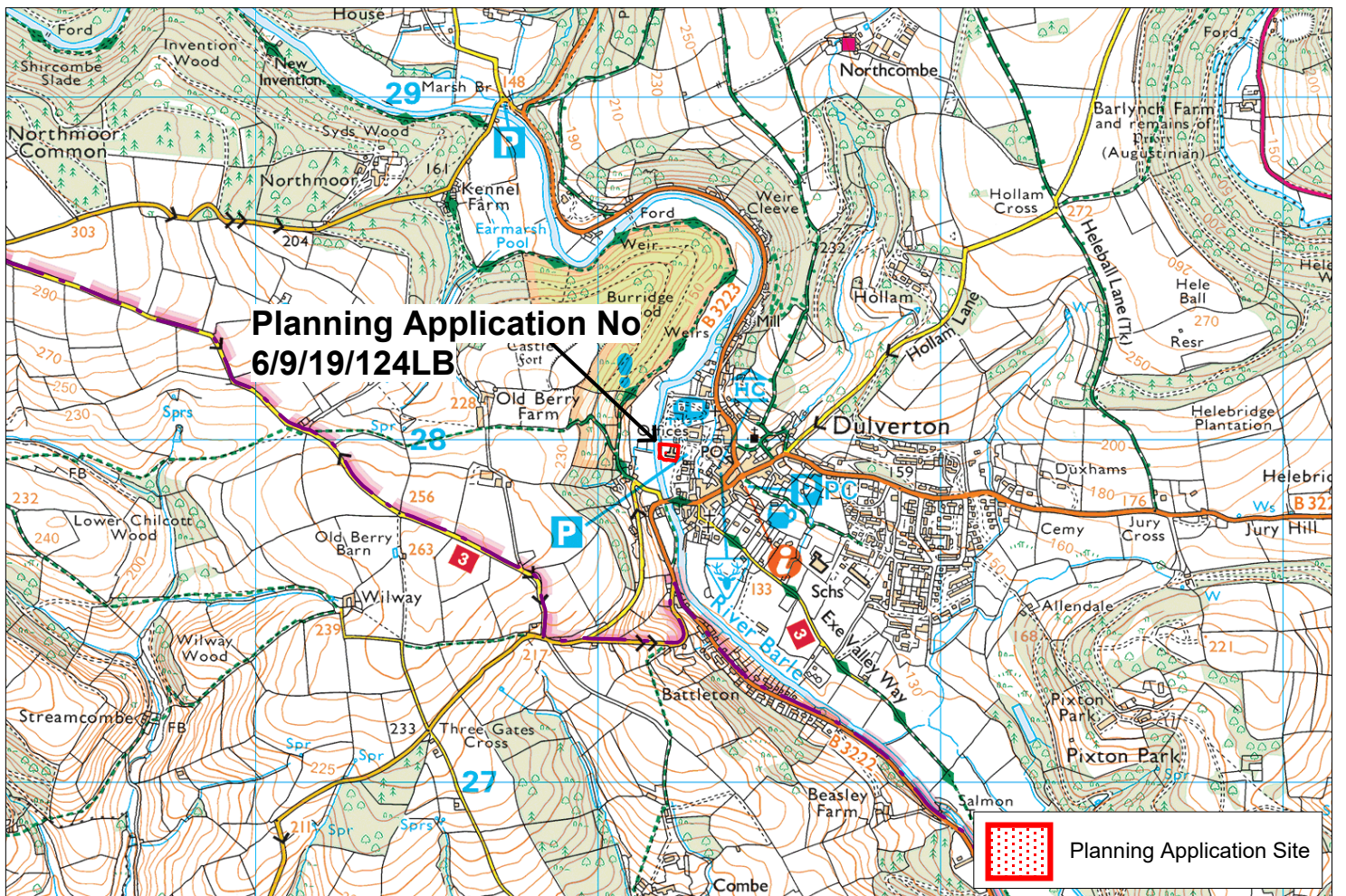
Statement of Engagement

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National Park Authority has endeavoured to work positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed to achieve a positive outcome.



Site Map
1:2500

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Overview Map
1:20000

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Committee Report

Application Number:	6/10/19/112
Registration Date:	02-Oct-2019
Determination Date:	07-Nov-2019
Applicant	Mr A Knight
Agent:	Staddons Architectural Services
Case Officer:	Yvonne Dale
Site Address:	The Barns, Ellicombe Lane, Alcombe, Minehead, Somerset
Proposal:	Lawful Development Certificate for the proposed replacement of rear conservatory.
Recommendation:	Approve

Relevant History

6/10/03/118 - Conversion of adjoining barn to annex to holiday accommodation as amended by letter dated 16th September 2003 and plan 2046/1/1. – Approved on 06/10/2003

6/10/04/105 - Removal of condition (2) attached to planning permission 6/10/03/118 to allow dual use as holiday accommodation or residential annex. - Approved on 23/06/2004

6/10/15/104 - Proposed timber garage (20.3Sqm). – Approved on 10/04/2015

6/10/97/103 - Proposed garage, store and looseboxes, The Barns, Ellicombe Lane, Minehead, as described in the plans and drawings submitted. – Approved on 10/04/1997

Site Description & Proposal

The application comes before the Authority Committee in accordance with the agreed scheme of delegation, because a Member of the Authority has been personally involved in the application.

This is an application for a certificate of lawful proposed use for the replacement of a rear conservatory at The Barns, Ellicombe Lane, Alcombe, Minehead.

The Barns is a detached, two storey dwelling with stone elevations and a red clay tiled roof. The property is situated to the north-west of Dunster on the edge of the

National Park, south of the A39 and adjacent to Ellicombe Lane. The property lies within the parish of Dunster.

The proposed alterations to the property include the removal of an existing rear conservatory and the erection of a proposed replacement rear conservatory. The proposed replacement conservatory will be constructed of double-glazed units in white upvc frames.

The applicant wishes to obtain the Authority's formal view regarding whether the proposed works require formal planning permission.

Consultee Representations

SOMERSET WEST AND TAUNTON COUNCIL: No comment received
SCC - HIGHWAY AUTHORITY: 08/10/19 - No Observations.
DUNSTER PARISH COUNCIL: 15/10/19 - Dunster Parish Council have no objections to the above planning application.
ARCHAEOLOGIST - ENPA: No comment received
ECOLOGIST - ENPA: 17/10/19 - No ecological concerns.

Representations

No public letters of representation have been received.

Policy Context

The Town and Country Planning Act 1990
The Town and Country Planning (General Permitted Development) (England) Order 2015

Planning Considerations

An application for a certificate of lawful proposed use or development (CLOPUD) has been made in relation to the site. It seeks a certificate certifying that the proposed replacement of a rear conservatory doesn't require planning permission under The Town and Country Planning (General Permitted Development) (England) Order 2015

The key consideration is whether the proposed rear conservatory constitutes permitted development under Class A of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

Section 55 of the Town and Country Planning Act 1990 sets out the meaning of development as the "carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land". In Section 55 (2) (a) the Act states, "the carrying out for the maintenance, improvement or other alteration of any building works which (i) affect

only the interior of the building, or (ii) do not materially affect the external appearance of the building shall not be taken for the purposes of this Act to involve development of the land”.

It is considered that the proposed works would involve the carrying out of building operations on land and is, therefore, development under Section 55 of The Town and Country Planning Act.

Having determined that the proposed works constitutes development under Section 55 of The Town and Country Planning Act it should now be considered whether this development could be classed as “permitted development” under The Town and Country Planning (General Permitted Development) (England) Order 2015.

Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 relates to permitted development rights. Part 1 of Schedule 2 relates to development within the curtilage of a dwellinghouse. Class A of Part 1 of Schedule 2 relates to the enlargement, improvement or other alteration of a dwellinghouse.

Class A states that the enlargement, improvement or other alteration of a dwellinghouse is permitted development subject to certain criteria, limitations and conditions.

Class A of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 states that permitted development includes the enlargement, improvement or other alteration of a dwellinghouse.

The relevant part of the Order advises that development is not permitted by Class A if—

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);
- (b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;
- (d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;
- (e) the enlarged part of the dwellinghouse would extend beyond a wall which—
 - (i) forms the principal elevation of the original dwellinghouse; or

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- (ii) fronts a highway and forms a side elevation of the original dwellinghouse;
 - (f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
 - (g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
 - (h) the enlarged part of the dwellinghouse would have more than a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;
 - (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;
 - (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—
 - (ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);
 - (i) exceed 4 metres in height,
 - (ii) have more than a single storey, or
 - (iii) have a width greater than half the width of the original dwellinghouse; or
 - (k) it would consist of or include—
 - (i) the construction or provision of a verandah, balcony or raised platform,
 - (ii) the installation, alteration or replacement of a microwave antenna,
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) an alteration to any part of the roof of the dwellinghouse.

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There are further stipulations for development in National Parks (Article 2(3)), where the Order advises that development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.
- (d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

In addition, there are conditions that would apply to the permitted development. The Order advises that development is permitted by Class A subject to the following conditions—

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and
- (c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Looking at each exception, limitation or condition in turn:

- Class A 1(a) The proposed development does not relate to a dwellinghouse that only has permission for use as a dwellinghouse granted by virtue of Class M, N, P or Q of Part 3 of this Schedule;
- Class A 1(b) The proposed development would not exceed more than 50% of the total area of the curtilage of the dwellinghouse;
- Class A 1(c) The height of the proposed conservatory would not exceed the highest part of the roof of the existing dwellinghouse;
- Class A 1(d) The height of the eaves of the proposed conservatory would not exceed the height of the eaves of the existing dwellinghouse;
- Class A 1(e) The proposed conservatory would not extend beyond a wall which (i) forms the principal elevation of the original dwellinghouse; or (ii) fronts the highway and forms a side elevation of the original dwellinghouse. The proposed conservatory will be erected on the rear elevation;

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- Class A 1(f) The proposed conservatory would be single storey and would not (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres or (ii) exceed 4 metres in height. The proposed conservatory extends out from the rear elevation by approximately 3.2m and has a ridge height of approximately 2.6m;
 - Class A 1(g) The dwellinghouse is situated on Article 2(3) land, therefore this condition is not applicable;
 - Class A 1(h) The proposed conservatory is only single storey; therefore, this condition is not applicable;
 - Class A 1(i) The proposed conservatory would lie within 2 metres of the boundary of the curtilage, but the eaves height of the proposed conservatory does not exceed 3 metres. The agent has confirmed that the eaves height is 2.4m from ground level;
 - Class A 1(j) and (ja) The proposed conservatory does not extend beyond a wall forming a side elevation of the original dwellinghouse, therefore this condition is not applicable;
 - Class A 1(k) The proposed development does not consist of or include the construction or provision of a verandah, balcony or raised platform, the installation, alterations or replacement of a microwave antenna, chimney, flue or soil and vent pipe and the proposed development does not include any alteration to any part of the roof of the dwellinghouse. The proposed conservatory will sit below the existing eaves height of the original dwellinghouse;
-
- Class A 2(a) The dwellinghouse is situated within Article 2(3) land but does not include the cladding of any part of the exterior of the dwellinghouse;
 - Class A 2(b) The dwellinghouse is situated within Article 2(3) land but the proposed conservatory would not extend beyond a wall forming a side elevation of the original dwellinghouse;
 - Class A 2(c) The dwellinghouse is situated within Article 2(3) land but the proposed conservatory would not have more than a single storey and extend beyond the rear wall of the original dwellinghouse;
 - Class A 2(d) The dwellinghouse is situated within Article 2(3) land but the proposed conservatory together with any existing enlargements would not exceed the limits set out in sub-paragraphs (b) and (c);
-
- Class A 3(a) The proposed material for the conservatory consists of white double glazed upvc frames, the existing dwellinghouse appears to have brown upvc double glazed windows and would, therefore, appear to be similar in appearance to those used in the construction of the exterior of the existing dwellinghouse. In any case the proposed development is for a conservatory where the materials do not need to be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
 - Class A 3(b) The proposed development does not include any upper floor windows; therefore, this condition is not applicable;
 - Class A 3(c) The proposed development does not consist of more than a single storey; therefore, this condition is not applicable;

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-Class A 4(1) The proposed development does not exceed the limits contained in paragraph A 1(f), therefore these conditions are not applicable.

A planning history search was conducted for this property which confirmed that the property has not had its permitted development rights removed.

Human Rights

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Conclusion

For the reasons given above, it is concluded that, on the balance of probability, the proposed works would constitute permitted development under Class A of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015, in this instance, and therefore planning permission is not required.

Recommendation

Approve

Informatives

Statement of Engagement

This Authority has a pre-active approach to the delivery of development. Early preapplication engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National Park Authority has endeavoured to work positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning consideration have been appropriately addressed to achieve a positive outcome.

EXMOOR NATIONAL PARK AUTHORITY MEETING

Application decisions delegated to the Chief Executive

<u>Ref and Grid Ref</u>	<u>Applicant & Location</u>	<u>Decision and Date</u>
6/14/19/107 SS743371	Mr & Mrs Boden - Proposed variation of Conditions 2 and 12 of approved application 6/14/18/107 to allow changes to approved drainage. As per additional information and amended plans. (Amended description). (Alteration/Lift Condition), Kinsford, Simonsbath, Somerset	Approved 30-Oct-2019
6/25/17/103 SS813477	Mr & Mrs BJ Woollacott - Proposed extension to existing agricultural building (27.43m x 21.33m). As per additional information. (Full), Land at Broomstreet, Porlock, Minehead, Somerset	Withdrawn 30-Oct-2019
6/26/19/116 ST026379	Mrs D Booth - Proposed removal of metal oil tank sited inside the dwelling and replace with new bunded tank located in the garden. (Full), Glasses Farm, Roadwater, Watchet, Somerset	Approved 25-Oct-2019
6/29/19/109 SS897478	Ms V Webbon The National Trust - Proposed installation of 2000 litre external oil tank to serve internal domestic heating. (Householder), Holmhurst, 9 Bossington Road, Selworthy.	Approved 30-Oct-2019
6/3/19/116 SS923306	Mr & Mrs M Carroll - Proposed erection of first floor rear and single storey side extensions together with the retention and extension of the existing raised decking. (Householder), Chillybridge Cottage, Brompton Regis, Somerset	Approved 13-Nov-2019
6/3/19/119 SS938285	The Haddeo Sporting Club Limited - Proposed Change of Use of land for the provision of feed storage for game birds together with the erection of two feed silos and creation of access track. Retrospective. (Full), Land at Louisa Gate, Minehead Lane, Brompton Regis, Dulverton, Somerset	Approved 07-Nov-2019

EXMOOR NATIONAL PARK AUTHORITY MEETING

Application decisions delegated to the Chief Executive

<u>Ref and Grid Ref</u>	<u>Applicant & Location</u>	<u>Decision and Date</u>
6/3/19/120 SS954304	Mr & Mrs Blackwell - Proposed demolition of existing stable block and garden storage area and erection of larger stable block and storage area. Resubmission of refused application 6/3/19/111. (Full), Springcleeve, Hartford Road, Brompton Regis, Somerset	Approved 13-Nov-2019
6/3/19/121 SS924309	Mr R Cook-Hays - Proposed renovation and replacement of two ground floor sash windows. (Householder), Stagshead Farm, Exton	Withdrawn 08-Nov-2019
6/9/19/125 SS915279	Ms J Long The Diocese of Bath and Wells - Lawful Development Certificate for the proposed replacement of retaining wall. (CLOPUD), The Vicarage, High Street, Dulverton, Somerset	Withdrawn 08-Nov-2019
GDO 19/11 SS662460	Mr Gillan - Proposed erection of Telecomms Mast and associated kit at Killington Farm for emergency services (Grid Ref E266219 N145995). As per additional information (GDO - Telecomms), Killington Farm, Parracombe, Devon	Withdrawn 30-Oct-2019
GDO 19/12 SS841388	Mr & Mrs M Burnett - Prior notification for excavations to bury tanks and trenches to lay water pipes to connect to water troughs together with installation of collecting tank and holding tank. As per additional plan. (General Development Order), Land North West of North and South Ley, Exford, Minehead, Somerset.	GDO - Prior Approval Not Req'd 30-Oct-2019
GDO 19/13 SS908364	Estate Charities of George Joyce - Prior notification for proposed lean-to extension to existing agricultural building under GDO 17/16. (General Development Order), East Nurcott, Winsford, Somerset	GDO - Prior Approval Not Req'd 30-Oct-2019
WTCA 19/12 SS666450	Mrs V Crosbie - Remove Ash tree displaying possible early signs fo Ash Die-Back. (Works to Trees in Conservation Area), Middle Bodley Farm, Parracombe, Barnstaple, Devon	Approved 04-Nov-2019

EXMOOR NATIONAL PARK AUTHORITY MEETING

Application decisions delegated to the Chief Executive

<u>Ref and Grid Ref</u>	<u>Applicant & Location</u>	<u>Decision and Date</u>
WTPO 19/05 SS909287	Mr G McVittie Exmoor National Park Authority - Works to Trees subject to Tree Preservation Order: Felling of 135 Ash Trees in 077.h compartment due to threat posed to high risk targets, including domestic buildings, utilities and a public highway. The majority of trees are infected with Hymenoscyphus Fraxinues (Ash Dieback) (Works to trees subject to Tree Preservation Order), Newgate Plantation, Dulverton, Somerset	Approved 13-Nov-2019

EXMOOR NATIONAL PARK AUTHORITY

3 December 2019

PROGRESS IMPLEMENTING THE CORPORATE PLAN 2019-2020

Report of the Head of Strategy and Performance

PURPOSE OF THE REPORT: To inform Members about the progress made in implementing key actions within the current Corporate Plan for the period April 2019-September 2020.

RECOMMENDATION: The Authority is recommended to:

- (1) NOTE the progress in implementing the Authority's key commitments set out in the Corporate Plan 2019-2020
- (2) AGREE the changes to the Corporate Plan 2019-20 outlined in section 3.4 and 3.5
- (3) DELEGATE to the Finance and Performance Advisory Panel and Leadership Team further scrutiny of Authority performance across all the Corporate Plan actions for the next reporting period to 31 March 2020.

Authority Corporate Plan: The Corporate Plan outlines the priorities for the Authority for the period to March 2020 and how we will help to achieve the priorities in the *Exmoor National Park Partnership Plan*. It continues to closely follow the priorities set out by Defra in its *8-Point Plan for England's National Parks* and the Government's *25 Year Environment Plan*, whilst recognising that 2019/20 is likely to be a period of change and transition for the Authority

Legal and Equality Implications: Section 65(4) Environment Act 1995 – provides powers to the National Park Authority to “*do anything which in the opinion of the Authority, is calculated to facilitate, or is conducive or incidental to:-*

- (a) *the accomplishment of the purposes mentioned in s. 65 (1) [National Park purposes]*
- (b) *the carrying out of any functions conferred on it by virtue of any other enactment.”*

The equality impact of the recommendations of this report has been assessed as follows: There are no foreseen adverse impacts on any protected group(s). Engagement through the outreach work within the plan is designed to have a positive impact on protected groups.

Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendations of this report is as follows: There are no implications for the Human Rights Act.

Financial and Risk Implications: No financial or risk implications have been identified. Performance management exerts a positive influence on financial and risk management

Climate Change Response: Additional actions have been added to the Corporate Plan in response to the Climate Emergency Declaration

1. Introduction

- 1.1 The 2019-20 Corporate Plan was approved by the Authority on 02 April 2019. It set out the key priorities for the Authority for the period of the plan.
- 1.2 Performance is monitored quarterly by Leadership Team to ensure that the actions within the Corporate Plan are being achieved and, if necessary, to provide an opportunity for resources to be re-allocated or to review the proposed action. Oversight is provided by members through the Finance and Performance Advisory Panel.
- 1.3 This six month review sets out progress against the Corporate Plan from April to the end of September 2019.

2. Corporate Plan at a Glance

- 2.1 The actions within the plan are grouped as follows:

People	Exmoor for All: Where everyone feels welcome <ul style="list-style-type: none">• The Exmoor Experience• Well-managed Recreation and Access• Thriving Tourism built on Sustainability
Place	Inspiring Landscapes: Diverse and beautiful, rich in wildlife and history <ul style="list-style-type: none">• Celebrated Landscapes• Wildness and Tranquillity with Dark Night Skies, and Sensitive Development• Valued Historic Environment and Cultural Heritage• Rich in Wildlife
Prosperity	Working Landscapes: Thriving communities and a vibrant local economy <ul style="list-style-type: none">• Working Landscapes• Strong Local Economy• Thriving Communities A Valued Asset
Monitoring and Research	Improving our knowledge and understanding of Exmoor's special qualities
Corporate Priorities	<ul style="list-style-type: none">• Transition to a new funding era• Work with communities, businesses and partners to deliver the National Park Partnership Plan and statutory purposes• Develop and maintain effective and efficient services• Manage the Authority's Estate and operations to support delivery of National Park purposes

3. Performance Report - Overview

- 3.1 Exmoor National Park Authority has had another busy and successful six months delivering strongly against Partnership Plan and Corporate Plan objectives. This has been made possible by a dedicated staff team with appropriate Member contributions. The majority of Corporate Plan actions are being implemented, although some have fallen behind due to various pressures arising from staff changes, sickness absences, and factors outside the control of the Authority.
- 3.2 Progress in delivering the Corporate plan over the last six months has been achieved against a background of increasing expectations nationally in the light of the Glover review of Protected Landscapes, the declaration of a climate emergency, and a diminishing budget, as reported to members at the November Authority meeting. In real terms the budget has now reduced by around 50% since 2010. We are in the final year of a four year Defra funding settlement, which has created some welcome stability, but future budgets are not yet know. A recent job evaluation process, increasing pension costs as well as recent one-off liabilities relating to the Authority's Estate have put strain on Authority finances such that staff vacancies are being held where possible and some actions are falling behind, and one is not being progressed. We continue to explore ways of growing our income base, work with partners, and to make efficiencies in relation to our systems and procedures in response to these pressures.
- 3.3 A full assessment of progress with the actions in the Corporate Plan is given in Appendix 1. In addition to the numerous successes marked in green, areas where progress was not on target are marked in amber and include areas where the timetable has slipped or where progress was not made due to factors outside the Authority's control.
- 3.4 Despite the constraints in relation to staffing and budget, only one Corporate Plan action is not being progressed and is marked as red:
- Action 26: Develop measures to replace character trees outside woods in response to disease and other pressures. Work with CareMoor and local initiatives to raise and allocate funds for new landmark trees in prominent locations
- 3.5 One new action has been added to the Corporate Plan in the light of the Authority's Climate Emergency Declaration:
- Develop an action plan to work towards the Authority being carbon neutral by 2030, and work with partners and local communities to respond to the climate emergency including contributing to the preparation of the Devon and Somerset Carbon Plans.
- 3.6 The Glover Report following the Review of Protected Landscapes commissioned by Government was issued in September 2019. Initial discussions have been held with members and staff on the recommendations of the report, and Leadership Team is looking at how the Authority can take forward the spirit of the report in the short term, whilst waiting for a formal response from Government.

Clare Reid, Head of Strategy and Performance
Hazel Malcolm, Business Support Officer
December 2019

Background papers on which this report, or an important part of it are based, constitute the list of background papers required by Section 100 D (1) of the Local Government Act 1972 to be open to members of the public comprise:

Exmoor National Park Authority Corporate Plan 2019/20

8-Point Plan for England's National Parks – March 2016 (Department for Environment, Food and Rural Affairs

Government's 25 Year Environment Plan

Protected Landscapes Review, Julian Glover September 2019

Appendix 1: Progress Against Corporate Plan Actions

People – The Exmoor Experience

Highlights:

- A wide range of volunteering opportunities to support National Park purposes have been supported through the Get Involved Programme, delivering:
 - 42 guided walks with 375 participants
 - 24 Wildwatch events
 - 285 registered volunteers with 106 regularly recording hours
- Health and Wellbeing benefits from Exmoor have been promoted through the FUN Project (Families United through Nature) targeting communities in Bridgwater and Taunton. 25 activities have been delivered involving 287 children, 179 parents and carers, and 40 staff or volunteers. Support has been given to the Connecting Actively to Nature programme, targeting inactive 55+ year olds and the Devon Recovery Learning College with 'Wild Things' – a programme co-designed with people with lived experience recovering from poor mental health.
- The Learning and Outreach Service continues to engage with young people and professional staff teams. School bookings are running at full capacity both for day visits and residentials through Pinkery Centre for Outdoor Learning. During this period 2867 young people have had an Exmoor Experience. Preparation is well advanced for Outreach visits from new schools funded by the Forest Holidays Partnership with residentials booked for Q3. The offer at Pinkery is being improved including new displays due for completion Q3. The team is also coordinating the new national Education resource for all National Parks.
- The National Park Centres have seen consistent visitor numbers although slightly down compared with the same period last year at 110,052 visitors. Revenue from visitor spend at the centres is up 12.3%.
- We continue to deliver a broad programme of public engagement events including:
 - Over 100 public events with over 3000 people attending
 - The Historic Buildings Festival (September 2019) was a success with 18 events taking place over 7 days involving an estimated 500 people
 - The Dark Skies festival has just been completed in October 2019 and will be reported in Q3

People – Well-managed Recreation and Access

Highlights:

- There are no current restrictions on Access land. A number of path diversion orders have been successfully completed. Two long-term permitted path agreements were secured for popular routes in the Barle Valley and Snowdrop valley. Network improvements have been made, including replacement of the bridge at Edgcott (Exton) as well as several smaller ones, and installation of a new footbridge to replace stepping stones at Timberscombe.
- Good progress is being made with Woodside Bridge. The initial fundraising target has been met and the planning application submitted.

- The team continue to support Natural England with implementation of the England Coast Path. Planning applications are being prepared for several sites where changes to the Coast Path route are being proposed.
- During this period, 24 large events took place, all of which have had some degree of consultation with ENPA. Information for communities on our website has been further improved in response to concerns about a road cycle event.
- The Field Services Team are behind with general work such as gates, stiles and bridges, partly due to putting a greater emphasis on paring over the last two summers. However the team are catching up and a new system is being looked at for next year.
- Negotiations with landowners are underway for the family friendly cycle trails, although this progressing more slowly than hoped.
- Promote 10 accessible walks: all on site assessment works have been completed for the selected 'Exmoor's Top Walks'. A full mock-up of the online/printed support materials for the Simonsbath routes is being worked up as a test model before rolling this out further to all of the selected routes. The timetable for production has slipped slightly due to other commitments.

People – Thriving Tourism built on Sustainability

Highlights:

- Ranger Experience Days have been successfully established with high occupancy (in excess of 90%) and continued positive feedback.
- There has been a comprehensive programme of events to celebrate the 150th Anniversary of Lorna Doone.
- Phase 2 of the Eat Exmoor project is progressing with promotional materials developed to be rolled out with participating retailers in Q3. A further series of CareMoor Dining events have been planned with industry partners.
- Training continues to be delivered for local tourism providers, and a revised 'Park Partner' scheme is under development.
- There has been limited progress developing the Pinkery short activity breaks due to other commitments including the Big Picnic. 4 weekends with 3 programmes were confirmed but 3 had to be cancelled due to lack of uptake or capacity to pursue. One family weekend was held with 50% occupancy. A review is taking place and there will be a revised offer for 2020 building on learning.

Place – Celebrated Landscapes, Wildness & Tranquillity, Dark Night Skies

Highlights:

- A programme of events for the Year of Green Action is being implemented by partners in the Learning and Engagement Network. The Big Picnic, including the visit by their royal highnesses Prince Charles and Camilla, was organised on behalf of UK National Parks to celebrate the 70th anniversary in July.
- A desk study and literature review is underway on heather moorland. Further discussions on swaling and climate change are planned.

- Conservation works at White Rock Cottage and Simonsbath Old School have progressed well. The building project is on course to be completed by the beginning of December 2019. Meanwhile in Ashcombe Gardens a group of volunteers have met monthly and are continuing to open up the gardens and replant certain areas. The site was opened for Heritage Open Day on 16th September.
- The Landscape Character Assessment is being used to guide development management and projects.
- Joint work is underway with the landscape, planning policy and economy teams to review dark sky evidence and to consider options for practical guidance on lighting proposals to avoid and minimise light pollution to protect the Dark Sky Reserve.
- The action to develop measures to replace character trees outside woods has been put on hold due to reduced capacity in the woodlands team.
- Work on the Design Group has not progressed due to lack of capacity.
- Enhancement projects are being scoped for ENPA land at the Valley of Rocks and at Culbone, although these have not progressed as quickly as hoped.

Place – Valued Historic Environment and Cultural Heritage

Highlights:

- A number of conservation works have been carried out as part of Historic England's Monuments Management Scheme.
- Conservation Area assessments are now complete. This work identified the need for Article 4 directions in some areas and proposals were presented to members. Around 100 listed buildings are left to survey.
- A new Historic Environment Record Website has been completed.
- Rapid coastal zone assessment study: no progress has been made to date. This will be picked up in Q3/4.

Place: Rich in Wildlife

Highlights:

- The Nature Conservation Advisory Panel has been working with a wildlife illustrator to develop a vision for ecological recovery networks on Exmoor. Further discussion is planned with the group for Q3.
- The Exmoor Non-native Invasive Species project now has 2 project officers appointed with a Steering Group set up. Around 35 volunteers have signed up to help with signal crayfish monitoring and invasive plant survey.

Prosperity – Working Landscapes

Highlights:

- Funding has been secured for the Environmental Land Management Scheme Test and Trial and the project is underway as of Q3. The next steps are to recruit and select 25 sample areas and re-engage partners on landscape scale priority setting.

- An evidence group is being set up by ENPA to explore gaps in evidence and understanding of Game Shoots impacts. Members and staff attended an open day held by GESA and Loyton Sporting Ltd.
- Funding from the Exmoor Landscape Conservation Grant Scheme has now been committed. Work continues through the Devon and Somerset hedgerow groups to support hedgerow management. Farmers and land managers have expressed concerns over meeting the required criteria for grants through the Countryside Stewardship scheme.
- The Headwaters of the Exe project is progressing well with 31 grant applications received to date for projects to improve water quality.
- The annual swaling report (2018/19) was produced with all the burning carried out across the National Park mapped. The team continue to work with the fire service on fire plans for moorland areas.
- DNA samples from the ENPA herds of Exmoor ponies are with the Exmoor Pony Society for genome mapping although the timetable for this has slipped.
- On promoting sustainable local timber there was a successful audit by the Soil Association Woodmark, but the project has been unable to be developed further due to reduced capacity.
- There has been limited progress working with partners to investigate opportunities for integrated catchment management. Follow up work on woody material in Exmoor's rivers has been unable to be developed further due to reduced capacity in the woodland team.

Prosperity – Working Landscapes

Highlights:

- Consultants have been appointed and a steering group established to deliver a research project 'Rural Enterprise Exmoor' on Exmoor's economy to provide enhanced business intelligence, informing future work programmes and a more integrated approach to economic support and development management work.
- A joint National Parks position paper has been drafted on post-Brexit Rural Development funding opportunities in National Parks.

Prosperity – Thriving Communities

Highlights:

- We have secured funding from the West Somerset Community Led Housing Fund 3 years for a Rural Housing Enabling Service/ Rural Housing Network co-ordinator
- Ongoing work to support delivery of affordable housing for local communities includes a rolling programme of housing needs surveys at five-year intervals; we now have up to date surveys across the majority of parishes. Officers are supporting parishes to bring affordable housing sites forward in Cutcombe and surrounding parishes and in Parracombe

- We continue to support Exmoor Young Voices (EYV) and others to promote the delivery of Custom/Self Build dwellings including a tour of completed dwellings with EYV. A summit is being planned for Q4 setting out how ENPA and other organisations can support young people to access housing.
- The Exmoor Rural Crime Partnership meets twice a year and provides a good forum for partnership working. Grants have been received from Devon and Cornwall and Avon and Somerset Police to be used on fly tipping, poaching and cold calling sales.
- Three Partnership Fund grant Applications have been approved from 7 received (Apr – Sept).
- Meetings of the Exmoor Rural Housing Network have been delayed following the resignation of the Rural Housing co-ordinator; this work will be picked up by the new funding secured from the West Somerset Community Led Housing Fund.

Prosperity – A Valued Asset

Highlights:

- The final report from the Glover Review into Protected Landscapes was published in September 2019 and was discussed informally with Members. A staff workshop is set up for Q3.
- Natural Capital: The SWEEP team at Exeter University have completed a draft report on natural capital accounts for Exmoor and Dartmoor National Parks, highlighting some of the limitations of this approach (such as data availability and inconsistent methodologies). A joint meeting to discuss the results with ENPA and DNPA staff will take place in Q3. The results from the study will feed into the Defra Tests and Trials work.
- Significant work has been undertaken to influence the Hot SW LEP's Local industrial Strategy - limited focus on rural areas but some hooks through headline ambition of delivering 'Clean Growth'. The LEP is also involved in the Rural Enterprise Exmoor project.

Prosperity – Monitoring and Research

Highlights:

- A number of areas of work are ongoing to address gaps in our evidence base for the State of the Park Report. We are exploring the use of remote sensing data for monitoring land use / vegetation change in the National Park and also for natural capital registers. Natural England has funded landscape monitoring including cumulative changes arising development, and from game shoots activity. A review of moorland evidence is underway. We continue to support ongoing monitoring of Exmoor ponies and deer. TB in deer has been raised as an increasing issue, further discussion is planned at the Exmoor Parish and Consultative Forum in Q3.

Corporate Priorities -Transition to a new funding era

Highlights:

- The revised budget for 2019/20 was presented to the Authority in November, with recommendations to fund pressures arising in-year. Budget planning for 2020-21 will

take place during Q3 although there are still some uncertainties including the National Park Grant figure which is still unknown.

- Funding through CareMoor is in a healthy position year on year, with the Woodside bridge appeal completed and good take up of Dedications (Donate a Gate scheme) in particular.
- Work continues to grow our income base. We have benefitted from Forest Holidays and Clif Bar funding via National Parks Partnerships, plus support to secure Big Picnic Sponsorship (from Tarmac). Locally, sponsorship has also been secured for our programmes from Airband (Dunster Show / Dark Skies Festival) and Exmoor Trim (Ranger Experience days). Further work is underway to explore other income generating opportunities including our charging policy for planning, car parking and so on.
- A new Service Level Agreement has been signed with Devon County Council to provide Procurement services.

Corporate Priorities - work with communities and partners to deliver the Partnership Plan

Highlights:

- The Partnership Plan groups meet twice a year and help to oversee delivery of the Partnership Plan. A progress update is planned for 2020.
- A review of the Exmoor Consultative and Parish Forum is nearly complete and will be presented to the meeting in Q3.
- We continue to support the Exmoor Hill Farming Network and Exmoor Young Voices. The EHFN has undertaken a governance review and is setting up as a Community Interest Company.

Corporate Priorities – Develop and maintain effective and efficient services

Highlights:

- Build a more positive perception of the planning service: positive news stories are being communicated as they arise including some engagement through social media with local businesses. Officers continue to work closely with Exmoor Young Voices and the Exmoor Consultative and Parish Forum on planning matters. The new computer system for planning is due to go live in Q3.
- The job evaluation review was completed in Q2 following the appeals process. Updates of HR policies are ongoing including Health and Safety and Safeguarding policies. Staff training is also ongoing, with training courses planned for Q3 for mental health first aiders and new first aiders, plus a Mindful Employer workshop for all staff in Q4. Data Protection training for Members, LT and staff to be held during Q3.
- The Land and Property Intern's placement ended in August 2019 and a new intern started in September 2019. A one year Forestry Apprentice started working with the woodland team in August 2019, primarily funded through a grant from the Royal Forestry Society. During the summer we hosted students on a one-week work experience programme.

- Planning service: Changes to the planning team, sickness absences and the development of the new planning computer system have impacted on delivery. Targets for development management are down, however recent recruitment and implementation of the new system should mean that the team gets back on track during the next quarter
- We are making some improvements to our intranet although this has been slower than hoped due to technical difficulties.

Corporate Priorities – Manage the Authority’s Estate and operations

Highlights:

- A new Acquisitions and Disposals policy was signed off by the Authority in May 2019 and work on a comprehensive schedule of assets continues.
- Pinkery review: following discussions with members and staff at a workshop in July, work is underway to consider future options including working with potential partners and what an enhanced offer might look like.
- A Land Choices exercise has been completed for North Hill, with both ENPA and National Trust staff participating. A joint management plan for North Hill is now in preparation with wider stakeholders. Work is planned for Q3 to undertake a similar visioning exercise for other ENPA assets.
- During the first quarter, progress with woodland management on the ENPA Estate was reviewed and work planned for the coming winter. This included identifying sites for future Countryside Stewardship, Plantlife and Butterfly Conservation works. Invasive species control continues through Culbone, Ashcombe and Culvercliffe. Evidence of Ash Dieback is becoming more apparent and measures have begun to fell trees in high risk locations. An estate-wide survey of ash has been completed to enable better decisions and prioritise actions. 1,800 trees in high to medium risk locations have been identified. Income generating opportunities through sale of timber harvested from our woodlands continues, with a broad trend of increasing income from timber sales. As staff capacity allows, the intention is to grow this income.
- Ongoing maintenance of the ENPA estate including:
 - Final phase of rock slope stabilisation work at Weir Cleeve almost complete. Further follow-up work at Weir Cleeve identified, to be undertaken in Q3
 - 12 month inspection of work completed in summer 2018 underway.
 - Contractors bringing forward costed proposals for repairing the main stock building at Driver Farm. Full condition survey of the farmhouse at Driver planned for Q3.
 - Annual safety inspections of old mine workings identified need to repeat the original survey of abandoned mine workings on our land (now 25 years old).
 - Refurbishment of Porlock Weir public conveniences completed.
 - Completed comprehensive schedule of private water supplies (maintenance programme and statutory compliance).

- New solar PV panels installed at Pinkery
 - Work by external specialists to monitor the condition of the revetment wall at the Incline (West Somerset Minerals Railway) continued with a repeat survey (6 month intervals).
 - Metal fuel tank at the Sawmill identified as potentially hazardous; replacement to be investigated.
 - The 'Dead House' at Exmoor House has been dry-lined to provide additional storage.
- Plastic Free Exmoor– the Authority was registered as a Community Leader as part of the Plastic Free Community Scheme. An internal Action Plan has been produced and to date 3 businesses have signed up with actions to become Plastic Free Champions. A Plastic Free Exmoor leaflet has been produced aimed at National Park users and how they can contribute to reducing the impacts of single use plastics. This will be distributed to visitors, particularly through local tourism businesses.

EXMOOR NATIONAL PARK AUTHORITY

3 December 2019

ANNUAL ESTATE REVIEW 2018/19

Report of the Land and Property Manager

Purpose of the report: To present the Annual Estate Review 2018/19 to the Authority Committee.

RECOMMENDATION: The Authority Committee is recommended to NOTE the Annual Estate Review 2018/19.

Authority Priority:

- Broaden our income base to ensure sustainable delivery of National Park purposes.
- Manage Authority owned land in ways that will enhance the special qualities of Exmoor

Legal Implications: The legal impact of the recommendation(s) of this report has been assessed as follows: None

Equality Implications: The equality impact of the recommendation(s) of this report has been assessed as follows:

- No disadvantage will be incurred as a result of belonging to a protected group as defined within the Equality Act 2010
- The recommendations have no implications under the provisions of the Human Rights Act 1998

Financial and Risk Implications: The financial and risk implications of the recommendation(s) of this report have been assessed as follows:

- Financial: None
- Risk: None

Climate Change Response: In response to the Authority's Climate Declaration, officers are preparing an action plan, which will include proposals for reducing emissions from Estate operations and opportunities for carbon storage and sequestration.

Exmoor National Park Authority

Annual Estate Review 2018/19

Contents

1. Introduction
2. Income and Expenditure
3. Let Estate
4. In-hand Estate
5. Operational Properties
6. Public Facilities
7. Other Properties & Projects

1. INTRODUCTION

- 1.1 The aim of this report is to give an overview of the management of the Authority's estate for the period April 2018 to November 2019. It does not mention every individual property, only those where there are, or have been, significant issues or changes. Financial reporting is confined to the year April 2018 to March 2019.

2. INCOME AND EXPENDITURE

2.1 Capital Receipts

There were no capital receipts from property assets within the period.

2.2 Revenue expenditure and income 2018/19:

Cost Centre	Expenditure £	Income £	Net Position £
Land & Property (Includes project costs and salaries)	(391,156)	267,570	(123,586)
Visitor Facilities (Car parks and public toilets)	(90,926)	58,969	(31,957)
Woodland	(165,268)	62,184	(103,084)
	(647,350)	388,723	(258,627)

2017/18

Cost Centre	Expenditure £	Income £	Net Position £
Land & Property (Includes project costs and salaries)	(358,370)	262,714	(95,656)
Visitor Facilities (Car parks and public toilets)	(84,470)	60,990	(23,480)
Woodland	(172,806)	111, 739	(61,067)
	(615,646)	435,443	(180,203)

2016/17

Cost Centre	Expenditure £	Income £	Net Position £
Land & Property	(287,376)	249,991	(37,385)
Visitor Facilities	(97,767)	54,528	(43,239)
Woodland	(203,091)	98,714	(104,377)
	(588,234)	403,233	(185,001)

Clearly the net position is down on the previous year by £78,500. Almost £50,000 of this relates to a drop in woodland grant income as two grant schemes came to an end. The Authority's woodlands are now in a Countryside Stewardship scheme. Other negative differences include a slight (weather related) fall in car park income (2017/18 was unusually high). The figures given include project spend which, by its nature, is spiky and so shouldn't be regarded as a matter for concern.

3. LET ESTATE

Moorland

- 3.1 A large proportion of the Authority's 4,300ha (10,700 acres) moorland estate was bought with funding from the National Heritage Memorial Fund and is held in trust for the Nation.

This means that it may only be disposed of by conveyance to an organisation with similar objectives to the National Park Authority such as the National Trust, or other suitably approved body, for *no consideration*. The majority of the agricultural rents mentioned above are derived from this land.

Brexit continues to create uncertainty in the agricultural land market and this inevitably feeds through to farm rents. At a national scale landlords and tenants have been exercising caution and, in the hills, with both cattle and sheep prices continuing to fall, it will come as no surprise to Members that the Authority hasn't undertaken any moorland rent reviews this year.

3.2 Land at Warren (705 ha, bare moorland)

Our tenants at Warren had been occupying the land on a tenancy from year to year since the expiry of their fixed term in 2011. However, with a change in the structure of the farm business (brought about by taking one of their sons into the partnership), they requested a new Farm Business Tenancy (FBT) with a long fixed term. It was suggested that the Authority include (the then vacant) Blackpits in the tenancy, so as to provide separate accommodation for the son. Members will recall that in May they approved a 20 year FBT for the Warren land and a five year rolling tenancy of Blackpits bungalow and land. This arrangement is working well.

3.3 Burcombe (66 ha, bare moorland)

Burcombe was a focus of Frederick Knight's attempt to mine iron from the Forest. Consequently, there are disused shafts and adits throughout this area of access land. All of the discoverable remains were surveyed in 1995 by the Exmoor Mines Research Group. The survey report also listed several of the workings as unfound but gave their approximate positions from historical evidence. A firm of mining consultants from Cornwall has been commissioned to undertake a resurvey, which is underway at time of writing.

3.4 Driver Farm (319 ha, equipped holding)

Last year's report highlighted the deteriorating condition of the 1970s portal frame building at Driver.

During the summer three local agricultural building contractors were invited to quote for carrying out the necessary repairs and for adding a modest overhang to the southern elevation, which will create an additional feeding area for housed livestock. A contractor has been booked for the spring, when the shed has been cleared out.

Building surveyors have been instructed to carry out a condition survey of the farmhouse as part of quantifying works for which both landlord and tenant are responsible. We await their report.

3.5 Swaling

A week of suitable weather at the end of February this year allowed the Rangers to catch up a little with the swaling backlog, see inset table below.

Site	Total Burnt 2011	Total Burnt 2012	Total Burnt 2013	Total Burnt 2014	Total Burnt 2015	Total Burnt 2016	Total Burnt 2017	Total Burnt 2018	Total Burnt 2019	Av Rotation since 2011
North Hill	19.6 ha	16.7 ha	11.6 ha	5.7 ha	12.2 ha	0 ha	0 ha	7 ha	16.2 ha	8 yrs
Cosgate	3.3 ha	0 ha	0 ha	7.5 ha	0 ha	0 ha	0 ha	0 ha	0 ha	13 yrs
East Anstey	9.6 ha	11.6 ha	0 ha	0 ha	0 ha	0 ha	0 ha	0 ha	5.6 ha	16 yrs
Haddon Hill	20.2 ha	28.1 ha	18.7 ha	0 ha	6 ha	14.5 ha	0 ha	0 ha	20.6 ha	10 yrs
Mill Hill	23.6 ha	23.2 ha	0 ha	30.1 ha	0 ha	25.3 ha	0 ha	0 ha	28.2 ha	16 yrs

Questions have arisen over the future of swaling as a management tool since the declaration of a climate emergency. This is a debate which looks set to run for a while, drawing in various other issues, such as the burgeoning tick population and the potential for very large wildfires if the moorland fuel load is allowed to accumulate.

4. IN-HAND ESTATE

Moorland

4.1 North Hill (249 ha moorland and woodland)

- In January the Authority defeated a claim for adverse possession of a parcel of land at North Hill. A former owner of an adjoining property had extended the driveway into the Authority's land and erected a building on it.

Acting on our solicitor's advice, once the Land Registry had confirmed the failure of the application, the applicants were offered the choice of removing the building and the tarmac surface or buying the land parcel at an arm's length valuation.

They have elected to buy it and negotiations over the precise area to be conveyed continue.

- There have been a number of meetings with the National Trust over the course of the year in connection with a joint management plan. Things are still at a formative stage, but greater progress is expected over the next 12 months.

4.2 The Chains (385 ha, bare moorland)

The Chains is in a Higher Level Stewardship agreement which comes to an end in June 2020. Natural England has indicated that it might offer a one year extension and we are waiting for more details. If this opportunity fails to materialise then it should be possible to put the Chains into the higher tier of Countryside Stewardship.

Woodland

- 4.3 The Authority owns and/or manages about 571 ha (1,410 acres) of woodland. The work summarised below was largely completed last winter.

Burridge Wood

Management of dense holly and beech seedling understorey to release oak, hazel and rowan continues. Pupils from Dulverton school have been involved in tagging and measuring oak saplings supported through the Plantlife Project.

Hawkridge Wood

Plantlife has also supported a detailed survey of important lichen features in Hawkridge Wood. This is in advance of targeted thinning to improve conditions for lichens. RemoWe have also removed beech seedlings and carried out a light thinning of oak to further release oak regeneration.

Tarr Steps

At Tarr Steps we have carried out a targeted thinning of the canopy to improve conditions for regeneration and stand stability. The meadow has also been cut. Dismantling of lichen encrusted ash tree which was at risk of collapse was filmed by BBC Countryfile and the lichens translocated by a Plantlife team.

Ashcombe and Simonsbath

Removal of rhododendron and cherry laurel has been ongoing. The planting programme has included scots pine, willows, alder and swamp cypress. A number of ash trees have felled due to ash dieback (ADB).

North Hill

Selective thinning at Moor Wood following Continuous Cover Forestry (CCF) principles has released quality timber, sold at a premium to local timber framer.

Woodcombe Community Woodland continued their programme of work in Woodcombe Wood.

Hawkcombe

It's been another busy year at Hawkcombe with a further 0.3 ha coppice plot felled to assist recovery of heath fritillary. Veteran oaks were released through halo thinning (Plantlife), rare filmy fern habitat improved by removing shading beech trees (Plantlife). An area of pollards was re-pollarded following detailed baseline surveying by a Plantlife team. Beech seedlings have been removed and we have undertaken further work to remove sections of the redundant silt trap dam.

Culbone/Yarner

Viewpoints, vistas and carriage drives associated with historic Ashley Combe gardens have been revealed and opened up. Culbone-wide invasive species control continued.

Hadborough Plantation

This plantation has been marked up ready for thinning.

Throughout

Tree safety inspections have been completed and work to hazard trees is underway. Estate-wide assessment of ash completed to develop a plan to respond to threat from ADB. Details in next year's summary.

4.4 Exmoor Ponies

The Authority has the following ponies on its land:

- 16 mares and 3 foals (2 colts and 1 filly) on Haddon Hill
- 15 mares and one gelding on North Hill
- 5 geldings and 1 mare on East Anstey Common (during the summer)
- 3 mares at Long Holcombe

As mentioned in last year's report, a stallion had been running with our herd at Haddon Hill to produce a small number of foals to replenish the Haddon bloodline. The stallion was removed in early 2019. This year we have had 3 foals: 1 filly and 2 colts. The filly will remain on Haddon and the colts will be removed and rehomed eventually as conservation grazers.

5. OPERATIONAL PROPERTIES

5.1 Warehouse (Dulverton)

Cyclical external repairs and redecoration were completed during the summer.

In the early autumn a combination of heavy rain and a blocked drain the adjoining (Guildhall) car park led to a flood in the warehouse. The Facilities officers had, just the day before, prepared a delivery of stock to the Centres and this was sitting inside the door. Fortunately, the losses through water damage amounted to only a few hundred pounds. The event has led to a review of drainage at the Warehouse.

6 PUBLIC FACILITIES

6.1 Public Conveniences

All of the Authority's public toilets are well used and require constant monitoring/upkeep. Our current cleaning contractor plays a vital role in this; he visits each on a daily basis and is happy to carry out simple repairs in addition to his

cleaning duties. Any serious defects are called in to the team on the day they are discovered.

The Facilities Officers carry out their own monthly inspections and base their maintenance programme around these.

In April the Porlock Weir public toilets were refurbished at a cost of £9,500. All fittings are in contrasting colours in line with best practice for the visually impaired (also recommended by bodies like the Alzheimer's Society).

6.2 Car Parks

6.2.1 The Authority owns 13 car parks, which vary in size and formality:

- Ashcombe (Simonsbath)
- Blackmoor Gate
- County Gate
- Cussacombe Gate
- Exford
- Haddon Hill
- Marsh Bridge
- North Hill (Moor Wood)
- North Hill (Burgundy Combe)
- Quarme Hill Layby
- Robbers Bridge
- Tarr Steps
- Valley of Rocks

We currently charge for parking at Tarr Steps and the Valley of Rocks. Voluntary donations are encouraged at both Ashcombe and Haddon Hill. As can be seen from the table at 2.2, income from these car parks is quite significant. Of the £59,000 taken last year, donations accounted for £1,650.

As part of the Authority's response to the uncertain financial situation, Officers are looking at all opportunities to increase income from the estate.

A comprehensive review of the potential to charge in some other car parks is planned for next year and a paper containing options on this subject will be presented to Members in due course.

Upgrading the Tarr Steps car park machine to accept card payments has resulted in a 15% increase in takings (on this time last year). There is scope to do the same at the Valley of Rocks and this is planned as part of a re-landscaping project.

6.2.2 Charging points for electric vehicles (EVs) were discussed at some length following an invitation from Forum 21 to participate in a community focussed scheme. There is support for these amongst Officers, but it is felt that installation in any of the Authority's car parks should be undertaken as part of a strategic network in West Somerset and North Devon. It is also felt that a partnership arrangement with one of the commercial providers would be the most straightforward option for the Authority. There is scope to explore this subject alongside the review of parking charges mentioned above.

7. OTHER PROPERTIES & PROJECTS

7.1 Weir Cleeve, Dulverton

Rock slope remedial works to all areas have been completed. It will now be necessary for the contractors to revisit each phase, 12 months from completion, to ensure that netting etc is adequate and that there has been no deterioration of the rock face. As a result, some additional work has been identified behind the joinery workshop in Northmoor Road. This is due to be done in late November.

7.2 County Gate

Last year's report explained that discussions with the National Trust had been very positive. This remains the case and a Governance paper has been submitted by the NT's local team. An update is awaited at time of writing.

7.3 Simonsbath Sawmill

Local woodland management firm Three Atop took the Sawmill on a 12 month peppercorn licence at around the time of the royal visit to Simonsbath. They are using it as an operational base, milling timber and running pay-for-entry tours etc. We will review the situation in summer 2020. Options include a further licence period (at a fee) or, perhaps, a lease. The latter would seek to transfer some repairing obligations to Three Atop.

The Sawmill Volunteers have taken something of a back seat, though they will continue to look after the leat and other components of the water power system. Some of the volunteers will also be joining those working in the Ashcombe gardens, a group which we expect will develop into the Simonsbath Volunteers.

7.4 Historic Environment

Standing Stone Condition Survey

The report is completed and available on the website. Three of the prehistoric stone settings owned by ENPA are considered 'At Risk' and are on the Historic England 'Heritage at Risk Register' and ENPA have secured grant funding from Historic England to undertake conservation work.

Larkbarrow

Exmoor Mires Partnership withdrew from working on this site. ENPA now developing own proposals. An archaeological measured Survey by Hazel Riley has been undertaken of part of a contour leat on Swap Hill, part of John Knights early water carriage irrigation system of 1819-2020, to inform the rewetting proposals.

White Rock Cottage

Members will have been following this through other reports over the last few months, but building works at White Rock Cottage and the former Simonsbath School will be completed in early December 2019. Discussions are now underway between ENPA officers and Trustees of the newly formed Simonsbath & Exmoor Heritage Trust to scope out the potential transfer of the buildings during 2020. A meeting was held on 6th November 2019 to progress this and a small working group has been formed to develop a process and timescale.

Scrub and Bracken Control on Scheduled Monuments and Significant Archaeological Sites

Work undertaken at the Iron Age sites at Timberscombe, Oldbury and Berry Castle at Hawkcombe (the latter two are Scheduled Monuments 'at Risk').

North Hill

'North Hill on the Radar' event in September with convoy of c15 military vehicles (volunteers) from Minehead and the Radar Station open with displays on the history of the site and WWII ration refreshments. Some of the bases of military buildings were cleared of scrub. Walks were undertaken by volunteer walks leaders.

Listed Building Survey

County Gate Cottage (GII) is assessed as 'at Risk' in the listed building survey the Authority has undertaken across the NP.

The Incline (West Somerset Mineral Line)

Members may recall that last year a structural engineer was asked to examine the massive masonry retaining wall at the Incline. He concluded that it is sound but, amongst other things, recommended regular monitoring. A scheme was put into place and this monitoring continues at intervals of 6 months. Results to date suggest small but progressive movements of the wall outwards and downwards. Monitoring will remain at the same frequency until this is better understood. In the meantime, and as another consequence of the engineer's report, a camera survey of the culvert which runs through the wall is being commissioned. This will help identify any areas where water is able to seep into the fill behind the wall, thereby adding to the pressure upon it.

Some small scale consolidation work of a fireplace in the Winding House is planned for next spring.

7.5 Pinkery Centre

- Water supply – last year's report mentioned that the dry summer in 2018 had resulted in a period of low flow from the spring. Water from the borehole on site contains high levels of manganese and so is not potable, however it was hoped that it could be used for flushing toilets etc. It has emerged that this is not practical and so plans are being made to increase the storage of water from the spring.
- The 2018 report also mentioned a planning application to replace failed PV slates with PV panels. This project was completed in May and has been very successful, with a significant reduction in use of the diesel generator.
- The comprehensive package of repair/redecoration work completed in 2017 included the replacement of a number of windows. Quite a few of these have since developed leaks and the contractor has been asked to rectify/replace.

7.6 Land at Cutcombe Market

Terms for the sale of the Authority's two land parcels at the entrance to Cutcombe Market have now been agreed and solicitors are preparing the sale contract.

7.7 Asset Review

Members will recall signing off the revised acquisitions and disposals policy in May this year. Since then work to assess each property against the agreed criteria for retention/disposal has continued. This is not a quick process, but the end product will form the essence of the Review: an examination of each property and a draft list of potential disposals for other Officers and Members to consider.

A separate piece of work led by Rob Wilson-North is exploring the potential of our assets and aims to identify longer term visions/objectives in a systematic way. This 'land visioning exercise' is closely related to the asset review and fits within the context of recommendations in the Glover Review and the Authority's Climate Emergency declaration.

A number of strands will be pursued to:

- 1) Address the challenges of climate change
- 2) Advance the Lawton agenda for nature (re-asserted by Glover in 2019)
- 3) Increase income potential
- 4) Clearly define and enhance or at least reinforce the special qualities wherever possible in order to deliver NP purposes
- 5) Address other challenges around resilience (eg plant health, flooding, farming systems in the future)

- 6) Explore better and closer working with partners and neighbours to maximise the impact of our approach.
- 7) Create opportunities for public engagement, understanding and enjoyment, health and wellbeing.

A workshop with ENPA staff will be carried out in December 2019. Follow-up sessions will take place with other stakeholders thereafter and with ENPA Members.

Matt Harley
Land & Property Manager
November 2019

EXMOOR NATIONAL PARK AUTHORITY

3 December 2019

AUTHORITY MEETINGS SCHEDULE FOR 2020 AND 2021

Report of the Head of Strategy and Performance

Purpose of the report: To present to Members a schedule of meetings of the Authority and its Committees for 2020 and 2021.

RECOMMENDATION:

1. To confirm the Authority Meetings Schedule for 2020, which now includes the dates for meetings of the Exmoor Consultative & Parish Forum, attached at Appendix 1 to this report.
2. To adopt a schedule of meetings of the Authority and its Committees for 2021, attached at Appendix 2 to this report.

Authority Priority: Develop and maintain effective and efficient services.

Legal and Equality Implications: The Authority's Standing Orders provide that each year the Authority shall approve a calendar of meetings of the Authority and its Committees and Sub Committees.

The equality and human rights impact of the recommendation of this report has been assessed as having no adverse impact on any particular group or individual.

Financial and Risk Implications: The Authority's meeting arrangements are intended to make best use of member time and resources while ensuring Authority business is dealt with efficiently and in a manner open to public scrutiny.

Climate Response: Officers are investigating paperless meetings as part of the action plan for the Climate Emergency response.

1. 2020 AUTHORITY MEETINGS SCHEDULE

- 1.1 At its meeting on 5 March 2019, the Authority approved a schedule of meetings for the Authority and its Committees for 2020.
- 1.2 At that time, the schedule excluded dates for the Exmoor Consultative and Parish Forum due to the ongoing review of that Forum by its Chairman and the Head of Planning and Sustainable Development.
- 1.3 This review has now concluded and the Chairman and Deputy Chairman of the Forum have agreed that four quarterly meetings will be pre-arranged on an annual basis.

There is the potential for a fifth meeting to be arranged on an 'as needs' basis, should there be any urgent issues to be discussed.

- 1.4 A revised meetings schedule for 2020 is therefore attached at Appendix 1.

2. 2021 AUTHORITY MEETINGS SCHEDULE

- 2.1 To aid forward planning, a draft meetings schedule for 2021 has also been prepared and is attached at Appendix 2. This schedule follows the usual pattern of Authority meetings and other Committees, and also sets dates for member study tours and training.
- 1.2 Members will be familiar with the practice that in addition to the formal Authority meeting in the morning, opportunity is taken in the afternoons of the monthly 'Exmoor Tuesday' to provide member training/briefing opportunities and when appropriate to convene meetings of informal member working groups.
- 1.3 As is usual practice, the meeting schedules have been shared with the constituent County and District Councils and with Dartmoor National Park Authority.

Clare Reid
Head of Strategy and Performance

Judy Coles
Corporate Support Officer

**EXMOOR NATIONAL PARK AUTHORITY
SCHEDULE OF MEETING DATES 2020**

Day	Date	Time	Meeting
JANUARY			
Friday	3 January	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	7 January	10.00am	Exmoor National Park Authority meeting (Reserve Date)
Friday	31 January	am pm	Pre-Meeting Planning Site Visit (Reserve Date) Member Visit to Shearwell Data
FEBRUARY			
Tuesday	4 February	10.00am	Exmoor National Park Authority meeting
Friday	28 February	am	Pre-Meeting Planning Site Visit (Reserve Date)
MARCH			
Tuesday	3 March	10.00am	Exmoor National Park Authority meeting
Tuesday	3 March	pm	Member Obligatory Planning Training
Thursday	19 March	10.30am	Exmoor Consultative & Parish Forum
APRIL			
Friday	3 April	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	7 April	10.00am	Exmoor National Park Authority meeting
MAY			
Friday	1 May	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	5 May	10.00am	Exmoor National Park Authority meeting
Tuesday	19 May	all day	Member Study Tour
Friday	29 May	am	Pre-Meeting Planning Site Visit (Reserve Date)
JUNE			
Tuesday	2 June	10.00am	Exmoor National Park Authority meeting
Thursday	11 June	7.00pm	Exmoor Consultative & Parish Forum
JULY			
Friday	3 July	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	7 July	10.00am	Exmoor National Park Authority Annual Meeting
Wednesday	22 July	10.00am	Final Accounts Committee
Friday	31 July	am	Pre-Meeting Planning Site Visit (Reserve Date)

AUGUST			
Tuesday	4 August	10.00am	Exmoor National Park Authority meeting (Reserve Date)
Friday	28 August	am	Pre-Meeting Planning Site Visit (Reserve Date)
SEPTEMBER			
Tuesday	1 September	10.00am	Exmoor National Park Authority meeting
Tuesday	1 September	pm	Members' Obligatory Planning Training
Thursday	17 September	7.00pm	Exmoor Consultative & Parish Forum
OCTOBER			
Friday	2 October	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	6 October	10.00am	Exmoor National Park Authority meeting
Tuesday	13 October	all day	Joint Exmoor / Dartmoor Member Study Tour
Friday	30 October	am	Pre-Meeting Planning Site Visit (Reserve Date)
NOVEMBER			
Tuesday	3 November	10.00am	Exmoor National Park Authority meeting
Thursday	12 November	10.30am	Exmoor Consultative & Parish Forum
Friday	27 November	am	Pre-Meeting Planning Site Visit (Reserve Date)
DECEMBER			
Tuesday	1 December	10.00am	Exmoor National Park Authority meeting

**EXMOOR NATIONAL PARK AUTHORITY
SCHEDULE OF MEETING DATES 2021**

Day	Date	Time	Meeting
JANUARY			
Friday	8 January	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	12 January	10.00am	Exmoor National Park Authority meeting (Reserve Date)
Friday	29 January	am	Pre-Meeting Planning Site Visit (Reserve Date)
FEBRUARY			
Tuesday	2 February	10.00am	Exmoor National Park Authority meeting
Friday	26 February	am	Pre-Meeting Planning Site Visit (Reserve Date)
MARCH			
Tuesday	2 March	10.00am	Exmoor National Park Authority meeting
Tuesday	2 March	pm	Member Obligatory Planning Training
Thursday	18 March	10.30am	Exmoor Consultative & Parish Forum
APRIL			
Thursday	1 April ¹	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	6 April	10.00am	Exmoor National Park Authority meeting
Friday	30 April	am	Pre-Meeting Planning Site Visit (Reserve Date)
MAY			
Tuesday	4 May	10.00am	Exmoor National Park Authority meeting
Tuesday	18 May	all day	Member Study Tour
Friday	28 May	am	Pre-Meeting Planning Site Visit (Reserve Date)
JUNE			
Tuesday	1 June	10.00am	Exmoor National Park Authority meeting
Thursday	10 June	7.00pm	Exmoor Consultative & Parish Forum
JULY			
Friday	2 July	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	6 July	10.00am	Exmoor National Park Authority Annual Meeting
Friday	23 July	10.00am	Final Accounts Committee
Friday	30 July	am	Pre-Meeting Planning Site Visit (Reserve Date)

¹ The standard site visit reserve date of Friday 2 April is Good Friday.

AUGUST			
Tuesday	3 August	10.00am	Exmoor National Park Authority meeting (Reserve Date)
SEPTEMBER			
Friday	3 September	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	7 September	10.00am	Exmoor National Park Authority meeting
Tuesday	7 September	pm	Members' Obligatory Planning Training
Thursday	16 September	7.00pm	Exmoor Consultative & Parish Forum
OCTOBER			
Friday	1 October	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	5 October	10.00am	Exmoor National Park Authority meeting
Tuesday	12 October	all day	Member Study Tour
Friday	29 October	am	Pre-Meeting Planning Site Visit (Reserve Date)
NOVEMBER			
Tuesday	2 November	10.00am	Exmoor National Park Authority meeting
Thursday	18 November*	10.30am	Exmoor Consultative & Parish Forum
DECEMBER			
Friday	3 December	am	Pre-Meeting Planning Site Visit (Reserve Date)
Tuesday	7 December	10.00am	Exmoor National Park Authority meeting

EXMOOR NATIONAL PARK AUTHORITY

3 December 2019

EXMOOR NATIONAL PARK LOCAL PLAN EXMOOR NATIONAL PARK AUTHORITY LOCAL DEVELOPMENT SCHEME

Report of the Head of Strategy and Performance

Purpose of the report: To agree the updated Exmoor National Park Authority Local Development Scheme and note the outcome of the review of affordable housing delivery.

RECOMMENDATION: The Authority is recommended to:

1. AGREE the Exmoor National Park Authority Local Development Scheme, effective from 3 December 2019, and its publication on the Authority's website.
2. NOTE the outcome of the review of affordable housing required under Policy M1-S1 of the Local Plan

Authority Corporate Priority: Manage the Authority's operations to support delivery of National Park purposes.

Legal and Equality Implications: Section 65(4) Environment Act 1995 – provides powers to the National Park Authority to *“do anything which in the opinion of the Authority, is calculated to facilitate, or is conducive or incidental to-*

(a) the accomplishment of the purposes mentioned in s. 65 (1) [National Park purposes]

(b) the carrying out of any functions conferred on it by virtue of any other enactment.”

The equality impact of the recommendation(s) of this report has been assessed as follows: There are no foreseen adverse impacts on any protected group(s).

Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendation(s) of this report is as follows: There are no implications for the Human Rights Act.

Financial and Risk Implications: **The financial and risk implications of the recommendation(s) of this report have been assessed as follows:** No financial or risk implications have been identified. The production of the Supplementary Planning Document, update of the Statement of Community Involvement and work associated with the five-year review of the Local Plan will need to be costed and included in the Authority's Corporate Planning and budgeting processes.

Climate Response: No specific implications.

1. BACKGROUND

- 1.1 The Local Development Scheme (LDS) is a public statement of Exmoor National Park Authority's programme for the preparation and review of local plan documents. The Authority is required to produce a Local Development Scheme (LDS) by the Planning and Compulsory Purchase Act (2004) (as amended). This requires that LDSs specify (among other matters) the development plan documents (i.e. local plans) which will comprise part of the development plan for the area. Local planning authorities are encouraged (but not required) to include details of other documents which form part of the development plan for the area, such as Neighbourhood Plans. For ease of reference, this LDS also includes other planning documents such as supplementary planning documents and statements of community involvement.
- 1.2 In Exmoor National Park the development plan comprises the Exmoor National Park Local Plan (2011 – 2031) and some of the Lyn Plan 2013-28 (the neighbourhood plan for Lynton and Lynmouth parish). Together with supplementary planning documents, they set the spatial planning strategy, policies and guidance for the area.

2. LOCAL DEVELOPMENT SCHEME

- 2.1 The previous LDS, agreed by the Authority in April 2016, was prepared prior to the submission of the Local Plan in May 2016 and its subsequent adoption in July 2017. It therefore dealt principally with progressing the Local Plan. Now that the Local Plan is adopted, the Authority's LDS needs to be updated.
- 2.2 An updated and revised LDS is included at Annex 1. Table 1 of the LDS provides an overview of the documents which form part of the Local Plan (or Local Development Framework) for Exmoor National Park.
- 2.3. The timetable for the production of Local Plan documents is specified in Table 2. Once agreed, the Local Development Scheme will be published on the Authority's website.

3. MONITORING AND REVIEW OF AFFORDABLE HOUSING NEED AND PROVISION

- 3.1 Policy M1-S1 of the Local Plan requires the Authority to complete a review of affordable housing need by the end of December 2020. The Policy also requires monitoring, over a rolling 3 year period, of affordable housing permissions. If insufficient housing is being delivered, this triggers a review of the reasons in consultation with local stakeholders unless other measures of delivery set out in the policy are met. Officers have carried out an analysis of housing data which was reported to the Planning Policy Advisory Group in September 2019. The data from this review is given in Annex 2.
- 3.2 Monitoring shows that sufficient housing is being delivered to meet the tests set by the Inspector in the Local Plan Policy M1-S1. A review of affordable housing delivery with stakeholders is therefore not necessary.
- 3.3 However, it is recognised that overall delivery of affordable housing is falling short, and continued efforts are required to support provision of affordable housing working with partners. Ongoing work to support delivery of affordable housing for local communities includes a rolling programme of housing needs surveys at five-year intervals; we now

have up to date surveys across the majority of parishes. Officers are supporting parishes to bring affordable housing forward including in Cutcombe and surrounding parishes and in Parracombe. We have also secured funding from the West Somerset Community Led Housing Fund to support a rural housing enabling service on Exmoor and co-ordination of the Exmoor Rural Housing Network.

Ruth McArthur
Policy and Community Manager
November 2019

Annex 1 Exmoor National Park Authority Local Development Scheme

Annex 2 Local Plan Housing Monitoring and Review Data

Exmoor National Park Local Plan

**Exmoor National Park Authority
Local Development Scheme**

DRAFT

November 2019

DRAFT

If you have any queries or questions relating to this document please get in touch with the Policy & Community Team using the contact details below:

Exmoor National Park Authority
Exmoor House
Dulverton
Somerset
TA22 9HL

✉ localplan@exmoor-nationalpark.gov.uk

☎ 01398 323665

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DRAFT

1. Introduction

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

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

2. Context

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

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

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

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

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

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

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

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

¹ HMSO Environment Act 1995, Section 66 (1)

² MHCLG (February 2019) NPPF. Paragraph 172

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

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

3. Current Plans in Exmoor National Park

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

3.2. Supplementary Planning Documents (SPDs)

The Local Plan is supported in its implementation by the Landscape Character Assessment Supplementary Planning Document (SPD) adopted in 2018. The Rural Worker and Succession Farm Dwelling Guidance is due to be adopted in 2019.

⁴ MHCLG Planning Practice Guidance Paragraph: 041 Reference ID: 8-041-20190721

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

⁵ https://www.exmoor-nationalpark.gov.uk/_data/assets/pdf_file/0009/1192437/Partnership-Plan-2018-2023-spreads.pdf

⁶ MHCLG Planning Practice Guidance Paragraph: Paragraph: 040 Reference ID: 8-040-20190721

Table 1: Current Local Planning Documents in Exmoor National Park

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

4. Statement of Community Involvement

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

5. Joint Working and Other Plans

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

6. Monitoring and Review

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

Table 2: Review Timeframe			
Review	2019/20	2020/21	2021/2022
Adoption of Rural Worker and Succession Farm Dwellings SPD	December 2020		
Completion of the SCI Review		November 2020	
Completion of the Local Plan Review			July 2022

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

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

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

- 7.1. The duty to cooperate was introduced by the Localism Act 2011.⁷ It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.⁸
- 7.2. The NPPF states that strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans. They should also engage with their local communities and relevant bodies.⁹ It notes the importance of effective and on-going joint working, in particular, to help determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.
- 7.3. The Authority agreed an Exmoor-wide Duty to Co-operate Protocol in 2015 with neighbouring planning authorities and other relevant bodies to guide co-operative working on strategic and cross-boundary issues affecting Exmoor.

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

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

⁹ MHCLG Planning Practice Guidance Paragraph: 029 Reference ID: 61-029-20190315

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

⁹ MHCLG (February 2019) NPPF para 25

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

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

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¹⁰ MHCLG (February 2019) NPPF para 27

Appendix 1

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

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

Local Plan Housing Monitoring and Review Data

- 1.1 The Local Plan contains Policy M1-S1 for the monitoring and review of affordable housing need and provision. Policy M1-S1 does two things. Firstly, it sets out the need to review the indicative figure of affordable housing need by 31st December 2020; and secondly, it ensures that the provision of affordable housing against the Local Plan indicative figure of 238¹ dwellings is monitored to ensure a sufficient level of provision. This summary focuses on the provision of affordable housing as required by clause 2 of the Policy.
- 1.2 Monitoring figures in relation to housing (Table 1) are used to assess whether the requirements of the policy have been met. Table 1 shows that the total number of affordable homes permitted in the last three years is **28** dwellings compared with 10% of the indicative affordable housing need figure for the plan period of 24 dwellings. As the number of affordable homes permitted during the past three years (April 2016 – March 2019) exceeds the 10% figure, the policy test in M1-S1 has been met and, at present, no further action is necessary. 10% of the Local Plan housing figure requirement has been achieved. Therefore, the National Park Authority (NPA) is not currently required to rely on clauses 2a or 2b of the Policy, but it is nevertheless monitoring them.

¹ Figure derived from the 2014-based Household Projections and is explained more fully in the Written Statement produced for the Local Plan Examination: http://www.exmoor-nationalpark.gov.uk/_data/assets/pdf_file/0011/792299/ENPA-Written-Statement-Invitation-to-Comment-on-the-implications-of-the-2014-household-projections_final-version.pdf

TABLE 1: HOUSING DATA

Years 1 st April to 31 st March	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	Totals
Total Local Plan Need (2011-2031)									238
Cumulative Local Plan Need (11.9 per annum rounded to 12)	12	24	36	48	60	72	84	96	96
Affordable Housing Completions	26	3	20	4	4	0	2	2	61
Local Need Surveys (completed 2016 – to date)						13	26	26	65
Under Construction								25	
Extant Permission								2	
Re-lets (Average)²								28	
Total Existing Provision								55	
Cumulative Permissions Past Three Years						4	20 ³	4	28
10% Local Plan Need (238 dwellings)									24

²² Figures received by ENPA to date.

³ Figure includes permission for 18 dwellings in Dulverton.