



3. GENERAL POLICIES

3.1 This Local Plan contains five General Policies, which will apply to all development within Exmoor National Park and should therefore be read in conjunction with all other policies in the Plan.

Achieving National Park Purposes And Sustainable Development

Context

3.2 The National Parks' Circular states that the National Park Authorities' primary responsibility is to deliver their statutory purposes and in doing so, they should ensure they are exemplars in achieving sustainable development, helping rural communities in particular to thrive. The Circular sets out a joint vision to 2030.²⁶

Purposes And Duty Of The National Park

3.3 The purposes of National Park designation were established in the National Parks and Access to the Countryside Act 1949, and amended by the Environment Act 1995, to:

- I. Conserve and enhance the natural beauty, wildlife and cultural heritage (of the National Parks); and
- II. Promote opportunities for the understanding and enjoyment of the special qualities (of the National Parks) by the public.

National Park Authority Duty: In pursuing the statutory purposes, National Park Authorities have a duty to seek to foster the economic and social well-being of local communities.

Exmoor National Park's special qualities are:

- Large areas of open moorland providing a sense of remoteness, wildness and tranquillity rare in southern Britain
- A distinct and diverse landscape of softly rounded hills and ridges, with heather and grass moors, spectacular coast, deeply incised wooded valleys, high sea cliffs, fast flowing streams, traditional upland farms and characteristic beech hedgebanks
- A timeless landscape mostly free from intrusive development, with striking views inside and out of the National Park, and where the natural beauty of Exmoor and its dark night skies can be appreciated
- A mosaic of habitats supporting a great diversity of wildlife including herds of wild red deer, rich lichen communities, rare fritillary butterflies, bats, and other species uncommon in southern Britain
- A complex and rich historic landscape that reflects how people have lived in, used and enjoyed Exmoor over the past 8000 years, including prehistoric landscapes and monuments such as burial mounds on ridges and discrete stone settings, ancient farmsteads, hamlets, picturesque villages and historic estates
- A deeply rural community closely linked to the land with strong local traditions and ways of life
- A farmed landscape with locally distinctive breeds such as Red Devon cattle; Devon Closewool, and Exmoor Horn sheep; and herds of free living Exmoor ponies
- An exceptional rights of way network, with paths that are often rugged and narrow in character, along with extensive areas of open country and permitted access, providing superb opportunities for walking, riding and cycling
- A landscape that provides inspiration and enjoyment to visitors and residents alike.²⁷

²⁶ DEFRA (2010) English National Parks and the Broads UK Government Vision and Circular

²⁷ ENPA (2012) Exmoor National Park Partnership Plan 2012-2017.

3.4 As Exmoor is a National Park, the two statutory purposes and the socio-economic duty underpin this Local Plan. The reference to ‘cultural heritage’ in the first purpose, encompasses the historic environment. In Section 2 of this Plan, a series of strategic priorities provides the overall strategy for the Local Plan. Sitting under the statutory purposes and duty is the Vision and a series of Partnership Plan (2012-2017) and Local Plan objectives.

3.5 Exmoor National Park will continue to seek early discussion on proposals and close working and co-operation with partners, in order to find solutions and avoid potential conflicts. However, where there is irreconcilable conflict between the National Park purposes, the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage should prevail. This concept is known as the ‘Sandford Principle’.²⁸

3.6 The achievement of National Park purposes relies on the active support and co-operation of Government and public bodies including local authorities and utility companies, whose activities affect Exmoor. Section 11A of the National Parks and Access to the Countryside Act 1949 requires that “a National Park Authority, in seeking to foster the wellbeing of local communities within the National Park, shall co-operate with local authorities and public bodies whose functions include the promotion of economic or social development within the National Park”. Under this section of the Act, ‘relevant authorities’ should also have regard to National Park purposes when making decisions or carrying out activities relating to or affecting land within the National Park.²⁹ Authorities and public bodies must show they have fulfilled this duty. Where their activities outside National Parks might have an impact inside them, the Government says they should have regard to National Park purposes.³⁰

Sustainable Development

3.7 A fundamental aim of the Local Plan is to ensure that development in the National Park is sustainable. A widely-used and accepted definition of sustainable development is: “development which meets the needs of the present without compromising the ability of future generations to meet their own needs”.³¹

3.8 The UK Sustainable Development Strategy 2005 sets out five guiding principles for sustainable development, which include: living within environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; using sound science responsibly; and promoting good governance.³²

3.9 The National Planning Policy Framework (NPPF) states that the purpose of planning is to help achieve sustainable development. It sets out ‘*a presumption in favour of sustainable development, which should be seen as a ‘golden thread’ running through both plan making and decision taking*’.³³ The NPPF sets out three dimensions to sustainable development for the planning system to deliver:

- a) **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- b) **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and

²⁸ HM Government (1949) The National Parks and Access to the Countryside Act 1949 - Section 11a (2) (as amended by Section 62 of the Environment Act 1995)

²⁹ Section 11A (2) of the National Parks and Access to the Countryside Act states that “in exercising or performing any functions in relation to, or so as to affect, land in a National Park, any relevant authority shall have regard to the National Park purposes specified in subsection (1) of section five of this Act and, if it appears that there is a conflict between those purposes, shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park”

³⁰ DEFRA (2005) Guidance Note: Duties on relevant authorities to have regard to the purposes of National Parks, Areas of Outstanding Natural Beauty and the Norfolk and Suffolk Broads DEFRA, London (Paras 4-8) and Natural England (2011) England’s statutory landscape designations: a practical guide to your duty of regard

³¹ WCED (1987) Report of the World Commission on Environment and Development: “Our Common Future”

³² DEFRA (2005) Securing the Future- Delivering UK Sustainable Development Strategy

³³ DCLG (2012) National Planning Policy Framework. (Paragraph 14). DCLG

supports its health, social and cultural well-being; and

- c) **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment, and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change, including moving to a low-carbon economy.

3.10 It states that these three components should be pursued in an integrated way, looking for solutions which deliver multiple goals.

3.11 The National Parks' statutory purposes together with the duty (paragraph 3.3) broadly reflect the three dimensions of sustainable development in the NPPF. Policy GP1 Achieving National Park Purposes and Sustainable Development, brings the statutory purposes and sustainable development principles together setting out criteria to ensure that new development is consistent with National Park purposes and defining sustainable development in Exmoor National Park. To ensure that development contributes to the achievement of the Partnership Plan/Local Plan vision and objectives, policy GP1 requires that development proposals should demonstrate that they will not conflict with the vision and objectives.

3.12 This approach is consistent with the NPPF which sets out a presumption in favour of "sustainable development" and indicates where development should be restricted.³⁴ The Government is clear that need alone is not the only factor to be considered. Objectively assessed needs should be met unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. Such policies include those relating to sites protected under the Habitats Directive, and/or designated as sites of special scientific interest; local green space, heritage coast **or within a national park**; designated heritage assets; and locations at risk of flooding or coastal erosion.³⁵

3.13 The NPPF makes clear that "*great weight should be given to conserving landscape and scenic beauty*

in National Parks..., which have the highest status of protection in relation to landscape and scenic beauty".³⁶ It refers to the National Parks' Circular as it provides further guidance and information on National Parks.

Enhancement Of The National Park

3.14 The first purpose of National Parks is the conservation and enhancement of their natural beauty, wildlife and cultural heritage. As well as ensuring new development conserves local landscape and built character, opportunities for enhancement measures should be taken as they are also needed to fully meet National Park purposes.

3.15 The National Park vision highlights the conservation and enhancement of Exmoor National Park's natural beauty, wildlife and cultural heritage including its archaeology, historic settlements, buildings and features and recognises the need to address intrusive structures. Changes, mainly as a result of external factors such as the availability nationally of financial incentives, have contributed to a gradual erosion of Exmoor's distinctive character, resulting, for example, from the demand for the re-use of traditional former agricultural buildings, for extensions and alterations to dwellings and by the use of standardised building techniques and materials.

3.16 To maintain the distinctive character, quality and local distinctiveness of Exmoor National Park's landscape and settlements, careful intervention and focus is therefore needed to ensure high quality new development and to respond to opportunities for enhancement.

3.17 Enhancement should be closely related to the natural beauty and/or wildlife and cultural heritage of the area, its special qualities and valued features. Considerations will include the quality of the design and its contribution to the local distinctiveness, character and appearance of the area and be consistent with other Plan policies. Policies elsewhere in this plan include specific criteria for opportunities for enhancement, and other benefits to the community, such as those for new housing for local communities (Section 6), and for the economy and employment, which includes the approach to safeguarding existing employment land and buildings (Section 7).

³⁴ DCLG (2012) National Planning Policy Framework. (Paragraph 14 Footnote 9) DCLG

³⁵ DCLG (2014) Planning Practice Guidance [Paragraph: 044 Reference ID: 3-044-20141006]

³⁶ DCLG (2012) National Planning Policy Framework. (Paragraph 115). DCLG

3.18 Planning decisions and other tools may enable opportunities to remove or treat intrusive or other undesirable structures or features. Such works must be carried out sympathetically to avoid causing harm to the National Park and its special qualities, the locality and site.

3.19 Examples of enhancement could include treatment or removal of structures including masts or poles/overhead wires or modern redundant buildings including large sheds which are considered to have a detrimental and/or cumulative impact on the National Park landscape. Occasionally the National Park Authority may consider that material planning considerations demonstrate that a scheme can be accepted as an exception to policies, in order to achieve a significant overall benefit to the National Park. For example, the development at

Cutcombe, which enabled the replacement of the livestock market, was permitted as a departure to policies in the previous Local Plan.

3.20 In order to help ensure that new development conserves and enhances the National Park and its special qualities, development briefs and appraisal documents may be used. From time to time, larger, more complex opportunities for enhancement may arise which require a development brief to bring together enhancement and socio-economic opportunities and which will deliver the most sustainable outcome for the community. These will be used selectively and only where there is a clear need to bring forward development and/or evidence that interest in a site has been discouraged by a lack of clear site specific guidance.



GP1 Achieving National Park Purposes and Sustainable Development

1. Sustainable development for Exmoor National Park will conserve and enhance the National Park, its natural beauty, wildlife and cultural heritage and its special qualities; promote opportunities for their understanding and enjoyment by the public, and in so doing, foster the social and economic wellbeing of local communities.
2. In achieving sustainable development all proposals for new development, activities and land use will demonstrate that:
 - a) they are consistent with the National Park's legal purposes and duty. Where there is irreconcilable conflict between the statutory purposes, the conservation and enhancement of the National Park will prevail consistent with the Sandford Principle; and
 - b) they do not conflict with the vision and objectives of the Exmoor National Park Management Plan and the policies in this Local Plan read in combination.
3. Opportunities must be taken to contribute to the sustainable development of the area. Particular attention will be paid to:
 - a) ensuring high quality design and the intensity of the use or activity is appropriate to the character and appearance of the National Park;
 - b) the impact on the character and setting of the site and/or buildings;
 - c) supporting the function and resilience of communities by retaining and strengthening their services and facilities, protecting their safe, attractive public places and employment opportunities, and providing for a size, type and tenure of housing to address local affordable needs and help create a balanced community;
 - d) accessibility to services, local services and facilities, jobs and technology, enabling, where appropriate, the use of sustainable transport and the impact on traffic levels;
 - e) the efficient use of land, buildings, services and infrastructure;
 - f) the impact on the amenities of local residents, occupiers of neighbouring properties, and visitors, and conserving or enhancing the quiet enjoyment of the National Park;
 - g) the use of sustainable building techniques, materials and minimising energy use and waste;
 - h) maintaining the quality of natural resources and ensuring ground conditions are acceptable;
 - i) the needs of future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change; and
 - j) supporting the health and socio-economic wellbeing of local communities and encouraging community participation.

Major Development

Context

3.21 Exmoor National Park's landscape is recognised as being relatively free from major structures or development. The Government's longstanding view has been that planning permission for major developments should not be permitted in National Parks except in exceptional circumstances, as set out in the NPPF and National Parks' Circular, whereby an exceptional circumstance is defined as: if the development is absolutely necessary, in the public interest and there is no practical alternative. In relation to this national policy context, the term 'major development' is not specifically defined.

3.22 Due to the relative remoteness, tranquillity and natural beauty of the National Park and the scale and size of most proposals, 'major development' is considered to be of a scale that is context-specific and a matter of planning judgement, i.e. it would exceed the local-scale development to address the social and economic needs of Exmoor's communities, and would be considered to also have potential adverse impacts on the National Park's statutory purposes.³⁷ As such, in the context of this policy, major development is not defined just in terms of scale but also the impact on the National Park and its special qualities.³⁸

3.23 The application of criteria, such as:

- a) whether the development is Environmental Impact Assessment (EIA) development,³⁹ or
- b) developments that fall within Schedule 2 of the EIA Regulations⁴⁰ that after being screened by the National Park Authority, are considered as likely to have significant effects on the environment due to their nature, size or location and require an assessment, or
- c) the Development Procedure Order definition of major development in terms of the classification of planning applications⁴¹, or
- d) developments that require the submission of a Transport Assessment or Statement,

will be relevant considerations, but may not determine whether the development is considered 'major' under this policy.

3.24 The National Park Authority will therefore consider whether a proposed development is deemed to be 'major' on a case by case basis taking into account the potential impacts of the proposed development:

- a) on the local context – this should include taking into account the nature and sensitivity of the site, including landscape character and the size and form of any local settlements, as well as the degree of change over time in terms of the level and scale of past development; and
- b) in terms of its potential harm to the natural beauty, wildlife and cultural heritage of the National Park by reason of its scale, character and nature. The decision will not be on the basis of likely impact after that harm is reduced through mitigation. The extent to which harm could be moderated will be considered as part of the assessment process.

3.25 Within the National Park there are two European sites for nature conservation: these are the Exmoor Heaths Special Area of Conservation (SAC) and the Exmoor and Quantocks Oak Woodlands SAC. Major development has the potential to affect the conservation objectives of such sites, even where it might be remote from them (see further information relating to Ecological Zones of Influence - Policy CE-S3 Biodiversity and Green Infrastructure). For example, habitats used by barbastelle bats can be nine or more kilometres from the SAC site while otters are known to have territories of up to 20km. Where there may be adverse effects on the SAC sites, both within the designated boundary, or in areas which support the conservation objectives ecologically, it would need to be proved that there will be no likely significant effect. Policy GP2 Major Development (consistent with CE-S3 Biodiversity and Green Infrastructure) requires therefore that there should be no significant effects to proposed or designated European sites for nature conservation both within the sites' boundaries and in areas that ecologically support the conservation objectives of the site.

³⁷ Maurici, J. (July 2014) Legal Opinion in the Matter of the National Planning Policy Framework and in the Matter of the South Downs National Park Authority (Landmark Chambers)

³⁸ HM Government (2010) Statutory Instrument 2010 No.2184 - The Town and Country Planning (Development Management Procedure) (England) Order 2010 - Article (2) definition of 'major development'

³⁹ HM Government (2011) Statutory Instrument 2011 No.1824 - The Town and Country Planning (Environmental Impact Assessment) Regulations 2011

⁴⁰ Ibid.

⁴¹ This definition of 'major development' (for the purposes of consultation on planning applications) is set out in The Town and Country Planning (Development Procedure) (England) Order 2010

GP2 Major Development

1. In the context of the National Park, major development is defined as development which has the potential to have a significant adverse impact on the National Park and its special qualities due to its scale, character and nature.
2. In securing National Park purposes and responding to the National Park's duty to foster the social and economic wellbeing of its communities, applications for major development will not be permitted except in exceptional circumstances; where applicants can demonstrate that they are in the public interest.
3. Proposals for major development will need to demonstrate:
 - a) the need for the development, including in terms of any national considerations;
 - b) the impact of permitting it, or refusing it, upon the local economy and local communities and the extent to which it will provide a significant net benefit to the National Park;
 - c) the cost of, and scope for, developing elsewhere outside the National Park, or meeting the need for it in some other way;
 - d) that there are no significant effects on proposed or designated European sites for nature conservation both within their boundaries and in areas that ecologically support the conservation objectives of the site;
 - e) any detrimental effect on the natural and historic environment, the landscape, and recreational opportunities, taking into account the National Park's special qualities, and the extent to which any such effect could be moderated (through applying the avoidance, mitigation and compensation sequence of tests set out in clause 4 of this policy);
 - f) that the cumulative impact of the development when viewed with other proposals and types of development is acceptable; and
 - g) the scope for adequate restoration of the land once the use has ceased.
4. Where the tests of clause 3 have been met, then every effort to avoid adverse effects will be required. Where adverse effects cannot be avoided, appropriate steps must be taken to minimise harm through mitigation measures. Appropriate and practicable compensation will be expected for any unavoidable effects that cannot be mitigated.

Spatial Strategy

Context

3.26 The purpose of the planning system is to contribute to the achievement of sustainable development that includes supporting strong, vibrant and healthy communities by providing the type of development that reflects the community's needs and supports its health, and social and cultural well-being.⁴²

3.27 Plans should take account of the different roles and character of areas and in promoting sustainable development in rural areas, locate development, such as housing, where it will enhance or maintain the vitality of rural communities. This includes recognising that groups of smaller settlements may share and support services within and between their communities.

3.28 The publication of the Taylor Review in 2008 provided an in depth focus on what sustainability should mean for rural areas.⁴³ This report recognises that planning has an important role in delivering sustainable development in the right places to make positive contributions to people's lives, whilst ensuring the protection of important open spaces, the countryside and the natural and historic environment. However, the report highlighted that in many cases the criteria used to identify sustainable locations for development were too inflexible, which meant that many settlements in rural areas faced a downward cycle of decline through loss of services, and local people unable to afford to live there.

3.29 Policy GP3 Spatial Strategy identifies where new development will be focussed, and what type of development is permitted, in principle, within the named settlements identified as Local Service Centres, Villages and Porlock Weir. The overall aim is to ensure that these communities are sustained over the longer term through appropriate development of a scale that is proportionate to its location and the socio-economic needs of Exmoor's communities, within the context of the highly valued landscape of the National Park. Outside of these settlements, the area is defined as the 'open countryside' and includes farmsteads, isolated dwellings and hamlets.

3.30 A range of settlements are identified as suitable

locations for development including those with a relatively extensive range of services and facilities that also serve a wider hinterland, and smaller settlements with a more limited range of services that serve the local community.

3.31 The spatial strategy will help to ensure that Exmoor's settlements are socially cohesive and equitable by maintaining and creating balanced and mixed communities. Identifying settlements where new development is considered to be acceptable, provides opportunities for development to be in closer proximity to services and jobs and helps to maintain social networks. The social sustainability of communities should not be underestimated in dispersed rural areas and allowing for new development provides opportunities for friends and families to live in close proximity and support each other. In small communities even a relatively low number of affordable homes can enhance their long term sustainability and have a positive outcome for those who live and work there. The spatial strategy therefore aims to address the local need for affordable housing, provide opportunities for the diversification of Exmoor's economy and maintain a range of local services and facilities.

Named Settlements and Open Countryside

3.32 The named settlements are divided into categories based on their role and function, but also recognising the constraints that may impact on their ability to accommodate new development. A technical paper has been produced, which objectively assesses each settlement against a range of factors and informs the identification of settlements within each category.⁴⁴ This approach ensures that communities and their landscape setting are conserved and enhanced whilst providing development opportunities to help sustain their settlements over the long term.

3.33 The spatial strategy for Exmoor National Park is strongly influenced by the close proximity of the National Park to a number of surrounding towns offering a range of jobs, services, retail and leisure

⁴² DCLG (2012) National Planning Policy Framework. (Paragraph 7). DCLG

⁴³ DCLG (2008) A Living Working Countryside: The Taylor Review of Rural Economy and Affordable Housing. DCLG

⁴⁴ ENPA (2015) Spatial Strategy: Local Plan Topic Paper – ENPA, Dulverton

opportunities as shown on the Key Diagram (Map 3.1). The National Park settlements exist at a rural level beneath most conventional settlement hierarchies, within which allocations would not normally be made, and provides scope only for exceptional development requiring a rural location, such as to meet local needs for affordable housing. This can be illustrated by the fact that the three largest settlements within the National Park have populations below 1500. The National Park Authority considers its spatial strategy is consistent with the approach in neighbouring rural areas.

3.34 It is recognised that many key services such as hospitals, supermarkets, secondary schools and colleges, are provided by towns outside the National Park, including Minehead, Taunton, Tiverton, South Molton, Barnstaple and Ilfracombe. These are more appropriate locations for higher levels of growth in terms of housing and employment due to their size and strategic role for the area.

3.35 The settlement categories within the spatial strategy are:

- Local Service Centres
- Villages
- Porlock Weir

Collectively these settlements are referred to in the Plan as the 'named settlements'.

3.36 Local Service Centres: Dulverton, Lynton & Lynmouth and Porlock are the largest settlements within the National Park and provide the most extensive range of services in one place. Therefore, they are the most suitable locations, in principle, for new development to consolidate employment and services to help address the needs of the National Park as a whole, the surrounding area, and the local community. The influence of Dulverton in particular also extends to areas outside the National Park's southern boundary. It is considered that the local housing needs of Dulverton parish outside the National Park (including Battleton) could appropriately be met within Dulverton.

3.37 Nevertheless, development in Local Service Centres should be of a scale that does not harm their form, setting and character. It is important to note that Exmoor's Local Service Centres are not any larger than many villages elsewhere in Devon and Somerset, and

it is only because of their isolation and/or the extent of the surrounding areas they serve, that such a wide range of services has been sustained. The influence of tourism on Exmoor also improves the retail sector for the area and potentially influences the type and scale of shops and what they offer.⁴⁵

3.38 Villages: The settlements identified as Villages are smaller than Local Service Centres and their area of influence is generally more contained, but they do have a number of services and facilities, and act as focal points for people living across Exmoor. Some villages and surrounding communities function collectively by sharing their facilities. Development in the 'Villages' will help maintain or enhance their communities by providing for a diverse economy, helping to retain and enhance key services and facilities (which are often vulnerable to closure), and addressing the housing needs of local communities.

3.39 Porlock Weir has a number of shops and businesses and other community facilities; it would in other circumstances be considered as a 'Village'. However, Porlock Weir is at risk of coastal flooding and erosion over the longer term and the Shoreline Management Plan policy of 'no active intervention' means that the shoreline will be allowed to retreat naturally and existing defences will not be maintained or improved, nor new defences provided unless other funds are available.⁴⁶ Owing to these significant constraints, development at Porlock Weir should accord with policy CC-S4 Replacement Development from Coastal Change Management Areas to allow for the relocation of existing development and infrastructure that is at risk of being lost to coastal change or the provision of housing to address the local affordable housing needs of Porlock Weir. Additional small-scale business premises may also be considered to be acceptable where this is directly related to industries associated with Porlock Weir and where it would conserve and enhance the character of the settlement and the Heritage Coast. However, development should not result in any net loss of habitats used by barbastelle bats, or impinge on the landscape capacity/availability for relocating existing development that may be at risk of being lost to coastal change in the future (CC-S3 Porlock Weir Coastal Change Management Area). A strategy for

⁴⁵ GVA & C4G (2011) Quantitative Needs Assessment – West Somerset Council and ENPA

⁴⁶ North Devon & Somerset Coastal Advisory Group (2010) North Devon & Somerset Shoreline Management Plan Review Final (October 2010) Hartland Point to Anchor Head

Porlock Weir and surrounding area will be produced with the community and other relevant organisations to ensure there is a coordinated approach for the long term adaptation and relocation of buildings and other facilities (see Section 10 Exmoor's Settlements for Inset Map 15 Porlock Weir).

3.40 Open Countryside: The remaining area of the National Park is defined as 'open countryside' and will include isolated dwellings and 'building groups' such as farmsteads and hamlets. Within the open countryside a hamlet is considered to be an established, closely grouped number of dwellings within a contiguous built form, and separate from other named settlements. It is recognised that there are several hamlets in the National Park and that some farmsteads are also likely to meet the same definition. The policy approach in the Local Plan is similar for both farmsteads and hamlets, as both are located in the wider definition of the open countryside. Farmsteads should consist of a clear grouping of farm buildings with an existing dwelling.

3.41 Existing buildings in the open countryside are considered to be subject to normal policies of countryside restraint and may only be converted where they are well related to a hamlet or farmstead to provide: business space; homes for rural workers or people in local affordable housing need; Succession Farm dwellings; and Extended Family dwellings (HC-D7 Conversions to Dwellings in the Open Countryside). Small rural communities that are not identified as named settlements, but that have an established, closely grouped number of dwellings within a contiguous built form, and that are separate from other named settlements, plus service provision in the form of a shop, pub or community meeting place/hall, are considered to be appropriate locations for self-build opportunities to meet local affordable housing needs in accordance with HC-D6 Custom/Self Build Local Need Housing (and subject to other policy considerations).

3.42 The type of development considered to be acceptable in the open countryside is set out in policy GP3 Spatial Strategy (in terms of new build development) and other policies in this plan and includes development that:

- a) is essential for the operation of rural land-based enterprises (HC-D8 New Build Dwellings in the Open Countryside, HC-D9 Rural Workers, HC-D10 Succession Farming – Second Dwellings on Established Farms, SE-S4 Agricultural and Forestry Development);
- b) relates to recreation and tourism development that promotes the understanding and enjoyment of Exmoor (RT-S1 Recreation and Tourism);
- c) provides for local affordable self-build homes in rural communities (HC-D6 Custom/Self Build Local Need Housing);
- d) involves the conversion and change of use of existing buildings for local affordable homes (HC-D7 Conversions to Dwellings in the Open Countryside), Extended Family dwellings (HC-D5 Extended Family Dwellings Criteria), business uses (SE-S3 Business Development in the Open Countryside), visitor accommodation (RT-D1 Serviced Accommodation, RT-D4 Non-serviced Accommodation and RT-D6 Camping Barns), and residential institutions (HC-S7);
- e) forms an extension to existing dwellings (HC-D15 Residential Extensions) or business premises (SE-S3 Business Development in the Open Countryside);
- f) replaces or subdivides an existing dwelling (HC-D17 Replacement Dwellings and HC-D14 Subdivision of Existing Dwellings);
- g) is regarded as householder development - including opportunities for home-based businesses (SE-D1 Home Based Businesses);
- h) relates to essential utilities infrastructure (AC-S4 Electricity and Communications Networks) and renewable energy requirements (CC-S5 Low Carbon and Renewable Energy Development); or
- i) facilitates the small-scale extraction of building stone (CE-S7 Small Scale Working or Re-Working for Building and Roofing Stone).

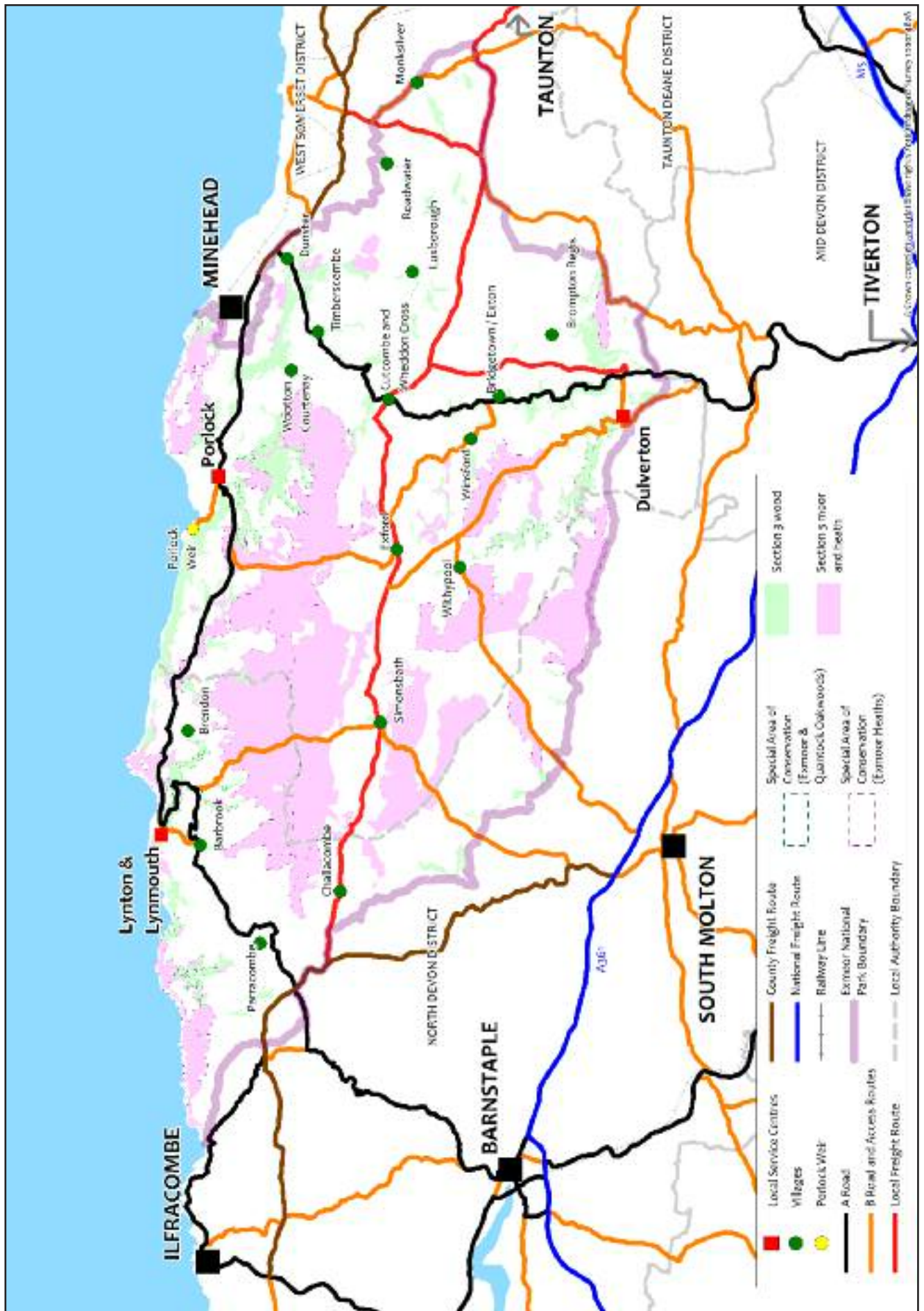
Table 3.1: Settlement Categories Within The Spatial Strategy

Local Service Centres	Dulverton Porlock	Lynton & Lynmouth
Villages	Barbrook Bridgetown and Exton Challacombe Dunster Luxborough Parracombe Simonsbath Winsford Wootton Courtenay	Brendon Brompton Regis Cutcombe and Wheddon Cross Exford Monksilver Roadwater Timberscombe Withypool
A Settlement at risk of coastal change	Porlock Weir	

3.43 Please refer to Section 10: Exmoor’s Settlements for more detailed context and inset maps relating to individual settlements within the spatial strategy.



Map 3.1 Key Diagram



GP3 Spatial Strategy

1. The spatial strategy aims to ensure that communities across the National Park continue to thrive so that they are economically resilient, environmentally sustainable, socially mixed and inclusive. To facilitate sustainable development across the National Park, development proposals should accord with the spatial strategy.
2. For the named settlements (listed in Table 3.1), no development boundaries will be drawn. Development proposals should ensure that the scale of development is proportionate to the settlement size and reflects the capacity of each settlement to accommodate new build development; positively responding to the surrounding landscape character, settlement form and pattern, and avoiding areas at risk of flooding.
3. Development within the named settlements should address the following:
 - a) **Local Service Centres:** Development should strengthen the role and function of the Local Service Centres to sustain and improve the wide range of services and facilities, to serve the needs of the settlement and surrounding communities, address locally identified needs for housing and improve employment prospects for the local area. New build development for local need affordable housing, business premises, and community services and facilities will be acceptable in principle where it is well related to existing buildings in the settlements.
 - b) **Villages:** Development will contribute to and provide opportunities to address locally identified needs for housing and employment and sustain core services and facilities within these communities. New build development for local need affordable housing, business premises, and community services and facilities will be acceptable where it is well related to existing buildings in the settlements.
 - c) **Porlock Weir:** Any proposals for new development will need to demonstrate that they are consistent with the principles in policy CC-S4 Replacement Development from Coastal Change Management Areas, for the replacement of development through relocation and measures for the management of buildings/facilities at risk of being lost to coastal change. Additional new build development will only be considered to be acceptable in relation to the provision of local need affordable housing and small-scale business premises that directly address the needs of the community; where it can be demonstrated that this will not significantly reduce the landscape capacity for relocating development at risk of being lost to coastal change identified within the Coastal Change Management Area (CC-S3), or reduce the net habitat value available to Barbastelle bats. New build housing schemes that require cross subsidy through Principal Residence housing or accessible and adaptable homes will not be permitted.
4. Outside the named settlements the area is identified as the Open Countryside where the focus of new build development will be on improving the sustainability of rural land-based businesses (HC-D8 New Build Dwellings in the Open Countryside, HC-D9 Rural Workers, HC-D10 Succession Farming – Second Dwellings on Established Farms and SE-S4 Agricultural and Forestry Development), providing opportunities for home-based businesses (SE-D1) and enabling self-build opportunities for local affordable housing in sustainable locations (HC-D6 Custom/Self Build Local Need Housing).

The Efficient Use Of Land and Buildings

Context

3.44 In promoting sustainable development, the efficient use of land is a key consideration, particularly land that has been previously developed; provided that it is not of high environmental value.

3.45 Due to the dispersed rural settlement pattern on Exmoor, there is a scarcity of brownfield or previously developed land and buildings in the National Park. However, there has historically been a high percentage of housing delivered on previously developed sites mostly through the conversion and change of use of existing buildings.⁴⁷ Brownfield land within the built form of the settlements is an important resource and should be utilised for future development to: reduce the need for greenfield development; bring redundant sites back into use; and enhance settlement character and form. However, brownfield sites that have been redundant for a considerable period could consequently have a high ecological value that may require survey work to assess ecological value before being considered for development.

3.46 The re-use of existing buildings provides greater flexibility in terms of the uses considered acceptable in the open countryside - where new build development would not otherwise be permitted except where it is considered to be essential to the operation of a rural land-based business. Not only does this approach provide a use for those redundant buildings that are well-related to an existing building group (i.e. a farmstead or hamlet), but also utilises embodied energy within existing resources, and ensures that Exmoor's landscape is conserved and enhanced (CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings).

3.47 Traditional agricultural buildings are not considered to be previously developed land. However, it is recognised that such buildings are part of the important resource of existing redundant or under-used buildings within the National Park that may be appropriate for a range of future uses including local need affordable homes where they meet locational criteria (HC-D7 Conversions to Dwellings in the Open Countryside).

3.48 An assessment of landscape sensitivity for settlements was undertaken as evidence to inform the preparation of this Plan.⁴⁸ The assessment identified areas of low, moderate and high landscape sensitivity within and around the settlements, and the landscape capacity each settlement has to accommodate small-scale new build housing development on greenfield sites. The study illustrates that there is a scarcity and finite number of suitable sites and therefore making best use of the land available to meet the needs of local communities is particularly significant. It recognises that there is often additional capacity through the redevelopment of brownfield sites, including the reuse of buildings.

3.49 To ensure the efficient use of land, new development within the named settlements should reflect the form and character of the built environment. Many Exmoor settlements have a traditional compact form; therefore, it is unlikely to be appropriate to reinforce more recent patterns of development such as 'ribbon development' and low density suburban forms that have not been as successful in conserving or enhancing the historic settlement form and pattern, or making efficient use of available land.

3.50 The density of new housing development should therefore be informed by an analysis of the surrounding built form and landscape to produce an estimate of density that would be both appropriate and achievable on the site to secure the conservation and enhancement of the National Park. This contextual approach to housing density is considered to be more appropriate within the National Park where developments are generally of a smaller scale.

3.51 Where larger developments for housing come forward (10 or more dwellings) then a density of at least 30 dwellings per hectare should be achieved to make best use of greenfield and brownfield sites and limited landscape capacity. This density has been shown to be achievable and successful in the context of Exmoor's settlements at Meadow Close in Wheddon Cross and Chadwyck Close in Porlock.

⁴⁷ Monitored through ENPA Monitoring Reports

⁴⁸ Bryan, P. (2013) Exmoor National Park Landscape Sensitivity Study [updated in 2015] - ENPA, Dulverton

3.52 The best and most versatile agricultural land is classified as Grades 1, 2 and 3a under The Agricultural Land Classification.⁴⁹ This land is the most productive for producing food and non-food crops for future generations, and therefore development should be sought on poorer grades of agricultural land. Within the National Park there are relatively few areas of agricultural land which fall within grades 1, 2

and 3a, and these are found mainly within Porlock Vale. However, agricultural land of poorer quality can be important for landscape, wildlife or the historic environment. Development should safeguard areas of best agricultural land unless its development is unavoidable and alternative sustainability considerations indicate otherwise.

GP4 The Efficient Use of Land and Buildings

1. Development proposals will be encouraged which demonstrate the efficient use of land and buildings including through:
 - a) the redevelopment of brownfield land located within the built extent of the named settlements that does not have a high ecological value; or
 - b) the re-use of existing buildings within the built extent of the named settlements, or within or well-related to hamlets and farmsteads.
2. Development within or adjoining the named settlements should reflect the historic form and pattern of the settlement, and make best use of land on the site in terms of the density of buildings and green infrastructure provision.
3. A density of at least 30 dwellings per hectare will apply to developments of 10 or more dwellings.
4. Development should not result in the loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) unless the development of alternative sites would conflict with National Park purposes.



⁴⁹ Natural England (2009) Agricultural Land Classification: protecting the best and most versatile agricultural land

Securing Planning Benefits

Context

3.53 All development has some impact on land and facilities. Conditions, planning obligations, and the Community Infrastructure Levy (CIL) can be used to mitigate the effects of such impacts. Planning conditions can be used to enable development proposals to proceed which might otherwise have been refused, by mitigating the adverse impacts of the development. Planning obligations can also be used to mitigate the impact of unacceptable development and legislation states that planning obligations should only be sought where they meet all of the following tests:

- a) they are necessary to make the development acceptable in planning terms;
- b) they are directly related to the development; and
- c) they are fairly and reasonably related in scale and kind to the development.⁵⁰

3.54 Planning obligations are delivered through section 106 (S106) agreements, and are generally used within the National Park to secure local need affordable dwellings. S106 agreements will also be used to: ensure that new infrastructure required to unlock development opportunities is also delivered in the right place at the right time; and to secure contributions towards the provision of affordable housing; or to set the level of Principal Residence housing where it is clearly demonstrated that cross-subsidy is required. Circumstances where planning obligations are used will vary on a case-by-case basis and may also relate to other infrastructure and enhancements required to make the development acceptable.

3.55 Policy HC-D2 Conversions to Dwellings in Settlements sets out the circumstances when, through the change of use of a building to dwellings, a financial contribution may be sought in lieu of an actual on site contribution to affordable housing. These occasions are expected to be exceptional as the National Park Authority will seek all new housing development to address a local affordable need and the needed affordable housing will therefore be provided on site. Where consistent with Policy HC-D2 Conversions to Dwellings in Settlements and only, exceptionally, if it can be demonstrated that on-site provision of affordable housing through

change of use is not possible or appropriate, a financial contribution will be considered in lieu of the required affordable housing. Such circumstances will include where the scheme would provide more affordable homes than are needed in the parish and adjoining parishes. To enable scrutiny of the different elements and costs of the scheme, including site (building) values, so as to ensure that the affordable housing provision is maximised, an 'open book' approach will be required in all cases.

3.56 Policy GP5 Securing Planning Benefits - Planning Obligations, sets out the principle of requiring a contribution for conversions of existing buildings to residential, which are generally more expensive to deliver than new build. The National Park Authority will seek to ensure the provision of affordable housing will be local to the parish where the contribution is sought wherever possible and appropriate.

3.57 In addition to planning conditions and obligations, local planning authorities are able to introduce CIL which can be used to secure a levy from development to deliver infrastructure to support the development of the local area. However, it is not obligatory. In Exmoor National Park, for example, CIL could be used for improvements and additions to: sporting and recreational facilities, open spaces, schools and other educational facilities, medical centres, transport infrastructure and flood defences. Much infrastructure is owned and/or managed by town and parish councils, the district councils and county councils. The need for CIL is established through a live document known as the Infrastructure Delivery Plan which sets out existing infrastructure deficiencies and what is required for the future.

3.58 CIL is generally charged on development that is over 100sq metres or for new dwellings. There are developments which do not pay into this levy which include: self-build homes, social housing, rural workers' dwellings and charitable development. Exmoor National Park has relatively limited development, particularly of 100sqm or above and much of the housing delivered to address the affordable housing needs of local communities would be exempt from CIL. However, it is recognised that such development still has an impact on local infrastructure and the needs of local communities.

⁵⁰ HM Government (2010) Statutory Instruments 2010 No. 948 Community Infrastructure Levy Regulations 2010. (Part 11 Planning Obligations), The Stationery Office Ltd

3.59 Given the limited level and scale of development in Exmoor National Park and that much of the local infrastructure is owned and/or managed by other local authorities, the National Park Authority will need to work with partners and review

the Infrastructure Delivery Plan periodically and as appropriate, to inform its position on the CIL, including consideration of the benefits of a CIL and its impact on the viability of development in the National Park.

GP5 Securing Planning Benefits – Planning Obligations

1. Planning obligations will be required where they are considered reasonable, necessary and appropriate to:
 - a) ensure that development can be made acceptable in the context of conserving and enhancing the National Park and its special qualities;
 - b) address infrastructure capacity deficits; and
 - c) bring development in line with policy objectives.
2. Where a financial contribution is required for affordable housing in accordance with other policies in this Plan, the financial contribution will, at minimum, be of an equivalent value to the affordable housing which would have been provided on site and secured through a planning obligation.
3. The need for a Community Infrastructure Levy will be reviewed periodically through the Infrastructure Delivery Plan.

