

# DUTY TO CO-OPERATE STATEMENT

EXMOOR NATIONAL PARK LOCAL PLAN 2011-2031  
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## **Introduction**

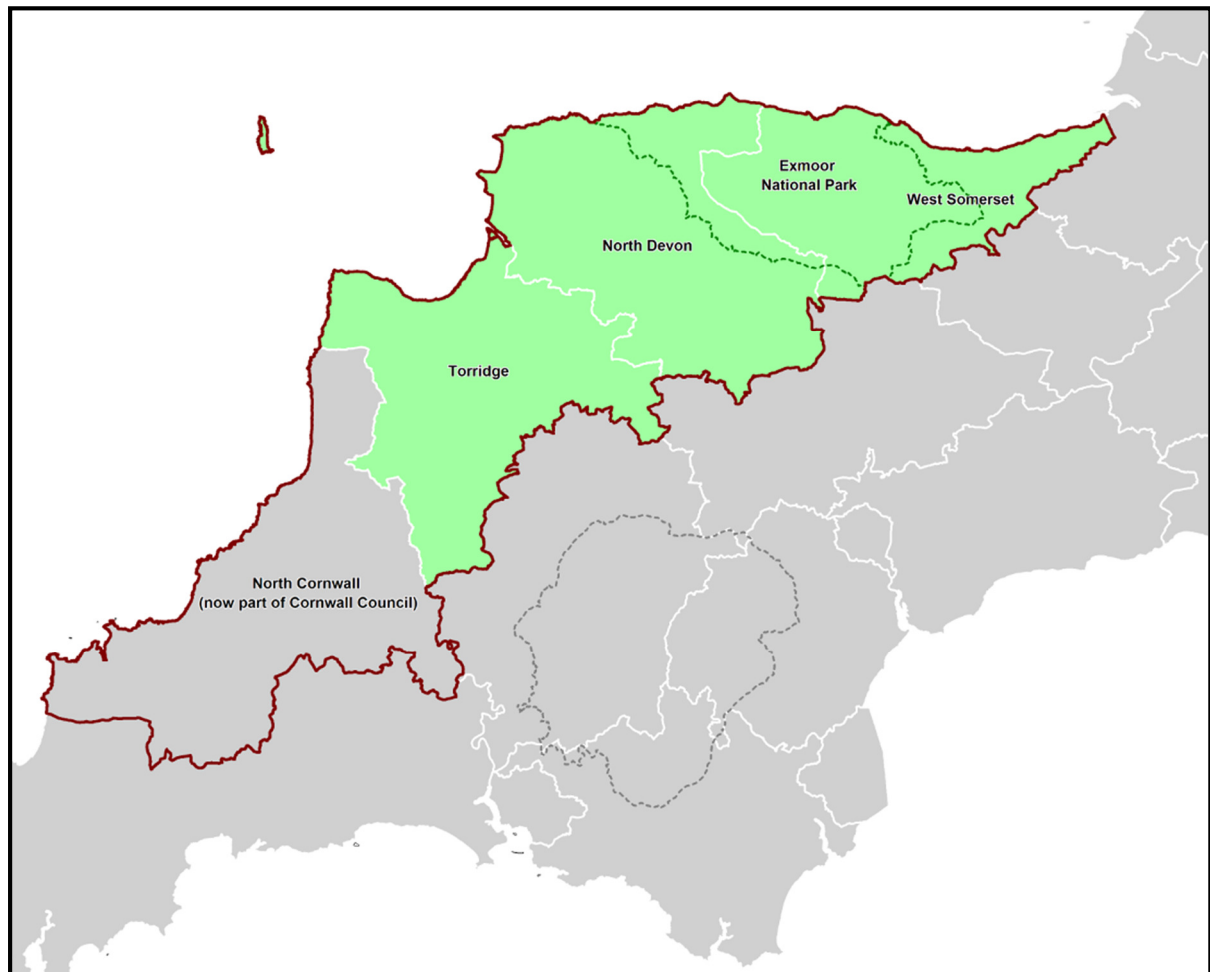
1. This Statement of Compliance with the Duty to Co-operate covers the Publication version of the Exmoor National Park Local Plan 2011-2031 (“the Local Plan”). It sets out how Exmoor National Park Authority (ENPA) is responding to the legal duty to co-operate in preparing the Local Plan. It details how ENPA has worked collaboratively with other councils, public bodies and other organisations to identify the spatial strategy for the Local Plan and develop strategic policies.
2. The Duty to Co-operate is enshrined in law through Section 33A of the Planning and Compulsory Purchase Act 2004 (inserted by Section 110 of the Localism Act 2011). It is also included within the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG), specifically in terms of planning strategically across local boundaries. The duty:
  - relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a county council;
  - requires that councils set out planning policies to address such issues;
  - requires that councils and public bodies ‘engage constructively, actively and on an on-going basis’ to develop strategic policies; and
  - requires councils to consider joint approaches to plan making.
3. The NPPF provides that local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross boundary impacts when their local plan is submitted for examination. The NPPF states that cooperation should be a continuous process of engagement from initial thinking through to implementation. Further guidance is given in the National Planning Policy Guidance.

## **Background**

4. Exmoor National Park was designated as a National Park in 1954 and is situated within the counties of Somerset and Devon. Planning within National Parks is unusual, in that the National Park Authorities are responsible for planning policy and development management, but other functions are carried out by the District and County Councils such as housing, economic development, transport and education. Co-operative working is therefore particularly important within the National Park given the responsibilities of these different organisations, and reflecting the national status of the National

Park which is given great weight in national planning policy and has *'the highest status of protection in relation to landscape and scenic beauty'*<sup>1</sup>.

5. The total area of the National Park is 693 square kilometres (267 square miles) of which approximately two thirds lies within West Somerset District and one third within North Devon District. It has a population of around 10,000 people, with most people living in small dispersed settlements. For the purposes of strategic planning for housing, Exmoor lies within the Northern Peninsula Housing Market Area (see Figure 1).



**Figure 1 Map of Exmoor National Park within the Northern Peninsula Housing Market Area** (Map courtesy of Torridge District Council)

<sup>1</sup> National Planning Policy Framework paragraph 115

## **Exmoor-wide Duty to Co-operate Protocol.**

6. Exmoor National Park Authority has worked with neighbouring planning authorities and other relevant bodies to develop an Exmoor-wide Duty to Co-operate Protocol guiding co-operative working on strategic and cross-boundary issues affecting Exmoor. The Protocol includes:
- North Devon Council (neighbouring authority and within the Northern Peninsula Housing Market Area )
  - West Somerset Council (neighbouring authority and within the Northern Peninsula Housing Market Area)
  - Torrridge District Council (within the Northern Peninsula Housing Market Area and preparing a joint Local Plan with North Devon Council)
  - Mid Devon District Council (neighbouring authority)
  - Devon County Council (Highways and Education Authority)
  - Somerset County Council (Highways and Education Authority)
  - Natural England (statutory agency)
  - Environment Agency (statutory agency)
  - Devon Local Nature Partnership
  - Somerset Local Nature Partnership, and
  - Heart of the South West Local Enterprise Partnership.<sup>2</sup>
7. In addition, the following organisations are not signatories to the Protocol, but have agreed to continue to work closely with the National Park Authority in the formulation and implementation of relevant plans and policies:
- Historic England<sup>3</sup>
  - Marine Management Organisation
  - Cornwall Council (relating to the former North Cornwall Council area which was within the Northern Peninsula Housing Market Area)
8. The two Clinical Commissioning Groups (CCGs) covering the National Park – the Northern Devon CCG and West Somerset CCG were contacted regarding the Protocol but no response was received. The NPA has examined the provision of health facilities within the National Park as part of the Local Plan preparation<sup>4</sup>, and has not identified the need for specific cross-boundary working with the CCGs on these issues. ENPA will seek to engage with the CCGs as the need arises. Additional organisations are listed in the Regulations, but do not have a relevant remit to the National Park and so it was not considered appropriate to include them in the Protocol. Further

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<sup>2</sup> The LNPs and LEP are not defined by statute but are identified in the regulations as bodies that those covered by the duty 'should have regard to' when preparing local plans and other related activities

<sup>3</sup> Formerly English Heritage

<sup>4</sup> Exmoor National Park Infrastructure Delivery Plan 2015, Exmoor National Park Authority

information on the signatories and other organisations contacted is given in the Protocol.

9. The Protocol provides a framework for the signatory organisations to ensure effective co-operation throughout the planning process on strategic priorities relating to Exmoor National Park, and cross-boundary issues. It applies to a range of strategic planning policy matters, particularly preparing policy and strategy, implementation, monitoring and other cross-boundary policy issues. It forms the basis for discussing strategic priorities, evaluating options to address cross-boundary issues and agreeing outcomes wherever possible but ultimately respects the individual identities and interests of its signatory organisations.

### **Mechanisms for Co-operative Working**

10. ENPA by virtue of its role as a National Park Authority has long established principles of co-operation with other local authorities and organisations. This enables ENPA to discharge its responsibilities in relation to the Environment Act 1995<sup>5</sup>. Cross boundary working, and engagement with stakeholders, is embedded in the approach both to plan making and decision making and this can be illustrated by the following:
  - The National Park Authority comprises members of each of the key Local Authorities which cover the National Park area, including 2 members appointed by Devon County Council, 4 appointed by Somerset County Council, 2 from North Devon Council and 4 from West Somerset Council. Whilst members are clearly making decisions and contributing to working panels representing the National Park Authority their joint role enables strong connection with other authorities at a member/councillor level.
  - The principal plan for Exmoor, the Exmoor National Park Partnership Plan, whilst led by ENPA, is a shared plan for a range of partners. The Plan draws together those with an interest in Exmoor with a set of goals to achieve a vision for the National Park. That vision is echoed in the draft Local Plan; this illustrates how the Local Plan for the National Park is furthering the shared vision for Exmoor.
  - Section 62 of the Environment Act 1995 makes it a duty for all relevant authorities to have regard to National Park purposes when coming to decisions or carrying out their duties. This is reflected in the signatories' commitments in the Protocol. The duty means that ENPA has long established relationships with government departments and agencies and a range of other local and public bodies in delivering National Park purposes.

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<sup>5</sup> HM Government (1995) Environment Act

- ENPA works with neighbouring district councils regarding their statutory responsibilities for housing, economic development and environmental health and the two county councils in relation to their roles as education and highways authorities and public health and wellbeing to ensure that Exmoor National Park residents can benefit from the decisions made and actions taken across the area.
11. Officers from ENPA, West Somerset, North Devon and Torridge District Councils have worked together on strategic issues relating to the scale and distribution of housing across the Northern Peninsula Housing Market Area for many years prior to the Duty to Co-operate becoming a legal requirement. Since then, the officer meetings have been formalised into Duty to Co-operate meetings and have been used to discuss strategic and cross-boundary issues, commission joint evidence, and develop the Exmoor-wide Duty to Co-operate Protocol. Details of the relevant DtC meetings are given in **Appendix 1**.
  12. In addition, ENPA officers attend meetings of the Devon Planning Officers Group involving all Devon local authorities, which provides a forum for duty to co-operate discussions and is responsible for monitoring the Devon Duty to Co-operate Protocol to ensure all strategic cross boundary issues are being addressed. The Somerset Strategic Planning Conference Officers Group provides a similar forum for the Somerset authorities.

**Co-operation with relevant bodies in Plan-making**

13. The Protocol sets out how the prescribed bodies and other partner organisations will work together on strategic issues requiring co-operation. Table 1 provides details of the contacts that have been established with each of the prescribed bodies during the preparation of the Exmoor National Park Local Plan and their relevant inputs as the Plan has progressed.

**Table 1: Contact with Prescribed Bodies**

North Devon Council	<p>As a neighbouring planning authority and a signatory to the DtC Protocol, North Devon Council has been closely involved in those elements of the Local Plan that will help to deliver sustainable growth and support the continuing objectives of the National Park.</p> <p>Working with North Devon Council has been of particular significance in relation to the scale and distribution of housing across the Northern Peninsula Strategic Housing Market Area, and the role and function of settlements. Joint methodologies and studies have been used for key pieces of evidence, including the</p>
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	<p>Strategic Housing Market Assessments, and Strategic Housing Land Availability Assessment.</p> <p>The National Park Authority has worked with North Devon Council to ensure that a consistent approach is taken to protecting the landscape character, special qualities and setting of the National Park, and its status as a Dark Sky Reserve.</p> <p>As a formal consultee North Devon Council has been consulted as the Exmoor National Park Local Plan has progressed, and amendments have been made in the light of comments received.</p>
<p>West Somerset Council</p>	<p>West Somerset Council are a neighbouring planning authority and a signatory to the DtC Protocol. Working with West Somerset Council has been of particular significance in relation to the scale and distribution of housing across the Northern Peninsula Strategic Housing Market Area including the role and function of settlements and the potential impact of the new Hinkley Point C nuclear power station. Joint methodologies and studies have been used for key pieces of evidence, including the Strategic Housing Market Assessments, Strategic Housing Land Availability Assessment, Quantitative Needs Assessment (Retail Study), and Strategic Flood Risk Assessment.</p> <p>The National Park Authority has worked with West Somerset Council regarding protection of the landscape character, special qualities and setting of the National Park, and its status as a Dark Sky Reserve.</p> <p>As a formal consultee West Somerset Council has been consulted as the Exmoor National Park Local Plan has progressed, and amendments have been made in the light of comments received.</p>
<p>Torrige District Council</p>	<p>Torrige District Council are a signatory to the DtC Protocol, particularly in relation to the scale and distribution of housing across the Northern Peninsula Strategic Housing Market Area. Joint methodologies and studies have been used for key pieces of evidence, including the Strategic Housing Market Assessments, and Strategic Housing Land Availability Assessments. Torrige are producing a Joint Local Plan with North Devon and are indirectly affected by discussions regarding housing provision arising from within the National Park.</p>
<p>Mid Devon District Council</p>	<p>A small part of Mid Devon District Council borders the National Park to the south east. Officers have been involved in discussions regarding the Exmoor National Park and Mid Devon Local Plans. No strategic cross-border issues have been identified.</p>

	<p>As a formal consultee Mid Devon has been consulted as the Exmoor National Park Local Plan has progressed but have raised no comments.</p>
<p>Devon County Council</p>	<p>Devon County Council has a variety of responsibilities covering cross-boundary co-operation and undertake significant work with other Authorities, including the Exmoor National Park Authority, to support local plan preparation with an appropriate evidence base, in particular covering minerals, waste and infrastructure planning issues.</p> <p>Devon County Council led the preparation of a “wider Devon protocol” which forms a basis for fulfilling duty to co-operate requirements. ENPA is a signatory to the protocol.</p> <p>As a formal consultee Devon County Council has been consulted as the Exmoor National Park Local Plan has progressed, and amendments have been made in the light of comments received.</p>
<p>Somerset County Council</p>	<p>Somerset County Council has a variety of responsibilities covering cross-boundary co-operation and undertake significant work with other Authorities, including the Exmoor National Park Authority, to support local plan preparation with an appropriate evidence base, in particular covering minerals, waste and infrastructure planning issues.</p> <p>Somerset County Council has produced a joint Duty to Co-operate Statement with regard to the Somerset Minerals Plan and Sand and Gravel. ENPA is a signatory to the Statement.</p> <p>Somerset County Council has supported work on ecological network mapping across Somerset, including the National Park.</p> <p>As a formal consultee Somerset County Council has been consulted as the Exmoor National Park Local Plan has progressed, and amendments have been made in the light of comments received.</p>
<p>Natural England</p>	<p>Natural England has been involved in development of the environmental policies of the Local Plan, particularly in relation to biodiversity, ecological networks and green infrastructure provision. Through its statutory consultee functions, NE has advised on the Sustainability Appraisal and Habitats Regulations Assessment.</p> <p>ENPA works closely with Natural England on the protection and enhancement of biodiversity within the National Park, and on building coherent ecological networks across boundaries.</p> <p>As a formal consultee Natural England has been consulted as the Exmoor National Park Local Plan has progressed. Natural England stated in their consultation response to the pre-</p>

	<p>submission draft Local Plan that they consider it provides a positive framework for shaping and managing future development sustainably in Exmoor National Park. No specific issues were highlighted requiring changes to the Local Plan.</p>
Environment Agency	<p>The Environment Agency have been involved in the development of the Local Plan including through supporting preparation of key evidence base documents the Strategic Flood Risk Assessment, and via officer comments on draft policies. The Environment Agency also advised on the designation of the Porlock Weir Coastal Change Management Area.</p> <p>As a formal consultee the Environment Agency has been consulted as the Exmoor National Park Local Plan has progressed. The Environment Agency supported many of the policies in the pre-submission draft Local Plan, and minor changes were made to wording in the Plan as a result of Environment Agency comments.</p> <p>Through its statutory consultee functions, the Environment Agency has also advised on the Sustainability Appraisal.</p>
Historic England <sup>6</sup>	<p>ENPA has its own archaeological and listed building advisors but works closely with Historic England on planning matters affecting the historic environment. As a formal consultee Historic England has been consulted as the Exmoor National Park Local Plan has progressed. Historic England supported many of the policies in the pre-submission draft Local Plan, and stated that the historic environment appears as a balanced and integrated topic in the Draft Local Plan, the maintenance of which is key to the Exmoor's sustainable future. Minor changes were made to wording in the Plan as a result of Heritage England's comments.</p> <p>Through its statutory consultee functions, Historic England has also advised on the Sustainability Appraisal.</p>
Devon Local Nature Partnership	<p>The Devon LNP is not defined by statute but is identified in the regulations as a body that those covered by the duty 'should have regard to' when preparing local plans and other related activities. The LNP was established in 2012. Their involvement in the Local Plan development to date has been limited, however the Protocol sets out the principles for future co-operative working with the LNP, including on the environmental evidence base and to promote coherent ecological networks across boundaries.</p>
Somerset Local Nature Partnership	<p>The Somerset LNP is not defined by statute but is identified in the regulations as a body that those covered by the duty 'should have regard to' when preparing local plans and other related activities.</p>

<sup>6</sup> Formerly known as English Heritage

	<p>The LNP was established in 2012. Their involvement in the Local Plan development to date has been limited, however the Protocol sets out the principles for future co-operative working with the LNP, including on the environmental evidence base and to promote coherent ecological networks across boundaries. In particular, Somerset Wildlife Trust, (who provide the Secretariat for the LNP) have worked with Somerset County Council and Exmoor National Park Authority on ecological network mapping across Somerset, to promote coherent ecological networks across the National Park boundary.</p>
<p>Heart of the South West Local Enterprise Partnership</p>	<p>The Heart of the SW LEP is not defined by statute but is identified in the regulations as a body that those covered by the duty ‘should have regard to’ when preparing local plans and other related activities.</p> <p>The LEP has an important role in informing the strategic direction of economic policy in the area and helps to identify emerging opportunities that would support a sustainable economy in the National Park. The LEP’s Strategic Economic Plan (2014-32) highlights the exceptional quality of the environment and recognises the importance role this plays in the economy, particularly the tourism and agricultural sectors.</p> <p>The LEP is a signatory of the Protocol setting out the principles for co-operative working. ENPA is also preparing a joint Economic Prospectus with Dartmoor National Park Authority, setting out where joint working with the LEP may be promoted in the future. However, there are no strategic economic or development proposals within the National Park to date, requiring joint working with the LEP.</p>
<p>Marine Management Organisation</p>	<p>The Marine Management Organisation was contacted regarding the Protocol and any strategic or cross-boundary issues arising. The MMO did not feel that it was necessary to sign the Protocol, and that established ways of working are sufficient to ensure that all parties work together in an effective manner on areas of common interest.</p>
<p>Cornwall Council</p>	<p>The previous administrative area of North Cornwall made up part of the former ‘Northern Peninsula Housing Market Area’ – this is now within the Cornwall Council area. Cornwall Council were contacted regarding the Protocol and any strategic matters arising, but felt that it was not necessary to be a signatory. In preparing the Cornwall Local Plan, Cornwall Council has sought to ensure that target housing provision is adequate to meet objectively assessed needs and do not therefore envisage circumstances in which there would be a call on adjoining authorities or other planning authorities within the former Northern Peninsula Housing Market Area. Cornwall Council will continue</p>

	to co-operate with the local authorities in the Northern Peninsula Housing Market Area to share technical studies and liaise on broad strategic planning issues.
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**Strategic Priorities for Co-operation**

14. The Protocol identifies a number of cross-boundary and strategic issues where co-operative working is required. This includes:
  - Strategic Planning
  - Role and Function of Settlements
  - Housing Provision (including Gypsy & Travellers)
  - The Economy and Service Centres
  - Climate Change Mitigation and Adaptation
  - Flood and Coastal Risk Management
  - Biodiversity, Ecological Networks and Green Infrastructure; Natural and Historic Environment (including National Park Statutory Purposes and National Park Landscape and Setting and Biodiversity, Ecological Networks and Green Infrastructure)
  - Minerals and Waste
  - Infrastructure Provision (including Education, Transport and Health)
  - The Impact of the Hinkley Point C New Nuclear Project
  - Marine management.
  
15. Table 2 provides a summary of the approach taken to address these strategic priorities through co-operation with relevant organisations.

**Table 2 – Co-operation on Strategic Priorities**

Desired outcome from (Exmoor-wide DtC Protocol)	Key partners	Evidence of co-operation
<b>Strategic Priority (a) Strategic Planning</b>		
<ul style="list-style-type: none"> <li>• Where relevant, the Authority Partners will co-operate on joint technical studies and other work to provide a consistent evidence base to support their respective plans. This will include:                             <ul style="list-style-type: none"> <li>• Sharing of evidence/data and joint commissioning where appropriate;</li> <li>• Demographic forecasting and housing projections; and</li> <li>• Agreed mechanisms for on-going engagement through the plan preparation process</li> </ul> </li> </ul>	Exmoor National Park Authority, North Devon District Council, Torridge District Council, West Somerset Council, Mid Devon District Council, Devon County Council, Somerset County Council, Devon Local Nature Partnership, Somerset Local	Commissioned joint evidence base documents: <ul style="list-style-type: none"> <li>- Northern Peninsula Strategic Housing Market Assessment (NP SHMA) 2008 and 2015 Update (ENPA, NDC, TDC, WSC)</li> <li>- North Devon &amp; Torridge SHMA Update 2012 (includes the part of Exmoor in North Devon) (ENPA, NDC, TDC)</li> <li>- Strategic Housing Viability Assessment for the Northern Peninsula Housing Market Area 2008 (ENPA, NDC, TDC, WSC, DCC)</li> </ul>

<b>Desired outcome from (Exmoor-wide DtC Protocol)</b>	<b>Key partners</b>	<b>Evidence of co-operation</b>
<p>and the provision of consultation responses.</p> <ul style="list-style-type: none"> <li>Agencies and other partner organisations will provide and share information and data held when requested (including regarding their own plans and strategies) to better inform plan and strategy evidence bases and studies where relevant.</li> </ul>	<p>Nature Partnership, Heart of the South West LEP, Environment Agency, English Heritage, Natural England, Marine Management Organisation</p>	<ul style="list-style-type: none"> <li>- Quantitative Needs Assessment for Retail and Leisure 2011 (ENPA,WSC)</li> <li>- Strategic Flood Risk Assessment Level 1 2009 (ENPA, WSC, with input from EA)</li> <li>- Agreed a joint methodology for undertaking Strategic Housing Land Availability Assessments.</li> <li>- Gypsy and Traveller Accommodation Assessment 2015 (led by DCC, covering the whole of Exmoor National Park)</li> <li>- Devon Local Aggregate Assessment (DCC, NDC, TDC, ENPA)</li> <li>- Somerset Local Aggregate Assessment 2013 (SCC, WSC, ENPA)</li> <li>- North Devon and Somerset Shoreline Management Plan 2010 (ENPA, NDC, TDC, WSC, SCC, DCC, EA)</li> <li>- West Somerset Rural Housing Needs Report 2015 (Rural Housing Project, ENPA, WSC, housing partners)</li> <li>- Strategic Stone Study: A Building Stone Atlas of Somerset and Exmoor 2011 (English Heritage)</li> </ul>
<b>Strategic Priority (b) Role and Function of Settlements</b>		
<ul style="list-style-type: none"> <li>The Authority Partners will seek to co-ordinate the terminology for the role and function of settlements within two Authority areas, and the policy approach relating to them, to provide clarity and consistency in the adjoining plans.</li> </ul>	<p>Exmoor National Park Authority, North Devon District Council, West Somerset Council</p>	<p>Discussed at DtC officer meetings and highlighted in consultation comments.</p> <p>Changes were made to the named settlements in the Exmoor Local Plan in relation to the status of Dunster (as a Village rather than Local Service Centre) to provide consistency with West Somerset’s approach. There were also discussions regarding other settlements which cross the ENPA and WSC boundaries such as Carhampton and Monksilver, but no changes were considered to be required.</p> <p>Officer discussions were also held between ENPA and NDC regarding the status of Combe Martin within the</p>



Desired outcome from (Exmoor-wide DtC Protocol)	Key partners	Evidence of co-operation
		<p>Exmoor Local Plan, and it was agreed to continue to identify this area as ‘open countryside’ to ensure that new build development does not take place within the National Park, and NDC considered that there were better sites that could deliver housing in Combe Martin outside the National Park.</p> <p>ENPA’s response to the Publication Draft NDC/TDC Joint Plan (Aug 14) welcomed the incorporation of a wider range of settlements within the Spatial Development Strategy for Northern Devon’s Rural Area (Policy - STO7) that would allow for housing to meet communities’ needs in parishes split by the National Park boundary but where the settlement is located outside the Park (e.g. East Anstey, Molland and Brayford).</p>
<b>Strategic Priority (c) Housing Provision</b>		
<ul style="list-style-type: none"> <li>• The Authority Partners will continue to work together on ensuring a co-ordinated approach to the distribution of housing across the housing market area and will undertake joint research studies where appropriate.</li> <li>• The Authority Partners will seek to co-operate on meeting objectively assessed needs across the Housing Market Areas, including accommodating the needs of adjoining authorities where appropriate.</li> <li>• Where needs cannot be met in a sustainable way within adjoining Authority areas, the Authority Partners will explore all other options available to meet these needs.</li> </ul>	<p>Exmoor National Park Authority, North Devon District Council, Torrington District Council, West Somerset Council, (North Cornwall prior to Cornwall Council becoming a unitary authority)</p>	<p>A joint evidence base has been commissioned including the Northern Peninsula Housing Market Assessment and updates. A joint methodology was also agreed for undertaking Strategic Housing Land Availability Assessments to provide a consistent approach.</p> <p>Until April 2015, NDC, WSC and ENPA jointly funded the Rural Housing Project to support delivery of affordable rural housing across the whole of North Devon and West Somerset, including Exmoor. In 2015, Joint Working Guidance was agreed to assist with the delivery local needs affordable housing on Exmoor. It focuses on the relationship between Exmoor National Park as the Local Planning Authority and West Somerset Council &amp; Taunton Deane Borough Council Housing Enabling and Development Team on</p>

Desired outcome from (Exmoor-wide DtC Protocol)	Key partners	Evidence of co-operation
		<p>behalf of the Housing Authority. It sets out the expectations and requirements of both organisations to enable them to achieve the common goal of assisting in the delivery of affordable housing in line with Local Plan policy.</p> <p>DtC officer meetings have been ongoing since 2013 to discuss objectively assessed housing needs and distribution across the NP HMA.</p> <p>Discussions have highlighted the difficulties in meeting housing need within the National Park, and the need to consider options to make provision in neighbouring authorities' Local Plans. This has been followed up by formal requests from ENPA to WSC and NDC. WSC responded that they are unable to accommodate this request. A member meeting was held to discuss this further, but no resolution was reached. ENPA also formally requested that NDC consider if they are able to accommodate the housing arising from the West Somerset side of the National Park, but NDC are not able to do so and it is not felt to be sustainable. ENPA subsequently made representations to the WSC Publication Draft Local Plan (Mar 2015).</p> <p>NDC are able to accommodate the market and affordable housing arising from the North Devon part of the National Park and this is included in their Proposed Main Changes to the North Devon and Torridge Local Plan consultation 2015. ENPA's response to the consultation welcomed this (Apr 2015).</p> <p>Further details on the approach to housing in the Exmoor Publication</p>



Desired outcome from (Exmoor-wide DtC Protocol)	Key partners	Evidence of co-operation
		<p>Draft Local Plan are given in the ENPA Housing Topic Paper. A joint NP HMA Housing Topic Paper is in preparation.</p> <p>A joint evidence base was commissioned for Gypsy and Traveller provision (led by DCC), covering the whole of Exmoor National Park. The GTAA found that there are no pitch requirements within Exmoor National Park.</p>
<b>Strategic Priority (d) The Economy and Service Centres</b>		
<ul style="list-style-type: none"> <li>The Authority Partners will co-operate on strategic issues across functional economic areas including the protection of existing employment land, support for key sectors including tourism and agriculture/forestry, and any proposals for strategic retail, leisure, industrial or other economic development.</li> <li>The Authority Partners will work with the LEP to ensure that Local Plan policy framework and Strategic Economic Plan are consistent and mutually supportive.</li> </ul>	<p>Exmoor National Park Authority, North Devon District Council, Torrridge District Council, West Somerset Council, Mid Devon District Council, Devon County Council, Somerset County Council, Heart of the South West LEP</p>	<p>A joint evidence base was commissioned - Quantitative Needs Assessment for Retail and Leisure 2011 (ENPA, WSC). This concluded that the larger centres outside the National Park such as Minehead are important for a wider range of retail and services, but given the dispersed rural nature of the area, local shops and services are also important and need to be retained.</p> <p>Discussion have been held at DtC officer meetings about policy approaches to business and employment including retail, leisure, tourism and home working. This included ENPA/WSC officer discussions regarding strategic allocations in Minehead / Alcombe for housing and employment land to ensure that the setting and special qualities of the National Park are protected.</p> <p>The Heart of the SW LEP is included as a signatory to the DtC Protocol. Reference was made to the HoSW LEP's Strategic Economic Plan in the strategic priorities for the Exmoor Local Plan. Informal officer discussions</p>

Desired outcome from (Exmoor-wide DtC Protocol)	Key partners	Evidence of co-operation
		<p>indicate there are no strategic issues arising for the Exmoor Local Plan.</p> <p>ENPA, NDC and DCC worked together to ensure a consistent cross-boundary approach to the reinstatement of the heritage Lynton &amp; Barnstaple Railway which is an important tourism asset.</p>
<b>Strategic Priority (e) Climate Change Mitigation and Adaptation</b>		
<ul style="list-style-type: none"> <li>The Partner Authorities and Agencies will work together to support climate change mitigation and adaptation measures across boundaries, including ecological networks and green infrastructure.</li> <li>The Partner Authorities and other relevant partners will work together to avoid impacts of renewable energy schemes on the landscapes, seascapes, visual amenity and setting of the National Park.</li> </ul>	<p>Exmoor National Park Authority, North Devon District Council, Torridge District Council, West Somerset Council, Mid Devon District Council, Devon County Council, Somerset County Council, Devon Local Nature Partnership, Somerset Local Nature Partnership, Environment Agency, Natural England</p>	<p>The NDC/TDC Publication Draft Local Plan Proposed Main Changes supports renewable energy and heat (Policy ST16) proposals where the special qualities of nationally important landscape, biodiversity and heritage designations and their settings are conserved and enhanced. It is also recognised that the need for renewable energy does not automatically override environmental protection.</p> <p>NDC/TDC Publication Draft Local Plan Paragraph 13.614 (Kentisbury) supports small scale renewable energy schemes, but includes protection of the landscape, tranquillity, dark skies and setting of the National Park.</p>
<b>Strategic Priority (f) Flood and Coastal Risk Management</b>		
<ul style="list-style-type: none"> <li>The Partner Authorities and Agencies will continue to work together to manage flood risk in particular with regard to strategic planning and development. Strategic Flood Risk Assessments will continue to be undertaken jointly where appropriate to inform spatial strategies and cross-border implications.</li> <li>The Authority Partners and Agencies will co-operate over the North Devon and Somerset Shoreline Management</li> </ul>	<p>Exmoor National Park Authority, North Devon District Council, Torridge District Council, West Somerset Council, Devon County Council, Somerset County Council, Environment Agency, Natural England Marine</p>	<p>A joint evidence base was commissioned - Strategic Flood Risk Assessment Level 1 2009 (ENPA, WSC, with input from EA).</p> <p>There have been DtC Officer discussions on flood risk and coastal management but no strategic issues have been identified.</p> <p>The Shoreline Management Plan has been used as the basis for policy in Exmoor Local Plan.</p>

<b>Desired outcome from (Exmoor-wide DtC Protocol)</b>	<b>Key partners</b>	<b>Evidence of co-operation</b>
<p>Planning (SMP) process, and incorporate the policy approach set out in SMP2 for the planning and management of coastal defences.</p>	<p>Management Organisation</p>	<p>A Coastal Change Management Area was identified for Porlock Weir based on evidence and policy decisions set out in the Shoreline Management Plan, and discussion with EA officers.</p>
<p><b>Strategic Priority (g) Natural and Historic Environment</b>  <b>(including National Park Statutory Purposes, Landscape and Setting; and Biodiversity, Ecological Networks and Green Infrastructure)</b></p>		
<ul style="list-style-type: none"> <li>• The Partner Authorities and Agencies will work in partnership to ensure that Local Plans include policies to protect designated areas, including the setting of the National Park and historic designations.</li> <li>• The Partner Authorities will co-operate to ensure that strategic allocations and planning proposals are consistent with National Park statutory purposes through appropriate consultation, master-planning, design, and landscaping.</li> <li>• The Partner Authorities, Local Nature Partnerships and Natural England will co-operate to promote coherent ecological networks across boundaries, through joint work on ecological mapping and green infrastructure provision.</li> </ul>	<p>Exmoor National Park Authority, North Devon District Council, Torrridge District Council, West Somerset Council, Mid Devon District Council, Devon County Council, Somerset County Council, Devon Local Nature Partnership, Somerset Local Nature Partnership, Environment Agency, English Heritage, Natural England</p>	<p>There have been DtC officer discussions regarding the setting of the National Park.</p> <p>As a result of this, the NDC/TDC Local Plan includes a policy on the conservation and enhancement of the setting of the National Park and its special qualities including its dark night skies (ST14: Enhancing Environmental Assets). Reference is also made in a number of specific settlement policies to protecting and enhancing the setting and special qualities of the National Park including its dark night skies.</p> <p>The Proposed Changes to the NDC/TDC Joint Plan (April 2015) reflect Government policy changes in relation to S106 thresholds for housing. As a consequence, NDC/TDC have amended Policy ST19 (Affordable Housing on Exceptions Sites) to ensure that proposals for rural exceptions sites close to, or affecting the National Park, do not detract from its special qualities and setting.</p> <p>As a result of DtC discussions, WSC added reference to the proximity of the National Park to the strategic allocations at Minehead/Alcombe, and reference to Exmoor’s Dark Sky Reserve status in the justification (Publication Draft Local Plan</p>

Desired outcome from (Exmoor-wide DtC Protocol)	Key partners	Evidence of co-operation
		<p>consultation February 2015) which is supported by ENPA in their consultation response.</p> <p>Ecological network mapping (covering the whole of the National Park) was carried out by the Somerset Wildlife Trust supported by SCC and is incorporated within the Exmoor Local Plan.</p> <p>The NDC/TDC Local Plan reflects the importance of cross-boundary linkages for green infrastructure/ habitat networks.</p>
<b>Strategic Priority (h) Minerals and Waste</b>		
<ul style="list-style-type: none"> <li>• The Partner Authorities and Agencies will work together to ensure that a co-ordinated strategic approach is adopted to minerals and waste and that strategic planning policies and proposals for minerals and waste are consistent with National Park purposes.</li> <li>• Given the limited scope for minerals exploitation within Exmoor National Park, ENPA, Devon and Somerset County Councils will work together to co-ordinate local assessments of aggregate production.</li> </ul>	<p>Exmoor National Park Authority, Devon County Council, Somerset County Council, Environment Agency, Natural England</p>	<p>ENPA has worked with Devon and Somerset County Councils respectively on joint evidence base studies for minerals provision through Local Aggregate Assessments (LAAs).</p> <p>ENPA is a signatory to the joint Duty to Co-operate Statement with regard to the Somerset Minerals Plan and Sand and Gravel prepared by Somerset County Council.</p> <p>The Devon-wide DtC Protocol, which ENPA is a signatory to, includes the requirement for co-operation between Minerals and Waste Planning Authorities in Devon in the preparation of an appropriate local, minerals and waste planning policy framework including the preparation of common evidence covering cross-boundary minerals issues which will inform the development of consistent minerals planning policy.</p> <p>The national status of the National Park means that it is not considered to be an appropriate location for major mineral extraction, reflecting national</p>

Desired outcome from (Exmoor-wide DtC Protocol)	Key partners	Evidence of co-operation
		<p>policy. The LAAs for Devon and Somerset demonstrate that there is an adequate availability of crushed rock aggregate mineral resources from outside the National Park, and consequently there is no expectation that major mineral development is required within Exmoor. DCC confirmed this in their response to the consultation draft Local Plan, and SCC did not raise any comments.</p> <p>English Heritage produced an Atlas of Building Stone for Somerset and Exmoor to inform the Exmoor National Park Local Plan Minerals Safeguarding Areas and policies for small scale working of building or roofing stone to provide building materials to maintain the character of the local built heritage.</p> <p>The national status of the National Park also means that it is not considered to be an appropriate location for large scale waste facilities.</p> <p>ENPA has worked with Devon and Somerset County Councils and the Somerset Waste Partnership to plan for the management of waste arising from within the National Park, and provision has been made for this in the Somerset and Devon Waste Plans.</p>
<b>Strategic Priority (i) Infrastructure Provision</b>		
<ul style="list-style-type: none"> <li>The Partner Authorities and other relevant partners will engage as appropriate with relevant bodies to ensure adequate and effective infrastructure provision with regard to for example, transportation, telecommunications, energy, waste water, water quality, water supply, education and</li> </ul>	<p>Exmoor National Park Authority, North Devon District Council, Torrridge District Council, West Somerset Council, Devon County Council, Somerset County Council, Heart of the</p>	<p>There have been DtC officer discussions regarding the Exmoor Route Network.</p> <p>DCC and SCC were consulted regarding the transport and accessibility policies in the consultation draft Local Plan. Minor amendments were made to the Plan including</p>

<b>Desired outcome from (Exmoor-wide DtC Protocol)</b>	<b>Key partners</b>	<b>Evidence of co-operation</b>
<p>health facilities for the communities of the respective authorities.</p>	<p>South West LEP, Environment Agency, Natural England</p>	<p>parking standards as a result of comments from SCC.</p> <p>Infrastructure and service providers were contacted to inform the Exmoor Infrastructure Development Plan 2015. This does not identify the need for any strategic infrastructure provision on Exmoor.</p> <p>Partner organisations (DCC, SCC, NDC, WSC, ENPA, Connecting Devon and Somerset, and Defra) have worked together through the Superfast Exmoor Steering Group to ensure a consistent cross border approach to the rollout of superfast broadband through the Connecting Devon and Somerset Programme and its bid to the Rural Community Broadband Fund. ENPA is also working with the Department of Culture, Media and Sport’s Mobile Infrastructure Project to improve mobile coverage.</p> <p>Exmoor National Park Authority has worked closely with infrastructure organisations including Highway Authorities and utility companies. Working with Western Power Distribution has achieved the undergrounding of overhead lines for certain areas including Dulverton conservation area (to enhance the quality of the built heritage), Hawkcombe (to enhance the open character of the moorland landscape) and Porlock Marsh (to improve the character of the coastal landscape and seascape).</p> <p>The National Park Authority is working with Somerset and Devon County Councils as the Highways and Transport Authorities and transport providers to encourage sustainable</p>



Desired outcome from (Exmoor-wide DtC Protocol)	Key partners	Evidence of co-operation
		transport for residents and visitors. The Somerset Public Transport Forum (including SCC, ENPA, train operating companies and bus operators) encourages transport authorities and transport providers to support the ongoing provision of public transport services, and to encourage demand-responsive community transport initiatives, particularly in those areas where regular public transport services are not available.
<b>Strategic Priority (j) The Impact of the Hinkley Point C New Nuclear Project.</b>		
<ul style="list-style-type: none"> <li>The Partner Authorities will co-operate through monitoring the impact of the Hinkley Point C project on the housing market area and on the local economy, particularly in relation to tourism, working with the Heart of the South West LEP where appropriate.</li> </ul>	Exmoor National Park Authority, West Somerset Council, Somerset County Council, Heart of the South West LEP	Discussion have been held at DtC officer meetings about the potential Hinkley effect on housing and employment. This has been factored into WSC’s housing provision in their Publication Draft Local Plan (February 2015).
<b>Strategic Priority (k) Marine Management</b>		
<ul style="list-style-type: none"> <li>ENPA, Torridge, North Devon, and West Somerset Councils and other relevant partners will liaise to ensure a consistent approach to strategic planning in relation to the coast.</li> <li>The coastal Partner Authorities will liaise with the Marine Management Organisation including having strategic input into the respective Marine Management Plan to ensure the policy framework is consistent and takes account of marine planning priorities.</li> </ul>	Exmoor National Park Authority, North Devon District Council, Torridge District Council, West Somerset Council, Environment Agency, Natural England, Marine Management Organisation	The Marine Management Organisation was contacted regarding the DtC Protocol but did not consider it to be necessary for them to be a signatory as no strategic issues have been identified relating to the Exmoor Local Plan. Work on the South West Marine Spatial Plan has not yet begun, but ENPA will work with the MMO as this is developed, to ensure appropriate linkages are made between the spatial plans and policies for the marine and terrestrial areas.

## **Monitoring**

16. The preparation of the Exmoor National Park Publication Draft Local Plan has been informed by joint working on key evidence base documents, and has been the subject of detailed consultation with stakeholders throughout the various stages of plan preparation. This has helped to build a good understanding of key issues and develop good working relationships, which will be central to the successful delivery of the Local Plan. ENPA will continue to work co-operatively with local authorities and other partners, including a joint housing topic paper for the Northern Peninsula Housing Market Area and affordable housing delivery.
17. The effective operation of the Exmoor-wide Duty to Cooperate Protocol and the outcome of co-operative working in relation to the identified strategic priorities will be monitored through officer meetings and reported in the Exmoor National Park Annual Monitoring Report.



**Appendix 1- Duty to Co-operate meetings and correspondence**

<b>DUTY TO CO-OPERATE MEETINGS</b>		
	<b>MEETING DATE</b>	<b>DISCUSSION POINTS</b>
<b>Duty to Co-operate officer meeting – ENPA with Somerset County Council</b>	14 April 2011	Meeting held to discuss cross-boundary issues between the Waste Planning Authorities of Somerset County Council, Devon County Council and Exmoor National Park Authority. The meeting covered progress to date on strategy development, the respective roles and responsibilities of both authorities and areas of joint interest. After this meeting Somerset County Council drafted text that summarised the tripartite approach being taken, which informed the preparation of the Somerset Waste Core Strategy and the Exmoor National Park Local Plan.
<b>Duty to Co-operate officer meeting - ENPA with North Devon Council</b>	11 July 2012	Meeting held to discuss cross boundary issues and progress with local plans. The meeting was primarily in relation to policy approaches to the intended reinstatement of the Lynton-Barnstaple Railway that crosses both planning authority areas.
<b>Duty to Co-operate officer meeting - ENPA with North Devon Council</b>	26 November 2012	Meeting to discuss cross-boundary issues including spatial strategy, settlement hierarchy and housing provision. Also considered respective Local Plan policy development relating to economy, environment, transport and infrastructure.
<b>Duty to Co-operate officer meeting - ENPA with West Somerset Council</b>	17 January 2013	Meeting held to discuss cross boundary issues and progress with local plans. Discussion included settlement strategy and hierarchy, housing and employment, also environment and transport strategies.
<b>Duty to Co-operate officer meeting - ENPA with West Somerset Council, North Devon and Torridge Councils</b>	11 June 2013	Discussion of plan progress and evidence base preparation. Particular focus on cross-boundary issues relating to named settlements and whether there was a consistent policy approach between the Plans.
<b>Duty to Co-operate officer meeting -</b>	11 February 2014	Meeting held to discuss WSC response to the consultation draft Exmoor National Park Local Plan. Also discussions on the Duty to Co-

<b>ENPA with West Somerset Council</b>		operate Protocol, strategic priorities and progress with evidence base studies including SHMA updates.
<b>Duty to Co-operate officer meeting - ENPA with West Somerset Council, North Devon and Torridge Councils</b>	1 July 2014	Updates on Local Plan progress and evidence base documents. Particular focus on the DtC Protocol and the strategic priorities for co-operative working. Agreement on the cross-boundary approach to settlements and discussion on housing provision across the Housing Market Area.
<b>Duty to Co-operate officer meeting - ENPA with West Somerset Council</b>	10 November 2014	Informal meeting between officers to introduce new officers and site visit to demonstrate ENPA approach to housing and employment delivery.
<b>Duty to Co-operate officer meeting - ENPA with West Somerset Council, North Devon and Torridge Councils</b>	15 December 2015	Officer discussions arising from the Strategic Housing Market Assessment updates focusing on housing provision across the HMA, particularly in relation to how to accommodate housing arising from within the National Park.

<b>DUTY TO CO-OPERATE CORRESPONDENCE</b>	
<b>CONSULTATION</b>	<b>MEETING AT WHICH CONSULTATION RESPONSE CONSIDERED AND APPROVED</b>
<b>North Devon and Torridge Joint Core Strategy Pre-Publication Consultation</b>	Planning Committee meeting 6 April 2010 - Authority's Planning Committee considered and approved Exmoor National Park Authority's response to the North Devon and Torridge Joint Core Strategy Pre-Publication Consultation.
<b>West Somerset Local Plan 2012-2032 Draft Preferred Strategy</b>	Planning Committee meeting 1 May 2012 - Authority's Planning Committee considered and approved Exmoor National Park Authority's response to the West Somerset Local Plan 2012-2032 Draft Preferred Strategy
<b>Devon Waste Plan</b>	Planning Committee meeting date 7 August 2012 - Authority's Planning Committee considered and approved Exmoor National Park Authority's response to the Devon Waste Plan

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<b>Somerset Minerals Plan (Preferred Options)</b>	Planning Committee meeting 5 March 2013 - Authority's Planning Committee considered and approved Exmoor National Park Authority's response to the Somerset Minerals Plan (Preferred Options)
<b>Draft North Devon and Torridge Local Plan</b>	Planning Committee meeting 5 March 2013 - Authority's Planning Committee considered and approved Exmoor National Park Authority's response to the Draft North Devon and Torridge Local Plan
<b>Somerset Draft Local Aggregate Assessment</b>	Planning Committee meeting 6 August 2013 - Authority's Planning Committee considered and approved Exmoor National Park Authority's response to the Somerset Draft Local Aggregate Assessment
<b>Draft West Somerset Local Plan – revised preferred strategy</b>	Planning Committee meeting 3 September 2013 - Authority's Planning Committee considered and approved Exmoor National Park Authority's response to the Draft West Somerset Local Plan – revised preferred strategy
<b>Second Devon Draft Local Aggregate Assessment</b>	Planning Committee meeting date 1 October 2013 - Authority's Planning Committee considered and approved Exmoor National Park Authority's response to the Second Devon Draft Local Aggregate Assessment
<b>Mid Devon Local Plan Review Options Consultation</b>	Planning Committee meeting date 1 April 2014- Authority's Planning Committee considered and approved Exmoor National Park Authority's response to the Mid Devon Local Plan Options Consultation
<b>Somerset Minerals Plan (Pre Submission) Consultation</b>	Planning Committee 6 May 2014 - Authority's Planning committee considered and approved Exmoor National Park Authority's response to the Somerset Minerals Plan (Pre Submission)
<b>West Somerset Publication Draft Local Plan</b>	Approved via correspondence with Members and submitted 23 March 2014
<b>Mid Devon Publication Draft Local Plan</b>	Submitted under delegated powers 16 <sup>th</sup> April 2015
<b>North Devon and Torridge Joint Local Plan Proposed Changes</b>	Submitted under delegated powers 27 <sup>th</sup> April 2015