

4. GENERAL POLICIES

INTRODUCTION

4.1. ~~Four~~ This Local Plan contains six general policies have been developed which will apply to all development within Exmoor National Park Authority and should therefore be read in conjunction with all other policies in the Plan. Policy GP1 ~~reflects~~ incorporates National Park purposes and defines sustainable development for Exmoor National Park. Policy GP2 is the model policy - it is a requirement for Local Plans to include this policy. Policy GP3 sets out the tests for major development within the National Park. Policies GP1 and GP3 together fulfil the requirements of European Union Directives and the Environment Act 1995 and reflect national planning policy. Policy GP4 sets out the spatial strategy for the National Park. It identifies 'named' settlements and thereby where the location and type of new development, will be focussing most development in the named settlements, and what type of development is permitted within the settlements identified under the distinct categories of Local Service Centres, Villages, and Rural Communities. Policy GP5 sets out ~~the National Park's policies on~~ the approach in the National Park to conditions, obligations and community levies to ameliorate impacts from development. Policy GP6 sets criteria to achieve the enhancement of the National Park consistent with National Park statutory purposes.

ACHIEVING NATIONAL PARK PURPOSES AND SUSTAINABLE DEVELOPMENT

CONTEXT

4.2. The National Park Circular 2010 states that the National Park Authorities' primary responsibility is to deliver their statutory purposes and in doing so, that 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 2030⁴⁰. ~~including that: *By 2030 English National Parks and the Broads will be places where there are thriving, living, working landscapes notable for their natural beauty and cultural heritage. They inspire visitors and local communities to live within environmental limits and to tackle climate change. The wide range of services they provide (from clean water to sustainable food) are in good condition and valued by society. Sustainable development can be seen in action. The communities of the Parks take an active part in decisions about their future. They are known for having been pivotal in the transformation to a low carbon society and sustainable living. Renewable energy, sustainable agriculture, low carbon transport and travel and healthy, prosperous communities have long been the norm.*~~

PURPOSES AND DUTY OF THE NATIONAL PARK

4.3. 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:

National Park Authority Purposes:

- 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.

⁴⁰ National Parks Vision and Circular 2010

- 4.4. 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’⁴¹
- 4.5. 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 11 A of the Environment Act 1995 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”. ~~As ‘Relevant authorities’ many also have legal obligations under section 11A of the 1949 Act and section 17A of the 1988 Act which places a statutory duty on them to have regard to National Park purposes when making decisions or carrying out activities relating to or affecting land within the National Park⁴² and Section 62 (2) of the Environment Act 1995, places a duty on ‘public bodies and authorities to ‘have regard to’ the purposes of designation in carrying out their work.~~ 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 purposes⁴³. Public bodies also have a duty to cooperate on planning issues that cross administrative boundaries⁴⁴. The NPA will work in partnership and cooperate with relevant authorities they should—including with the neighbouring Local Planning Authorities of West Somerset and North Devon, to ensure that proposals outside the National Park are consistent with its statutory purposes.

SUSTAINABLE DEVELOPMENT

- 4.6. A fundamental aim of the ~~Core Strategy~~ 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.”⁴⁵
- 4.7. The UK Sustainable Development Strategy 2005, sets out five guiding principles for sustainable development which includes living within environmental limits, ensuring a strong, healthy and just society, achieving a sustainable economy, using sound science responsibly and promoting good governance.
- 4.8. The Government sets out, in the ~~new draft~~ National Planning Policy Framework (NPPF) 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’⁴⁶. The NPPF sets out three components dimensions to sustainable development: the economic, social and environmental roles for the planning system to deliver ~~of what delivering sustainable development. means for the planning system:~~
- 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) **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 supports its health, social and cultural well-being; and

⁴¹ Section 11a (2) of The National Parks and Access to the Countryside Act 1949 (inserted by Section 62 of the Environment Act 1995)

⁴² Section 62 11A (2) of the Environment Act 1995 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”

⁴³ Paras 4-8 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

⁴⁴ Para 178 National Planning Policy Framework (NPPF) 2012 Department of Communities and Local Government (DCLG)

⁴⁵ Bruntland Commission “Our Common Future” (1987)

⁴⁶ Para 14 NPPF 2012 DCLG

- 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.
- 4.9. The Government states that these three components should be pursued in an integrated way, looking for solutions which deliver multiple goals.
- 4.10. Policy GP1 sets out the criteria to ensure that new development is consistent with National Park purposes and defines sustainable development in Exmoor National Park. In order to ensure that development contributes to the achievement of the Partnership Plan/Local Plan Vision and objectives (the strategic priorities for the Local Plan), GP1 requires that development proposals should demonstrate that they will not conflict with the vision and objectives.

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 ~~of the special qualities~~ by the public; and, in so doing, foster the social and economic well-being of local communities. In achieving sustainable development, all proposals/development will demonstrate that:
 - a) ~~It is~~ 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;
 - b) where they are intended to enhance the National Park they are consistent with GP6;
 - c) ~~It they conserves and enhances the special qualities of Exmoor National Park;~~
 - d) ~~It~~ they does not conflict with the vision and objectives of the Exmoor National Park Partnership Plan and this Local Plan; and
 - e) ~~It~~ they contributes to the sustainable development of the area in line with the ~~sustainable development management~~ principles set out below.
2. All new development, activities and land uses within Exmoor National Park will conserve and respond to opportunities to enhance the National Park. Opportunities must be taken to contribute to the sustainable development of the area including by demonstrating that development:
 - a) ~~is of a scale, and~~ in terms of its scale, siting, use, layout, form, design, materials and intensity of activity respects, and has a favourable impact on, the character, local distinctiveness, appearance and historic and cultural features of the site and buildings, settlement, landscape and setting;
 - b) supports the function, sustainability and resilience of individual settlements and their communities, by retaining and strengthening their services and facilities, protecting their safe, attractive public places and employment opportunities, providing for a size and type of housing which helps create a balanced community and addresses local affordable housing needs, and enables access to local services and facilities, jobs and technology;
 - c) makes efficient use of land, buildings, services and infrastructure and is acceptable in terms of access and traffic levels and which, where appropriate, enables the use of sustainable transport;
 - d) will conserve or enhance tranquillity including Exmoor's dark sky and the quiet enjoyment of the National Park;
 - e) will not harm the amenities of visitors, local residents and occupiers of neighbouring properties;
 - f) uses traditional materials and, where available, local materials, employs sustainable construction principles and sustainable building materials, ~~and~~ minimises energy use and waste including taking account of the embodied energy of materials and by appropriately re-using any materials from existing buildings or the site;
 - g) Conserves and enhances the historic environment;
 - h) conserves and enhances the natural environment, networks of green infrastructure and conditions for biodiversity and geodiversity;
 - i) maintains the quality of natural resources including water and air and conserves soils, is acceptable in terms of ground conditions and ~~minimises~~ avoids or minimises pollution;
 - j) Considers the needs of future generations, sustainability and resilience to climate change and adapts to and mitigates the impacts of climate change, particularly in respect of carbon emissions, energy and water demand and flood risk; and
 - k) supports the health and socio-economic wellbeing of local communities and
 - l) encourages community participation.

PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

4.11. Policy GP2 sets out how the presumption in favour of sustainable development in the NPPF⁴⁷ should be applied. This policy has been required by Government as a way of meeting the presumption in favour of sustainable development. It has been adapted to ensure that the presumption does not conflict with the National Park's statutory purposes or the National Park Authority duty.

GP2: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

1. When considering development proposals the National Park Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area and is consistent with National Park purposes.
2. Planning applications that accord with the policies in the development plan will be approved without unnecessary delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the National Park Authority will grant permission unless material considerations indicate otherwise – taking into account whether:
 - a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
 - b) specific policies in that Framework, and particularly those relating to National Parks, indicate that development should be restricted; or
 - c) that granting planning permission would conflict with the National Park's statutory purposes or duty.

MAJOR DEVELOPMENT

CONTEXT

4.12. The Government's longstanding view has been that major development should not take place in National Parks save in exceptional circumstances, as set out ~~in the NPPF, the National Planning Policy Framework and English National Parks and the Broads UK Government Vision and Circular 2010.~~ Such circumstances include the Silkin Test principles – that the development is absolutely necessary, in the national interest and that there is no practical alternative. Certain categories of development will also require an Environmental Impact Assessment⁴⁸. Exmoor National Park's landscape is recognised as being relatively free from major structures or development. ~~In 2010/11 The majority of planning applications received by Exmoor National Park Authority had 295 planning applications and the majority of these applications were for relate to minor or other types of development and very few applications for major development come forward. As a result, However, due to the relative remoteness and tranquillity of the National Park and the scale and size of most proposals,~~ development that may be considered minor or small scale elsewhere may potentially have a significant and cumulative impact on the National Park's natural beauty. As such major development is not defined just in terms of its size but in terms of its impact on the National Park and its special qualities. Such development, depending on its scale and potential impact, could include: power stations; large scale renewable energy development; new transmission lines; large scale tourism and leisure schemes; oil and gas pipelines; waste management and mineral operations; sewage and water treatment works and road schemes.

4.13. 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. Together with Special Protection Areas, such sites are collectively known as Natura 2000 Sites. Development, including major development, has the potential to affect the

⁴⁷ Paras 11-15 NPPF 2012 DCLG

⁴⁸ Environmental Impact Assessment (EIA) Regulations

conservation objectives of such sites, even where it might be remote from them. 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 effects on Natura 2000 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 significant effect. Policy GP2 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.

GP3 MAJOR DEVELOPMENT

1. In securing National Park purposes, in responding to the National Park's duty to foster the social and economic wellbeing of its communities and in accordance with government guidance, applications for major development will not ~~take place~~ be permitted within Exmoor National Park except in exceptional circumstances and only then following the most rigorous examination and where ~~they~~ applicants can demonstrate that they are in the public interest and raise issues of national significance. Where, exceptionally, it is accepted that a proposal for major development is of national significance and needs to be located in the National Park, 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 avoided or mitigated. ~~mitigate potential localised harm and compensate for any residual harm to the area would be expected to be secured.~~
2. Proposals for major development will need to demonstrate to the satisfaction of the National Park Authority:
 - a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy and local communities;
 - b) the extent to which they will provide a significant net benefit to the National Park and its local communities;
 - c) the cost of, and scope for, developing elsewhere outside the National Park, or meeting the need for it in some other way;
 - d) any detrimental effect on the environment, the landscape, the National Park's special qualities and recreational opportunities, and the extent to which ~~that~~ it could be moderated through applying the avoidance mitigation, compensation sequence of tests set out in point 1 of this Policy;
 - e) that the cumulative impact of the development when viewed with other proposals and types of development is acceptable;
 - f) that there are no significant effects on 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; and
 - g) the scope for adequate restoration of the land once the use has ceased.

SPATIAL STRATEGY

PURPOSE OF THE POLICY

- 4.14. Policy GP4 Spatial Strategy defines the settlement hierarchy which identifies where new development will be focussed, and what type of development is permitted in principle within the settlements identified as Local Service Centres, Villages or Rural Communities. The overall aim is to make these communities more sustainable over the long term. Outside of these settlements, the area is defined as the 'open countryside' and includes farmsteads, isolated dwellings and hamlets.

NATIONAL POLICY CONTEXT

- 4.15. National policy⁴⁹ states that the purpose of the planning system is to contribute to the achievement of sustainable development – the 'social role' is one of three key dimensions to sustainable development which should support 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.
- 4.16. 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. In promoting sustainable development, the effective use of land is a key consideration particularly land that has been previously developed and of low environmental value.
- 4.17. The publication of the Taylor Review⁵⁰ in 2008 provided an in depth focus on what sustainability should mean for rural areas. 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.

CONTEXT

- 4.18. Previous Local Plans for Exmoor National Park have identified a broad range of settlements as suitable locations for development including those with a relatively extensive range of services and facilities that also serve surrounding communities and smaller settlements with a more limited range of services that serve the local community. In preparing for this Local Plan the evidence arising from several stages of early consultation⁵¹ has focussed on reviewing the settlement hierarchy and identifying a wider range of settlements across the National Park where new development could be considered acceptable in principle based on the need to provide balanced and sustainable communities. This helped to inform the development of three strategic options for the location of new development:

- a) **Settlement Option A:** Allow for new build development in all towns and villages listed in the Exmoor National Park Local Plan 2001-2011 namely: Allerford, Barbrook, Bridgetown/Exton, Brendon, Brompton Regis, Challacombe, Dulverton, Dunster, Exford, Luccombe, Luxborough, Lynton and Lynmouth, Monksilver, Parracombe, Porlock, Roadwater, Simonsbath, Timberscombe, Winsford, Withypool, Wheddon Cross/Cutcombe and Wootton Courtenay.
- b) **Settlement Option B:** Allow for new build development only in those towns and villages where there is a school, a regular bus service which runs 5+ times a week and a shop. This would include: Cutcombe/Wheddon Cross, Dulverton, Dunster, Exford, Lynton and Lynmouth, Parracombe, Porlock and Timberscombe.

⁴⁹ NPPF 2012 DCLG

⁵⁰ A Living Working Countryside: The Taylor Review of Rural Economy and Affordable Housing (2008)

⁵¹ Stakeholder Issues & Options Consultation (Nov 2008 – Jan 2009), Your Future Exmoor (Jan – Mar 2010) and Housing & Settlements Topic Group Meeting (Nov 2010)

- c) **Settlement Option C:** Allow for new build development in all towns and villages listed in Option A and settlements with a shop and/or pub and/or village hall⁵². This would include the additional settlements of: Hawkridge, Twichen, Heasley Mill, Martinhoe, Countisbury, Rockford⁵³, Oare, Porlock Weir, West Porlock, Selworthy, and Withycombe.

STRATEGIC OPTIONS CONSULTATION FEEDBACK

- 4.19. Response to the consultation was low with 57 responses overall, although the consultation was widely publicised and corresponded with consultation on the National Park Partnership Plan. In terms of responses to the options for the location of new development, Option C received the highest proportion of responses (39% or 22 responses), with Options A and B closely aligned at 24% and 23% respectively. Associated comments were strongly supportive of an approach that helped to sustain a wider range of settlements on Exmoor.
- 4.20. Those in support of options A and B were concerned about the role of settlements in the National Park and their suitability in meeting all socio-economic needs of communities within the National Park. The spatial strategy and strategic policies in this plan aim to ensure that development is of a scale that is proportionate to its location and the needs of local communities. It is recognised that many key services are provided by towns outside the National Park (including Minehead, Taunton, Tiverton, South Molton, Barnstaple and Ilfracombe) and these are more appropriate locations for services such as supermarkets and hospitals, and will provide higher levels of growth in terms of housing and employment because of their size and strategic role for the area.
- 4.21. A further concern related to whether there would be a hierarchy within the list of settlements under option C. The continuation of a settlement hierarchy approach to development in the National Park is considered to be essential to ensure that development addresses the needs of a particular community and is of a level that will not harm the landscape or settlement character.
- 4.22. Option C was also criticised as an approach that would lead to increased commuting to settlements with a wider range of services, facilities and employment. Whilst this may have some merit, the converse is also true, that in allowing development that addresses local needs may also help to limit commuting where local people are working in the vicinity. Local need affordable housing has generally been inhabited by people already living in Exmoor communities either in unsatisfactory accommodation or as hidden households where adults are still living with their parents.
- 4.23. It was also suggested that some of the proposed settlements listed under Option C should be omitted including Martinhoe, Countisbury and Selworthy. Although it is recognised that the majority of surrounding land, and a number of properties particularly within Selworthy and Countisbury are owned by the National Trust (Selworthy in particular has a significant appeal to visitors), it is considered that the measures set out in policy GP4 in addition to other policies in the plan will ensure that opportunities to reuse existing buildings are the first consideration and any new build development should reflect the form and character of the settlement and not harm the landscape, wildlife and historic environment.

SUSTAINABILITY APPRAISAL (SA) OF THE STRATEGIC OPTIONS

- 4.24. The inclusion of a range of smaller settlements within the settlement hierarchy⁵⁴ scored positively for a range of sustainability topics including 'community and wellbeing', 'economy and employment', 'housing' and 'land' compared to the alternative strategic options A and B. In areas where option C scored negatively in areas such as landscape, transport and climate change mitigation, it is considered that the safeguards set out in the spatial strategy (GP4) and other policies in the Local Plan will alleviate many of the concerns raised including:
- a) Possible increase in the need to travel for jobs and services;

⁵² Kentisbury added subsequently as a settlement which met the criteria given further consideration following consultation on Strategic Options

⁵³ Rockford has been deleted from the list of settlements in Table 4.1 due to the considerable constraints the settlement has for further development (flood risk and proximity of internationally important habitat)

⁵⁴ Sustainability Appraisal of the Local Plan Vision & Objectives, General Policies and Strategic Options Consultation (November 2011)

- b) Increase in the range of settlements with potential impacts arising from new development on biodiversity, vulnerability to flooding, character of the settlements, landscape and the capacity these additional settlements have to accommodate new development.
- 4.25. In terms of including a wider range of settlements, to address concerns raised through the consultation and in the SA it was considered appropriate therefore to retain a settlement hierarchy whereby the defined settlements are split into distinct categories and in turn the type of development acceptable in the settlement is specified for each category. Although the Your Future Exmoor issues and options demonstrated that most people were in favour of treating all settlements the same rather than distinguishing between them, the inclusion of the additional settlements has meant that the settlement hierarchy approach is an appropriate policy measure to ensure that these smaller communities and their landscape setting are conserved and enhanced whilst providing limited development opportunities to help sustain their communities over the long term.

SEQUENTIAL APPROACH

- 4.26. 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 of existing buildings⁵⁵. The re-use of traditional agricultural buildings is considered to be greenfield development, but it recognised that such buildings can add to the important resource of existing redundant or under-used buildings within the National Park that may be appropriate for a range of future uses.
- 4.27. New build development within the open countryside is restricted to where it is considered to be essential to the operation of a rural land-based business. The re-use of existing buildings (particularly traditional buildings) provides greater flexibility in terms of the uses considered acceptable in the open countryside where new build development would not otherwise be permitted. 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.

SOCIAL WELL-BEING

- 4.28. The aim of the spatial strategy is to ensure that Exmoor's settlements are socially cohesive and equitable by maintaining and creating balanced and mixed communities. Opportunities to be in closer proximity to services and jobs and maintaining social networks are improved through increasing the range of settlements where new development is considered to be acceptable. 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 one or two affordable homes can enhance their long term sustainability and have a positive outcome for those who live and work there.
- 4.29. Some of the Rural Communities have strong long-standing community links with surrounding farmsteads, such as Twitchen, Hawkridge, Oare and Heasley Mill, which are significant in terms of supporting the 'sense of community', not just in hard terms such as number of facilities, but through social gatherings and events that help to define the community and key linkages within it. Other communities are connected through a common characteristic such as a key landowner that may own much of the surrounding land and some properties, including Selworthy and Porlock Weir, which influences and defines the community that lives there.

POLICY SAFEGUARDS

- 4.30. Where settlements have been able to benefit from new build development during the previous plan period, including local affordable housing and employment premises, this has not always taken place for reasons such as the size of the settlement and sparse population resulting in low overall housing need requirements. Most recent development⁵⁶ has occurred in

⁵⁵ Monitored through Annual Monitoring Reports

⁵⁶ Since the adoption of the Exmoor National Park Local Plan 2001-2011 in March 2005

settlements with larger populations and generally higher levels of housing need where sites have come forward. The needs-led approach for local affordable housing in particular has been self-regulating in the respect of new development and the capacity settlements have to accommodate it. The priority for new housing development within this Plan continues to be based on a local affordable needs-led approach and will therefore determine the overall level of housing coming forward in Exmoor's communities.

- 4.31. An assessment of landscape sensitivity⁵⁷ for those settlements identified within the adopted Local Plan 2001 – 2011 was undertaken as evidence to inform the preparation of this Plan. The assessment identified areas of low, moderate and high landscape sensitivity and the capacity each settlement has to accommodate small-scale new build housing development on greenfield sites – recognising that there is often additional capacity through the redevelopment of brownfield sites, including the reuse of buildings.
- 4.32. The additional settlements identified as Rural Communities within GP4 Spatial Strategy were not included in this study as the landscape sensitivity assessment was undertaken prior to the consultation on strategic options. It will be important to ensure that the landscape character and visual amenity of these smaller settlements is not harmed by new development. The policy approach for the Rural Communities requires that new build development within these communities meets a local need whilst the sequential approach means that opportunities to reuse existing buildings are considered in the first instance. The safeguards in the Local Plan policies will ensure that the impact of any proposed development in these locations will be carefully considered.
- 4.33. There may be circumstances where it is considered that a proposed development may exceed the capacity of a settlement and applicants are therefore encouraged to contact the National Park Authority at an early stage. Where landscape capacity is likely to be an issue the National Park Authority will require that applicants should demonstrate that alternative means of delivering the development have been investigated such as, that the need for the development could be achieved in another way e.g. by utilising brownfield land or existing buildings within a settlement including a nearby settlement through extant permissions for the type of development proposed. If there are no clear alternatives to the proposal and it is considered that capacity will be exceeded to the extent that there are likely to be adverse impacts including on landscape character (CE-S1) and/or the settlement character and form then the proposal is likely to be refused. Other potential constraints to be considered in terms of new development in settlements include wildlife (CE-S2) and historic environment (CE-S4) designations and areas of flood risk (CC-D1).
- 4.34. Development proposals, particularly on greenfield sites should reflect the form and character of the settlement, and in terms of location the traditional compact form of many of Exmoor's settlements. It therefore is unlikely to be appropriate to reinforce more recent patterns of development such as 'ribbon development' that have not been as successful in conserving or enhancing the historic settlement form and pattern.

SETTLEMENT HIERARCHY

- 4.35. **Local Service Centres:** These settlements provide the most extensive range of services in one place and are therefore most suitable, in principle, for new development to consolidate employment and services to help address the needs of the National Park as a whole and the local community. Nevertheless, development should be of a scale that does not harm their form and character. It is important to remember 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 provides a retail boost for the area and potentially influences the type and scale of shops and what they offer⁵⁸.
- 4.36. **Villages:** The settlements identified as Villages have a number of services and facilities, although not the same level of as the Local Service Centres. They also have a significant number of buildings and act as focal points for people living across Exmoor. Some of the villages and surrounding communities function collectively by sharing their facilities. Some development in the 'Villages' will help maintain or enhance their communities by providing for

⁵⁷ Exmoor National Park Landscape Sensitivity Study 2013

⁵⁸ Quantitative Needs Assessment – West Somerset Council and Exmoor National Park Authority 2011 (GVA & C4G)

the diversification of the economy and to help retain and enhance key services and facilities (which are often vulnerable to closure), and to address the housing needs of local communities.

- 4.37. **Rural Communities:** These smaller communities have at least one key facility⁵⁹. Providing opportunities for limited new build development to address the local need for affordable housing should help to sustain these communities over the longer term. Opportunities for employment premises or other uses should be met through the change of use and/or conversion of existing buildings within the settlement, or through extension of existing business premises.
- 4.38. **Porlock Weir** was considered as an additional settlement within Option C of the consultation on strategic options for the location of new development due to the number of services and facilities it contains. As it has a number of shops and businesses, a regular bus service and other community facilities it would in other circumstances be considered as a 'Village'. However, Porlock Weir is at risk of flooding and coastal erosion over the longer term due to its coastal location and the Draft Shoreline Management Plan policy of 'no active intervention'. Owing to these constraints development at Porlock Weir should accord with CC-S2 Responding to Coastal Change. A strategy for 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.
- 4.39. The remaining area of the National Park is defined as 'open countryside' and will include isolated dwellings and buildings groups such as farmsteads and hamlets. Within the open countryside a hamlet is considered to be an established group of dwellings within a grouping of buildings that do not have local services or community facilities such as a shop, pub or village hall that define the Rural Communities. Examples include a range of places across Exmoor such as Bossington, Bury, Elworthy, Leighland Chapel, Luckwell Bridge, Nettlecombe, Rockford⁶⁰, Rodhuish, Treborough and Trentishoe. It is recognised that there are several other hamlets in the National Park and that some farmsteads are also likely to meet the same definition. However in terms of policies in the Local Plan a similar approach for both farmsteads and hamlets is used as both are located in the wider definition of the open countryside. Development is primarily allowed through the reuse of existing buildings or extensions to existing homes or businesses unless there is a demonstrated agricultural/forestry need for a new building (see GP4 Spatial Strategy clauses 3 and 4).

TABLE 4.1: SETTLEMENT HIERARCHY

Local Service Centres	Dulverton Lynton & Lynmouth	Dunster Porlock
Villages	Barbrook Bridgetown / Exton Challacombe Exford Monksilver Roadwater Timberscombe Withypool	Brendon Brompton Regis Cutcombe/Wheddon Cross Luxborough Parracombe Simonsbath Winsford Wootton Courtenay
Rural Communities	Allerford Hawkridge Kentisbury ⁶¹ Martinhoe Selworthy West Porlock	Countisbury Heasley Mill Luccombe Oare / Malmsmead Twitchen Withycombe
Porlock Weir	Porlock Weir	

⁵⁹ A shop, a pub, or a community meeting place

⁶⁰ This settlement has a public house but was not included as a Rural Community as it is constrained in terms of its capacity for new development due to areas of flood risk or the proximity of internationally/nationally important habitats

⁶¹ Kentisbury has been included within the Rural Communities as part of the settlement is located within the National Park boundary. This settlement was not previously consulted on through the Strategic Options consultation

- 4.40. Please refer to Section 11: Exmoor’s Settlements for details and inset maps relating to individual settlements within the hierarchy.

GP4 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. Development proposals should demonstrate that opportunities to utilise the following sites have been explored before proposing to develop other greenfield sites:
 - i. Brownfield sites with a low environmental value that are well related to existing buildings in the defined settlements (Table 4.1)
 - ii. The re-use of existing buildings associated with an established building group across the National Park (CE-S5 and CE-S6)
3. Development within the National Park is considered to be acceptable in principle and where it is otherwise in accordance with other specific policies in this plan it:
 - a) Is essential for the operation of rural land-based enterprises
 - b) Relates to recreation and tourism development that promotes the understanding and enjoyment of Exmoor
 - c) Involves the conversion and change of use of existing buildings for business uses, visitor accommodation, residential institutions, and homes that address the housing needs of local communities
 - d) Forms an extension to existing business premises
 - e) Replaces an existing dwelling
 - f) Is regarded as householder development including opportunities for home-based businesses
 - g) Relates to essential utilities infrastructure and renewable energy requirements
 - h) Facilitates the small-scale extraction of building stone
4. Within the open countryside, the focus of any new build development will be on improving the sustainability of rural land-based businesses.
5. For the defined settlements listed in Table 4.1, 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 without adversely affecting the landscape, wildlife and historic environment, through positively reflecting the surrounding landscape character, settlement form and building density and avoiding areas at risk of flooding. Where the capacity of a settlement to accommodate a particular development is in doubt then it should be demonstrated that alternative options have been considered to accommodate the level of development that may be permitted.
 - a) **Local Service Centres:** Development should strengthen the role 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 an identified local need for housing and improve employment prospects for the local area. New build development will be acceptable in principle where it is well-related to existing buildings in the settlements for local need affordable housing, business premises and community services and facilities.
 - 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 will be acceptable where it is well-related to existing buildings in the settlements for affordable housing, business premises and community services and facilities.

....continued

- c) **Rural Communities:** Within the rural communities new build development will only be considered to be acceptable in relation to the provision of local need affordable housing that addresses the needs of the parish area within the National Park. New build housing schemes that require cross subsidy through 'principal housing' or 'specialist housing' will not be permitted. Opportunities to address locally identified needs for employment will be met through the reuse of existing buildings or the extension of existing business premises in accordance with Policy SE-S3.
- d) **Porlock Weir:** a community considered to be at risk of coastal change. Any proposals for new development will need to demonstrate that they are consistent with the principles in Policy CC-S2 Responding to Coastal Change for the replacement of development through relocation and measures for the management of buildings/facilities to be lost.

SECURING PLANNING BENEFITS

CONTEXT

PLANNING OBLIGATIONS

- 4.41. All development has some impact on land and facilities. Planning obligations, conditions and community levies can be used to ameliorate the effects of such impacts. Planning conditions can be used to make development ~~acceptable~~ proposals acceptable which might otherwise be unacceptable through planning control, or, where this is not possible, planning obligations can be used to come to a mutual agreement with the applicant. National policy ~~provides~~ states that planning obligations should only be sought where they meet all of the following tests:
- they are necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fair and reasonably related in scale and kind ~~of~~ to the development.
- 4.42. In addition to planning conditions and obligations, the Government has ~~recently~~ introduced a Community Infrastructure Levy (CIL) which can be used by Planning Authorities to secure a levy from development towards local community infrastructure. However, it is not obligatory. In Exmoor National Park, a ~~community infrastructure levy~~ CIL could ~~currently~~ be used for improvements and additions to, for example: sporting and recreational facilities, open spaces, schools and other educational facilities, medical centres, ~~roads and other~~ transport infrastructure facilities and flood defences. Much ~~of such~~ infrastructure is owned and/or managed by town and parish councils, ~~adjoining the~~ district councils and Devon and Somerset County Councils. The need for a ~~Community Infrastructure Levy~~ CIL is established through a live document known as the Infrastructure Delivery Plan which sets out ~~the~~ existing infrastructure deficiencies and what is required for the future.
- 4.43. A ~~community infrastructure levy~~ CIL is generally charged ~~largely~~ on development that is over 100sq metres. Exmoor National Park Authority has relatively limited development, particularly ~~that~~ of 100sq metres or above. However, it is recognised that such development still has an impact on local infrastructure and the needs of local ~~sustainable~~ communities. Given that ~~government policy is evolving on this~~ the issue is evolving, and, 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, ~~Exmoor the~~ National Park Authority will need to work with partners and review periodically and as appropriate its position on the ~~community infrastructure levy~~ CIL, including consideration of the benefits of a CIL and its impact on the viability of development in the National Park. ~~periodically and as appropriate.~~

GP5 SECURING PLANNING BENEFITS – PLANNING OBLIGATIONS

In order for development to take place without harm to and to ensure that it conserves and enhances the National Park and its special qualities, within infrastructure capacity interests, or in accordance with policy, it may be required that development be accompanied by limitations or contributions that go beyond those that can be secured by planning conditions. These may be in the form of planning contributions or a community infrastructure levy if applied and considered appropriate. The need for a levy will be reviewed periodically through the Infrastructure Delivery Plan.

ACHIEVING ENHANCEMENT OF THE NATIONAL PARK

- 4.44. 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 are also needed to fully meet National Park purposes.
- 4.45. 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, including 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.
- 4.46. 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.
- 4.47. Proposals which are justified on the basis of enhancement will be required to demonstrate an overall benefit and 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. Other benefits to the community are dealt with in other policies in this Plan such as those for new housing for local communities (Section 7) and for the economy and employment (Section 8) which includes the approach to safeguarding existing employment land and buildings.
- 4.48. 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 so as not to harm the National Park and its special qualities, the locality and site.
- 4.49. Policy GP6 sets out six criteria to underpin opportunities for the enhancement of the National Park and reflecting the first statutory purpose. It takes forward objectives in the Plan including to:
- a) ensure that Exmoor's moorlands remain open, remote and relatively wild in character; that views are preserved;
 - b) conserve and enhance Exmoor's landscapes as living working landscapes that remain predominately free from intrusive developments;
 - c) ensure that the built tradition, character, distinctiveness and historic character of Exmoor's settlements, buildings, farmsteads, landscapes, archaeological sites and monuments is conserved and enhanced and that the cultural heritage of Exmoor is protected through the careful management of development.
- 4.50. Opportunities and proposals must demonstrate that they constitute meaningful enhancement of the National Park's natural beauty, wildlife and/or cultural heritage to accord with the Policy. 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. In

achieving enhancement that accords with clauses 1 to 5 of Policy GP6, opportunities which arise for the enhancement of natural resources and land should also be taken. This includes contaminated sites and the removal of pollutants.

- 4.51. 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.
- 4.52. In order to help to 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.
- 4.53. Other policies in this plan also include specific criteria for opportunities for enhancement.

GP6 ENHANCING THE NATIONAL PARK'S SPECIAL QUALITIES

- 1. Opportunities for enhancing the special qualities and valued features of the National Park will be identified and responded to.**
- 2. Proposals to enhance the National Park will need to demonstrate a significant overall benefit to the natural beauty, wildlife and cultural heritage of the area and that they do not undermine the achievement of other Plan Policies.**
- 3. Where development is permitted, a design and, where appropriate, landscaping works will be sought that conserve and enhance the landscape, character, appearance, distinctiveness and setting of the area and locality and contribute to achieving biodiversity objectives.**
- 4. Opportunities will be taken to enhance the National Park by the treatment or removal of intrusive structures or features in a way which conserves the special qualities or valued features of the site and its surroundings.**
- 5. Development in settlements necessary for the treatment, removal or relocation of non-conforming uses to an acceptable site, or which would enhance the special qualities of the National Park may be permitted. In such cases a site brief may be necessary to achieve the best mix of uses to secure the conservation and enhancement of the National Park and the most sustainable outcome for the community.**
- 6. Where proposals for the enhancement of the National Park in accordance with Clauses 1-6 of this policy are accepted, opportunities which arise for the enhancement of natural resources, land (including contaminated land) and access/transport will be encouraged.**