



WRITTEN STATEMENT


Session 3: SECTION 6 Achieving a Thriving Community

EXMOOR NATIONAL PARK LOCAL PLAN 2011 - 2031
EXAMINATION

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1 Housing Strategy and Objectively Assessed Housing Need

Question 3.1 Are the housing policies in the Plan based on a sound objective assessment of housing need in the National Park and in the wider housing market area?

Question 3.2 Will the Plan, together with other emerging local plans in the HMA, make adequate provision to meet market and affordable housing needs across the HMA? (HBF)

- 1.1 The housing policies in the plan are based on a sound, objective assessment of housing need in the National Park and wider housing market area, following national guidance, as set out in chapter 4 of the Housing Topic Paper ([CE6](#), pages 17-24).
- 1.2 The Authority has worked closely with neighbouring authorities in the Northern Peninsula Housing Market Area to ensure that the Plan, together with the emerging Joint Local Plan for North Devon and Torridge, and the emerging Local Plan for West Somerset, make adequate provision to meet market and affordable housing need across the HMA. A Joint Housing Topic Paper ([CE7](#)) has been produced, which sets out the Objectively Assessed Housing Need (OAHN) for the Northern Peninsula HMA (Table 7, page 21), and shows that there is sufficient supply and planned housing provision for future delivery to meet the OAHN across the HMA (Table 10, page 29).
- 1.3 The Duty to Co-operate Statement ([SD10](#)) details how the four local planning authorities have co-operated regarding housing provision (Table 2, strategic priority (c), pages 14-16).

2 Housing and Local Occupancy Criteria

Question 3.3 Is the overall approach to housing provision in the National Park set out in policies HC-S1 and HC-S3 justified, particularly with regard to viability considerations, self-build housing and the needs of local businesses?

- 2.1 The overall approach to housing provision in the National Park set out in policies HC-S1 (Housing) and HC-S3 (Local Occupancy Criteria) is justified.
- 2.2 The Local Plan housing strategy takes as its starting point, and is justified by, the National Park designation. The level of new housing development must be compatible with National Park purposes – including Exmoor’s natural beauty. In meeting the statutory purposes, there is a legal duty for ENPA to further the social and economic wellbeing of Exmoor’s communities.
- 2.3 Evidence to underpin the housing strategy is set out in the Housing Topic Paper ([CE6](#)). It explains how the approach in the emerging Plan reflects, and is consistent with, national planning policy and guidance for housing in National Parks ([CE6](#), pages 4-6) and that it continues past approaches to housing on Exmoor (pages 6-7). It summarises evidence on the sensitivity and limited capacity of the landscape for housing in the Exmoor National Park Landscape Sensitivity Study ([CE17](#)), other constraints such as flood risk and topography and that, as a consequence, suitable housing sites in Exmoor’s settlements are a scarce and finite resource ([CE6](#) pages 8-9). The Exmoor National Park SHLAA ([CE8](#)) took account of the evidence on landscape sensitivity and has assessed future land supply and this is also summarised in the Housing Topic Paper ([CE6](#), pages 25-26). The evidence demonstrates the need to minimise the level of housing development in the National Park rather than meeting the high level of external demand for housing to ensure that, over the Plan period and beyond, there will still be suitable housing sites in settlements for Exmoor’s communities.
- 2.4 The statutory purposes and duty (para 2.2 above) and the evidence justify the approach in policy HC-S1 which makes provision for housing which is aligned with that needed by local communities. Priority is accorded to addressing the local need for affordable housing which has arisen as a result of high external demand pushing up house prices ([CE6](#), pages 11 and 21-22), the size, type and tenure of Exmoor’s existing housing stock ([CE6](#), page 12), low average incomes ([CE6](#), page 13) and the disparity between house prices/rents and local incomes which means there is an ‘affordability gap’ ([CE6](#), pages 14-15 and [EB30](#)).
- 2.5 Local need affordable housing will be delivered through a rural exception site approach and, therefore, without a housing target or allocations ([CE6](#), pages

32-34). Explanation of the housing strategy is set out in the Publication Draft Local Plan ([SD1](#), pages 130-31) and the Housing Topic Paper ([CE6](#), pages 31-36), with amendments set out in the Schedule of Proposed Changes ([SD5](#), Refs 222 to 223, pages 94-96) and ENPA's response to the Inspector's Initial Queries (EX6).

- 2.6 The strategy will contribute to sustainable communities by helping those households who do not have access to existing housing - particularly younger, working age households - so that they can continue to live and work on Exmoor. Evidence shows that the majority of people housed in recent local need affordable housing are younger ([CE6](#), pages 15-16). Over time, this should begin to rebalance Exmoor's population which has a much higher than average older and very aged population and, consequently, a lower than average proportion of younger, working age people ([CE6](#), pages 10-11).
- 2.7 Viability considerations have been taken into account in drafting the housing policies. For this reason, policy HC-S1 provides flexibility to enable the delivery of local affordable homes by allowing for the provision of Principal Residence market housing (clause 3) where it can be justified. The updated Viability Study including of the housing policies, shows that they are deliverable ([CE12](#), pages 24-25) and this evidence is summarised in the Housing Topic Paper ([CE6](#), pages 38-39). A further proposed change to policy HC-S1 is proposed to refer to Principal Residence housing in relation to Vacant Buildings (see EX6 ENPA response to the Inspector's Initial Queries and the response to questions 3.7 and 3.8 of this statement).
- 2.8 Local incomes are such that most affordable housing need is for rented housing ([CE6](#), page 15). However, there is recognition that the incomes and aspirations of households who cannot afford open market housing is varied. Local need affordable housing can be delivered through a range of tenures, including owner occupation which may be achieved through custom or self-build. A number of custom/self-build homes have been completed in the National Park since the adoption of the 2005 Local Plan.
- 2.9 The ENP Self-Build register includes households who have expressed an interest in self-build in the National Park ([SD1](#), pages 151-152, [CE6](#), page 41). Policy HC-D5 of the Publication draft ([SD1](#), page 153) and proposed changes to it in [SD5](#) Refs 292-297, pages 129-131, continues the approach from the 2005 plan to enable custom/self-build housing in settlements, but also widens the locations where it may be considered to be acceptable to rural communities (with one or more service or facility). More detail is set out in the ENPA response to question 3.15 on self/custom build in this statement. The approach to self-build housing is therefore justified.

- 2.10 The approach to housing for Exmoor’s workers is summarised in the Housing Topic Paper ([CE6](#), page 34). Policy HC-S3 sets out definitions of local connection for affordable housing to ensure an objective and consistent approach. Criterion 1.e) enables workers (who are in affordable housing need) to qualify for an affordable home with a local occupancy tie where they need to live close to their work. The criterion also makes additional provision in the emerging Plan to include Exmoor Workers, and guidance on this will be included in the planned Housing Supplementary Planning Document. In both cases there is no requirement to demonstrate previous local residency.
- 2.11 The 2005 Adopted Plan includes a local occupancy definition very similar to policy HC-S3 and this has underpinned the successful delivery of affordable housing in the National Park since 2005 ([CE6](#), pages 36-37). The local connection criteria set out in policy HC-H3 have received support throughout the preparation of the Local Plan.
- 2.12 The Topic Paper also explains that the Plan makes provision for the essential needs of rural workers (policies HC-S1 and HC-D9) proposed changes for which are in [SD5](#) (Ref 222 page 94 and Ref 136 pages 139-140) and staff accommodation for hotels and guest houses (policy RT-D2). Exmoor has a high proportion of home working (37%¹) and the Plan provides a flexible approach to home based businesses. The evidence is that demand for home based working will continue ([CE6](#), page 24). Live work units in accordance with the Plan’s housing policies would also be considered. Changes are proposed to provide additional clarity ([SD5](#) Refs 291 and 371-372, pages 92-93 and pages 162-63).

¹ up to date figures from the Office for National Statistics are included in the proposed changes to paragraph 7.4 of the Plan, [SD5](#) Ref 359, pages 155-157

Question 3.4 Does the Plan make adequate provision for long term residents of the National Park to continue to live there in retirement?

- 2.13 The National Park Authority recognises the importance of supporting the housing needs of an ageing population. Older people or those with disabilities may have accommodation needs that are not met by the general housing stock. Within the context of National Park designation, and as part of the overall housing strategy in the Plan, policies seek to address the local housing needs of older people and other vulnerable members of the community.
- 2.14 The NPA considers that the Plan provides flexibility and a range of provisions to enable residents to downsize. These are summarised in the Housing Topic Paper ([CE6](#), pages 35-36). They include the subdivision of existing homes to create smaller and more manageable units (which may include adaptation measures) which could, potentially, enable a relative to live close by and provide care/support ([SD1](#), pages 165 to 167 and [SD5](#), Refs 335 and 339 pages 146-148). The Plan also makes provision for the change of use of existing buildings as Extended Family Dwellings with a local occupancy tie to enable family members to support each other ([SD1](#), pages 150 to 151 and [SD5](#) Ref 291, pages 127-129).
- 2.15 For those in affordable need, the plan includes policies to enable appropriately designed affordable housing with local occupancy ties. It is referred to as 'specialist housing' in the Publication Plan ([SD1](#), Policy HC-D3, page 150). Changes proposed by the Authority following the introduction of new national space and technical standards, encourage all new build housing to be constructed to accessible and adaptable standards, replacing the term 'specialist housing' with 'accessible and adaptable housing'. 20% of dwellings in housing developments of 5 or more dwellings are required to meet the standard ([SD5](#), Refs 225 and 232 pages 97-98 and 101-102).
- 2.16 It is considered that those who already own their own home are likely to have resources available to meet their own needs on the open market. Not all solutions therefore require new development since there is the potential to buy appropriate existing market housing. Additionally, households who have a local connection to Exmoor may find suitable new accessible and adaptable Principal Residence homes with a local tie to downsize to as part of the mix of housing provided to enable the delivery of affordable housing schemes. These could be the result of new build development or through the conversion and change of use of existing buildings.

Question 3.5 Should there be an additional policy in the Plan permitting low-cost dwellings for local needs outside existing settlements? (EU)

2.17 Plan policies enable the provision of homes in the open countryside to meet the needs of rural working communities on Exmoor through the conversion of existing buildings to:

- local affordable homes on farmsteads and in hamlets (HC-D7),
- rural workers dwellings or Succession Farm dwellings where they are well-related to existing buildings on the holding (HC-D7, HC-D9, HC-D10) or
- Extended Family dwellings on farmsteads (HC-D4)

2.18 Policy HC-D13 also gives flexibility on occupancy between holiday lets, local affordable dwellings and Extended Family dwellings to ensure that the buildings in residential use in the Open Countryside can accommodate a range of local housing needs, including to benefit the local economy.

2.19 National policy set out in paragraph 55 of the NPPF is

“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as: the essential need for a rural worker to live permanently at or near their place of work in the countryside.”

2.20 National policy is therefore to provide for the essential need for a rural worker to live permanently at or near their place of work in the countryside. In addition to the provision summarised in paragraph 2.17, Plan policies provide for the provision of new build homes in the Open Countryside for rural workers (HC-D8) and as Succession Farm dwellings (HC-D10) where they are well related to existing buildings on the holding (see ENPA response to question 3.19 on rural workers). Policy HC-D5 also enables the development of self-build local affordable homes in small rural communities in the Open Countryside that have at least one service (a shop, pub or community meeting place). There are a number of communities which meet this requirement including those listed in paragraph 6.132 of the Publication draft plan.

2.21 Exmoor National Park is very rural, even in comparison with other local planning authorities in South West England which is itself a rural region. All of Exmoor’s settlements have a population well below 3,000. To address the housing needs of Exmoor’s most rural communities, the Publication draft plan

spatial strategy includes some small Villages with a low population. If the area in the National Park were part of a district local planning authority, it is considered likely that many of the named settlements proposed in the Publication draft Plan would be considered as open countryside. Increased flexibility has been afforded to new build homes in the open countryside to help address the needs of farming communities including self-build homes in rural communities and Succession Farm dwellings. The Plan also makes provision for the re-use of existing buildings for housing with local need (or local) occupancy ties on farmsteads and in hamlets. Further consideration of housing through the conversion of existing buildings is set out in the ENPA response to question 3.18 in this statement.

- 2.22 Given the options through the Plan for housing in the Open Countryside to address the needs of the local rural working communities, it is considered that an additional policy permitting low cost dwellings in the Open Countryside is not required.
- 2.23 Any further policy provision for new build housing in the Open Countryside would be contrary to national policy and would conflict with the statutory purpose of conserving and enhancing the National Park.

3.6 Should there be an additional policy in the Plan permitting low-impact dwellings or “one planet development”?

- 2.24 It is not considered that a new policy to address ‘open countryside one planet development’ (OCOPD) is appropriate or necessary. The need for a specific policy to address the needs of OCOPD has not been justified through the preparation of the Local Plan - nor has any existing need been identified.
- 2.25 National policy set out in paragraph 55 of the NPPF is
- “To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as: the essential need for a rural worker to live permanently at or near their place of work in the countryside.”*
- 2.26 It is therefore considered that the inclusion of a policy for OCOPD in the open countryside would be contrary to national policy.
- 2.27 The Your Future Exmoor Events [[EB1](#) and [EB2](#)] presented two options in relation to the issue of: ‘How to allow for more sustainable and self-sufficient lifestyles through low-impact land based communities outside settlements’? These were:
- a) As now, allow new-build local affordable housing within or next to settlements – people who would like to live self-sufficiently may qualify
 - b) As now allow conversions of existing buildings on farmsteads or within hamlets to affordable housing for local people - people who would like to live self-sufficiently may qualify
- 2.28 Both options were supported with option b) receiving the most support from local communities, and option a) receiving more support from stakeholder organisations. However, as the Plan has progressed a new policy (HC-D5) for self-build affordable homes in rural communities has been included in the Publication draft plan which could provide an additional option to enable this type of low-impact development to come forward where the occupiers would meet a locally identified need. OCOPD proposals may also be determined in relation to provision of new build homes in the Open Countryside for rural workers (HC-D8) and Succession Farm dwellings (HC-D10) where they are well related to existing buildings on the holding.
- 2.29 As the Plan priority is addressing the housing needs of Exmoor's local communities, it is considered that a specific policy for OCOPD is unnecessary as a local need for low impact development may, in any case, accord with proposed Plan policies and therefore is provided for in the Plan.

3 Thresholds

Question 3.7 How should the contents of the “Text Box” on p133 of the Plan, and related policies¹, be treated in the light of the Court of Appeal judgment in SSCLG v West Berkshire DC & Reading BC [2016] EWCA Civ 441? (HBF, Mr Briden)

¹ Including HC-DC2 & HC-D6.

Question 3.8 Should the contents of the “Text Box”, or any replacement for them, have HC policy status?

- 3.1 In addition to questions 3.7 and 3.8 above, the Inspector has raised a query on the judgement made on the 11th May, shortly after the submission of the Exmoor National Park Local Plan, and referred to above. The ENPA response to the query is available as part of the Examination Library (EX6). The ENPA response sets out background information and explains the approach it has taken since the introduction of the thresholds in 2014, the subsequent challenge to it and the recent judgement on the Government appeal. To avoid repetition, the response to questions 3.7 and 3.8 (and also question 3.17 on the proposed deletion of policy HC-D6) draw on the response (EX6).
- 3.2 Affordable housing thresholds and related proposals have been of great concern to the National Park Authority since the initial DCLG consultation in 2014.² The National Park objected to the proposed threshold in 2014 explaining the detrimental effect it would have. The introduction of thresholds and vacant building credit removes an important component of the Local Plan housing strategy because of the significance of existing buildings / brownfield land for the delivery of affordable housing in the National Park (EX6, paragraph 2.4 and Table 2.1). If affordable housing needed by Exmoor’s communities cannot be required, the consequence is to increase pressure on greenfield land in settlements.
- 3.3 The reasons for the inclusion of a text box and associated policy changes in the Publication draft Local Plan are explained in paragraph 2.9 of the ENPA response (EX6).

² DCLG (2014) Planning performance and planning contributions: consultation (March 2014)

- 3.4 The successful challenge to the thresholds led to ENPA proposing deletion of the text box and policies related to thresholds and vacant building credit in the Plan (EX6, paragraph 2.12 and Table in paragraph 2.12). For conversions/ changes of use of non-residential buildings to housing, including ‘vacant buildings’, and the redevelopment of brownfield land with buildings in settlements, the approach was once again that proposed in the draft Local Plan: to seek 100% affordable housing as a starting point with viability judged on a case by case basis.
- 3.5 The appeal by the Secretary of State for Communities published in May this year has led to the reinstatement of the thresholds guidance in the PPG.³ (EX6 paragraph 2.16 and paragraphs 2.14 - 2.15 which quote paragraphs 26 (iii) and (iv) of the judgement).
- 3.6 The response to the Inspector’s query explains the proposed deletion of the text box and relevant policy clauses and the further proposed changes (EX6, paragraphs 2.17 -2.20). The proposed amended clauses of HC-S1 and the proposed new policy are set out below in Table 3.1.

Table 3.1

Ref	Main Modification (MM)
<p>MM3.1 (incorporating changes proposed in SD5, ref 222 pages 94-95)</p>	<p>HC-S1: HOUSING</p> <p>1. The purpose of housing development will be to address the housing needs of local communities. The principal community identified need is for affordable housing with local occupancy ties. Exceptionally, new housing will be acceptable where it addresses an identified local housing need for:</p> <p>a) affordable homes that remain affordable in perpetuity and which will be occupied by local persons in proven housing need in accordance with the local occupancy definition in HC-S3.</p> <p>b) rural workers in agriculture, forestry or other rural land based enterprises with a proven essential, functional need in accordance with HC-D7 or HC-D8 and HC-D89 or to enable succession farming on established farm businesses in</p>

³ Planning Policy Guidance: Paragraph: 031 Reference ID: 23b-031-20160519, Paragraph: 013 Reference ID: 23b-013-20160519, Paragraph: 014 Reference ID: 23b-014-20160519, Paragraph: 015 Reference ID: 23b-015-20160519, Paragraph: 016 Reference ID: 23b-016-20160519, Paragraph: 017 Reference ID: 23b-017-20160519, Paragraph: 019 Reference ID: 23b-019-20160519, Paragraph: 020 Reference ID: 23b-020-20160519, Paragraph: 021 Reference ID: 23b-021-20160519, Paragraph: 022 Reference ID: 23b-022-20160519, and Paragraph: 023 Reference ID: 23b-023-
<http://planningguidance.communities.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/>

Ref	Main Modification (MM)
	<p>accordance with HC-D7 or HC-D8 and HC-D9<u>10</u>.</p> <p>c) specialist housing for older people and other vulnerable members of the community, in accordance with HC-D3 which will be occupied by local persons in perpetuity; or</p> <p>c) d) an “eExtended fFamily dwelling”, in accordance with HC-D4, which will be occupied by local persons in perpetuity.</p> <p>2. <u>Accessible and adaptable housing for older people and other vulnerable members of the community, will be occupied by local persons in perpetuity, and will only be considered where it will help to deliver an identified need for local affordable housing, in accordance with HC-D3.</u></p> <p>3. 2.<u>Consistent with an exceptions approach to housing, provision will not be made for housing solely to meet open market demand and housing land will not be allocated in the development plan. 3.</u>‘Principal rResidence’ market housing will only be considered where:</p> <p style="padding-left: 40px;"><u>a) it is essential to deliver an identified need for local need affordable housing in Local Service Centres or Villages and in accordance with Policy HC-S4; or</u></p> <p style="padding-left: 40px;"><u>b) The proposal relates to a Vacant Building in a Local Service Centre or Village (HC-Dx).</u></p> <p>4. ‘Principal residence’ market housing Clause 3 b) above and Policy HC-Dx of this Plan <u>will only be considered apply</u> as long as government guidance on planning obligations relating to thresholds for affordable housing <u>vacant buildings credit</u> is extant. If the guidance changes, <u>policy HC-Dx and clause 3 b) above,</u> this provision will no longer apply and 100% affordable housing will be sought.</p> <p style="padding-left: 40px;">a) through the change of use of existing buildings or the redevelopment of a ‘vacant building’ (including provisions for commuted sums towards local needs affordable housing in the National Park); and</p> <p style="padding-left: 40px;">b) only within Local Service Centres and Villages.</p>
MM3.2	<p><u>POLICY HC-DX VACANT BUILDINGS IN SETTLEMENTS</u></p> <p>1. <u>Exceptionally, Principal Residence market housing may be considered through the change of use or redevelopment of an existing Vacant Building where:</u></p> <p style="padding-left: 20px;"><u>a) the proposal accords with Policy HC-S1 clause 3 b) and 4;</u></p>

Ref	Main Modification (MM)
	<p>b) <u>sufficient evidence is provided to demonstrate that the building can be considered to be Vacant through meeting the following tests:</u></p> <ul style="list-style-type: none"> i. <u>that it is not abandoned,</u> ii. <u>it has been unoccupied, without content and has been marketed for a minimum of 3 years;</u> iii. <u>it is not an agricultural building or previously developed land without a building; and</u> iv. <u>it can be demonstrated that the building has not been made vacant for the sole purpose of re-development and there has been no intent to leave the building empty or cause it to become empty in order to circumvent affordable housing requirements. Extant or recently expired planning permissions applying to the building for the same or similar development will be taken into account in considering proposals;</u> <p>c) <u>the building is within a Local Service Centre or Village; and</u></p> <p>d) <u>clear and robust evidence demonstrates that no affordable housing can be provided on site or as part of the development for viability reasons. In such cases, provision for a commuted sum towards local need affordable housing in the National Park will be sought commensurate with an agreed and robust viability assessment.</u></p> <p>2. <u>Proposals for the change of use of a Vacant Building will only be considered where:</u></p> <ul style="list-style-type: none"> b) <u>the existing building is able to accommodate two or more dwelling units of 93sqm floorspace in size (HC-D1);</u> c) <u>the existing building(s) is considered to be worthy of conservation and it does not have an adverse impact on the character and visual amenity of the area; and</u> d) <u>they will accord with CE-S5.</u> <p>3. <u>Proposals for the redevelopment of a 'Vacant Building' will only be considered where:</u></p> <ul style="list-style-type: none"> b) <u>the existing building is not a traditional building, is not listed or considered to be of historic or architectural importance worthy of conservation and it has an adverse impact on the character and visual amenity of the area;</u>

Ref	Main Modification (MM)
	<p>c) <u>the redevelopment proposal will achieve demonstrable environmental enhancement of the building and its locality; and</u></p> <p>d) <u>the gross floorspace of the Principal Residence housing achieved will be no greater than the existing gross floorspace of the existing Vacant Building(s). Housing which would exceed the gross floorspace will be required to meet an identified local affordable need in accordance with Plan policies.</u></p>

4 Balanced Housing Stock, Size Restrictions

Question 3.9 Is there justification for the dwelling size limitations set out in policy HC-S2 and related policies²?

(² policies HC-D2, HC-D4, HC-D5, HC-D6, HC-D7 HC-D8 HC-D9 HC-D10 HC-D17)

Question 3.10 Is the proposed use, in policy HC-S2 and related policies³, of the nationally-described space standards and Building Regulations Requirement M4(2) justified in respect of need, viability and timing⁴?

(³ HC-D1, HC-D2, HC-D3, HC-D5, HC-D6, HC-D9 & HC-D17.

⁴ See PPG Ref ID: 56-020-20150327 and 56-007-20150327.

- 4.1 The need for dwelling size limitations set out in policy HC-S2 and related policies is justified by evidence which shows that:
- the National Park's existing housing stock has a higher than average proportion of larger, detached housing (SD1, page 122, SD5, Refs 167 and 168 page 74 and CE6, pages 12-13) and that consequently it does not provide a range of accommodation sizes and types to meet the needs of all sections of the local community. This affects different prospective occupiers not just those in affordable need;
 - there is a disparity between house prices/rents and local incomes, exacerbated by the size and type of the existing housing stock and a consequent local need for affordable housing (CE6, pages 13-16); and
 - older households, often living in family housing, may need smaller, more manageable housing (EB26, page xvi, point 4).
- 4.2 The Publication draft plan focuses on new development to address the local needs of existing and future households. This includes specialist housing (now referred to as accessible and adaptable dwellings), Extended Family dwellings and Succession Farm dwellings. Size limits are important to help to provide a better mix of housing in the stock as a whole.
- 4.3 Additionally, they are needed to provide flexibility for the replacement of occupancy ties, including with a local needs tie, to cater for changes in circumstances. To provide this, deliver affordable housing where such opportunities arise and ensure dwellings are affordable in the longer term, it is necessary and justified to set size limits. Together with the occupancy tie, they are the means for controlling affordability.

- 4.4 The Publication draft Plan maximum net internal floorspace for these dwellings is 90 sqm. Housing of this size has been successfully delivered in the National Park since 2005. The Authority has considered the implications of the Technical Housing Standards - nationally described space standards and proposes to change the 90sqm floorspace requirement to 93sqm gross internal area to be consistent with the space standards for a 3 bed, 5 person, two-storey home. The Schedule of Proposed Changes therefore includes a figure of 93 sqm for accessible and adaptable housing, Extended Family, and Succession Farm Dwellings ([SD5](#), Ref 232 pages 100-102) and also for rural worker dwellings ([SD5](#), ref 316 pages 139-140).
- 4.5 For specialist (or accessible and adaptable) housing, evidence indicates that two bedroom housing is likely to be the most needed ([EB26](#), pages 22, and 161-162, [CE9](#), page 160). The number of bedrooms required for different households has been assessed ([CE9](#), pages 147-148). It is assumed that most older households would tend to fall within the single person or couple size requirement. Building housing to the minimum requirement was not advocated however, as having a spare bedroom provides flexibility to respond to changing circumstances, for example, to enable a carer to stay ([CE9](#), page 151). A 93 sqm floorspace would enable the provision of a 2 bedroom accessible and adaptable home.
- 4.6 Encouraging the design of new housing development to enable it to meet the Building Regulation requirement for accessible and adaptable dwellings should improve the suitability of new housing so that, as their needs change, people can remain in their own homes for longer. Similarly, the Extended Family dwellings policy HC-D4 ([SD1](#), page 151) should, through nearby family support and of the appropriate (nationally described) space standard ([SD5](#), ref 291 page 128), enable people to remain in their own home. This approach is justified in Exmoor given the ageing population ([CE6](#), pages 10-11).
- 4.7 The Publication draft plan policy requires that rural worker dwellings have a gross internal floor area of 93 sqm or less (HC-D9) with some flexibility set out in the text that in exceptional cases a larger rural worker dwelling may be permitted ([SD1](#), page 155) where it is justified by the needs of the business ([SD5](#), ref 303 page 135). The Succession Farm dwelling policy provides additional flexibility for a new second dwelling on established farms in the open countryside. 93 sq m internal area is considered to be sufficient since the new dwelling would be 'attached' i.e. could not be sold separately and they would operate together, including for example sharing a farm office.
- 4.8 New local needs affordable housing will be aligned to identified needs. The Authority proposes to change the 90sqm net internal floorspace requirement to 93sqm gross internal area (see para 4.3). The standard is proposed to apply to

all affordable housing including individual privately or owner occupied dwellings and self/custom build. It would be the starting point for housing controlled through a Registered Provider unless it could be proven that a larger dwelling is needed. An upper size limit is necessary since the affordability of such housing is achieved through the combination of both the local need occupancy tie and the maximum gross internal floor area.

- 4.9 Self builds with a local need occupancy tie are treated as a 'stand-alone' product that will be taken up when a self/custom builder finds them to be economically realistic. In this way they provide an opportunity for those with a connection to Exmoor to build their own home. Controlling both size and occupancy is essential to ensure land and buildings are affordable both for those with an affordable housing need who wish to self-build and to ensure housing remains affordable for future households in housing need.
- 4.10 Policy HC-S2 introduces a requirement that for the development of 5 or more dwellings, 20% will meet the M4(2) technical standard. The 20% figure is considered to be justified by evidence from the 2011 Census that 20.9% of the population have their day to day activities either limited a lot or a little ([SD5](#), Ref 225 page 98).
- 4.11 The proposed change to policy HC-S2 ([SD5](#) Ref 232 page 101) and related policies are justified by viability evidence as the proposed adoption of the new national technical standards have been subject to an updated Viability Assessment. The policies in the plan were found to be deliverable (CE12, pages 24-25). Case studies were for dwelling mixes based on nationally described space standards and using Part M4(2) standards. It will be viable in housing developments of five or more dwellings to meet the Part M4(2) standard for 20% of the dwellings ([CE12](#), pages 16-17, and 24).
- 4.12 It is considered that the particular circumstances of the National Park mean that introduction of revised space standards for housing are needed because of their importance as a component of the housing strategy, and for local need affordable dwellings, as one of the two ways in which affordability is controlled.
- 4.13 The technical standards (nationally described space standards) are set out as Proposed Changes ([SD5](#)) because the national change was introduced shortly after the Publication Plan was agreed by the Authority. Since it is now a requirement that standards must be in planning policy, there was considered to be no realistic alternative.

- 4.14 Preparation of the Viability Study included a workshop with stakeholders nine months after the introduction of the new standards and the study has taken them into account as part of its testing and shown the policies to be viable ([CE12](#)).
- 4.15 New housing in the National Park is delivered through a needs led, rural exceptions approach. Experience of applying the exceptional approach is that prospective developers would not purchase land for new housing until planning permission had been secured enabling a judgement to be made on viability including technical/space standards on a case by case basis. Local need dwellings with a 90sqm floorspace have been delivered successfully in the National Park since 2005 and the proposed change to 93sq m is a comparatively small increase. Similarly both rural workers and Succession Farm dwellings would only be permitted as an exception in the open countryside to meet an essential need and in many or most cases the site would be in the same ownership as the farm holding. The remaining housing – Principal Residence, Accessible and Adaptable Homes and Extended Family dwellings are included for the first time in the emerging plan and so will not be a change in circumstances for those building in the National Park.
- 4.16 The proposed use, in policy HC-S2 and related policies, of the nationally-described space standards and Building Regulations Requirement M4(2) is therefore considered to be justified in respect of need, viability and timing.
- 4.17 A further change is now considered to be needed to reduce the length and thereby improve the clarity of clause 1 of policy HC-S2. This is set out in Table 3.2.

Table 3.2

Ref	Main Modification (MM)
<p>MM3.3 (incorporating changes proposed in SD5, ref 232 pages 101-102)</p>	<p>HC-S2 A BALANCED LOCAL HOUSING STOCK</p> <p>1. <u>Having regard to the existing housing stock in the locality, All new residential development will contribute towards the creation of sustainable, balanced, inclusive communities by ensuring that having regard to the existing housing stock in the locality, providing, through the mix of new dwellings housing, that in terms of size, type and tenure, addresses new housing provision will meet the local needs of present and future generations through: a) Hhaving regard to the existing housing stock in the locality, ensuring that new housing provision will, through the mix of new dwellings in terms of size, type and tenure, having regard to the existing housing stock in the</u></p>

Ref	Main Modification (MM)
	<p>locality and meet the needs of Exmoor's communities, and</p> <p><u>2. New housing will offer a good standard of accommodation by being constructed to be neither too large nor too small and using flexible nationally described space standards that enable dwellings to be adapted to the needs of people over their lifetime.</u></p> <p><u>3. All new build housing developments will be encouraged to be constructed in accordance with Building Regulations Requirement M4(2) for accessible and adaptable dwellings or successor regulations. In new build developments of 5 or more dwellings, a minimum of 20% will be required to meet this standard.</u></p> <p><u>4. b) For local need affordable dwellings permitted under HC-S1 and HC-D1, or HC-D2, HC-D5, HC-D6, or HC-D67, the dwelling(s) will be affordable by size and type to local people and will remain so in perpetuity. For private owner occupied local need affordable dwellings, including custom/self-build, specialist accessible and adaptable housing (HC-D3), 'Extended Family dwellings' (HC-D4) and 'Succession Farm dwellings' (HC-D910), the net floorspace gross internal area will be 930 square metres or less.</u></p> <p><u>1. e) Where permission is granted for <u>dwellings created through subdivisions and dwellings of up to 930sqm, including those created through subdivisions</u>, a condition will be attached removing permitted development rights in respect of extensions to ensure that dwellings do not exceed 90sqm in size.</u></p> <p><u>2. Where permission is granted for employment uses as part of a proposal, a condition may be attached tying the occupation of the dwelling to the operation of the business <u>space</u>.</u></p>

5 Principal Residence

Question 3.11 Are policies HC-S4 and HC-D1 consistent with national policy in respect of Principal Residence conditions and change of use, and are they deliverable? (BE, Mr Briden)

- 5.1 The Authority Response to the Inspector's Initial Assessment and Queries (section 3, EX6) provides a detailed response in respect of the evidence underpinning the Principal Residence policy and therefore forms part of the ENPA's response to question 3.11.
- 5.2 The findings of the Viability Assessment for the Local Plan [CE12] were based on a workshop with agents and developers and concluded that Principal Residence dwellings were accepted as a market dwelling which would enable the delivery of affordable homes within the National Park on a rural exception site basis. The workshop attendees came to an agreed view that a 5% reduction in value would be likely to affect the Principal Residence condition on market dwellings. The Viability Assessment used this reduction in value when calculating the viability of housing schemes (i.e. those listed as case studies in the report). The report illustrates that Principal Residence dwellings still allow development to be viable and therefore enable developers to deliver housing schemes within the National Park.
- 5.3 It is accepted in the Viability Assessment [CE12, para. 4.24] that conversions vary enormously in terms of the costs of the work and value of the completed units and therefore a number of principles are set out in relation to the policy approach in the Local Plan which are applicable to HC-D1 Conversions to Dwellings in Settlements.

However, a number of principles for conversions can be taken from the findings of the testing of new build. These are that:

- Conversions to single dwellings can be treated as self-build units for local people unable to meet their housing needs on the open market;
- The starting point for multi dwelling schemes is that they should provide 100% affordable housing. Thereafter the minimal amount of principle residence housing can be acceptable to provide a viable scheme;
- Where a commuted sum is acceptable it should be calculated on the basis of the difference between the value of a 100% market scheme compared with a viable scheme with the maximum amount of affordable housing.

- 5.4 HC-D1 also requires an open book approach to viability where proposals require Principal Residence dwellings to deliver local affordable dwellings on the site. Commuted sums are only acceptable where the conversion would deliver more local need affordable housing than is needed locally.
- 5.5 The intention of attaching a Principal Residence condition to market homes is to ensure that any new market homes are lived in by people who will contribute to the long term sustainability and resilience of local communities within Exmoor. The majority of dwellings within the National Park are, and will continue to be, unfettered.
- 5.6 In conclusion, the Authority considers that the Principal Residence policy approach is in complete accordance with the intentions of the NPPF and responds to the local context of the National Park in helping to sustain thriving local communities.

6 New build in settlements

Question 3.12 Should policy HC-D2 also allow for new-build dwellings that meet a local business need? (BE)

- 6.1 The housing strategy is summarised in the Housing Topic Paper ([CE6](#), pages 31 to 34) and specific explanation of the approach to housing for workers within the National Park is on page 34. Explanation of the strategy can also be found in the Publication Plan ([SD1](#)) on pages 119 and 120 and information on local connection as regards worker definitions is on page 137. The NPA has proposed changes to the plan ([SD5](#), refs 219 and 240 pages 93 and 105).
- 6.2 There is clear evidence that projected demand for more houses in the National Park results from in-migration and predominantly from older households ([CE6](#) pages 10-11).
- 6.3 Consistent with the evidence, ([SD1](#) page 132 and [SD5](#), ref 222_pages 94-95) HC-S1 states that housing development in the National Park is to address the housing needs of local communities and that the principal community housing need is for affordable housing with local occupancy ties.
- 6.4 Proposed Publication draft housing policies provides for new build local need affordable dwellings in settlements for workers and so would help meet the housing needs of employees/workers who meet local need requirements. Policy HC-S3 ([SD1](#) page 139) defines a local connection and includes clause 1 e) for people who need to live close to their work or who meet the requirements of an Exmoor Worker. Further guidance on Exmoor Workers will be set out in the Exmoor National Park Housing SPD. To qualify to live in an affordable home under clause 1 e) of HC-S3, current or previous residency in the National Park is not required, enabling workers in housing need from other areas who cannot afford open market housing on Exmoor, to live in the National Park. Policy HC-D2 cross refers to Policy HC-S3, and therefore it includes provision for the affordable housing needs arising from people who need to work in the National Park.
- 6.5 A proposed change to policy HC-S2 (and thereby linked policies including HC-D2) seeks to amend the maximum 90sqm floorspace set out in the Publication draft plan to 93sqm gross internal area to be consistent with nationally described space standards ([SD5](#), ref 232 pages 101-102).

- 6.6 Policy HC-S1 makes provision for other housing associated with employment needs through housing for rural workers, including new build dwellings in the open countryside to meet an essential need (policy HC-D9) and for succession farming (see ENPA response to question 3.19). Other housing listed in HC-S1 responds to evidence on the very high proportion of older households in the National Park and the housing needs of an ageing population and other vulnerable members of the community. Such housing would be subject to a local tie to ensure it meets the needs of Exmoor's communities ([SD5](#), ref 222 pages 94-95).
- 6.7 Extended Family dwellings may only be permitted with an occupancy tie for close family with a local residency connection and through the reuse of an existing building, associated with an existing dwelling (such that they cannot be sold separately). Accessible and adaptable housing will only be delivered where it will itself be affordable housing or it will help fund local need affordable housing as part of a wider scheme. Though not necessarily affordable dwellings in all cases, there is justification for particular provision of accessible and adaptable housing because of the different housing needs which older people tend to have which are not necessarily provided for in the existing housing stock. This is coupled with the potential conflict between consideration of the housing needs of Exmoor's communities including for older people and high demand for housing from in-migration by mainly older households. This is the reason why policy HC-D3 contains a provision to apply a local occupancy tie to such housing.
- 6.8 New build dwellings to meet a local (but not affordable) business need would be lived in by a person whose employment status could change. They would then have no local connection, conflicting with the purpose of housing development set out in policy HC-S1, which is to address the housing needs of local communities.
- 6.9 New build dwellings for workers that do not meet an affordable need are not considered to be necessary since those people who cannot afford open market housing may still qualify through the local need occupancy tie for affordable housing under clause 1 e) of HC-S3 (see paragraph 6.4). The tie means that the dwelling will, once it becomes vacant, be lived in by other local persons meeting the local connection criteria in HC-S3 including through longstanding residency, and in perpetuity meeting the housing needs of Exmoor's communities.

6.10 It is considered that those workers who can afford open market housing and who are therefore not in affordable housing need are likely to have the resources to meet their own needs. Not all solutions, therefore require new development since there is the potential to buy (or rent) appropriate existing market housing. Workers (or employers who wish to provide housing for their workers) may consider new Principal Residence homes which can be provided as part of the mix of housing to enable the delivery of affordable housing schemes ([SD5](#), ref 267 pages 117-118).

7 Specialist housing

Question 3.13 Are the provisions of policy HC-D3 justified and are they consistent with those of policy HC-S2?

- 7.1 Policy HC-S1 and Policy HC-D3 of the publication draft plan make provision for specialist (now called 'accessible and adaptable') housing for older people and other vulnerable members of the National Park's communities. Policy HC-S2 aims to ensure that the mix in terms of the size, type and tenure of housing permitted in the National Park contributes to that which is needed by local communities.
- 7.2 Policy HC-S3 seeks to provide for the housing needs of an ageing population within the context of a National Park designation, taking into account evidence on landscape sensitivity, the long term capacity of settlements for new build housing and addressing the local need for affordable housing. In locations where the housing would enable access to required services and facilities, proposals for more than one unit of local needs affordable housing and all Principal Residence market housing would be required to provide for an identified need or requirement for specialist housing. Such housing would be subject to a local occupancy tie ([SD1](#), page 150).
- 7.3 Provision for housing for older people and other vulnerable members of the National Park's communities is justified by evidence on the high average age and ageing population of the National Park ([CE6](#), pages 10-11 and [SD5](#), refs 270 and 273 pages 119-120). In terms of the overall housing strategy to deliver local need affordable housing, opportunities for housing for older people can be affordable housing or can contribute to the delivery of needed affordable housing. This is demonstrated by updated viability evidence which shows that accessible and adaptable market homes are viable and can provide cross-subsidy for affordable housing ([CE12](#), page 24).
- 7.4 Policy HC-D3 requires that such housing will be subject to a local occupancy tie so that it addresses the needs of Exmoor's existing population in line with the legal duty to local communities and Government guidance on National Parks ([CE6](#), pages 3 and 5) rather than external demand. This is justified by evidence on the very high external demand for housing in the National Park with projections for the number of all new dwellings projected to be needed over the plan period resulting from moves into the National Park, a significant proportion of it from older households moving from distant housing market areas ([CE6](#), pages 11 and 22).

- 7.5 Housing with a 90sqm net internal floorspace has been delivered in the National Park since 2005. The Authority has considered the implications of the Technical Housing Standards and proposes to change the 90sqm to 93sqm (see paragraph 4.3 in response to questions 3.9 and 3.10).
- 7.6 Encouraging new housing development to meet the Building Regulation requirement for accessible and adaptable dwellings should improve the suitability of new housing so that as their needs change, people can remain in their own homes for longer.
- 7.7 For specialist housing (or accessible and adaptable housing), evidence indicates that two bedroom housing is likely to be the most needed ([EB26](#), page123, [CE9](#), pages 151 and 160). Further explanation is set out in the ENPA response to question 3.10 of this statement. A 93 sqm floorspace would be large enough to accommodate a 2 bedroom accessible and adaptable home.
- 7.8 The changes to adopt new national technical standards have been subject to an updated Viability Assessment which found the proposed Plan policies to be deliverable ([CE12](#), pages 24-25). Case studies were for dwelling mixes based on nationally described space standards and using Part M4(2) standards. It will be viable in housing developments of five or more dwellings to meet the Part M4(2) standard for 20% of the dwellings ([CE12](#), pages 16-17 and 25) as set out as a proposed change to clause 3 of HC-S2 ([SD5](#), ref 232 pages 101-102). The 20% figure is derived from the 2011 Census - 20.9% of the population have their 'day to day activities either limited a lot or a little' ([SD5](#), Ref 225 page 98).
- 7.9 The proposed use, in policy HC-S2 (and thereby HC-D3) of the nationally-described space standards and Building Regulations Requirement M4(2) are therefore justified.
- 7.10 Changes are proposed to both policies HC-S2 ([SD5](#), ref 232 pages 101-102) and HC-D3 ([SD5](#), ref 286 125-126) (as well as HC-S1) to update the plan in respect of technical standards/nationally described space standards and terminology. The background and reasons for the proposed changes are set out in the ENPA response to question 3.10 of this statement. In policy HC-S2, the proposed changes include to:
- replace text on size in proposed clause 2 with nationally described space standards to be consistent with national guidance;
 - encourage all new housing to be constructed to standard M4(2) and require a minimum of 20% of dwellings to be constructed to the standard in developments of 5 or more dwellings; and
 - clarify the policy cross references in respect of maximum gross internal area requirements.

7.11 In policy HC-S3, these include to:

- replace ‘specialist housing’ with accessible and adaptable homes;
- remove the reference to requiring ‘care and assistance’ and instead clarify that proposals for such accommodation would be considered under the residential institutions policy (HC-S7);
- update the policy to refer to a specific standard: namely requirement M4(2) (accessible and adaptable dwellings); and
- require that, where a specific need is identified for a wheelchair adaptable or accessible dwelling is identified, the dwellings should be constructed in accordance with M4(3) (wheelchair user dwellings).

7.12 Three further changes are now considered to be needed to the policy. Planning authorities have the option to require higher accessibility standards for wheelchair user housing, as set out in Part M(4) 3 (adaptable) and Part M(4) 3 (accessible) of the standards. Evidence shows that the costs for these two accessibility standards are significantly higher than Part M4(2) and they, the proposed change in clause 1 a) iii was intended to apply on a case by case basis only to local need affordable dwellings. This intention may not be clear in the proposed wording of policy HC-D3 ([SD5](#), ref 286 page 126) and therefore it is proposed that this and two further changes are made to the policy to:

- delete clause 1a) as this is now duplicated by the proposed change to policy HC-S2 in clause 3 ([SD5](#), ref 232 page 102);
- delete clause 1a) iii. to ensure it is clear that the requirement does not apply to Principal Residence dwellings; as this intention is duplicated by the proposed change to clause 3 of HC-S2 which has been the subject of viability testing. Instead a cross reference to HC-S2 in clause i) will ensure that applicants refer to the requirements for accessible and adaptable homes; and
- delete clause 4 (replacement of the local occupancy tie with a local need affordable tie) as, in practice, this being more restrictive would serve little purpose.

7.13 It is considered that, subject to the further proposed changes set out in in red type in Table 3.3 below, that HC-S2 and HC-D3 would be consistent.

Table 3.3

Ref	Main Modification (MM)
MM3.4 (incorporating changes proposed in SD5, ref 286 pages 125-126)	HC-D3 <u>ACCESSIBLE AND ADAPTABLE SPECIALIST HOUSING FOR EXMOOR’S COMMUNITIES</u> 1. <u>Proposals which address an identified local need or requirement for specialist housing accessible and adaptable homes for older people and/or other vulnerable members of the community who require care and assistance homes that can be adapted to meet their needs over their lifetime, will be permitted where:</u>

Ref	Main Modification (MM)
	<p>a) it cannot be provided within the existing housing stock, including through the appropriate subdivision and adaptation of existing dwellings in accordance with HC-D14 or from sites/buildings already with planning permission;</p> <p>a) b) proposals for more than one dwelling unit of local needs affordable housing and any pPrincipal rResidence market housing provide for an identified need or requirement for specialist <u>accessible and adaptable</u> housing permitted in accordance with HC-D1 or HC-D2; and where:</p> <p>a) the dwelling size is they are in accordance with HC-S2; and</p> <p>ii) b) # they will be integrated into the local community to enable access to required services and facilities;</p> <p>c) ii) it is built to standards and to a size in accordance with HC-S2 <u>they should be are</u> constructed to at least accord with <u>Building Regulations Requirement M4(2) (accessible and adaptable dwellings)</u> or successor regulations, unless a specific <u>local affordable</u> need for a wheelchair adaptable or <u>accessible dwelling</u> is identified; in such cases the <u>local need affordable</u> dwelling(s) should be constructed in accordance with <u>Building Regulations Requirement M4(3) (wheelchair user dwellings)</u> or successor regulations; and</p> <p>ii) iii) subdivision, adaptation or conversion work accords with CE-S5.</p> <p>2. A planning obligation will be secured to ensure that the occupancy of specialist <u>accessible and adaptable</u> housing is confined in perpetuity to a local person (and their dependents) who has a minimum period of a total of 10 years permanent residence within parishes in the National Park.</p> <p>3. Where permission is granted a condition will be attached removing permitted development rights in accordance with HC-S2.</p> <p>4. The planning obligation will allow, where properties become vacant, and where no person in need of specialist <u>accessible and adaptable</u> housing, can be found to occupy a property, other persons with a local affordable housing need consistent with HC-S3 to occupy the dwelling.</p> <p>5 The provision of specialist accommodation offering care <u>and assistance</u> through a residential institution, should be in accordance with HC-S7.</p>

8 Extended family dwellings

Question 3.14 Is policy HC-D4 consistent with national policy? (BE)

- 8.1 The housing strategy and policies in the Publication draft plan are underpinned by evidence, including of the housing needs of the National Park's communities. They have taken account of national policy and guidance as well as the designation of Exmoor as a National Park.
- 8.2 The ENPA response to questions 3.3, 3.4 and 3.18 in this statement forms part of the response to this question. In particular the sections which explain the approach to Extended Family dwellings, the National Park designation, the housing strategy, landscape sensitivity and the limited land suitable for housing. Therefore, there is a need to maximise the use of existing buildings and brownfield land.
- 8.3 The ENPA response to question 3.4 explains that Extended Family dwellings are part of the overall housing strategy to provide for housing needed by the National Park's local communities. The approach to housing for older people is underpinned by evidence, including of Exmoor's ageing population: West Somerset – the larger district in the National Park - has the highest average age in the country ([CE6](#), page 10).
- 8.4 National policy is that Local Planning Authorities (LPAs) should deliver a wide choice of homes and plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community such as older people (paragraph 50). In rural areas, LPAs should be responsive to local circumstances (paragraph 54). The proposed approach (including policy HC-D4: to provide for housing which is suitable for the needs of older people and other vulnerable members of the community) responds to the evidence. It seeks to provide a mix of housing, including for older people, in a way which is appropriate to Exmoor's circumstances and is considered to be consistent with the NPPF.

9 Custom / Self build

Question 3.15 Is policy HC-D5 justified in requiring that self and custom-build housing must meet a local affordable need? (CE, Mr Briden)

- 9.1 The National Park designation and legal duty to local communities, together with evidence on landscape sensitivity, the scarcity of suitable housing land, and the local need for affordable housing, justify an approach which provides for the housing needs of Exmoor's communities and which, in particular, prioritises local need affordable housing.
- 9.2 The ENPA response to question 3.3 in this statement also forms part of the response to this question. Additionally, analysis and explanation of objectively assessed housing need for the National Park and the Northern Peninsula Housing Market Area are addressed by the ENPA response to questions 3.1 and 3.2 in this statement, section 4 of the Exmoor National Park Housing Topic Paper ([CE6](#), pages 17-24) and the Joint Topic Paper for the Northern Peninsula HMA, in particular Tables 7 and 10 on pages 21 and 29 ([CE7](#)).
- 9.3 The Housing Topic Paper summarises the Plan housing strategy ([CE6](#), pages 31 – 34) and paragraphs 5.2.8 - 5.2.9 explain the rural exception site approach and its effect on land values - such that land remains affordable for local households in housing need (including for self/custom builders). It is the effect on land values which enables households, unable to afford open market housing, to consider self-build as an option. Applying a local occupancy tie (together with controlling the gross internal floor area) to new affordable housing, including self-build, ensures it continues to meet a local housing need in the future.
- 9.4 Pages 151 to 153 of the Publication draft plan set out the approach and policy for self/custom build housing in the National Park ([SD1](#)) and changes proposed by the Authority to this part of the plan are set out on pages 129 to 131 of the schedule ([SD5](#) refs 292-297). It continues an approach (with additional flexibility proposed for rural communities) set out in the Adopted Plan (2005) which has resulted in the successful delivery of owner occupied self and custom build housing on Exmoor.
- 9.5 Explanation of how need and affordability will be assessed for new housing proposals, particularly affordable housing in the National Park (including custom/self-build housing), is set out in the Publication draft plan ([SD1](#) pages 127-131) and the Schedule of Proposed Changes ([SD5 Refs 198-199, 204, 211-214, and 216-217](#) pages 84-86 and 88-92). An updated Viability Study of the Local Plan has been prepared. Self-build housing is seen as a 'stand alone' product that could be taken up when a self/custom builder finds it to be economically realistic ([CE12](#) page 20). The key findings of the study are summarised in the Housing Topic Paper ([CE6](#) pages 38-39).

10 Rural communities

Question 3.16 Is there justification for the definition of rural communities in paragraph 6.132?

- 10.1 The response to question 3.16 is provided in large part by paragraphs 5.4 and 5.5 of the ENPA response to question 4.5 in the ENPA statement to inform session 4.
- 10.2 There is justification for and explanation of the definition of rural communities set out in a range of documents. The Local Plan Spatial Strategy Topic Paper ([CE14](#)) provides detailed evidence and analysis relevant to the question. Section 2 of the paper provides a summary of the national context. It also provides evidence on the early consultations for the Local Plan. Pages 4 and 5 explain the stakeholder and community (Your Future Exmoor) issues and options consultation. The Strategic Options consultation, which included three proposed options for a settlement strategy, is summarised on pages 5 and 6 of the Paper. It explains that Option C - which included all existing named settlements and those with a shop and/or pub and/or village hall - received the highest number of responses.
- 10.3 The considerations and approach taken in arriving at a settlement strategy are analysed in the Topic Paper ([CE14](#), page 6). Evaluation of the National Park's settlements and their services and facilities, is explained and the summary is set out in Table 1 including those which were not identified as named settlements' in the spatial strategy of the Publication draft plan ([CE14](#), pages 8-10). Additional evaluation criteria and the conclusions of the settlement evaluation are set out in Table 2 and on pages 10-16. The implications of the written ministerial statement on S106 thresholds for affordable housing in November 2014; the reasons why rural communities were taken out of the list of settlements; and the subsequent consultation on the Publication draft Local Plan are explained (pages 6-7). The rationale for the spatial strategy includes explanation in relation to the open countryside, and rural communities (pages 17 -18). The details of the full settlement evaluation are provided in Appendix 1 of the Topic Paper.
- 10.4 The Publication draft Local Plan definition of rural communities ([SD1](#) page 152) reflects this evidence and is therefore justified. Minor changes to the paragraph are proposed ([SD5](#), ref 296 page 131).

11 Change of use serviced accommodation

Questions 3.17 Is there justification for the Council's proposal to delete policy HC-D6?

- 11.1 The response to this question is therefore provided in large part by the ENPA response to questions 3.7 and 3.8 of this statement, and in EX6 – ENPA's response to the Inspector's query on the implications for the plan and proposed changes as a result of the recent Court of Appeal judgement on thresholds for affordable housing.
- 11.2 It is proposed to delete policy HC-D6 as one of a number of the proposed changes relating to affordable housing thresholds (ENPA response to questions 3.7 and 3.8) as it is no longer needed.
- 11.3 Policy HC-D6 was only added to the Plan following the introduction of S106 thresholds - to reflect changes to policy HC-S1 (Housing), linked policies including HC-D1 (Conversions to Dwellings in Settlements) and the insertion of the text box. Policy HC-S1, linked policies and text box had the effect of applying the Government's affordable housing thresholds for changes of use to housing and vacant buildings credit in the Local Service Centres and Villages but not outside them. The thresholds would only apply while the planning guidance remained in force.
- 11.4 Before the thresholds were proposed to be applied, proposals for the change of use of serviced accommodation to housing were considered against policy RT-D3 of the Draft Local Plan (2013). Where certain requirements had first been met, the policy applied the tests for viability/need set out in HC-D1 (Conversions to Dwellings in Settlements) which sought 100% affordable housing as a starting point with tests for viability to allow for some Principal Residence housing where justified. In effect, for changes of use to housing from serviced accommodation, policy RT-D3 did not distinguish between a Local Service Centre/Village and Open Countryside.
- 11.5 .However, the changes applying the affordable housing thresholds through HC-S1, linked policies and the text box meant that for changes of use from serviced accommodation to housing, the thresholds would also apply in the Open Countryside. This was because clause 3 of policy RT-D3 cross referred to HC-D1.
- 11.6 To ensure that thresholds did not apply in the Open Countryside, a new policy (HC-D6) was included in the Publication draft plan. It set out two different

approaches to the change of use of serviced accommodation to housing depending on location – one within Local Service Centres and Villages which applied affordable housing thresholds by virtue of a cross reference to policy HC-D1 in clause 2; and the second for outside Local Service Centres and Villages which instead included the viability/need tests which, before the introduction of thresholds for affordable housing, had previously applied to the Local Service Centres and Villages.

- 11.7 Consistent with the proposed (and further proposed changes) set out in the ENPA response to questions 3.7 and 3.8, and in response to the Inspector’s query, the deletion of policy HC-D6 is proposed ([SD5](#), Ref 389 page 171). The necessary tests for consideration of changes of use from serviced accommodation to housing can again be included in RT-D3 - which was the position in the draft Plan⁴ before the affordable housing thresholds were introduced. It is considered that the deletion of Policy HC-D6 is justified. A change is also proposed to policy RT-D3 ([SD5](#), Ref 389 page 171).

⁴ Policy RT3 Exmoor National Park Draft Local Plan (November 2013). Exmoor National Park, Dulverton.

12 Conversions in the Open Countryside

Question 3.18 Should policy HC-D7 also allow for conversions to market housing and/or live-work units? (BE, CE)

12.1 National guidance is that housing should be located where it will enhance or maintain the vitality of rural communities. The Local Plan spatial strategy is to focus most new development (and all new build housing development save for rural workers/Succession Farm dwellings) in the named settlements. The Plan therefore makes provision for new housing in the open countryside as an exception to normal policies of restraint, only justified where it will provide housing for the National Park's communities in very specific circumstances. These are:

- for the essential needs of a rural worker/or as a Succession Farm dwelling (through a new build or a conversion);
- to meet an identified local affordable need through the re-use of an existing building within hamlets or farmsteads and where there is an existing dwelling; or
- as an Extended Family dwelling through the reuse of an existing building in close association with (and tied to) an existing dwelling.

12.2 The overriding constraints within National Parks are recognised in the NPPF and evidence of highly sensitive landscapes and other physical constraints show that suitable housing land in Exmoor National Park is limited and finite. The stock of existing buildings is an important resource ([CE6](#), paragraph 2.4.8 pages 8-9). It is therefore not considered appropriate to provide for open market dwellings in the open countryside. Importantly, in National Parks, the permitted development rights introduced nationally allowing the conversion of farm buildings to up to three dwellings were not extended to these designated areas.

12.3 Policy HC-D7 ensures that the limited stock of existing buildings in the more sustainable locations can be used to provide for the housing needs of Exmoor's communities, including its farming communities, rather than meeting external demands for housing.

12.4 The established approach in the National Park of providing for local need affordable housing has the effect of lower land/building values ([CE6](#) paragraph 5.2.9, page 33). The Viability Study recognises the variation in the costs of conversions and treats conversions to single dwellings as self-build units for local people unable to meet their housing needs on the open market ([CE12](#) page 25). Self-build units could be taken up when a self/custom builder finds them to be economically realistic and it assumes cross subsidy should not be required ([CE12](#) page 20).

- 12.5 The NPA considers that permitting the change of use of buildings in the open countryside to market housing would result in opportunities for local need housing, including self-build, being replaced by market housing.
- 12.6 The stock of existing buildings, including in the open countryside, can have other uses which provide benefits to the local economy, for example as farm diversification, for visitor accommodation, and as business premises. The consequence of providing for market housing would be to reduce the likelihood of delivering local need affordable housing and other uses.
- 12.7 Since Exmoor has a high proportion of home working ([SD5](#), ref 359 pages 155-56) which looks set to continue ([CE6](#), page 24) the Plan has a flexible approach to home based businesses ([SD1](#) pages 194-95) and also makes provision for live work units ([SD5](#), ref 219 page 93 and ref 371 pages 162-63) where they would be in accordance with the Plan's housing policies. In the Open Countryside this would be through the conversion of existing buildings to Extended Family Dwellings, or local need affordable homes and not to market housing.

13 Rural Workers

Question 3.19 Is there justification for including a financial viability test in policy HC-D9 and Appendix 2? (BE)

- 13.1 The designation of Exmoor as a National Park confers particular responsibility in terms of meeting its statutory purposes. The Housing Topic Paper sets out context and national policy relevant to the National Park ([CE6](#), pages 3-6).
- 13.2 National policy is to promote sustainable development in rural areas, and housing should be located where it will enhance or maintain the vitality of rural communities. The NPPF refers to rural (formally agricultural) workers' dwellings in paragraph 55 and states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as "the essential need for a rural worker to live permanently at or near their place of work in the countryside".
- 13.3 Since isolated new homes should be avoided unless there are special circumstances, it follows that new rural workers' dwellings in the open countryside are considered to be exceptional. It is therefore necessary and appropriate to include criteria in the Plan to enable a clear basis for decision making, ensure sufficient evidence can be required to determine whether the 'essential need' test has been met, so that proposals can be judged objectively and fairly and abuse of the policy can be avoided.
- 13.4 It is for these reasons that Policy HC-D9 and Annex 2 of the Publication draft plan ([SD1](#)) are included in the plan. The tests in Annex 2 provide a well-established and understood methodology for assessing whether an essential need exists and is considered to be helpful in setting out additional information and guidance. New permanent dwellings in the open countryside cannot be justified unless the agricultural or other rural land-based enterprise is economically viable. The financial test is part of an appropriate framework against which to assess 'essential need', and sets out a realistic approach for assessing the level of profitability taking account of the nature of the enterprise. Proposed changes are set out in the schedule ([SD5](#), ref 302 pages 134-135, ref 316 pages 139-40).

14 Succession farming

Question 3.20 Should policy HC-D10 also allow conversion of other buildings on the farmstead to market housing, in the interests of viability? (CE)

- 14.1 To avoid repetition, the ENPA response to question 3.18 in this statement also provides part of the response to this question.
- 14.2 Policy HC-D10 enables a second dwelling to be built on farms to enable the farm to be transferred to a second generation whilst the older generation continue to provide support (equivalent of 0.5 of a full time worker). This exceptional approach has been included in the Plan to help farming businesses continue to thrive.
- 14.3 It is not considered that a cross-subsidy approach through the conversion of other buildings on the farmstead to market housing is either necessary or appropriate for the reasons set out in the ENPA response to question 3.18. The farming enterprise will need to show that it is a viable business in order to justify the provision of a second dwelling for Succession Farming and a suitable plot should not have to be purchased.
- 14.4 Additionally, the established approach in considering proposals for new rural worker dwellings in the National Park, is that new build dwellings will only be acceptable where an alternative means of meeting the need, including through the conversion of an existing building, cannot be found. This is also the approach set out in policy HC-D8 ([SD1](#)). As this approach is required for Rural Worker dwellings, it must also, logically, apply to second dwellings on established farms and is an appropriate, necessary and justified policy requirement. Providing for market housing through conversions would use up the existing stock of buildings which could otherwise provide housing for National Park communities rather than for external demand.

15 Extensions

Question 3.21 Is there justification for the 35% ceiling on extensions in policy HC-D15, for the Council's proposed deletion of clause 2(a), and for the policy's approach to dwellings immune from enforcement?

15.1 The 35% ceiling on extensions is justified because it:

- protects the landscape and character of the National Park's buildings and settlements by ensuring that extensions are proportionate in scale and bulk to the original dwelling; and
- retains a mix of dwelling sizes that will help to sustain balanced communities across the National Park ([SD1](#), page 166).

15.2 As the 35% figure is proportionate, it provides scope and reasonable flexibility for dwellings to be updated and extended whilst ensuring that the overall size of extensions is not excessive and their impacts are acceptable. The 35% figure takes forward an established, consistent and successful approach for extensions to existing dwellings. Providing a maximum proportionate increase has provided greater clarity for applicants and decision makers and has contributed to protecting the landscape of the National Park, resulted in more proportionate extensions and thereby a range of housing sizes.

15.3 To meet the accommodation needs of the National Park's communities, a range of dwelling sizes as well as a range of housing types and tenures is needed. The present stock of Exmoor's dwellings and its range of sizes is virtually a fixed resource. Once substantially extended there is limited scope for new smaller dwellings to be built or to replace those lost. It is therefore important to balance the tendency for dwellings to be enlarged, and the need to maintain a stock of smaller dwellings which are more affordable (than larger dwellings). As such, the extensions policy is an important part of the housing strategy which takes into account the existing stock of housing in the National Park ([CE6](#), page 12) in formulating the approach to new housing development and to the extension of existing dwellings ([SD1](#), pages 122, 133-134 and [SD5](#), refs 224-225 page 97, and refs 230 and 232 pages 100-102).

15.4 Consistent with the statutory purpose to conserve and enhance the National Park, the supporting text provides some scope to consider larger extensions where significant enhancement would be achieved; or for extensions achieved through the conversion of an existing building ([SD1](#), page 167 and [SD5](#), ref 337 page 147).

15.5 It is proposed that clause 2(a) of the policy be deleted to take account of a change to national guidance. This is that local planning authorities should only require an internal space standard by reference in their Local Plan to the [Nationally Described Space Standard](#) following the introduction of new technical housing standards in March 2015. Table 1 of the standards sets out minimum gross internal floor areas. The NPA response to question 3.13 in this statement explains the proposed policy change to floorspace/internal area to reflect the standard ([SD5](#), ref 232 pages 101-102). A change to the supporting text of Policy HC-D15 is therefore proposed to reflect deletion of clause 2 a) of the residential extension policy and to provide additional clarification ([SD5](#), ref 336 page 147). A further change is considered to be needed to address the potential impacts on affordability for future occupiers of local need housing given that the size of the dwelling is one of the two mechanisms for controlling affordability and is a key consideration (See Table 3.4 below).

15.6 The policy’s approach to dwellings immune from enforcement is justified as dwellings that were established through a certificate of lawful use rather than planning permission are considered to be ineligible for extensions. The NPA has proposed a change that, where such dwellings would otherwise comply with policies in the Plan, extensions may be permissible ([SD5](#), ref 339 page 148). Permitted development rights would, in any case, still apply.

Table 3.4

Ref	Additional Modification (AM)
<p>AM1 – (incorporating changes proposed in SD5, ref 336 page 147).</p>	<p>Extensions for dwellings that are subject to an occupancy tie to ensure they meet the local community's need for affordable (or more affordable housing) will be very carefully considered not be permitted where they would exceed 9093sqm net internal floorspace gross internal area. <u>The need for an extension will be considered taking account of Nationally Described Space Standards and the effect on the affordability of the dwelling in the longer term.</u> This is because such homes have been permitted to provide an opportunity for local people, <u>who would otherwise be</u> unable to afford to buy a home on the open market, to build their own owner-occupied homes. Together with the local need occupancy tie, the size of these dwellings ensures that these homes they remain more affordable for local people in perpetuity.</p>

Question 3.22 Are the policies in these sections of the Plan sound in all other respects, are they effectively drafted to achieve their intended purpose, and do they provide a clear indication of how a decision-maker should react to a development proposal?

15.7 The Authority is satisfied that, with the proposed changes in the Schedule (SD5) and subject to further changes identified in the written statements for soundness, the Plan is sound in all other respects and provides a clear indication of how decisions will be made in response to development proposals.