



# EXMOOR

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## NATIONAL PARK

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24 March 2021

### EXMOOR NATIONAL PARK AUTHORITY

**To: All Members of the Exmoor National Park Authority**

A meeting of the Exmoor National Park Authority will be held via Microsoft Teams Video Conferencing software on **Tuesday 6 April 2021 at 10.00am.**

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

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

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

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

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

Sarah Bryan  
Chief Executive

## AGENDA

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

### 1. Apologies for Absence

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

Members are asked to declare:-

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

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

### 3. Chairperson's Announcements

4. **Minutes** (1) To approve as a correct record the Minutes of the meeting of the Authority held on 2 March 2021 (Item 4).

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

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

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

6. **Appeals:** To note the decision of the Secretary of State for Housing, Communities and Local Government to dismiss the Appeal in relation to Application 6/10/20/109 – 39 West Street, Dunster, TA24 6SN

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

Agenda Item	Application No.	Description	Page Nos.
7.1	6/27/20/117	Variation of condition 2 of permission 6/27/02/139 to allow for all year operation of the mobile homes on site for holiday occupation only (Alteration/Lift Condition) – Porlock Caravan Park, Highbank, Porlock, Minehead, TA24 8ND	1 – 18
7.2	6/27/21/102	Proposed formation of hard surfaced access roads and car parking bays. Retrospective – Porlock Caravan Park, Highbank, Porlock, Minehead, TA24 8ND	19 - 30
7.3	6/27/21/103	Proposed removal of existing caravan (reception, office and staff accommodation) and the siting of a replacement caravan (reception, office and Site Manager's accommodation) with timber decking and access ramp – Porlock Caravan Park, Highbank, Porlock, Minehead, TA24 8ND	31 - 44

7.4 GDO 21/02 Prior notification for the proposed creation of track (55m 45 - 50 x 6m) – Driver Farm, Simonsbath, Minehead, TA24 7LH

8. **Application Decisions Delegated to the Chief Executive:** To note the applications determined by the Chief Executive under delegated powers (Item 8).
9. **Site Visits:** To arrange any site visits agreed by the Committee (the reserve date being Friday 30 April 2021 (am)).
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The remaining section of the meeting will be chaired by Mr R Milton, Chairperson of the Authority. If the Chairperson is absent, the Deputy Chairperson of the Authority shall preside.

10. **Consultation on the Reorganisation of Local Government in Somerset:** To consider the report of the Chief Executive (Item 10)
11. **Exmoor National Park Authority's Approach to Visitor Management and Engagement in 2021:** To consider the report of the Head of Conservation and Access (Item 11)
12. **Update on Land Visioning Work on Exmoor National Park Authority's Estate:** To consider the report of the Head of Conservation and Access (Item 12)
13. **Personnel Update**  
**Leavers:**  
31/03/2021 – Jennifer Robinson – Administration Assistant (Scanning) – Redundancy  
31/03/2021 – Jessica Twydall – Get Involved Project Coordinator – Redundancy  
31/03/2021 – Lucy McQuillan – Families United Through Nature Project Coordinator – Resignation
14. **Any Other Business of Urgency**

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

## ITEM 4

### EXMOOR NATIONAL PARK AUTHORITY

**MINUTES** of the Meeting of the Exmoor National Park Authority held on Tuesday, 2 March 2021 at 10.00am via Microsoft Teams Video Conferencing software.

#### PRESENT

Mr R Milton (Chairperson)  
Miss A V Davis (Deputy Chairperson)  
Mr S J Pugsley (Deputy Chairperson (Planning))

Mrs L Blanchard	Mr E Ley
Mr R Edgell	Mrs F Nicholson
Mr M Ellicott	Mr P Pilkington
Mr D Elson	Mrs E Stacey
Mr J Holtom	Mr N Thwaites
Mr J Hunt	Dr S Warren
Dr M Kelly	Mrs P Webber
Mr M Kravis	Mr V White
Mrs C M Lawrence	

Apologies for absence were received from Mr J Patrinos and Mr B Revans.

**267. DECLARATIONS OF INTEREST:** There were no declarations of interest

#### **268. CHAIRPERSON'S ANNOUNCEMENTS:**

- Miss A V Davis would be leaving the Authority Meeting for a period of time today, in order to join the inaugural meeting of the All Party Parliamentary Group for National Parks, at which she would be presenting.

#### **269. MINUTES**

- Confirmation:** The **Minutes** of the Authority's meeting held on 2 February 2021 were agreed and signed as a correct record.
- Matters arising:** There were no matters arising.

**270. PUBLIC SPEAKING:** See Minute 271 for details of public speakers.

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

#### **DEVELOPMENT MANAGEMENT**

##### **271. Application No. 62/11/20/015**

**Location:** County Gate, Countisbury, Lynton, EX35 6NQ

**Proposal:** Lawful development certificate for the proposed change of use of tourist information centre to café / shop

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



**Public Speaking:**

(1) Mrs A Percival, Brendon & Countisbury Parish Council

**RESOLVED:** To grant a lawful development certificate for the proposed change of use of tourist information centre to café/shop.

**272. Application No. 6/9/21/101**

**Location:** Tarr Steps Car Park, Tarr Steps, Dulverton, Somerset, TA22 9QA

**Proposal:** Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for the proposed erection of a second car parking machine

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

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

**273. Application No. 6/21/21/101**

**Location:** Land at North Hill, Hill Road, Minehead

**Proposal:** Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for the proposed creation of banking around informal car parking areas

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

**The Authority's Consideration**

The Committee agreed with the Officer recommendation in relation to this application, however in relation to Condition 4, the Authority's legal representative provided advice regarding the extent of fines that could be imposed by Natural England for failure to comply with Section 28 of the Wildlife and Countryside Act 1981 (as amended). It was therefore proposed and agreed that Officers work with the Solicitor to ensure that any necessary changes to the wording relating to Condition 4 were made to ensure clarity on this matter.

**RESOLVED:** To grant planning permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990, (as amended by the Planning & Compulsory Purchase Act 2004).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; drawing numbered 1 to 9 by the Local Planning Authority and date stamp received 19 January 2021.

**Reason:** For the avoidance of doubt and to ensure the development accords with the approved plans.

3. No removal of tall ruderal herbs and scrub shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the vegetation is cleared and provided

written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to and agreed in writing by the Local Planning Authority prior to vegetation removal works commencing.

**Reason:** In the interests of nesting wild birds and in accordance with Local Plan Policy CE-S3

4. All contractors working on site should be made aware of the Natural England informative, set out below, and should be provided with a map, to scale of 1:1250 or greater, that shows the boundaries of the Exmoor Heaths Site of Special Scientific Interest and Special Area of Conservation in relation to the development site by the applicant. The map should be provided to all contractors prior to their commencing work on site.

**Reason:** To ensure the special interest of these designations are safeguarded in accordance with Local Plan Policy CE-S3.

**274. Application No. WTPO 20/08**

**Location:** Old Coach House, Woody Bay, Parracombe, Barnstaple, EX31 4QX

**Proposal:** Works to Trees subject to a Tree Preservation Order: T1 Remove damaged, hanging limb. T2 Fell leaning tree

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

**RESOLVED:** To grant permission for works to trees subject to Tree Preservation Order to remove damaged, hanging limb (T1) and fell leaning tree (T2) in accordance with the conditions set out in the report.

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

**276. SITE VISITS:** There were no site visits to arrange.

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

Miss A V Davis left the meeting.

**277. MEDIUM TERM FINANCIAL PLAN 2021/22 TO 2025/26 AND BUDGET 2021/22:**

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

**RESOLVED:**

- (1) To adopt the Medium Term Financial Plan at Appendix 1 to the report and agree the Financial Strategy that underpins the MTFP and Budget as set out in Section 8 to the report.
- (2) To approve the Core and Programmes, Partnerships and Contributions to Reserves Budgets for 2021/22 as summarized in Appendices 2 and 3 to the report.

- (3) To approve the Capital Investment Strategy shown in Section 6 to the report.
- (4) To note the position on reserves as detailed in Appendix 4 to the report.

## 278. EXMOOR NATIONAL PARK AUTHORITY CORPORATE PLAN 2021/22

The Authority considered the [report](#) of the Head of Strategy and Performance

### The Authority's Consideration

Member's requested that an amendment be made to a paragraph within the Foreword to the Corporate Plan, to reflect the fact that the Government has not yet made any decisions about the recommendations of the Landscapes Review by Julian Glover. The paragraph should now read:-

- o Collaborate with other National Park Authorities on joint working, and with other Protected Landscapes to respond to Government priorities and response to the Glover Review, *potentially* including a National Landscape Service

In line with the above, the Committee also proposed and agreed to make a slight amendment to the recommendations contained in the covering report.

### RESOLVED:

- (1) To approve the Exmoor National Park Authority Corporate Plan 2021/22.
- (2) To delegate to the Chief Executive and Chairman authority to agree minor amendments following member discussion and in the light of National Park grant budget settlement, Government announcements on the Landscapes Review, and production of the final Plan.

## 279. NATIONAL WORKING

The Authority considered the [report](#) of the Chief Executive

### RESOLVED:

- (1) To note the intent to cap overall corporate subscriptions at £32k
- (2) To delegate to the Chief Executive and Chairperson to agree level of subscription to National Parks England
- (3) To confirm a £6,073 contribution to the UK Communications Unit
- (4) To support a subscription to National Parks Partnership Ltd of £8,500

## 280. TREASURY MANAGEMENT STRATEGY STATEMENT 2021-22

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

### RESOLVED:

- (1) To note the report of the Chief Finance Officer
- (2) To approve the proposed Treasury Management Strategy for 2021-22 as set out in sections 2 and 3 of the report.
- (3) To note the Prudential Indicators for 2021-22 to 2023-24 as set out in section 4 of the report (Although some are currently set at zero, all Treasury Management indicators are included for completeness of information and others may well be used in the future).

2 March 2021

Miss A V Davis re-joined the meeting.

**281. SCHEME OF MEMBERS' ALLOWANCES 2021/22**

The Authority considered the **report** of the Head of Finance and Operations

**RESOLVED:** To adopt the Scheme of Members' Allowances 2021/22 as set out in Appendix 1 to the report, subject to future adjustments to Members' Allowances as linked to staff cost of living pay awards.

**282. PERSONNEL UPDATE:** The Authority noted the recent staff changes as set out on the agenda.

**283. ANY OTHER BUSINESS OF URGENCY:** There was none

The meeting closed at 12.40am

(Chairperson)



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## Appeal Decision

Site Visit made on 9 February 2021

**by T Gethin BA (Hons), MSc, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 4 March 2021**

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### **Appeal Ref: APP/F9498/D/20/3262039**

### **39 West Street, Dunster TA24 6SN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr David M Hall against the decision of Exmoor National Park Authority.
  - The application Ref 6/10/20/109, dated 24 July 2020, was refused by notice dated 17 September 2020.
  - The development proposed is described as retrospective approval is requested to maintain the side barn at 39 West St Dunster in its present form with a wide opening to the road.
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### **Decision**

1. The appeal is dismissed.

### **Preliminary Matters**

2. Although the space created within the barn was not being used to park a vehicle at the time of my site visit, I observed that the proposed widening of the barn's opening had been carried out. I have dealt with the appeal on this basis.

### **Main Issues**

3. The main issues are:
  - the effect of the proposed development on highway safety; and
  - whether the development would preserve the character or appearance of the Dunster Conservation Area (CA) and its special qualities.

### **Reasons**

#### *Highway safety*

4. The appeal site consists of a single-storey outbuilding/side barn attached to the dwelling at 39 West Street. The site fronts the A396 and the front door of No 39 opens directly on to the highway. In the vicinity of the site, the highway – West Street, which is a busy, primary road – narrows to effectively a single lane for vehicles, and the footway, which leads to Dunster Surgery, runs along the carriageway, separated from passing vehicles by road markings. I observed on my site visit that other parts of Dunster have similar highway conditions.
5. Visibility from the barn to the east/north-east is limited significantly by the side wall of No 39. Inter-visibility between highway users – including vehicles and pedestrians – passing the site and a vehicle exiting the barn would therefore be severely limited. Even if traffic on the highway followed the rules, the insufficient inter-visibility would significantly and unacceptably risk the safety of

all highway users. With no turning space available off the highway, a vehicle would also be unable to enter and exit the barn in forward gear. Irrespective of the practice of reversing into spaces elsewhere in Dunster, the need to either reverse from or onto the busy main road would further risk highway safety and also hinder the efficient operation of the highway.

6. The fact that the use of the barn for vehicle parking would involve similar issues and constraints to other parking spaces in Dunster, such as at Nos 37 and 38, does not indicate that the appeal scheme and the additional highway safety issues that it would create are acceptable. The appellant's contention that non-compliance with highway authority guidelines is the norm in most historic villages, and that parking in the barn would allow vehicles to load and unload without having to wait on the double yellow lines, do not lead me to a different conclusion. Furthermore, while certain traffic calming measures and works to the highway may improve traffic behaviour and existing highway conditions, they are – as identified by the appellant – beyond the scope of this appeal.
7. It has been put to me that visibility from the barn to the highway could be improved by the placing of a traffic mirror on the opposite side of the A396 and that the root cause of road safety on West Street relates to traffic behaviour. While I recognise that such mirrors are often used elsewhere, including in the vicinity of the site such as at No 38 and at other locations on the A396, I cannot be certain that such a mirror – even if it could be modified on the advice of the Highway Authority – would sufficiently mitigate the lack of visibility at the site. The estimated visibility splay with the traffic mirror shown on the submitted site map (ref WEST ST-SB-005) does not lead me to a different view, while an improvement in the behaviour of traffic in the vicinity of the site would also not resolve the deficient visibility.
8. Although cycles, motorbikes and mobility scooters could in theory be stored in the relatively small barn, its limited depth does not meet Somerset County Council's minimum dimension standards for vehicle parking. With the exception of a short car, a parked vehicle would therefore be likely to project beyond the front of the barn and protrude into the highway. Such an overhang would obstruct the footway, forcing pedestrians passing the site to walk further out into the carriageway to the significant detriment of their safety and the flow of traffic on the highway. Neither the on-street parking congestion in the locality nor the presence of off-street parking spaces elsewhere in Dunster which are smaller than the SCC's standards lead me to a different conclusion.
9. I recognise that the appellant's intention is to only park vehicles in the side barn that do not obstruct the footway, that there is a raised floor and small ramp at the front of the barn and its opening is also relatively low. However, it seems to me that none of these aspects would be certain to prevent longer vehicles from parking in the barn and a restriction on vehicles above a certain length would for example not be enforceable.
10. The widening of the barn's opening is said to have allowed safer access to No 39 through the barn rather than via the property's main front door. I recognise that entering and leaving the property via the front door would not be particularly safe given it opens directly onto the narrow and busy highway and that vehicles may also cross into the footway, closer to the front door, in order to pass each other. However, with the barn previously containing a doorway at the front, the evidence before me does not indicate that the enlarged opening of

its front wall is necessary in order to allow a safer alternative access to the property or for access to refuse bins and other items stored in the barn.

11. For the above reasons, I conclude that the proposed development would significantly harm highway safety. I therefore find that it conflicts with Policies AC-D2 and AC-D3 of Exmoor National Park Local Plan 2011-2031 (ENPLP). Amongst other aspects, these set out that development which would prejudice road safety interests will not be permitted and require parking provision to take into account environmental constraints and be well designed. The proposal would also be inconsistent with the provisions in the National Planning Policy Framework (Framework) in relation to only refusing development on highways grounds if there would be an unacceptable impact on highway safety.

#### *Dunster CA*

12. The site is situated within the Dunster CA, which covers much of the historic settlement of Dunster. The Authority's Conservation Area Appraisal for Dunster identifies West Street, with its narrow and curving alignment, as the second major street of the medieval settlement. Amongst other aspects, the significance and special qualities of the CA stem from its historic character and medieval form, its winding narrow streets, the castle and grounds, and the historic buildings within medieval burgage plots which line the main streets. The property at No 39 and the side barn – which the submitted evidence indicates was an in-fill addition adjoining the animal pound – are not specifically mentioned or recorded in the Appraisal.
13. With the Historic Building Officer identifying the loss of the barn wall as unfortunate, the Authority allege that the proposed development has had a negligible negative impact on the CA and does not conserve its special qualities. However, it has not been identified what actual harm has allegedly arisen from the widening of the barn's opening. Although I observed on my site visit that accesses to other similar side barns/outbuildings in the locality are generally enclosed by doors, the open frontage of the barn on the site is relatively limited, does not appear as an incongruous or unacceptable feature and does not have a detrimental effect on the character and appearance of the surrounding area. The barn's materials also reflect surrounding built form. Accordingly, and with little substantive evidence to the contrary, I find that the opening of the barn's frontage has had a neutral effect on the character and appearance of the CA and has not harmed its significance.
14. For the above reasons, I conclude that the proposed development would preserve the character and appearance of the Dunster CA and its special qualities. I therefore find that it accords with ENPLP Policies GP1, CE-S4 and CE-D3. Amongst other aspects, these seek to conserve and enhance the historic environment, local distinctiveness and special qualities of the National Park by requiring development to preserve or enhance the character or appearance of conservation areas and conserve or enhance the character, special interest, integrity, and significance of any affected heritage asset. The proposal would also be consistent with the provisions in the Framework in relation to conserving and enhancing the historic environment.

#### **Other matters**

15. The site adjoins the animal pound, which is a Grade II Listed Building. However, the Authority considers that the appeal scheme has not had a detrimental

impact on the listed building or its setting. Having considered the development and visited the site, I concur and find that the appeal scheme preserves the listed building and its setting.

16. It has been put to me that traffic requirements are prioritised at the expense of other considerations and that the planning application was submitted in order to improve the safety of residents of No 39 and of passing pedestrians, which has been made necessary by the risks caused by traffic behaviour on the A396. However, I have found that the appeal scheme would harm significantly the safety of highway users, including pedestrians using the footway in front of the site. With the barn previously containing an opening at the front, it seems to me that the opening up of its front wall is also not necessary to provide the occupiers of No 39 with a safer alternative access to the property. The appeal scheme cannot therefore reasonably be described as improving safety or ensuring a viable future for the property, which is not identified as being an important building in the CA.
17. These and the other matters and alleged benefits that have been put to me, which I have covered above, do not therefore outweigh the harm I have identified nor provide justification for development that conflicts with the development plan. In coming to this view, I have taken account of the appellant's vision for the barn to be used for the parking of a small electric car and that it is said that the barn was found to be in a poor, dilapidated and unstable condition during the building works recently carried out to improve and extend the main part of the house and the rear.

**Conclusion**

18. For the above reasons, the appeal is dismissed.

*T Gethin*

INSPECTOR



# 7.1



## Committee Report

Application Number:	6/27/20/117
Registration Date:	16-Oct-2020
Determination Date:	04-Dec-2020
Applicant	Mr. Christopher Mikulla
Agent:	Ricki Burrows, Urban Design Practice Ltd,
Case Officer:	Joe White
Site Address:	PORLOCK CARAVAN PARK, Highbank, Porlock, Minehead, TA24 8ND
Proposal:	Variation of condition 2 of permission 6/27/02/139 to allow for all year operation of the mobile homes on site for holiday occupation only (Alteration/Lift Condition)
Recommendation:	Approve subject to conditions
Reason for bringing before Authority Committee:	The Officer recommendation is contrary to the view of Porlock Parish Council

### Relevant History

39105/A - Proposed use of land as a caravan site, and the erection of a recreation building - Approved - 01/13/1959

39105/H - Proposed erection of a games room – Approved - 05/17/1961

39105/I - Proposed use of land as a site for 10 residential caravans – Refused - 09/18/1961

39105/J - Proposed erection of a shower and laundry unit – Approved - 10/26/1961

39105/K - Proposed erection of a games room - Refused  
01/25/1962

39105/L Proposed erection of a games room  
Approved 02/12/1962

6/27/02/105 Variation of condition 8 of permission 6/27/77/009 to allow for extension of hol Approved 09/11/2002

6/27/02/106 Outline for the erection of building to provide reception, launderette, shop, fi Refused 05/07/2002

6/27/02/125 Formation of gravel hardstandings for 40 touring pitches.  
Approved 09/11/2002

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6/27/02/134	Variation of Condition 1 of permission 6/27/92/113 to allow for retention of mob	Approved	10/31/2002
6/27/02/139	Variation of condition 2 of permission 6/27/02/105 to remove the 28 day restrict	Approved	11/28/2002
6/27/04/111	Outline for the erection of Reception, Laundrette, Shop, First Aid Room, Disable	Approved	06/09/2004
6/27/06/124	Reserved matters application for new reception building comprising ground floor	Approved	12/08/2006
6/27/09/110	Erection of a new reception building comprising ground floor reception, office,	Approved	07/14/2009
6/27/10/105	Proposed retention of mobile home for occupation by a site manager.	Approved	04/21/2010
6/27/12/103	Renewal of planning permission 6/27/09/110 (erection of a new reception building	Approved	03/23/2012
6/27/14/115	Proposed renewal of approved application 6/27/10/105 (Proposed retention of mobi	Approved	10/28/2014
6/27/14/116	Proposed renewal of approved application 6/27/12/103 (Renewal of planning permis	Approved	11/03/2014
6/27/18/102	Lawful Development Certificate for the proposed stationing of 31 timber chalet u	Approved	06/13/2018
6/27/19/112	Proposed Variation of Condition 2 of approved application 6/27/02/139 to allow a	Refused	09/04/2019
6/27/21/102	Proposed formation of hard surfaced access roads and car parking bays. Retrospec		
6/27/21/103	Proposed removal of existing caravan (reception, office and Site Manager's accom		
6/27/77/009	Proposed increase in number of static caravans from 50 to 56 and in number of to	Approved	05/09/1977
6/27/77/015	Proposed use of land at Porlock Caravan Park, Porlock, as a site for a mobile ca	Approved	11/08/1977
6/27/80/034	Proposed conversion of office forming part of Admin/Shop Block into a Hairdressi	Approved	01/09/1981
6/27/82/025	Proposed continued use of land as a site for a mobile caravan home for site mana	Approved	01/11/1983
6/27/85/135	Proposed erection of covered way from toilets to showers at The Caravan Park, Po	Approved	11/19/1985
6/27/87/134	Proposed retention of mobile home for site manager at Porlock Caravan Park, Porl	Approved	11/03/1987
6/27/91/123	Proposed permission for touring caravans, dormobiles and tents in field adjoinin	Refused	12/04/1991
6/27/91/124	Proposed storage of touring caravans during winter, Porlock Caravan Park, as	Approved	01/07/1992
6/27/92/101	Proposed variation of existing consent 6/27/77/009 for the stationing of forty t	Approved	05/05/1992
6/27/92/113	Proposed renewal of consent for mobile home for site manager, Porlock Caravan	Approved	09/08/1992

## 7.1

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6/27/93/107	Proposed permanent permission for storage of twenty touring caravans - November Approved	04/27/1993
6/27/93/111	Proposed variation of Condition No. 2 of Planning Consent No.	
6/27/92/113 to per	Approved	08/03/1993
6/27/93/131	Proposed permission for tents to be pitched in east end of field	
3417 between 15	Refused	02/01/1994
6/27/95/109	Proposed building to provide owner's accommodation; reception; shop; laundrette; Approved	07/12/1995

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### **Site Description & Proposal**

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The application site is Porlock Caravan Park. The site is situated on the north side of Porlock and is accessed off High Bank, which is an unclassified road adjoining the north side of the B3225 leading from the A39, which runs through the centre of the village. The site has a long planning history relating to its use as a caravan site from 1959 onwards.

A certificate of lawful development has recently been granted at the site (reference 6/27/18/102) confirming that an additional 31 static caravan units could be positioned on the land in place of forty tented camping/touring caravan pitches by virtue of historic extant planning permission. The site therefore has the ability to accommodate up to 87 static caravan units on the site. The units are subject to a seasonal occupation.

The majority of the application site lies in Flood Zone 3. The site lies within the Heritage Coast and the Hawkcombe River, which is designated a Local Wildlife Site, runs along the eastern boundary of the site.

The application seeks to vary condition 2 of approved application 6/27/02/139 to allow all year-round occupancy of the caravans for holiday accommodation, which is currently limited to 10 months occupancy in a period of 12 months.

Condition 2 of 6/27/02/139, which is the existing condition controlling occupancy of the caravans states:

“The development hereby permitted shall not be used other than for the provision of short term holiday accommodation and the caravans the subject of this permission shall not be occupied between the dates of 15th January and 15th March in any calendar year.”

The reason for the condition is “to ensure the development is occupied as holiday accommodation thereby according with policies in the Development Plan protecting the amenities of the area and promoting the local economy”.

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A planning application was submitted in July 2019 proposing a similar amendment of the aforementioned condition of planning permission. That application is reference 6/27/19/112. Planning permission was refused in that case on 4 September 2019 for the following reason:

“The application site lies in Flood Zone 3b, the proposal would see an extended period of occupation of the site for residential purposes, albeit as holiday accommodation, which is a more vulnerable use in accordance with the National Planning Policy Framework. The proposed variation of the condition to allow the existing caravans to be occupied all year round is considered to cause an unacceptable risk to life as a result of flooding having regard to the location of the site within the functional flood plain. Inappropriate development in areas at risk of flooding should be avoided and the proposal is considered to be contrary to Policy CC-S1 and CC-D1 of the Exmoor National Park Local Plan 2011-2031 and the National Planning Policy Framework.”

There are two other planning applications submitted by the applicant relating to Porlock Caravan Park that are currently being considered. These are as follow:

- Application reference 6/27/21/102 - Proposed formation of hard surfaced access roads and car parking bays. Retrospective.
- Application reference 6/27/21/103 - Proposed removal of existing caravan (reception, office and Site Manager's accommodation) and the siting of a replacement caravan (reception, office and Site Manager's accommodation) with timber decking and access ramp.

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### Consultee Representations

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**Wildlife Officer** – The existing caravan park is located adjacent to the Hawk Combe Local Wildlife Site, designated for its River with key species indicating high biological quality. On this matter, I see a line of trees is present along the eastern boundary, however, is there access down to the river. My concern is that year-round disturbance from dog walking and playing, and adult and children playing with the river may impact community key species including kingfisher, water vole and otter, and that incidence of littering may also occur.

Please can you request that photos of the eastern boundary are sent for review and confirm if holiday residents have access to the River.

The river and line of trees will also provide a community and foraging route for bats, therefore year-round lighting will potentially negatively impact on this feature. Therefore, once reviewing the further information regarding the eastern boundary access, I will be providing a recommended condition regarding a suitable lighting plan for the site.

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Furthermore, due to the presence of the local wildlife site, please consult Somerset Environmental Records Centre on the proposal.

**Environment Agency** - We have no objection to the proposed variation of condition 2 of application 6/27/02/105 to remove the 28 day restriction on holiday occupation subject to any revised or replacement condition specifying that permanent residency by any person(s) is not permitted. The reason for this position and advice is provided below.

Reason – We have reviewed the application, specifically the Flood Risk Assessment (FRA) (Urban Design Practice, ref 6.27.20.117.0 in your authority's website). This FRA is an adequate site-specific assessment of the flood risks to and from the proposal.

We agree with the conclusions made within the FRA in that the site should not be considered as functional floodplain (flood zone 3b). Our flood model shows the site to be located in an area which benefits from flood defences, however, it does flood to a level of 30.25mAOD in a 1 in 100year flood event when undefended. Therefore, we consider the site to be flood zone 3a, not 3b.

Notwithstanding this, if occupancy were to be allowed all year round, the caravans would then be classed as permanent residencies located within flood zone 3 which is contrary to National Planning Policy.

We would only consider it appropriate to vary the condition to allow for all year around occupancy if there is an amendment to the wording so that the caravans cannot be used for main residence. For example, a condition could identify that the caravans shall not be used by the same resident(s) for more than 4 (or 6, or 8) weeks per year. The suggested duration of time and whether it is per year or another measure of time, would be subject to the satisfaction of your authority.

Advice – We recommend that any flood warning and evacuation plan in place is revised to accommodate the year-round risk. If there is no formal plan for the site, we would recommend that one is written and implemented. This may be secured by way of a condition on any permission granted.

Please contact us again if you require any further advice.

**Highways** – Standing advice

**Porlock Parish Council** – October 2020 – The PPC met to discuss the above planning Application and after a robust discussion it was confirmed that the majority of Councillors are opposed to the lifting of the restriction proposed in this application. During the discussion a number of queries were raised which the PPC would appreciate your response on, if for no other reason than to provide the PPC with a better understanding of the ENPA's current stance.

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1. What was the purpose of imposing the 15th January to the 15th March restriction on occupation in the first instance?
2. If the restriction should be lifted what processes are currently in place to enforce the non-residential laws?
3. Policy RT-D8 states that no intensification of use of the property is permitted yet the expansion of the period of occupation would expressly contradict this.
4. The Applicants supporting statement gives the reason for refusal of the Application reference 6/27/19/112 as, essentially, the additional risk to life of flooding. It is not clear why lifting the restriction now in any way alters that rationale.
5. Was permission obtained/required by the Caravan Park to install the concrete pads in the centre field and change the infrastructure? This development would appear to increase the potential for the impact of flooding. (please see attached image)
6. Neighbouring sites have experienced opposition from ENPA due to the area being a flood plain, can you please confirm why the caravan park appears to be exempt from this?
7. Lifting this restriction will change the current business model, are you aware of any other sites which have done this and how it has benefitted the Village / Town it is located in.

January 2021 – Following the recent submission of the variation of condition 2 for the initial planning application 6/27/02/105 by Porlock Caravan Park, Porlock Parish Council would like to confirm they do not support this application and have provided the following comments:

1. It has already been suggested that some residents of the holiday park are in essence using this as their full-time dwelling. Therefore they seem to be operating a chalet home park not a holiday let caravan business. Surely if 12 month a year accommodation is to be facilitated the developers need to put in for a change of use to a chalet park home for permanent residences?
2. The volume of the site has increased. Please refer to the attached Google aerial map image which clearly indicates an increase in the concrete pads that is not referenced in the original application.
3. The PPC note that retrospective planning for the concrete pads and the trackways on the floodplain has been applied for. It is the PPC opinion that the removal or compensation of floodwater capacity should be provided for on the site via drains, suds or the removal of the pads completely and reinstating if approved by pilings not pads.

As part of the retrospective planning this should include a full reappraisal of the site with the pads in situ in relation to floodwater retention, floodwater drainage, floodwater compensation and the developers produce a new flood risk analysis. EA also need to revisit and remodel their floodwater plan based on the existence of the structures (the impermeable concrete bases and formalised trackways) which they may not have been aware of when they gave their advice on the planning application?

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The PPC would like to request revised reports with the above three points taken into consideration or alternatively ask for their removal to prevent floodwater backing up in the village and drainage in the floodplain.

4. On another point increasing the operating hours of a holiday caravan park during winter for tourists has not in my opinion been proven as the facts provided do not highlight winter visits specifically to Exmoor and Porlock. I suggest the developers need to produce a report indicating the demand in winter in Porlock and Exmoor. Also why the winter tourists are not already catered for by the numerous B&Bs, hotels and self-catering cottages already available in Exmoor and Porlock? It would appear that most tourists visit between Easter and the end of School half term holidays in October.

In the Conclusion to Urban Design Practice's submission they make the following statement:

Porlock Caravan Park is a long-established holiday park with consent for caravans for occupancy for holiday purposes. However, the site is presently unable to maximise its potential due to the restriction on the period that it is able to operate. Not only will an extension of the operating season allow the site to reach its potential, it will also bring a range of social and economic benefits to the local area which simply presently do not exist.

Although the focus is on the issue of flooding and they make the point that this will be addressed they make the unsubstantiated claim that the lifting of the condition (concerning which there is confusion).

' . . . the site is presently unable to maximise its potential due to the restriction on the period that it is able to operate.'

"will also bring a range of social and economic benefits to the local area which simply presently do not exist."

There is nothing in the submission which supports either of these claims and it is not clear that lifting either the 28-day restriction or the year-round occupation will achieve that. Indeed, it is not clear that the inability to maximise potential is a valid element for the purposes of this Application.

We respectfully submit that lifting both conditions and permitting additional sites to be brought into use will intensify the use of the property and there is no evidence that the more intense use will not impose additional demands upon the facilities and services currently available.

In conclusion we respectfully submit:

1. This appears to be a carefully crafted application in a series that aims to achieve expansion and intensification of the use of the property over time.

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2. Whilst the focus has been on flooding issues there are additional issues that should be explored, and this application should not be considered without additional information that satisfactorily addresses the issues raised.

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## Representations

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No comments received.

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## Policy Context

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EXMOOR NATIONAL PARK LOCAL PLAN  
GP1 Achieving National Park Purposes and Sustainable Development  
GP4 The Efficient Use of Land and Buildings  
CE-S1 Landscape and Seascape Character  
CE-D1 Protecting Exmoor's Landscapes and Seascapes  
CE-S3 Biodiversity and Green Infrastructure  
CE-S6 Design & Sustainable Construction Principles  
CC-S1 Climate Change Mitigation and Adaptation  
CC-D1 Flood Risk  
CC-D2 Water Conservation  
CC-D5 Sewerage Capacity and Sewage Disposal  
RT-S1 Recreation and Tourism  
RT-D8 Static Caravan Sites  
AC-S1 Sustainable Transport  
AC-D1 Transport and Accessibility Requirements for new development  
AC-D2 Traffic and Road Safety Considerations for Development  
AC-S3 Traffic Management and Parking  
AC-D3 Parking Provision and Standards

The NPPF is a material planning consideration.

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## Planning Considerations

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The existing condition (number 2) of planning permission 6/27/02/139 means that the caravans can only be occupied for 10 months of the year. The applicant wishes to be able to use the caravans for holiday accommodation all year round.

People visit Exmoor all year round and, in general terms, there is potential benefit to the economy of the locality with year-round holiday occupation of the existing caravans that occupy the site.

The main matter in this case, in terms of the acceptability of the proposal, is considered to centre around flood risk. As outlined earlier in this report a similar



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application proposing the variation of condition that controls how the caravans are occupied was refused in September 2019. It is the matter of flood risk which is considered to be the principal issue in the case of this fresh planning application. Other planning matters include impact on wildlife, landscape, highway safety and amenity.

### FLOOD RISK

In the case of the earlier planning application (reference 6/27/19/112) the Environment Agency, having considered the Flood Risk Assessment that was submitted and notwithstanding the conclusion it made, objected to the proposal because of the risk of flooding and recommend that the application be refused. The reason for refusing planning permission is outline earlier in this report.

Policy CC-S1 advises that, among other things, proposals to adapt to the consequences of climate change will be encouraged by avoiding development in areas at risk of flooding.

Policy CC-D1 relates to the matter of flood risk and states:

1. Development proposals will be permitted where they:
  - a) are consistent with the sequential test and applicants demonstrate that sites at little or no risk of flooding are developed in preference to areas at higher risk;
  - b) do not increase the risk of flooding elsewhere;
  - c) do not reduce the potential of land used for current or future flood management;
  - d) are compatible with the appropriate Catchment Flood Management Plan or Shoreline Management Plan; and
  - e) use development to reduce the risk of flooding through location, layout and design and incorporate sustainable drainage systems to minimise surface water run-off and avoid pollution.
2. Where appropriate, a site-specific Flood Risk Assessment should support proposals.
3. Where, as a result of applying the sequential test, a development is approved on an exceptions basis, planning agreements or developer contributions will be sought to ensure that the development is protected from flooding to the appropriate standard throughout its lifetime. Any required additional or enhanced flood defences should not conflict with National Park purposes.

The applicant has been updating the caravan accommodation at the site and is proposing to extend the period when the holiday accommodation can be occupied. The papers submitted with the application explain that the applicant recognises that the matter of flood risk is an important consideration in the proposal. Accordingly, a revised site-specific Flood Risk Assessment has been submitted in support of this

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fresh application, and the applicant seeks to address the concern raised through the previously refused application.

In considering the revised further detail and specifically the revised Flood Risk Assessment, which has been submitted in support of the fresh application, the Environment Agency have confirmed no objection to the proposed variation of occupancy condition. This is subject to any revised or replacement occupancy condition specifying that permanent residency by person(s) is not permitted.

This is a significant change in circumstance to that application previously refused planning application and weight is given to the advice and opinion of the Environment Agency.

The Flood Risk Assessment that has been provided in support of the application is considered to be an adequate site specific assessment of the flood risks to and from the proposal. The conclusions made within the assessment are endorsed by the Environment Agency and the site is not considered to lie within the functional floodplain (Flood Zone 3b) on the basis of the information now provided.

The Environment Agency's flood model shows the site to be located in an area which benefits from flood defences. However, the site does flood to a level of 30.25mAOD in a 1 in 100year flood event when undefended. Therefore, the site is considered to be within Flood Zone 3a, not 3b.

Nonetheless, permanent residential use of the caravans would be contrary to Policy, including in terms of flood risk. The use of caravans for holiday accommodation is, however, acceptable as this is a transient use by those occupiers, albeit that the caravans could be occupied all year round, but by different persons.

The Environment Agency is content with the proposals, but recommend that any flood warning and evacuation plan in place is revised to accommodate the year-round risk.

### LANDSCAPE CHARACTER AND APPEARANCE

The proposal is to extend the operating season of an established caravan site. The proposal is not considered to impact on the existing character and appearance of the landscape, because the caravans are permitted to remain on site all year round, irrespective of whether or not they are occupied. The occupation of caravans during that period between January and March, when the caravans are not currently permitted to be occupied is considered to have a negligible impact on landscape and the character and scenic beauty of the designated Heritage Coast.

### HIGHWAY SAFETY

While the proposal would see the potential for traffic to be generated as a result of operations on the site all year around rather than for 10 months of the year, the character of traffic would remain similar. The potential volume of traffic attracted to and from the site would also be no greater than the potential traffic experienced at

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other times of the year and the proposal is not considered to cause harm to the existing level of highway safety.

### AMENITY OF RESIDENTIAL NEIGHBOURS

The lies to the north side of Porlock and there are residential neighbours to the south and south west. A campsite lies to the east. There are well developed and established boundaries to the caravan park. The nature of the proposal, which would see the potential for the caravans to be occupied throughout January, February and March, as well as the rest of the year that is currently permitted by the existing permission is not considered to bring unacceptable impact to the amenity currently enjoyed by the neighbouring occupiers.

### WILDLIFE

The existing caravan park is located adjacent to the Hawk Combe Local Wildlife Site, designated for its river with key species indicating high biological quality.

The Wildlife Officer has commented on the proposals, as outlined earlier in this report. The proposal would potentially see caravans within the site occupied all year round whereas, under the current planning permissions for the site, the caravans are not permitted to be occupied between 15 January and 15 March. The proposal is not for the introduction of additional lighting within the site and there is no physical development proposed as part of the application. The proposed further period of occupation of the caravans is considered unlikely to cause impact on the interests of the Local Wildlife Site, particularly given that the extended period that further occupation is proposed is principally during wintertime.

### OTHER MATTERS

In May 2019 the UK government declared a climate emergency, Exmoor National Park followed this by declaring a Climate Emergency in October 2019. To help meet this challenge the Local plan includes policies which seek to influence, contribute and challenge development to help meet the Climate Emergency. GP1 'Achieving National Park Purposes and Sustainable Development' Sets out that the need to consider future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change. Policy CC-S1 'Climate Change Mitigation and Adaption' states that climate change mitigation will be encouraged, development which reduces demand for energy, using small scale low carbon and renewable energy, looks to situate development which avoids sites that would put wildlife at risk together with measures which avoids the risk of flooding. Furthermore, Policy CC-S5 'Low Carbon and Renewable Energy Development' seeks to support small scale renewable energy schemes that assist in contributing towards reducing greenhouse gas emissions and moving towards a carbon neutral National Park and policy CE-S6 'Design and Sustainable Construction Principles' seeks to incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.

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Paragraph 148 of the National Planning Policy Framework requires that “the planning system should support the transition to a low carbon future in a changing climate taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

The papers submitted with the application explain that the application site features modern lodge style caravans which are designed to a higher specification with higher levels of insulation and are so therefore warmer during winters. Officers consider that the impact on the climate resulting from the longer period of occupation of the caravans would be negligible and would not be such that a reason for refusal should be given.

### OCCUPANCY CONDITION

Policy RT-S1 (Recreation and Tourism) supports the provision of accessible and inclusive tourism and recreation developments on Exmoor, which encourage the quiet enjoyment and appreciation of the National Park special qualities for all, whilst providing environmental, economic and social benefits. Tourism has a number of benefits for local communities including an improved range of services and facilities, and more jobs; whilst greater use of local products and services by tourism businesses can benefit the local economy and the distinctiveness of Exmoor. This is perhaps of particularly significant when considering economic recovery around the pandemic.

Policy RT-S1 Recreation and Tourism and the associated development management policies provide scope to increase the diversity of visitor accommodation on Exmoor. This approach aims to build upon the tourism role of the settlements in the National Park.

Paragraph 8.9 of the Local Plan advises that tourism survey data indicates that the length of stay has increased in non-serviced sector as the number of visitor days rose, but the number of visitors decreased.

The applicant has explained that the existing site operates without the limitation on how long a person or persons can occupy a caravan for holiday purposes, other than that the caravans cannot be occupied between 15 January and 15 March and it is expected that the occupation is “short term”. The site therefore operates for 10 months over a period of 12 months. The applicant explains that the intention is to extend the operational holiday season currently permitted by the existing planning permission. The applicant has outlined how the current site operates and explains that the site operates with caravans that are privately sold to individuals as their private holiday homes. It is advised that, to prevent permanent residential use, the pitch tenancy agreement contains a clause which would limit occupation to holiday

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use only. Caravans are sold privately for holiday use, but the pitches are rented for a service charge.

Under paragraph 8.43 of the Local Plan it is advised that conditions will be attached to planning permissions for holiday-let accommodation to limit the occupancy to any person for a period not exceeding 28 days in any calendar year. This is provided as preamble to Policy RT-D4, which refers to non-serviced accommodation. The applicant has explained that to restrict the caravans on this site for any person for not more than 28 days would fundamentally alter the nature of the existing permissions and take away the current use rights which the applicant and the private owners of the caravans currently enjoy. The applicant considers this would be unreasonable and attention is drawn to paragraph 8.59 of the Local Plan, which refers to static caravan sites specifically.

Paragraph 8.59 advises that holiday accommodation will have a seasonal or holiday occupancy condition attached to any permission that may be granted to ensure that the unit(s) can only be occupied for holiday purposes.

The applicant is content that occupancy of the caravans would still be limited to holiday use only and would be happy to accept the standard holiday occupancy conditions as set out in Annex B of the now cancelled Good Practice Guide on Planning for Tourism, namely:

- i) The caravans shall be occupied for holiday purposes only
- ii) The caravans shall not be occupied as a person's sole or main plan of residence
- iii) The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.

While the Good Practice Guide has been cancelled, the use of holiday occupancy restrictions is acceptable and the model holiday occupancy condition is well established. Given the advice under paragraph 8.59 of the Local Plan that refers specifically to static caravan sites, the matter that the proposal relates to an existing caravan site that does not have a specific limit on the duration a person can occupy the site for holiday purposes, other than to cease any occupation during a certain period and given the particular circumstances of the site, as outlined above, it is considered that the proposed model holiday occupancy condition is acceptable should planning permission be granted.

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### **Human Rights**

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

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### **Conclusion**

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Porlock Caravan Park is a long-established site. Caravans on the site have been/are being updated and modernised. A certificate of lawful development (reference 6/27/18/102 – granted in June 2018) has established that an additional 31 static caravan units could be positioned within the site in place of the tented camping/touring caravan pitches because there is a historic extant planning permission for this.

The proposal, based on the information provided within the Flood Risk Assessment, is supported by the Environment Agency. The proposal is not considered to increase the risk of flooding to other properties and, subject to the caravans remaining for holiday use only, the proposal is considered to be acceptable in terms of flood risk considerations.

The proposal is considered unlikely to have negative impacts on ecological receptors within or around the site. The proposal is to extend the operating season of the established caravan site and this is considered likely to cause a negligible impact on the existing levels of highway safety around the site, local amenity and the landscape.

On balance the proposal is considered to comply with the relevant development plan policies, as outlined above, and it is recommended that planning permission be granted subject to the following conditions, including condition requiring that a flood warning and evacuation plan is in place to accommodate the proposed year-round risk and that the occupation of the caravans is limited to holiday use only.

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### **Recommendation**

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Approve subject to the following conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990, (as amended by the Planning & Compulsory Purchase Act 2004).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; drawing numbered LP001 and drawing number MP010.

Reason: To confirm the application site and the position of the site managers accommodation.

3. All caravans, other than the manager/owners caravan as highlighted green on the approved plan number MP010, shall not be occupied other than for short term holiday purposes.

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The caravans shall not be occupied as a person's sole or main plan of residence.

The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.

Reason: To ensure the development is occupied as holiday accommodation thereby according with policies in the Development Plan protecting the amenities of the area and promoting the local economy and to accord National Planning Policy Framework (2019) paragraph 155 and 163.

4. Within 1 month of the implementation of the planning permission, hereby granted, a flood warning and evacuation plan shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed the flood warning and evacuation plan shall be implemented.

Reason: In the interests of safeguarding against flood risk.

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## **Informatives**

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### CONDITIONS AND INFORMATIVES

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

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications. It will be necessary to adopt a formal approach and that if changes to approved plans are proposed then it will be necessary to make a new planning application. Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

### MONITORING OF DEVELOPMENT

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

### SUMMARY OF REASON FOR GRANTING PLANNING PERMISSION

The Local Planning Authority, having regard to all planning considerations material to the determination of this application, including particularly impact on amenity, design, highway safety, flood risk, archaeology and impact on the character and appearance of the designated landscape and wildlife, and all consultations and representations made in connection with the application, conclude that the proposal accords with the provisions of the development plan as applicable to it, including the policies and proposals noted below, and there are no grounds which justify its refusal.





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## 7.2



### Committee Report

Application Number:	6/27/21/102
Registration Date:	05-Feb-2021
Determination Date:	05-May-2021
Applicant	Mr C Mikulla
Agent:	Mr. R Burrows, Urban Design Practice Ltd,
Case Officer:	Joe White
Site Address:	PORLOCK CARAVAN PARK, HIGHBANK, PORLOCK, MINEHEAD, TA24 8ND
Proposal:	Proposed formation of hard surfaced access roads and car parking bays. Retrospective.
Recommendation:	Approve
Reason for bringing before Authority Committee:	The Parish Council hold a view contrary to the Officer recommendation.

### Relevant History

39105/A - Proposed use of land as a caravan site, and the erection of a recreation building - Approved - 01/13/1959

39105/H - Proposed erection of a games room – Approved - 05/17/1961

39105/I - Proposed use of land as a site for 10 residential caravans – Refused - 09/18/1961

39105/J - Proposed erection of a shower and laundry unit – Approved - 10/26/1961

39105/K - Proposed erection of a games room - Refused 01/25/1962

39105/L Proposed erection of a games room  
Approved 02/12/1962

6/27/02/105 Variation of condition 8 of permission 6/27/77/009 to allow for extension of hol Approved 09/11/2002

6/27/02/106 Outline for the erection of building to provide reception, launderette, shop, fi Refused 05/07/2002

6/27/02/125 Formation of gravel hardstandings for 40 touring pitches.  
Approved 09/11/2002

6/27/02/134 Variation of Condition 1 of permission 6/27/92/113 to allow for retention of mob Approved 10/31/2002

6/27/02/139 Variation of condition 2 of permission 6/27/02/105 to remove the 28 day restrict Approved 11/28/2002

6/27/04/111 Outline for the erection of Reception, Launderette, Shop, First Aid Room, Disable Approved 06/09/2004



## 7.2

6/27/06/124	Reserved matters application for new reception building comprising ground floor	Approved	12/08/2006
6/27/09/110	Erection of a new reception building comprising ground floor reception, office,	Approved	07/14/2009
6/27/10/105	Proposed retention of mobile home for occupation by a site manager.	Approved	04/21/2010
6/27/12/103	Renewal of planning permission 6/27/09/110 (erection of a new reception building	Approved	03/23/2012
6/27/14/115	Proposed renewal of approved application 6/27/10/105 (Proposed retention of mobi	Approved	10/28/2014
6/27/14/116	Proposed renewal of approved application 6/27/12/103 (Renewal of planning permis	Approved	11/03/2014
6/27/18/102	Lawful Development Certificate for the proposed stationing of 31 timber chalet u	Approved	06/13/2018
6/27/19/112	Proposed Variation of Condition 2 of approved application		
6/27/02/139	to allow a	Refused	09/04/2019
6/27/21/102	Proposed formation of hard surfaced access roads and car parking bays. Retrospec		
6/27/21/103	Proposed removal of existing caravan (reception, office and Site Manager's accom		
6/27/77/009	Proposed increase in number of static caravans from 50 to 56 and in number of to	Approved	05/09/1977
6/27/77/015	Proposed use of land at Porlock Caravan Park, Porlock, as a site for a mobile ca	Approved	11/08/1977
6/27/80/034	Proposed conversion of office forming part of Admin/Shop Block into a Hairdressi	Approved	01/09/1981
6/27/82/025	Proposed continued use of land as a site for a mobile caravan home for site mana	Approved	01/11/1983
6/27/85/135	Proposed erection of covered way from toilets to showers at The Caravan Park, Po	Approved	11/19/1985
6/27/87/134	Proposed retention of mobile home for site manager at Porlock Caravan Park, Porl	Approved	11/03/1987
6/27/91/123	Proposed permission for touring caravans, dormobiles and tents in field adjoinin	Refused	12/04/1991
6/27/91/124	Proposed storage of touring caravans during winter, Porlock Caravan Park, as	Approved	01/07/1992
6/27/92/101	Proposed variation of existing consent 6/27/77/009 for the stationing of forty t	Approved	05/05/1992
6/27/92/113	Proposed renewal of consent for mobile home for site manager, Porlock Caravan	Approved	09/08/1992
6/27/93/107	Proposed permanent permission for storage of twenty touring caravans - November	Approved	04/27/1993
6/27/93/111	Proposed variation of Condition No. 2 of Planning Consent No.		
6/27/92/113	to per	Approved	08/03/1993
6/27/93/131	Proposed permission for tents to be pitched in east end of field 3417 between 15	Refused	02/01/1994

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6/27/95/109      Proposed building to provide owner's accommodation; reception;  
shop; laundrette; Approved      07/12/1995

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### **Site Description & Proposal**

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The application site is Porlock Caravan Park. The site is situated on the north side of Porlock and is accessed off High Bank, which is an unclassified road adjoining the north side of the B3225 leading from the A39, which runs through the centre of the village. The site has a long planning history relating to its use as a caravan site from 1959 onwards.

A certificate of lawful development has recently been granted at the site (reference 6/27/18/102) confirming that an additional 31 static caravan units could be positioned on the land in place of forty tented camping/touring caravan pitches by virtue of historic extant planning permission. The site therefore has the ability to accommodate up to 87 static caravan units on the site. The units are subject to a seasonal occupation.

The majority of the Porlock Caravan Park site lies in Flood Zone 3. The site lies within the Heritage Coast and the Hawkcombe River, which is designated a Local Wildlife Site, runs along the eastern boundary of the site.

The application proposes the formation of hard surfaced access roads and car parking bays, which have been provided to service the additional 31 static caravan units that are permitted to be positioned on the site as confirmed by certificate of lawful development certificate granted on 13 June 2018.

The access roads have already been constructed and the application is therefore submitted retrospectively. Three roads have been provided across between the circular road that goes around the site. The new roads serve six lines of caravans that would occupy the space central to the site. Parking bays have also been provided for the individual caravan units.

The papers submitted with the application explain that in order to make the change from touring to static units (as permitted via extant planning permission) a certain amount of new infrastructure was required in order to comply with the conditions of the site licence. This development included the formation of hardsurfaced bases for the new static units as well as the creation of new access roads and parking bays to serve the new units.

The papers also explain that the applicant is of the view that all of the works carried out in the central area of the caravan park constitute permitted development pursuant to Class B to Part 5 of Schedule 2 under the Town and Country Planning (General Permitted Development) (England) Order 2015. Class B to Part 5 confirms that all development required by the conditions of a site licence for the time being in force under the 1960 Act is permitted under the statute.

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It is explained that the site licence for the caravan site requires, among other things, that every caravan shall be sited not less than 3 metres from a road. It is also pointed out that the site licence also states that “roads of suitable material shall be provided so that no caravan standing is more than 45 metres from a road.”

There is therefore difference in the requirement of the licence, which brings uncertainty with the site licence requiring a caravan to be stationed within 3 metres of a road and its standing to be no more than 45 metres away from a road. The applicant has advised that, in the interests of continued co-operation with the local planning authority, an application seeking permission retrospectively to retain the roads and parking bays has been submitted.

There are two other planning applications submitted by the applicant relating to Porlock Caravan Park that are currently being considered. These are as follow:

- Application reference 6/27/20/117 - Variation of condition 2 of permission 6/27/02/139 to allow for all year operation of the mobile homes on site for holiday occupation only.
- Application reference 6/27/21/103 - Proposed removal of existing caravan (reception, office and staff accommodation) and the siting of a replacement caravan (reception, office and Site Manager's accommodation) with timber decking and access ramp.

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### **Consultee Representations**

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Porlock Parish Council – The Parish Council does not support the proposed application for the following reasons:

- o The two documents supplied by the developers planning consultants relates to the retrospective planning to the intensification of use, increased internal access routes on asphalted tracks and the installation of large concrete pads. The PPC is concerned at the apparent absence of any forethought, pre planning or mitigation in relation to increasing flooding impact to the land, surrounding area and neighbouring properties by the works.
- o The statement and report acknowledges the site located in the flood zone but there is no mention of the concrete pads effect on the loss of drainage, no flood compensation land or the use of SUDs or any flood mitigation due to the concrete pads and asphalted roads.
- o Asphalted roads by their nature are sealed surfaces not permeable. Concrete pads likewise are by nature non permeable. Therefore the drainage, permeability of the site and its ability to hold rain and floodwater has in the PPC opinion been impeded. No consideration to alternative or mitigating methods appears to have been

## 7.2

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considered for example to piling in replacement of the pads, suds on a non sealed trackway or flood compensation works to increase flow of captured flood water. There are many alternative ways and best practice however none of these have or were considered. Only now after the works have been completed with no prior consultation or notification of works to EA, ENP or Porlock residents/ neighbours who are close to the flood plain are acknowledged in the reports.

The developers assess the flood risk as low and attempt to prove this with historic data however the intended intensification of the site along with the ill thought out installation of the roads and pads has in the opinion of the PPC now increased the site for flash overland and fluvial flooding. The PPC await the response from the EA to the works carried out in the floodplain.

Environment Agency – No comments received

Highways – No observations

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### **Representations**

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No comments received.

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### **Policy Context**

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EXMOOR NATIONAL PARK LOCAL PLAN  
GP1 Achieving National Park Purposes and Sustainable Development  
GP4 The Efficient Use of Land and Buildings  
CE-S1 Landscape and Seascape Character  
CE-D1 Protecting Exmoor's Landscapes and Seascapes  
CE-S3 Biodiversity and Green Infrastructure  
CE-S6 Design & Sustainable Construction Principles  
CC-S1 Climate Change Mitigation and Adaptation  
CC-D1 Flood Risk  
RT-S1 Recreation and Tourism  
RT-D8 Static Caravan Sites  
AC-S1 Sustainable Transport  
AC-D1 Transport and Accessibility Requirements for new development  
AC-D2 Traffic and Road Safety Considerations for Development  
AC-S3 Traffic Management and Parking  
AC-D3 Parking Provision and Standards

The NPPF is a material planning consideration.

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### **Planning Considerations**

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The main matters in this case are considered to relate to impact on the character and appearance of the locality, local amenity and flood risk.

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### CHARACTER AND APPEARANCE OF THE LANDSCAPE

Policy CE-D1 advises that development will be permitted where it can be demonstrated that it is compatible with the conservation and enhancement of Exmoor's landscape. Within Exmoor's Heritage Coast development should be appropriate to the coastal location and conserve the undeveloped nature of the coast consistent with Heritage Coast purposes.

The visual appearance and character of the application site is dominated by caravans. There is an existing road that provides circular access around the site. The proposal is that this ring road be linked by three additional roads across the site. The additional roads provide access to the new rows of caravans that are being provided at the site under an extant planning permission. The nature of the proposal, which relates to new roads and hardstanding within the site and amongst caravans, is considered to have a negligible impact on the character and appearance of the site and its impact on the character and scenic beauty of the wider environment, including the Heritage Coast.

### LOCAL AMENITY

The site lies to the north side of Porlock and there are residential neighbours to the south and south west. A campsite lies to the east. There are well developed and established boundaries to the caravan park. The nature of the proposal, which relates to new roads and hardstanding within the site and amongst caravans is not considered to bring further material impact to the amenity enjoyed at and around the site, nor would it bring unacceptable impact to the amenity currently enjoyed by the neighbouring occupiers.

### FLOOD RISK

Policy CC-S1 advises that, among other things, proposals to adapt to the consequences of climate change will be encouraged by avoiding development in areas at risk of flooding.

Policy CC-D1 relates to the matter of flood risk and says, among other things, that sites at little or no risk of flooding should be developed in preference to areas at higher risk. Development should not increase the risk of flooding elsewhere and development should be protected from flooding to the appropriate standard throughout its lifetime.

The majority of the Porlock Caravan Site lies within Flood Zone 3. The application site lies to the west of a fluvial watercourse. Accordingly, the presence of this watercourse means that the application site is designated as being at increased risk of flooding.

The applicant has submitted a Flood Risk Assessment with the application papers. The assessment advises that the built form of the caravan site is such that in the unlikely event of flooding safe evacuation is possible. It goes on to say that it is



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unlikely that the units themselves will be inundated given the elevation of the site and the external levels associated with each caravan location.

The submitted Flood Risk Assessment explains that the access roads have been formed using the layer system. The 10mm surface course has been designed to provide a smooth finish, with no trip hazards and an appropriate level of slip and skid resistance. The Assessment advises that these characteristics in a permeable solution are maintained whilst being free draining (removing risks of standing water and ice) and acting as a pollutant filter, removing contaminants prior to discharge. The Assessment also advises that the granular layer consists of graded unbound aggregates to create voids, which can act as a reservoir for the attenuation of surface run off, delaying the instantaneous surface run off associated with impermeable surfaces.

In having regard to the sequential approach for the proposed development, the roads and hardstandings are intrinsically linked to existing authorised development at the site, with the siting of the additional caravans. Placing the roads elsewhere would not provide access to the caravans nor would that meet the requirement of part of the site licence conditions for the site.

The site is in an area considered by the Environment Agency to be at increased risk from flooding. The Flood Risk Assessments considers that with the combination of prevailing ground levels being above the Environment Agency's undefended flood level, and the fact that satisfactory steps have been taken to mitigate against the risk, the risk of flooding can be considered low. In any case, the roads and hardstandings relating to the wider authorised development at the site is considered unlikely to accentuate the risk of flooding at the site or to neighbouring land. The access roads themselves support access and egress from the site.

### OTHER MATTERS

In May 2019 the UK government declared a climate emergency, Exmoor National Park followed this by declaring a Climate Emergency in October 2019. To help meet this challenge the Local plan includes policies which seek to influence, contribute and challenge development to help meet the Climate Emergency. GP1 'Achieving National Park Purposes and Sustainable Development' Sets out that the need to consider future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change. Policy CC-S1 'Climate Change Mitigation and Adaption' states that climate change mitigation will be encouraged, development which reduces demand for energy, using small scale low carbon and renewable energy, looks to situate development which avoids sites that would put wildlife at risk together with measures which avoids the risk of flooding. Furthermore, Policy CC-S5 'Low Carbon and Renewable Energy Development' seeks to support small scale renewable energy schemes that assist in contributing towards reducing greenhouse gas emissions and moving towards a carbon neutral National Park and policy CE-S6 'Design and Sustainable Construction Principles' seeks to

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incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.

Paragraph 148 of the National Planning Policy Framework requires that “the planning system should support the transition to a low carbon future in a changing climate taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

There would be an impact on the climate from the construction process and the sourcing of construction materials. Officers consider that the impact on the climate resulting from the construction of the proposed development would not be such that a reason for refusal should be given.

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### Human Rights

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

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### Conclusion

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Porlock Caravan Park is a long-established site. The access roads have already been constructed and the application is submitted retrospectively. Three roads have been provided across the site and between the circular road that goes around the site. The new roads serve six lines of caravans that will occupy the space central to the site. Parking bays have also been provided for the individual caravan units and the caravans sit on a hard base.

The site licence for the Caravan Park requires, among other things, that every caravan shall be sited not less than 3 metres from a road. The access roads and hardstandings therefore have the potential to be “permitted development” under the General Permitted Development Order. There is however some ambiguity around that and the applicant has made a planning application for the Authority to consider. The nature of the proposal is such that the development is considered to have a negligible impact on the character and appearance of the site, locality and the character and scenic beauty of the wider environment, including the Heritage Coast.

The site lies within Flood Zone 3, but having regard to the Flood Risk Assessment and the nature of the proposal, the development is considered to be acceptable and not likely to increase flood risks elsewhere.

The proposal is subsidy to existing authorised development on the site, which permits the siting of additional caravans on the land and the development is considered to have impact of no consequence on existing levels of highway safety.

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On balance the proposal is considered to comply with the relevant development plan policies, as outlined above, and it is recommended that planning permission be granted subject to the following conditions.

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### **Recommendation**

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To approve planning permission. Having regard to the development proposed and the matter that the application is made retrospectively, there is considered to be no requirement for conditions of planning permission

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### **Informatives**

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#### CONDITIONS AND INFORMATIVES

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

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications. It will be necessary to adopt a formal approach and that if changes to approved plans are proposed then it will be necessary to make a new planning application. Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

#### MONITORING OF DEVELOPMENT

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective

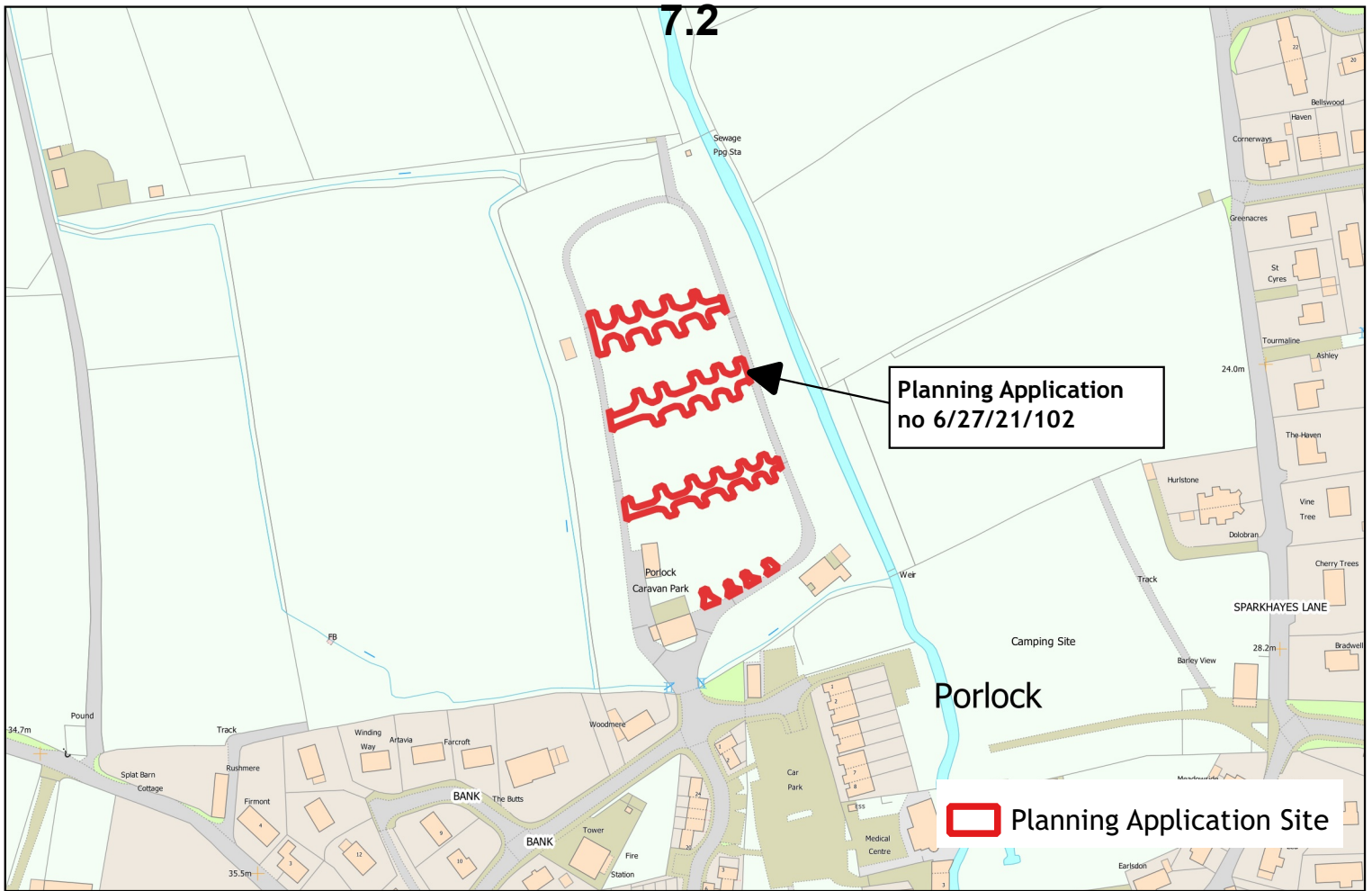
## 7.2

monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email [plan@exmoor-nationalpark.gov.uk](mailto:plan@exmoor-nationalpark.gov.uk).

### SUMMARY OF REASON FOR GRANTING PLANNING PERMISSION

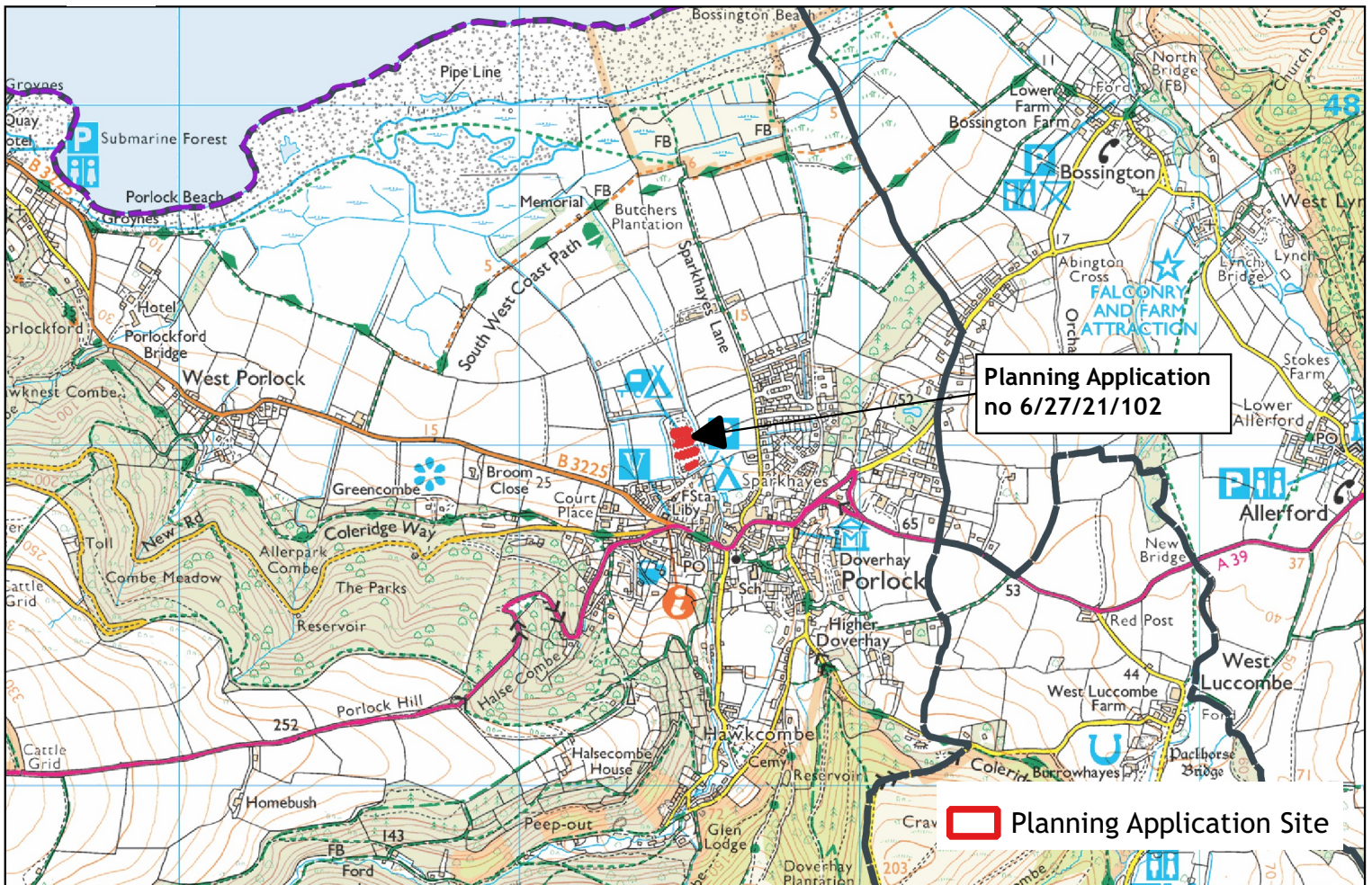
The Local Planning Authority, having regard to all planning considerations material to the determination of this application, including particularly impact on amenity, design, highway safety, flood risk, archaeology and impact on the character and appearance of the designated landscape and wildlife, and all consultations and representations made in connection with the application, conclude that the proposal accords with the provisions of the development plan as applicable to it, including the policies and proposals noted below, and there are no grounds which justify its refusal.





**Site Map**  
 Scale 1:2500

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**Overview Map**  
 Scale 1:20000

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## 7.3



### Committee Report

Application Number:	6/27/21/103
Registration Date:	18-Feb-2021
Determination Date:	09-Apr-2021
Applicant	Mr C Mikulla
Agent:	Mr. R Burrows, Urban Design Practice Ltd,
Case Officer:	Joe White
Site Address:	PORLOCK CARAVAN PARK, HIGHBANK, PORLOCK, MINEHEAD, TA24 8ND
Proposal:	Proposed removal of existing caravan (reception, office and staff accommodation) and the siting of a replacement caravan (reception, office and Site Manager's accommodation) with timber decking and access ramp.
Recommendation:	Approve subject to conditions
Reason for bringing before Authority Committee:	The application is one of three applications that are currently being considered for Porlock Caravan Park. The Parish Council hold a view contrary to the Officer recommendation in respect of the 'other' two applications and at the time of writing this report a re-consultation period for the Parish Council is live.

### Relevant History

39105/A - Proposed use of land as a caravan site, and the erection of a recreation building - Approved - 01/13/1959

39105/H - Proposed erection of a games room – Approved - 05/17/1961

39105/I - Proposed use of land as a site for 10 residential caravans – Refused - 09/18/1961

39105/J - Proposed erection of a shower and laundry unit – Approved - 10/26/1961

39105/K - Proposed erection of a games room - Refused 01/25/1962

39105/L Proposed erection of a games room  
Approved 02/12/1962

6/27/02/105 Variation of condition 8 of permission 6/27/77/009 to allow for extension of hol Approved 09/11/2002

6/27/02/106 Outline for the erection of building to provide reception, launderette, shop, fi Refused 05/07/2002

6/27/02/125 Formation of gravel hardstandings for 40 touring pitches.  
Approved 09/11/2002



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6/27/02/134	Variation of Condition 1 of permission 6/27/92/113 to allow for retention of mob	Approved	10/31/2002
6/27/02/139	Variation of condition 2 of permission 6/27/02/105 to remove the 28 day restrict	Approved	11/28/2002
6/27/04/111	Outline for the erection of Reception, Laundrette, Shop, First Aid Room, Disable	Approved	06/09/2004
6/27/06/124	Reserved matters application for new reception building comprising ground floor	Approved	12/08/2006
6/27/09/110	Erection of a new reception building comprising ground floor reception, office,	Approved	07/14/2009
6/27/10/105	Proposed retention of mobile home for occupation by a site manager.	Approved	04/21/2010
6/27/12/103	Renewal of planning permission 6/27/09/110 (erection of a new reception building	Approved	03/23/2012
6/27/14/115	Proposed renewal of approved application 6/27/10/105 (Proposed retention of mobi	Approved	10/28/2014
6/27/14/116	Proposed renewal of approved application 6/27/12/103 (Renewal of planning permis	Approved	11/03/2014
6/27/18/102	Lawful Development Certificate for the proposed stationing of 31 timber chalet u	Approved	06/13/2018
6/27/19/112	Proposed Variation of Condition 2 of approved application 6/27/02/139 to allow a	Refused	09/04/2019
6/27/21/102	Proposed formation of hard surfaced access roads and car parking bays. Retrospec		
6/27/21/103	Proposed removal of existing caravan (reception, office and Site Manager's accom		
6/27/77/009	Proposed increase in number of static caravans from 50 to 56 and in number of to	Approved	05/09/1977
6/27/77/015	Proposed use of land at Porlock Caravan Park, Porlock, as a site for a mobile ca	Approved	11/08/1977
6/27/80/034	Proposed conversion of office forming part of Admin/Shop Block into a Hairdressi	Approved	01/09/1981
6/27/82/025	Proposed continued use of land as a site for a mobile caravan home for site mana	Approved	01/11/1983
6/27/85/135	Proposed erection of covered way from toilets to showers at The Caravan Park, Po	Approved	11/19/1985
6/27/87/134	Proposed retention of mobile home for site manager at Porlock Caravan Park, Porl	Approved	11/03/1987
6/27/91/123	Proposed permission for touring caravans, dormobiles and tents in field adjoinin	Refused	12/04/1991
6/27/91/124	Proposed storage of touring caravans during winter, Porlock Caravan Park, as	Approved	01/07/1992
6/27/92/101	Proposed variation of existing consent 6/27/77/009 for the stationing of forty t	Approved	05/05/1992
6/27/92/113	Proposed renewal of consent for mobile home for site manager, Porlock Caravan	Approved	09/08/1992



## 7.3

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6/27/93/107	Proposed permanent permission for storage of twenty touring caravans - November Approved	04/27/1993
6/27/93/111	Proposed variation of Condition No. 2 of Planning Consent No.	
6/27/92/113 to per	Approved	08/03/1993
6/27/93/131	Proposed permission for tents to be pitched in east end of field	
3417 between 15	Refused	02/01/1994
6/27/95/109	Proposed building to provide owner's accommodation; reception; shop; laundrette; Approved	07/12/1995

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### Site Description & Proposal

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The application site is Porlock Caravan Park. The site is situated on the north side of Porlock and is accessed off High Bank, which is an unclassified road adjoining the north side of the B3225 leading from the A39, which runs through the centre of the village. The site has a long planning history relating to its use as a caravan site from 1959 onwards.

A certificate of lawful development has recently been granted at the site (reference 6/27/18/102) confirming that an additional 31 static caravan units could be positioned on the land in place of forty tented camping/touring caravan pitches by virtue of historic extant planning permission. The site therefore has the ability to accommodate up to 87 static caravan units on the site. The units are subject to a seasonal occupation.

The majority of the Porlock Caravan Park site lies in Flood Zone 3, although the existing structure to be replaced lies in Flood Zone 2. The site lies within the Heritage Coast and the Hawkcombe River, which is designated a Local Wildlife Site, runs along the eastern boundary of the site.

The application proposes the removal of existing caravan at the entrance to the site that comprises the reception, office and staff room and the siting of a replacement caravan to provide a new reception, office and site manager's accommodation. New timber decking and access ramp is proposed to the front of the new caravan. The site managers accommodation would relocate to the proposed new caravan from its current location within a caravan to the immediate north of the site.

There are two other planning applications submitted by the applicant relating to Porlock Caravan Park that are currently being considered. These are as follow:

- Application reference 6/27/20/117 - Variation of condition 2 of permission 6/27/02/139 to allow for all year operation of the mobile homes on site for holiday occupation only.
- Application reference 6/27/21/102 - Proposed formation of hard surfaced access roads and car parking bays. Retrospective.

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### Consultee Representations

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## 7.3

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**Porlock Parish Council** – 10 March 2021 – With regards to this application can you please advise if there is any change to size of the building or increase in height/ pitch of roof etc as it isn't noted in the application to compare old with new in terms of plans/ elevations?

**NB** At the time of writing this report the re-consultation period for the Parish Council in respect of those details provided to clarify the query raised by the Parish Council, is live. Any further comments that are received from the Parish Council prior to the Authority Committee meeting will be presented verbally and may require further consideration of the recommendation.

**Environment Agency** – Due to current reduced staff resource, for consultations on planning applications for replacement dwellings (which we consider to be relevant in this instance due to the proposed manager's accommodation) we are responding with a standard planning advice note and supporting Flood Risk Assessment checklist, which will allow you to determine the suitability of the application with regard to flood risk. These are attached for reference.

If your Authority is minded to refuse any such applications on flood risk grounds please notify us. If refusal of permission is appealed by the applicant we would be happy to support you at appeal.

Summary of standing advice – A proposal for a replacement dwelling in an area at risk of flooding is one which is considered appropriate but should achieve an improvement compared to the existing situation.

The National Planning Policy Framework advocates a sequential, risk-based approach to the location of development so as to avoid, where possible, flood risk to people and property.

Whilst the sequential test does not normally need to be applied to change of use developments, any proposal which involves subdivision of an existing residential unit should be subject to the test. A sequential approach should also be taken to the design to ensure the most vulnerable elements of development avoid flood risks.

For replacement dwellings a sequential approach should be taken to the layout and design of the proposed development within the site itself wherever possible.

**Highways** – Standing advice

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### Representations

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No comments received.

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### Policy Context

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EXMOOR NATIONAL PARK LOCAL PLAN  
GP1 Achieving National Park Purposes and Sustainable Development  
GP4 The Efficient Use of Land and Buildings  
CE-S1 Landscape and Seascape Character  
CE-D1 Protecting Exmoor's Landscapes and Seascapes  
CE-S3 Biodiversity and Green Infrastructure  
CE-S6 Design & Sustainable Construction Principles  
CC-S1 Climate Change Mitigation and Adaptation  
CC-D1 Flood Risk  
CC-D2 Water Conservation  
CC-D5 Sewerage Capacity and Sewage Disposal  
HC-D11 Residential Caravans  
HC-D17 Replacement Dwellings  
RT-S1 Recreation and Tourism  
RT-D8 Static Caravan Sites  
AC-S1 Sustainable Transport  
AC-D1 Transport and Accessibility Requirements for new development  
AC-D2 Traffic and Road Safety Considerations for Development  
AC-S3 Traffic Management and Parking  
AC-D3 Parking Provision and Standards

The NPPF is a material planning consideration.

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### Planning Considerations

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The main matters in this case are considered to be the acceptability of the proposal in principle, design, scale and impact on the character and appearance of the locality, local amenity, flood risk and highway safety.

#### PRINCIPLE OF DEVELOPMENT

A site manager's mobile home to the north of the reception/shop/office was originally granted temporary consent in 1977 and has been consistently renewed ever since via a series of temporary permissions. The latest application in 2014 (ref.6/27/14/115) granted a further temporary consent for managers accommodation on the site. That permission expired in October 2019 and condition of the planning permission requires the mobile home to be removed and the land restored to its former condition.

The temporary permission is linked to a proposal for demolition and replacement of the existing reception building with a building comprising a ground floor reception, office, laundry, staff room, WC, store and disabled holiday chalet with first floor (owner) accommodation. This was originally granted in 2006 and that permission has subsequently been renewed under a series of planning applications with the most recent being in 2014 under reference 6/27/14/116. The development would see the

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managers accommodation, which currently lies to the north of the reception incorporated in to the approved two storey development. That permission has however now lapsed.

The managers accommodation remains to the north of the reception building, which currently occupies the site. The temporary planning permission for the managers accommodation has also expired (October 2019), although that remains occupied.

The proposed development is the replacement of the existing reception building with a new lodge style single unit that would have a similar appearance to other lodges on the site that have recently been upgraded. The lodge would house the existing managers accommodation at the site, which would relocate to the new development. The new caravan would also provide a new reception area at the entrance into the site.

Although there has been a series of temporary planning permissions for managers accommodation on this site, there has continuously been such accommodation on the site since the late 1970s.

Under section 72 of the Town and Country Planning Act 1990 the local planning authority may grant planning permission for a specified temporary period only. In accordance with National Planning Practice Guidance relating to “the use of planning conditions”, circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period. A temporary planning permission may also be appropriate to enable the temporary use of vacant land or buildings prior to any longer-term proposals coming forward (a ‘meanwhile use’).

In this instance, the presence of a unit of staff accommodation at the site is long standing and well established as is the caravan park. In addition, the caravan park itself is not a temporary use of land, but well established.

The Planning Practice Guidance is that it will rarely be justifiable to grant a second temporary permission. Further permissions can normally be granted permanently or refused if there is clear justification for doing so. In this case, the manager or staff unit has been on the site for more than 40 years, but subject of numerous temporary planning permissions.

The long event of a unit of staff accommodation at the caravan park is material to the consideration of this application and, given that the presence of the accommodation is well established, this is a matter that is considered to be of significant weight.

Policy HC-D17 permits proposals for replacement dwellings where, among other things, the existing dwelling has an adverse impact on the character and visual amenity of the area and the residential use has not been abandoned. Policy RT-D8,

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while specifically referring to holiday caravans, advises that new timber chalet or log cabin holiday accommodation will only be permitted where they replace units on existing static caravan sites or chalet developments.

The proposal is in essence a replacement dwelling (caravan in this case) and would see the replacement of an existing chalet type structure with a new lodge. Bearing this in mind and putting weight on the matter that there is a long history of a unit of staff accommodation on the site, which would be replaced, the proposed development is considered to be acceptable in principle.

### DESIGN, SCALE AND IMPACT ON CHARACTER AND APPEARANCE OF THE LANDSCAPE

The existing structure on the site is long standing and is showing its age and degradation in its visual appearance. The structure is finished with a mineral felt roof and is beginning to look outdated in comparison with the newer lodges that the site owner has been updating across the site.

Policy CE-S6 requires that development proposals deliver high quality sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor's built and historic environment.

The proposed replacement lodge would have the same appearance as the new holiday cabins that have been recently updated at the site. The replacement caravan would be closely sited with the adjacent replacement holiday caravans/lodges and be viewed as intimately related with caravan park, and although the proposed caravan would be constructed from modern materials these would match those materials already prevalent on the site. Having regard to the scale of the proposed development in the context of the existing caravan park, as well as the character and appearance of the site and the structure that would be replaced, the proposed replacement caravan is considered to be of an acceptable design and to have a negligible impact on the character and appearance of the locality and designated Heritage Coast.

### LOCAL AMENITY

The site lies to the north side of Porlock and there are residential neighbours to the south and south west. A campsite lies to the east. There are well developed and established boundaries to the caravan park. The nature of the proposal, which would see a new caravan over the site of an existing structure, is not considered to bring further material impact to the amenity enjoyed at and round the site, nor would it bring unacceptable impact to the amenity currently enjoyed by the neighbouring occupiers.

### FLOOD RISK

Policy CC-S1 advises that, among other things, proposals to adapt to the consequences of climate change will be encouraged by avoiding development in areas at risk of flooding.

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Policy CC-D1 relates to the matter of flood risk and says, among other things that sites at little or no risk of flooding should be developed in preference to areas at higher risk. Development should not increase the risk of flooding elsewhere and development should be protected from flooding to the appropriate standard throughout its lifetime.

The applicant has submitted a Flood Risk Assessment with the application papers. The assessment considers that there is existing residential accommodation with the structure being replaced. This is however not the case. The existing structure accommodates the site reception, office and staff room. The unit of manager/staff accommodation lies immediately to the north, although the proposed development would see that accommodation relocated to the site of the reception building. The new structure would accommodate the staff accommodation and reception.

The siting of the structure is within an area of the site that is considered to be at least risk of flooding in the context of the site bearing in mind its location mainly in Flood Zone 3. It is nonetheless still within Flood Zone 2 and is therefore at a “medium probability” of flood risk and the proposed use is a more vulnerable use.

The submitted Flood Risk Assessment provides mitigation measures proposed to address flood risk issues and ensure the development is appropriate for its location. The details confirm that the site is located in a flood warning area where the Environment Agency issues flood warnings and flood alerts and that the site owner is signed up to the Environment Agency Flood Warning Scheme. In addition to mitigate against flood risk, the internal floor level of the replacement unit will be raised a sufficient distance (500mm) from ground level. The area underneath the unit is not fully enclosed to ensure that there will be no impedance of flood flows.

Having regard to the above it is considered that the proposal would replacement the existing managers accommodation, but should achieve an improvement compared to the existing situation. In having regard to the sequential approach for siting the replacement accommodation, the proposal sites the dwelling within an area at lower level of flood risk compared to the wider caravan site and the design of the development sits the new lodge above the ground level. The Flood Risk Assessment that has been submitted is considered to demonstrate that the flood risks can be reduced to an acceptable level and that the development would not increase flood risks elsewhere.

### HIGHWAY SAFETY

The proposal is to replace the existing reception, officer and managers accommodation with a new facility. The proposed new facility does not increase the size of the existing and the potential volume of traffic attracted to and from the site would also be no greater than the potential traffic experienced already at the site. It is acknowledged that the existing facility is subject of a temporary planning permission. The facility is nonetheless longstanding and well established and the proposal for a

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replacement facility is not considered to cause harm to the existing level of highway safety.

### OTHER MATTERS

In May 2019 the UK government declared a climate emergency, Exmoor National Park followed this by declaring a Climate Emergency in October 2019. To help meet this challenge the Local plan includes policies which seek to influence, contribute and challenge development to help meet the Climate Emergency. GP1 'Achieving National Park Purposes and Sustainable Development' Sets out that the need to consider future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change. Policy CC-S1 'Climate Change Mitigation and Adaption' states that climate change mitigation will be encouraged, development which reduces demand for energy, using small scale low carbon and renewable energy, looks to situate development which avoids sites that would put wildlife at risk together with measures which avoids the risk of flooding. Furthermore, Policy CC-S5 'Low Carbon and Renewable Energy Development' seeks to support small scale renewable energy schemes that assist in contributing towards reducing greenhouse gas emissions and moving towards a carbon neutral National Park and policy CE-S6 'Design and Sustainable Construction Principles' seeks to incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.

Paragraph 148 of the National Planning Policy Framework requires that "the planning system should support the transition to a low carbon future in a changing climate taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

The proposed replacement caravan would be a modern lodge style caravan which is designed to a higher specification with higher levels of insulation and is therefore warmer during winters. Officers consider that the impact on the climate resulting from the proposed development would be negligible and would not be such that a reason for refusal should be given.

### CONDITIONS

The existing managers/staff accommodation is subject of occupancy condition to ensure that the mobile home is occupied only by persons employed in connection with Porlock Caravan Park and members or their immediate family.

The planning permission for the existing managers/staff accommodation lapsed in October 2019. Relocating that accommodation within the development now proposed would enable the use to remain on site. The applicant will then need to ensure that the requirements of the 2014 planning permission (reference 6/27/14/115) are

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satisfied and the mobile home, subject of that permission, must be removed and the land restored to its former condition.

That is a matter that the applicant is aware of and can be resolved separately to this planning application. There is therefore no need to address that through condition of this planning application, should permission be granted.

The existing managers accommodation has been subject of temporary planning permission since 1977. The reason for granting a further temporary planning permission in 2014 is “to enable the Authority to review the matter at the end of the limited period specified and to restrict the number of dwellings onsite in accordance with Local Plan policies which prioritise housing for those with a local affordable need.”

Having regard to the matter that a unit of accommodation for the site manager or staff of the caravan site has been present on site for over 40 years it is considered unreasonable to continue to place further temporary permission on the accommodation. The development is evidently, as the passage of time has demonstrated, intended to be permanent. In addition, the previous intention to see the accommodation relocate to the approved new two storey building permitted in 2014 has now fallen away given that permission has been allowed to lapse.

In accordance with National Planning Practice Guidance it will rarely be justifiable to grant a second temporary permission. In this case, the accommodation has been subject of many successive temporary permissions and given the well-established presence of a unit of accommodation for a manager or staff, it is not considered necessary or reasonable to include a further grant of temporary permission.

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### **Human Rights**

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

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### **Conclusion**

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Porlock Caravan Park is a long-established site. Managers/staff accommodation has been present on the site for more than 40 years, albeit via a series of temporary planning permissions. That accommodation is considered to be well established and it is regarded as necessary by the applicant to operate the site. Although the most recent temporary planning permission for the managers accommodation at the site expired in October 2019, the accommodation remains and the planning history and long-standing presence of the managers/staff accommodation is considered to carry weight in the consideration of this application. The proposal is considered on the basis that it is essentially a replacement dwelling and the principle of development is considered to be acceptable.



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The existing structure to be replaced, which accommodates the site reception, office and staff room is in a relatively dilapidated condition and the applicant wishes to update and renew the facility whilst also accommodating the managers/staff accommodation within the new structure.

The new structure would match the appearance of other new lodges that are being updated within the site and, in having regard to the character and appearance of the site and the relative scale of the proposed unit within the much larger site, as well as the appearance of the structure to be replaced, the design and appearance of the new structure is considered to be acceptable. It is in keeping with the character of the wider site and the proposed development would have a negligible impact on the scenic beauty of the wider area.

The proposal is considered to have impact of no consequence on local amenity or highway safety.

The proposal, in acknowledging the well-established presence of the residential accommodation that would be replaced and having regard to the Flood Risk Assessment, is considered to demonstrate that the flood risks can be reduced to an acceptable level and that the development would not increase flood risks elsewhere.

On balance the proposal is considered to comply with the relevant development plan policies, as outlined above, and it is recommended that planning permission be granted subject to the following conditions.

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### **Recommendation**

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Approve subject to the following conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990, (as amended by the Planning & Compulsory Purchase Act 2004).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; drawing numbered LP001, PP003, PP011 and drawing numbered 24 20 0949.

Reason: To confirm the application site and the position of the site managers accommodation.

3. The unit of accommodation hereby permitted shall not be occupied other than by person(s) employed in connection with Porlock Caravan Park and members or their immediate family, and for use as a reception/office for the Porlock Caravan Park.

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Reason: To ensure that the unit of accommodation is occupied by person(s) employed in connection with Porlock Caravan Park acknowledging the long-standing presence and occupation of the accommodation on the site that would be replaced by this development and having regard to the strategy for housing under the Exmoor National Park Local Plan.

4. Within 1 month of the implementation of the planning permission, hereby granted, a flood warning and evacuation plan shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed the flood warning and evacuation plan shall be implemented.

Reason: In the interests of safeguarding against flood risk.

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### **Informatives**

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#### CONDITIONS AND INFORMATIVES

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

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications. It will be necessary to adopt a formal approach and that if changes to approved plans are proposed then it will be necessary to make a new planning application. Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

#### MONITORING OF DEVELOPMENT

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with

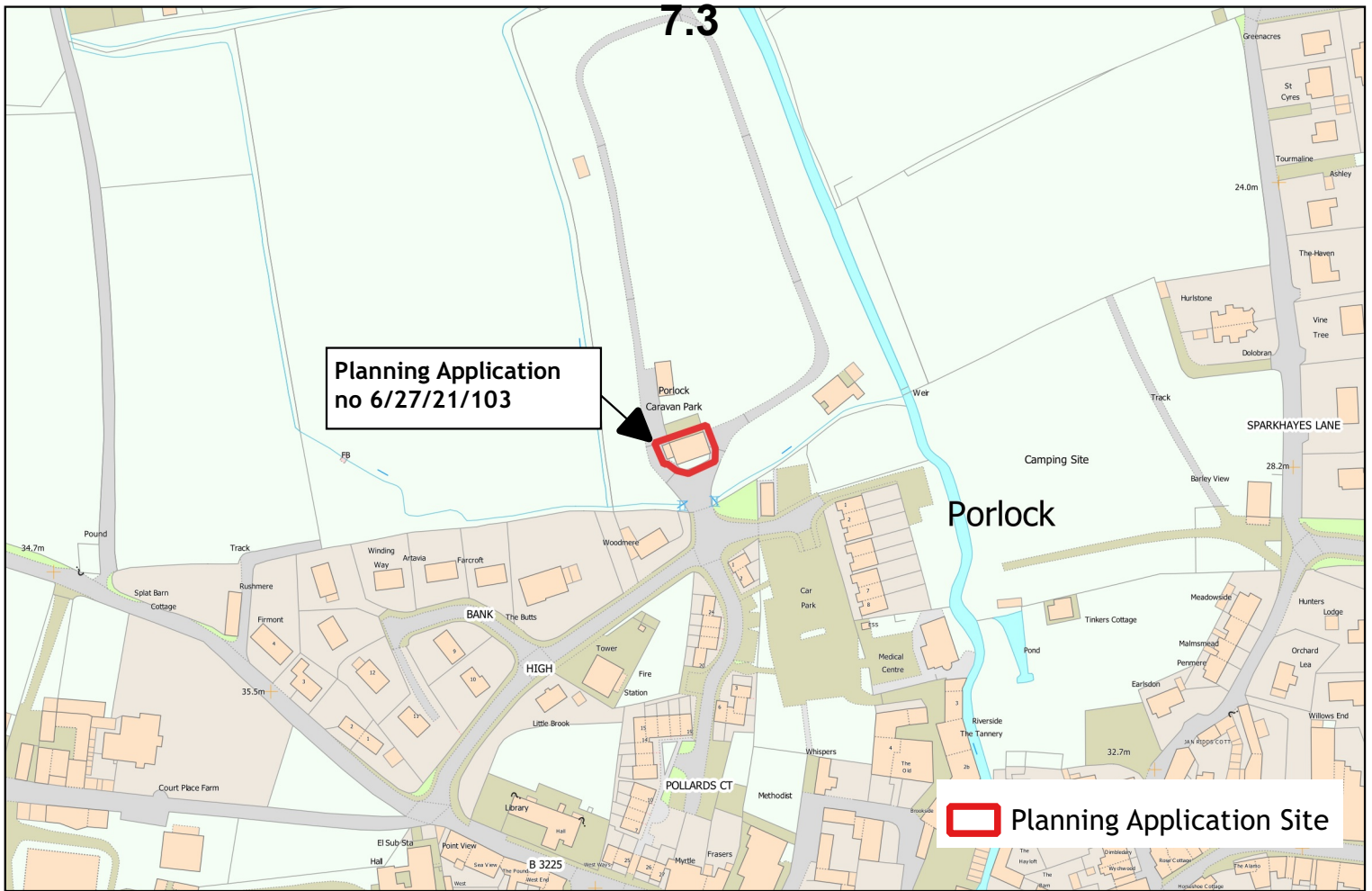
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this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email [plan@exmoor-nationalpark.gov.uk](mailto:plan@exmoor-nationalpark.gov.uk).

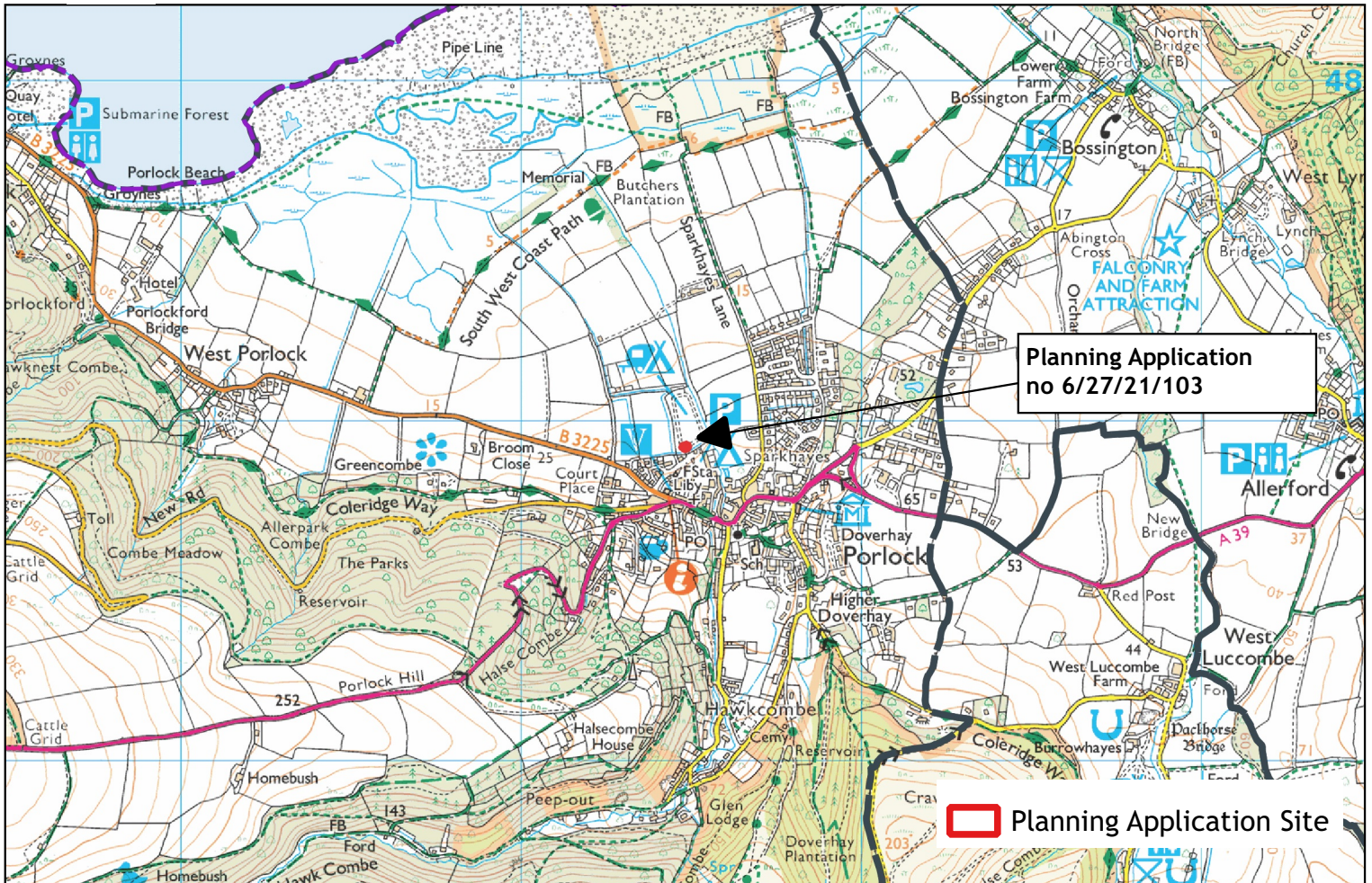
### SUMMARY OF REASON FOR GRANTING PLANNING PERMISSION

The Local Planning Authority, having regard to all planning considerations material to the determination of this application, including particularly impact on amenity, design, highway safety, flood risk, archaeology and impact on the character and appearance of the designated landscape and wildlife, and all consultations and representations made in connection with the application, conclude that the proposal accords with the provisions of the development plan as applicable to it, including the policies and proposals noted below, and there are no grounds which justify its refusal.



**Site Map**  
Scale 1:2500

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**Overview Map**  
Scale 1:20000

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## 7.4



### Committee Report

Application Number:	GDO 21/02
Registration Date:	10-Feb-2021
Determination Date:	10-Mar-2021
Applicant	Mr Owen
Agent:	Mr. A Elston, Architectural Studio
Case Officer:	Joe White
Site Address:	DRIVER FARM, SIMONSBATH, MINEHEAD, TA24 7LH
Proposal:	Prior notification for the proposed creation of track (55m x 6m).
Recommendation:	Prior Approval Not Required
Reason for bringing before Authority Committee:	The application site is owned by Exmoor National Park Authority

### Relevant History

GDO 20/05 - Prior notification for the proposed partial demolition and replacement of existing agricultural building- Prior Approval Not Required - 06/03/2020

### Site Description & Proposal

This application is a prior notification application made under the Town and Country Planning General Permitted Development Order and relates to the provision of concrete hardstanding around part of an existing barn.

The application site is Driver Farm, which lies north of the B3358, west of Simonsbath. The farm is one of the original farmsteads built by the Knights on Exmoor. The farmstead is depicted on the 1st Edition Ordnance Survey map. The house was built in 1847 and sits with a courtyard of traditional farm buildings, that lie to the south.

Further south is a large modern farm building and a silage clamp. The access drive to the farmstead passes to the east side of the building group.

A proposal for the replacement of part of the modern farm building together with its extension was made under application reference GDO 20/05 last year. That application was considered and approved by Authority Committee in June 2020.

The proposed concrete track/hardstanding would be made around two sides (south east and south west) of that building. The concrete track would be approximately 5.9

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metres wide. At the south east side, the track infills the existing space between the building and an existing open top silage clamp.

Part of the site, at its southern extent, lies in the Pickworthy and Driver Farm Site of Special Scientific Interest (SSSI). The SSSI was notified on 7 January 2021 for grassland fungi and grassland.

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### Consultee Representations

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**SCC Highways** – No observations

**Exmoor Parish Council** – The Exmoor Parish Council feel that after looking at the plans and knowing what the site is like, it makes sense to create the track for ease of working. Due to this Exmoor PC full support GDO 21/02 DRIVER FARM

**Natural England** – 11 March 2021 – We note the proposal is for a 55m length of track, a small part of which would be within the newly designated Pinkworthy and Driver Farm SSSI (see highlighted 'blue box' in map below).

Pinkworthy and Driver Farm SSSI was notified on 7 Jan 2021 for grassland fungi and grassland.

Permitted Development rights do not apply where there will be a direct impact on a SSSI (See Circular 06/2005). In order to carry out these works, the applicant will need consent from Natural England or apply for planning permission.

19 March 2021 - I would agree that consent is not required for development within a SSSI granted as a result of a planning application i.e. not permitted development.

You are correct that if that if the applicant pursues a prior notification, they would also require a consent from Natural England.

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### Representations

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No comments received

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### Policy Context

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The proposed building work is permitted development under Part 6 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. In accordance with the requirements of this Order, the developer is required to give the Local Planning Authority 28 days prior notification of their intention to form the hardstanding/track. The principle of development is accepted by virtue of the Town and Country Planning (General Permitted Development) Order 2015. Only matters of siting, and means of construction of the track should be considered. The

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Local Planning Authority can request 'prior approval' of these details if they are not convinced by the scheme and can ultimately refuse permission.

An extension of time for the determination of the prior notification application has been agreed for the applicant. The agreed period expires on 9 April 2021.

The Exmoor National Park Local Plan 2011-2031 and the National Planning Policy Framework are a material consideration.

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### Planning Considerations

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Part 6 of Schedule 2 to the General Permitted Development Order (GPDO) grants certain permitted rights for erecting, extending or altering an agricultural building, or any excavation or engineering operations that are reasonably necessary for the purposes of agriculture within the unit. The proposals in this instance comply with the definitions, conditions and criteria in Part 6, Schedule 2 of the GPDO 2015.

Best practice is that provided all the GPDO requirements are met, the principle of whether the development should be permitted is not for consideration, and only in cases where the local planning authority considers that a specific proposal is likely to have a significant impact on its surroundings would it typically be considered necessary for an authority to require the formal submission of details for approval. It states that by no means all the development proposals notified under the Order will have such an impact.

The advice is that local authorities should always have full regard to the operational needs of the agricultural and forestry industries; to the need to avoid imposing any unnecessary or excessively costly requirements; and to the normal considerations of reasonableness. Government advice also states that local authorities will also need to consider the effect of the development on the landscape in terms of visual amenity and the desirability of preserving ancient monuments and their settings, and sites of recognised nature conservation value and, that they should weigh these two sets of considerations.

The arrangements under the prior notification procedure do not impose full planning controls over the development to which they apply – those developments remain “permitted development” under the GPDO. The principle of development will not be relevant providing the Order conditions are satisfied, nor will other planning issues.

The proposed hardstanding would be around an existing building. The hardstanding would support access around the building as well as provide a clean and manageable feed passage alongside the existing building.

The siting of the hardstanding adjacent the existing farm buildings means that it would have little impact on the character and appearance of the landscape and the setting of the historic farmstead. The scale of the development is considered appropriate to the

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context of the existing building complex and the construction of the hardstanding is in keeping with other areas of hardstanding at the site.

The effect of the development upon the landscape in terms of visual amenity, as well as the desirability of preserving ancient monuments and their settings, known archaeological sites, listed buildings and their settings, and sites of recognised nature conservation value are to be considered. In this regard, the proposal is not considered to have a significant impact, particularly having regard to the nature of the development proposed and its relationship to the existing modern building elements at the farm.

The site and development do however partly fall within a SSSI, which is designated for grassland and grassland fungi. Natural England have been consulted on the application, but not commented on its acceptability. Should the owner or occupier wish to exercise permitted development rights on a SSSI, and the works involved are listed on the SSSI notification as operations likely to damage the special interest features, then they must apply to Natural England for consent under the Wildlife and Countryside Act 1981. If Natural England refuses consent for such works, it will not be possible to exercise the permitted development rights.

The building complex is open to views from the wider landscape, particularly from the south. The relative scale of the development, having regard to the relationship of the buildings and the nature of the local topography and vegetation, is considered to have an acceptable impact on the visual amenity and character of the area. There would be no adverse impact on ancient monuments or listed buildings or their settings.

The siting and means of construction are considered to be acceptable.

### OTHER MATTERS

In May 2019 the UK government declared a climate emergency, Exmoor National Park followed this by declaring a Climate Emergency in October 2019. To help meet this challenge the Local plan includes policies which seek to influence, contribute and challenge development to help meet the Climate Emergency. GP1 'Achieving National Park Purposes and Sustainable Development' Sets out that the need to consider future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change. Policy CC-S1 'Climate Change Mitigation and Adaption' states that climate change mitigation will be encouraged, development which reduces demand for energy, using small scale low carbon and renewable energy, looks to situate development which avoids sites that would put wildlife at risk together with measures which avoids the risk of flooding. Furthermore, Policy CC-S5 'Low Carbon and Renewable Energy Development' seeks to support small scale renewable energy schemes that assist in contributing towards reducing greenhouse gas emissions and moving towards a carbon neutral National Park and policy CE-S6 'Design and Sustainable Construction Principles' seeks to incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.



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Paragraph 148 of the National Planning Policy Framework requires that “the planning system should support the transition to a low carbon future in a changing climate taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

There would be an impact on the climate from the construction process and the sourcing of construction materials, particularly with the use of concrete. The area of hardstanding is related to the need to provide access around the building and there is a need for the surface to be hard wearing and fit for purpose. Officers consider that the impact on the climate resulting from the construction of the proposed development would not be such that a reason for refusal should be given.

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### **Human Rights**

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

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### **Conclusion**

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On balance, the proposed development is considered to be acceptable. The character and scenic beauty of the National Park landscape would be conserved through development. The siting and means of construction of the track is judged to be acceptable.

It is, therefore, recommended that prior approval is not required.

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### **Recommendation**

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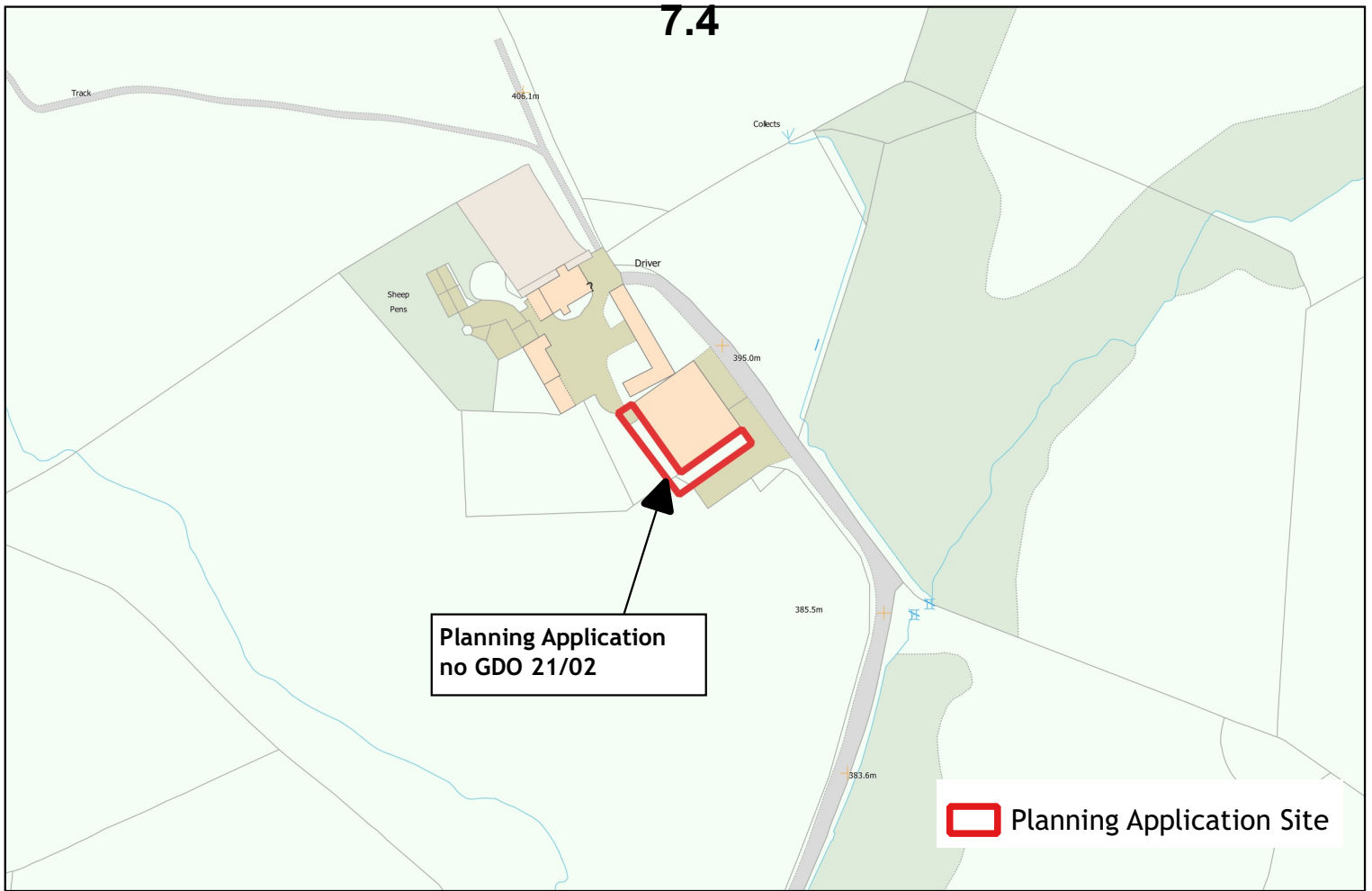
Prior Approval Not Required

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### **Informatives**

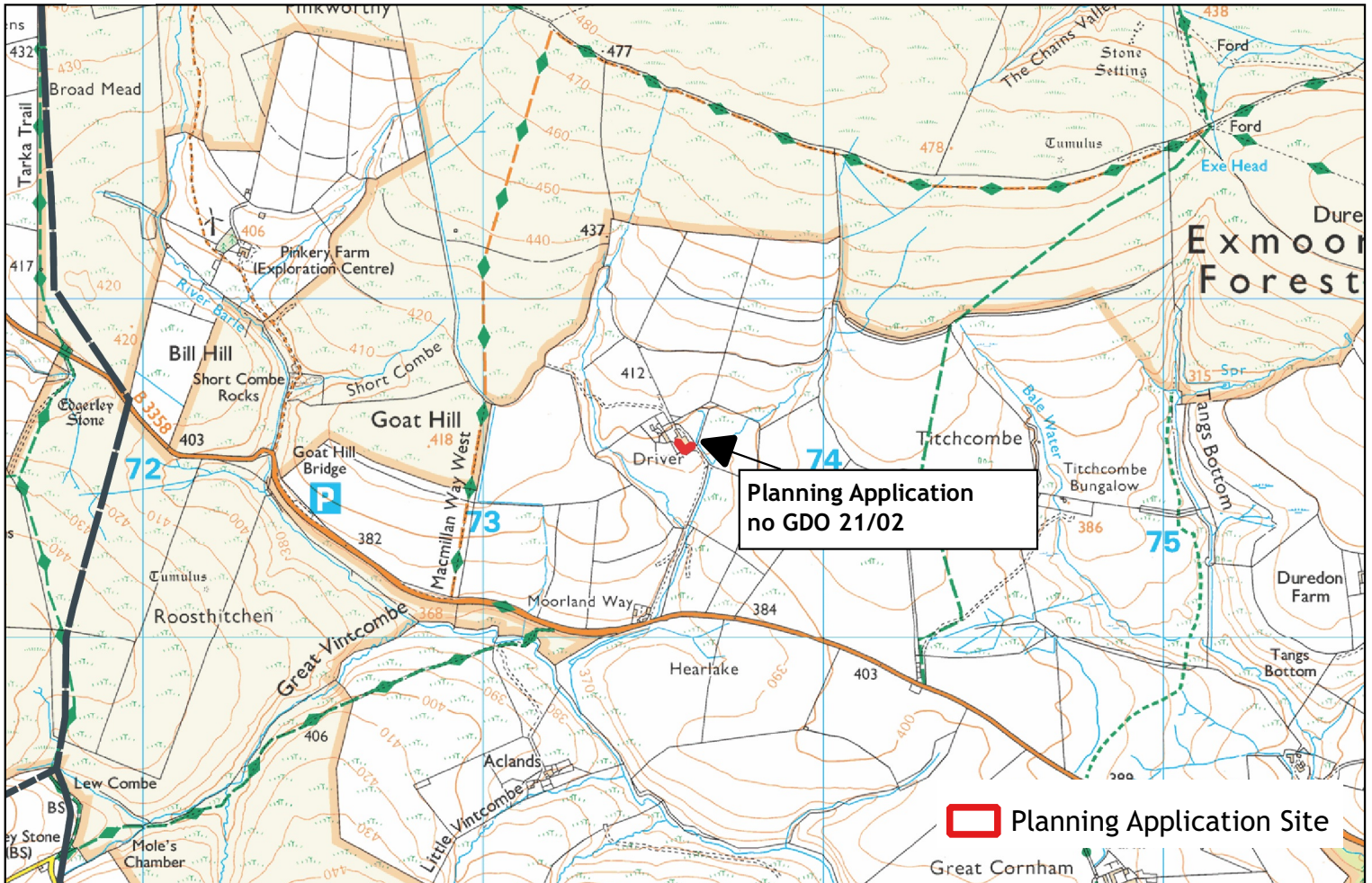
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**PINKWORTHY AND DRIVER FARM SITE OF SPECIAL SCIENTIFIC INTEREST**  
The site and development partly fall within the Pinkworthy and Driver Farm Site of Special Scientific Interest (SSSI), which is notified for grassland and grassland fungi. Should the owner or occupier wish to exercise permitted development rights on a SSSI, and the works involved are listed on the SSSI notification as operations likely to damage the special interest features, then they must apply to Natural England for consent under the Wildlife and Countryside Act 1981. If Natural England refuses consent for such works it will not be possible to exercise the permitted development rights.



Site Map  
Scale 1:2500

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Overview Map  
Scale 1:20000

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**Application decisions delegated to the Chief Executive**

<b>Ref and Grid Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
6/14/21/101	Mr Boden - Non-Material Amendment - Full - to approved application 6/14/18/107 (Proposed demolition of farmhouse and annexe and erection of replacement dwelling) to alter the number, layout, size and shape of openings, to alter the eaves details of the glazed link and to omit a chimney. (NMA - Full ) - Kinsford, Simonsbath, Mineswood, TA24 7LE	Approved 26-Feb-2021
6/35/21/101DC	Mrs P Cooper - Discharge of conditions 3 and 5 of approved application 6/35/20/101LB. (Discharge of Condition ) - TREBOROUGH FARM, TREBOROUGH, WATCHET, TA23 0QW	Approved 11-Mar-2021
6/23/21/101	Mr J Stace - Proposed demolition of detached double garage and erection of attached double garage and associated works. (Householder ) - The Green, North End Road, Monksilver, TA4 4JA	Approved with Conditions 22-Mar-2021
HRN 21/01	R Eggins - Hedgerow removal notice for the proposed removal of one 45 metre section of hedgerow. (HRN ) - WELLSHEAD FARM, EXFORD, MINEHEAD, TA24 7NL	Withdrawn 08-Mar-2021
6/42/21/102DC	Mrs A Perfect - Discharge of Conditions 4 and 5 of approved application 6/42/18/111. (Discharge of Condition ) - 1 ROSE COTTAGES, HAWKRIDGE, DULVERTON, TA22 9QL	Approved 11-Mar-2021
6/27/21/101	Mr S Brice - Proposed variation of Condition 2 of approved application 6/27/20/112 to allow alteration to the location of the side extension by 1.5 metres, together with the removal of chimney and alterations to decking area. (Alteration/Lift Condition ) - Ivybank, Doverhay, PORLOCK, MINEHEAD, TA24 8LL	Approved with Conditions 23-Mar-2021
6/42/21/101	Mr & Mrs Larcombe - Proposed retention of storage shed, together with proposed erection of green frame aluminium greenhouse. Part retrospective. (Full ) - West Hollowcombe Farm, West Hollowcombe, Hawkridge, Dulverton, TA22 9QL	Approved with Conditions 22-Mar-2021
6/29/21/103LB	Mr. D Raymond, National Trust - Listed building consent for internal works to dwelling, including fitting of secondary glazing, installation of oil fired boiler and central heating system, renovation of kitchen,	Approved with Conditions 17-Mar-2021

**Application decisions delegated to the Chief Executive**

<b>Ref and Grid Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
	store/utility and bathroom, removing fibre-boarding from wall in bedroom, opening up and restoration of concealed fireplace and exploratory work to establish whether an original fireplace is still present in living room and to expose plank and muntin screen on the living room with possible restoration of screen. (Listed Building Consent ) - 1 HILLSIDE COTTAGES, ALLERFORD, MINEHEAD, TA24 8HS	
6/10/21/106LB	Mr J Moore - Listed building consent for proposed internal and external works to dwelling. (Listed Building Consent ) - 10, HIGH STREET, DUNSTER, MINEHEAD, TA24 6SG	Approved with Conditions 12-Mar-2021
6/29/21/102	Mr & Mrs N Sexton - Proposed siting of 2 no. bell tents for holiday accommodation in the orchard area along with change of use, extension and conversion of existing garage building to form shower/W.C./utility facilities ancillary to holiday accommodation. (Full ) - Holmhurst, 9 Bossington Road, Selworthy, Minehead, TA24 8HQ	Withdrawn 18-Feb-2021
6/8/21/101	Ms P Vellacott - Proposed erection of a single storey rear lean-to extension, pitched roof side extension, porch extension and associated works. (Householder ) - HART CLEAVE, CUTCOMBE, MINEHEAD, TA24 7AH	Approved with Conditions 12-Mar-2021
6/13/21/101	Mr. Kevin Avery - Proposed formation of vehicle access and hard standing for Fir View and associated alterations. (Full ) - Overs, Exford, Minehead, TA24 7QF	Approved with Conditions 12-Mar-2021
6/10/21/105LB	Mr P Smith - Listed building consent for proposed internal and external works to dwelling, including installation of replacement flooring and new bathroom vent, chimney cap to 1 no. chimney and exterior light. (Listed Building Consent ) - 24, PARK STREET, DUNSTER, MINEHEAD, TA24 6SR	Approved with Conditions 10-Mar-2021
6/10/21/104	Mr P Smith - Proposed installation of chimney cap. (Householder ) - 24, PARK STREET, DUNSTER, MINEHEAD, TA24 6SR	Approved with Conditions 10-Mar-2021

**Application decisions delegated to the Chief Executive**

<b>Ref and Grid Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
6/29/21/101LB	Ms J Allsopp - Listed building consent for the proposed addition of an Airband receiver to external wall. (Listed Building Consent ) - CLEMENTS COTTAGE, TIVINGTON, MINEHEAD, TA24 8SU	Approved with Conditions 08-Mar-2021
6/31/21/101	McKelvey, Nanlann Ltd - Proposed variation of Condition 2 of approved application 6/31/19/003 to allow alterations to the position and configuration of windows and the removal of 2 no. gabled dormer roofs. (Alteration/Lift Condition ) - Springwater Farm, ELWORTHY, LYDEARD ST. LAWRENCE, TAUNTON, TA4 3PY	Approved with Conditions 02-Mar-2021
62/19/20/008	Dr R Schuster Bruce - Proposed single storey extension and installation of 3 dormer windows, together with replacement of woodframe windows with aluminium coated windows. (Householder ) - Heatherdown Cottage, Road From Stoney Corner To Rhydda Bank Cross, Combe Martin, EX34 0PF	Approved with Conditions 17-Feb-2021
62/50/20/016	Ms E Tucker - Proposed variation of Conditions 2 and 9 of approved application 62/50/18/004 to allow the addition of clock tower, glazing and re-orientation of timber cladding, together with the use of first floor as sitting area/observatory. (Alteration/Lift Condition ) - Pimbury, Parracombe, Barnstaple, EX31 4PR	Approved with Conditions 17-Feb-2021
62/19/20/007	Mr & Mrs Turner - Proposed change of use of redundant agricultural building to form 2 no. holiday let homes. Resubmission of refused application 62/19/19/008. (Full ) - Collings Ball, Shute Lane, Combe Martin, EX34 0HW	Approved with Conditions 17-Feb-2021
6/20/20/108	Luxborough Village Field Charity - Proposed replacement of existing play equipment, to include Climbing Frame, Zip Wire and Swings, together with the installation of nest benches and safety surface matting. (Full ) - Luxborough Village Hall, Luxborough, TA23 0SH	Approved with Conditions 26-Feb-2021
6/25/20/108	Mr R Martin - Lawful Development Certificate for the existing use of a mobile home occupied by a key worker. (CLEUD ) - The Caravan, Lillycombe House, Porlock, Somerset, TA24 8JP	Approved 04-Mar-2021

**Application decisions delegated to the Chief Executive**

<b>Ref and Grid Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
HRN 20/02	Mr. L Ridley, Wessex Water - Hedgerow removal notice for the proposed removal of one 4 metre section of hedgerow. (HRN ) - Hedgerow at the southern boundary of Luckbarrow Reservoir, West Luccombe, Minehead, TA24 8HX	Approved 08-Mar-2021
6/14/20/109	Edward & Charles Greenall & O'Connor - Proposed conversion of storage rooms in stables to disabled accessible one bedroom flat for use as holiday accommodation. (Amended description) (Full ) - Simonsbath Barton, Simonsbath, Minehead, TA24 7SJ	Approved with Conditions 18-Feb-2021
6/43/20/109	Mr P Greenslade - Proposed erection of a two storey side extension, second floor extension and loft conversion. (Householder ) - QUARRY FIELD, WOOTTON COURTENAY, MINEHEAD, TA24 8RA	Withdrawn 23-Feb-2021
62/41/20/022	Coast & Country Parks Ltd - Lawful development certificate for the proposed use of land all year round as a camping site. (CLOPUD ) - Channel View Caravan Park, West Lyn, Barbrook, Lynton, EX35 6LD	Approved 01-Mar-2021
6/25/20/107	Rob Joules, The National Trust for Places of Histori - Lawful development certificate for the use of the property as a caravan and camping site with associated facilities. (CLEUD ) - Cloud Farm, Oare, Devon, EX35 6NU	Approved 09-Mar-2021

## EXMOOR NATIONAL PARK AUTHORITY

6 April 2021

### CONSULTATION ON THE REORGANISATION OF LOCAL GOVERNMENT IN SOMERSET

#### Report of the Chief Executive

**Purpose of the report:** To ask Members to consider Exmoor National Park Authority's response to the consultation on local government reorganisation in Somerset.

**RECOMMENDATIONS:** The Authority is recommended to:

- (1) Note the consultation on the proposed restructure of Local Government in Somerset
- (2) Endorse the proposed consultation response as set out in Section 3.3 of this report

**Authority Priority:** Secure resources and influence regional and national policy to benefit Exmoor

**Legal and Equality Implications:** Section 61 of the Natural Environment and Rural Communities Act states that a National Park Authority shall consist of a specified number of local authority Members. The National Park Authorities (England) Order 2015 specifies the number of local authority members for each National Park Authority. For Exmoor it is 22 members with 4 from Somerset County Council, and 4 from Somerset West and Taunton

**The equality impact of the recommendation(s) of this report has been assessed as follows:** None anticipated

**Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendation(s) of this report is as follows:** No impact anticipated

**Financial and Risk Implications:** The financial and risk implications of the recommendation(s) of this report have been assessed as follows: none anticipated

**Climate Response:** Both proposals for reorganisation have highlighted the need to respond to the climate emergency.

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## 1. INTRODUCTION

- 1.1 Residents and businesses in Somerset are currently served by a two-tier system of local government. Somerset County Council is responsible for services such as adult and children's social care, education, maintaining roads and libraries, while the District Councils; Mendip, Sedgemoor, Somerset West and Taunton, and South Somerset, are responsible for services such as rubbish collection, housing, (apart from the national park area) and environmental health.



- 1.2 The Devon / Somerset County border runs through the National Park with 2/3 being in Somerset and 1/3 in Devon. At the district council level 2/3 of the National Park is within Somerset West and Taunton and 1/3 within North Devon councils. The National Park Authority exists to further national park purposes and is the planning authority for the area.
- 1.3 The councils in Somerset have been developing ideas for restructuring local government for some time and the Secretary of State for Housing, Communities and Local Government is currently consulting on two proposals. The Secretary of State is required to consult any local authority that is affected by the proposal and any other such person as he considers appropriate. MHCLG has confirmed that it would welcome ENPA's contribution to the consultation and that in deciding which proposal, if any, to implement in Somerset, subject to Parliamentary approval, the Secretary of State will have regard to all representations received.

## **2. THE PROPOSALS**

- 2.1 The Somerset County Council proposal (*One Somerset*) proposes replacing the existing five councils in Somerset with a single council. It focusses on cost savings and the avoidance of duplication.
- 2.2 *One Somerset* sets out that a single authority for Somerset will mean a powerful voice when lobbying government for more funding and will save £18.5m per year. *The One Somerset* proposal recognises Exmoor National Park and the role of ENPA as the planning authority responsible for the protection and enhancement of the special character of Exmoor. It recognises the important coastline, four Areas of Outstanding Natural Beauty, 15 National Nature Reserves and Exmoor National Park and notes the need to "make sure the whole population have easy access to the benefits which nature and the natural environment can offer."
- 2.3 The District Council proposal (*Stronger Somerset*) reorganises the districts into Eastern and Western Somerset highlighting the need for local representation across the county and emphasising the need for organisational reform and cultural change. The *Stronger Somerset* proposal emphasises levelling up, affordable homes, net zero carbon, green businesses and sustainable transport including walking and cycling infrastructure. It recognises the protected landscapes of the Blackdown Hills, Quantock Hills and parts of Exmoor National Park.
- 2.4 Full details of the consultation are available at [Somerset Unitarisation - Ministry of Housing, Communities and Local Government Citizen Space - Citizen Space](#)

## **3. EXMOOR NATIONAL PARK AUTHORITY RESPONSE**

- 3.1 For each proposal the consultation invites respondents to consider:
- Whether the proposals are likely to improve local government and service delivery.
  - Where it is proposed that services will be delivered on a different geographic footprint to currently, or through some form of joint arrangements is this likely to improve those services?
  - Whether the proposals are likely to impact local public services delivered by others, such as police, fire and rescue, and health services.



- d) Overall support for the proposals.
- e) Whether the councils proposed represent a credible geography.
- f) Any other comments with regards to the proposed reorganisation of local government in each area.

3.2 Having reviewed the two proposals it is not considered that either option weighs more heavily than the other with regard to delivery of national park purposes. It is therefore not recommended that ENPA comments on the proposals but instead draws attention to the need to ensure proper representation on the board, the importance of maintaining the valuable partnerships that currently exist and the specific impact of any changes to direct working relationships such as payroll and banking.

3.3 In responding to the consultation ENPA will set out the following:-

- 1) The constitution of the Exmoor National Park Authority is set out in Section 61 of the Natural Environment and Communities Act 2006 and the National Park Authorities (England) Order 2015. The NERC Act stipulates that National Park Authorities in England should consist of a specified number of local authority members, alongside parish and other members appointed by the Secretary of State. The detail of the number of Members is set out in the Statutory Instrument. For Exmoor there must be 22 Members of which 12 must be local authority Members and 10 Secretary of State appointees. Exmoor currently has local authority representation from Somerset West and Taunton Council (4), North Devon District Council (2), Somerset County Council (4), and Devon County Council (2). Changes to the make-up of Councils in Somerset will have to be reflected in due course in the representation on the ENPA Board.
- 2) Local Authority representation on the National Park Authority brings a local voice to debate and is an important democratic link to local communities.
- 3) ENPA is the Planning Authority for part of Somerset West and Taunton and Somerset County Council. It is also responsible for drafting the Local Plan for the area.
- 4) Under section 62 of the Environment Act, in carrying out their functions, councils in the area must have regard to the purposes of national park designation.
- 5) Exmoor NPA works closely with local councils in a number of ways and it would hope to continue these beneficial partnerships. These include:-
  - delegated work on Rights of Way, whereby responsibility for the rights of way network is delegated from the Somerset County Highway Authority to the NPA,
  - responsibility as a provider of outdoor education at the Pinkery Centre,
  - close working on affordable housing including shared posts and joint projects with Somerset West and Taunton,
  - working closely on rural economy, tourism and Covid recovery, local food, forestry, agriculture and nature recovery strategies at County and District levels.
  - Specific shared services with SCC include payroll, banking and Service Level Agreements for certain functions.

- 6) The *Landscapes Review* 2019 proposed structural change to the make-up, size and diversity of the National Park Authority Boards. A response from Government is expected in due course and this could in turn influence local authority representation on the Boards.

#### **4. CONCLUSION**

- 4.1 ENPA works closely with its neighbouring councils in a number of ways. Both *One Somerset* and *Stronger Somerset* recognise the needs of rural communities on Exmoor and the importance of the natural environment. It is not recommended to comment on potential service delivery or geography of the approaches but instead to highlight the statutory nature of the relationship between the councils and ENPA and the need to ensure that local representation continues under any new arrangements.

**Sarah Bryan**  
**Local Government Reorganisation in Somerset**  
**March 2021**

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

<https://www.gov.uk/government/consultations/proposals-for-locally-led-reorganisation-of-local-government-in-cumbria-north-yorkshire-and-somerset>

## EXMOOR NATIONAL PARK AUTHORITY

6 April 2021

### EXMOOR NATIONAL PARK AUTHORITY'S APPROACH TO VISITOR MANAGEMENT AND ENGAGEMENT IN 2021

#### Report of the Head of Conservation & Access

**Purpose of the report:** To provide an update on Exmoor National Park Authority's approach to visitor management and engagement during 2021.

**RECOMMENDATIONS:** The Authority is recommended to:

- (1) APPROVE ENPA's overall approach to visitor management and engagement
- (2) NOTE the Visitor Management & Engagement Plan for 2021 at Annex 1.

**Authority Priority:** Support delivery of the Exmoor National Park Partnership Plan –

This paper relates to ensuring that everyone feels welcome on Exmoor with well managed visitor facilities and sites, and that Exmoor is a place of inspiration to visitors.

**Legal and Equality Implications:** It is considered there will be no adverse impacts on any protected groups.

**Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendation(s) of this report is as follows:** There are considered to be no human rights issues in relation to this report.

**Financial and Risk Implications:** The financial and risk implications of the recommendations of this report have been assessed as follows:

- (i) There are no significant risks with the implementation of the Plan as it sets out how existing ENPA resources will be focused on ensuring adequate visitor management during 2021.

**Climate Change Response:** There are no implications arising from this paper.

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## 1. INTRODUCTION / BACKGROUND

- 1.1 During 2021 Exmoor National Park is likely to become extremely busy with visitors on the easing of lock down restrictions and as the national vaccination campaign progresses. This reality provides Exmoor with some great opportunities but will also require effective management to help ensure all visitors have a positive experience and that Exmoor's special qualities are protected.
- 1.2 We have created a short Visitor Management & Engagement Plan for 2021 (Annex 1). Officers are working together on more detailed aspects such as communications, staff rotas etc. It is important to stress that some of our thinking derives from close working

relationships with partners, but that this Plan has been produced to ensure that ENPA's own resources are deployed effectively across the organisation and also to ensure that our partners are clear about ENPA's approach. It is important to state that this Plan relates only to ENPA's resources. Across Exmoor as a whole, it will be necessary for organisations, communities and businesses to work together to manage visitor infrastructure and ensure a positive and inspirational experience for visitors during 2021.

- 1.3 During 2020 visitor numbers were unusually high, and there were significant numbers of people who had not visited Exmoor before. This, against the context of the pandemic, caused extra pressure on the ground here on Exmoor, though thankfully such dramatic scenes as those on Dartmoor, Snowdonia and the Lake District, did not occur. The combination of lockdowns, changing government guidance, good weather and new visitors meant that the pattern of visits to Exmoor and where people went, changed rapidly requiring a dynamic, reactive response. ENPA's approach was to close its National Park Centres (in line with government guidelines), keep open its car parks and public facilities, with extra safety measures in place, and to double its weekend presence on the ground by redeploying staff. There was a careful media, social media and website campaign that kept in step with government messages, providing practical information and supporting responsible visiting. On the ground the policy was one of gentle, informal engagement using very experienced staff, to help visitors to enjoy Exmoor and to manage problems where they arose.

## **2. ENPA'S APPROACH TO THE 2021 SEASON**

- 2.1 As the 2021 season nears, we have tried to learn the lessons from 2020 and are building an approach that is fundamentally based on last year's, but which builds in more resilience.

Our approach is designed to do three things:

- To reassure local communities and businesses who are worried about overcrowding, and especially health aspects, but nevertheless need visitors to ensure the survival of the tourism and retail sectors on Exmoor.
- To manage visitors and visitor infrastructure on the ground to ensure that Exmoor offers the best experience that it is possible.
- To engage with visitors, especially those who have never been to Exmoor before (or even the countryside) and are unsure about where to go, what they can and cannot do.

- 2.2 We envisage that 2021 will see particularly large numbers of day visitors, who may well travel from further afield than they would normally. This will potentially be particularly acute during the Easter holidays, when the stay-at-home message ends, but retail, hospitality and outdoor attractions have yet to re-open. People are also likely to plan to have a 'staycation' in 2021 and seek out holidaying within the UK. We anticipate that, without positive intervention, many people, particularly campers and motorhome users, may arrive without pre-booked accommodation, only to find that none is available. We intend to use a website and social media presence, as well as leaflets, temporary signage and face to face engagement to manage these issues in 2021.

- 2.3 The hospitality trade, which has suffered during other lockdown restrictions, will be keen to see visitors return within government guidelines, but supply is likely to be reduced at a time of heightened demand. Some people have expressed concerns over the number of cars, the presence of campervans (with overnight stopovers), the amount of litter, the risk of summer wildfires due to BBQs – all these factors need to be considered and we are in active conversation with partners about these issues.
- 2.4 Significant work has already been developed through the co-ordinated Exmoor Tourism Covid-19 Response and Recovery Plan which has been regularly reviewed as a live document over the last 12 months, defining key messages and coordinating actions between representatives from ENPA, Visit Exmoor, the National Trust and local tourism associations and TICs. The plan will continue to be reviewed to ensure alignment with this ‘on the ground’ visitor engagement plan.
- 2.5 Our regular practice is to have a ranger presence on the ground during weekdays and a duty ranger at weekends. During 2020 we redeployed several staff to respond to increased visitor numbers. In 2021 we will ensure adequate routine presence on the ground and build in resilience in order to help manage increased numbers of visitors, staff absences and leave. In effect this capacity will give us a presence that enables us to properly manage visitors and the infrastructure they use, but it will also enable us to engage with people in a positive way. We assume that 2021 will provide a unique opportunity to engage with audiences that never normally visit National Parks.
- 2.6 We are currently progressing several options including recruiting a seasonal member of staff and using casual staff to support the core ranger team. We will also consider using other ENPA staff who can be temporarily re-assigned to assist on the ground at peak times (though this will obviously have implications around other areas of work and may not be practicable).

### **3. DELIVERING EFFECTIVE VISITOR MANAGEMENT & ENGAGEMENT DURING 2021**

- 3.1 ENPA will rely on its overall Visitor Management & Engagement Plan to ensure that we use our resources effectively. However, it is important to stress that as the season progresses, we will also rely on our usual networks of partners to ensure dynamic and integrated responses through the season for the benefit of our communities and visitors.

**Rob Wilson North**  
**Head of Conservation and Access**  
**March 2021**





## VISITOR MANAGEMENT AND ENGAGEMENT PLAN FOR 2021

This plan sets out how ENPA will respond to the expected increase in visitor numbers during 2021. Underlying our approach is:

Before you come: Be sure to plan your visit to Exmoor well in advance (and have a Plan B)

When you're here: Be inspired; act responsibly and respectfully; follow safety guidelines

When you go: Be careful to leave no litter; keep Exmoor in your memory until next time

The scope of ENPA's approach

### Communication

We will ensure that ENPA's approach to visitor management is clear to everyone; we will ensure active communication with the community and with other stakeholder organisations, to make the most of opportunities to develop and amplify our collective message and smooth out issues as they arise. We will promote three core messages, which are:

Audience	Core message
National Park Users	Exmoor is here for everyone. Help us keep it special.
Local communities and businesses	We are ready to welcome visitors and are working in partnership to manage the pressures.
Stakeholders and partners	We're here to help. Let's work together.

\*See communications plan for detailed messaging.

- We will review and update the ENPA web page regularly through the season (BT)
- We will use the media and social media to keep people up to date, promote responsible visiting and influence behaviour change where needed. (AS)
- We will offer Exmoor postcards promoting responsible visiting, along with our flagship publication, 'Exmoor Visitor', to local retail and tourism providers etc – to guide first time visitors and raise awareness of key comms channels (BT, PR, DJ)
- We will promote the new Explorer Walk series and other opportunities to help disperse visitors more widely.
- We will continue to engage with the Exmoor Tourism Recovery Network to ensure a consistent message and clear communication across visitor facing organisations.

## **National Park Centres**

It is currently proposed to open National Park Centres from the 12<sup>th</sup> April at the earliest, in line with the Government lifting of restrictions on overnight stays and non-essential retail (step two of the roadmap). The Centres will provide an invaluable information service advising visitors of opportunities to enjoy Exmoor responsibly and safely, with up-to-date information on availability and openings. They will seek to help disperse visitors by promoting opportunities away from key honeypot sites and can be responsive to changes over time.

Our three Centres have all been accredited with the VisitEngland Covid-19 'Good to Go' assurance scheme. Risk assessments and operating protocols developed and tested since last July will continue to be implemented to ensure maximum safety for staff and visitors. This will include one-way systems, screens, hand sanitiser on entry, safe queuing systems and track and trace contactless check in. Some facilities will be limited such as interactive exhibits.

In the case of significant staff absence, we may seek, where practical, to reassign staff or if necessary, to consider redeploying staff from other Centres to keep a core service, prioritising Lynmouth, then Dunster and then Dulverton based on summer footfall trends.

## **Other ENPA Visitor Facilities**

At ENPA car parks and public toilets, signage about social distancing will be in place as appropriate. Our car parks will be regularly inspected; public toilets will be cleaned at least daily. We will be able to provide information for first time visitors (either in printed form or face-to-face). We intend to install signage about overnight parking restrictions (subject to planning). We will keep our arrangements under review in line with experiences on the ground and with government guidelines.

## **ENPA Presence on the Ground**

In 2021 we will maintain our ranger presence on the ground, but, as in 2020, we will build in more resilience, in the form of new posts and redeployment of staff, to cope with increased numbers of visitors, staff absences and leave.

**11 March 2021**



## EXMOOR NATIONAL PARK AUTHORITY

6 April 2021

### UPDATE ON LAND VISIONING WORK ON EXMOOR NATIONAL PARK AUTHORITY'S ESTATE

#### Report of the Head of Conservation & Access

**Purpose of the report:** To provide an update on work carried out so far across the Authority's estate under Land Visioning.

**RECOMMENDATIONS:** The Authority is recommended to:

- (1) NOTE the grant from the Devon Environment Foundation and Devon Community Fund to progress the creation of a tree nursery at Exford.
- (2) NOTE the progress in establishing a 12,000-tree woodland at Bye Hill near Winsford and a grant from Somerset West & Taunton Council to progress this work.
- (3) NOTE the completion of the first phase of tree planting works in Ashcombe Gardens (Simonsbath) following tree felling as a result of ash dieback in 2020.
- (4) NOTE the completion of initial trial peatland restoration works by ENPA staff at Larkbarrow.

**Authority Priority:** Support delivery of the Exmoor National Park Partnership Plan – These proposals will enhance habitats and will enable people to get involved in conserving Exmoor's natural environment; they will enhance the historic environment, also providing opportunities for volunteer involvement and wider engagement. They will take us closer to becoming a carbon neutral National Park.

They will achieve best value from our resources and improve our performance (Corporate Priority – manage the Authority's Estate and operations to support delivery of National Park Purposes.)

**Legal and Equality Implications:** It is considered there will be no adverse impacts on any protected groups.

**Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendation(s) of this report is as follows:** There are considered to be no human rights issues in relation to this report.

**Financial and Risk Implications:** The financial and risk implications of the recommendations of this report have been assessed as follows:

- (i) There are no significant risks with any of these works.
- (ii) It is considered that the creation of a tree nursery and the establishment of new woodland will bring future cost savings to the Authority in respect of its future timber demands and through the potential for carbon credits. The operation of the tree nursery will have low operating costs, and these may be offset by commercial sales if necessary and desirable.

**Climate Change Response:** The establishment of new woodland and the restoration of peatland will both achieve carbon sequestration and are in line with the intention of Land Visioning to use ENPA's estate as part of our response to mitigating climate change.

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## **1. INTRODUCTION / BACKGROUND**

- 1.1 Exmoor National Park Authority is unusual amongst other National Park Authorities in that it owns around 7% of the area of the National Park. This land has been acquired over many decades for a range of reasons and has resulted in a diverse and complex portfolio. In December 2019 a process (given the title 'Land Visioning') was begun to see how the ENPA estate could better deliver National Park purposes, promote nature recovery, address the impacts of climate change, increase resilience (to flooding, drought etc), generate income where desirable and practicable, increase opportunities for public engagement and enjoyment and work closer with our neighbours and partners to maximise the potential of the estate.
- 1.2 As part of Land Visioning several priorities were identified across ENPA's estate through workshops with staff, stakeholders and Members and these were scoped out by ENPA officers during 2020. They are being brought forward as appropriate in the form of Authority papers. The priorities are: ENPA carparks, the land within the former royal forest (including Simonsbath and Pinkery), the coastal woodlands, a review of ENPA branding and signage, a tree nursery at Exford, woodland establishment at Bye Hill, a circular walk at Burr ridge and a review of all leased in land.
- 1.3 The purpose of this paper is to provide an update on current project work that falls within Land Visioning and which, on this occasion, has a particular relevance to nature recovery, climate change mitigation and the historic environment.

## **2. EXFORD TREE NURSERY**

- 2.1 One of the Land Visioning priorities is to set up a tree nursery at Exford. This will guarantee a reliable, well provenanced source of young tree stock to drive forward the establishment of new woodland on ENPA land and the restocking of existing ENPA woodland. It will also provide opportunities for communities to become involved: in collecting tree seed, in the establishment of woodlands and in our broader woodland work. During 2020 the proposal was scoped out and land adjacent to the Field Services Team base was identified as suitable.
- 2.2 In March 2021 we learnt that we have been successful in securing £15,000 from the Devon Environment Foundation and the Devon Community Fund, and this combined with donations from CareMoor for Exmoor will enable the tree nursery to be established in 2021.

## **3. BYE HILL, WINSFORD**

- 3.1 In the late 1990s and early 2000s ENPA, in partnership with the Devon and Somerset Hospice, undertook to establish a small native woodland of c. 3 hectares on land we own at Bye Hill/Larcombe Foot, Winsford. Although modest in extent it has established into a thriving, healthy native woodland.
- 3.2 As part of Land Visioning we investigated the potential to extend the woodland over the remaining open ground of Bye Hill. We scoped out the potential and consulted with ENPA and other specialists from Natural England, Somerset Environmental

Records Centre and Forestry Commission as well as other stakeholders and interest groups including the Local Access Forum, Exmoor Society and Winsford Parish Council.

3.3 The positive response to consultation and survey is a sensitively designed woodland extending to around 12 hectares. We have submitted an application for Woodland Creation Grant, (c. £60,000) which will allow us to begin planting around 12,000 trees later this year. Somerset West and Taunton Council have committed £8000 from their Climate Emergency Fund to support the project. In due course we will enter the woodland into the Woodland Carbon Code with the prospect of selling sequestered carbon. We are also fielding a stream of enquiries from donors wishing to contribute.

3.3 From the outset it was our intention to design an exemplary scheme which demonstrated a tangible response to the climate emergency, nature recovery and flood prevention, avoidance of plastic and use of locally sourced and manufactured materials. Through careful design, species choice and spaces for nature and people it will develop resilience and adaptation for the future. It will become a community, educational and training resource through regular events and we hope will be an inspiration to others planning similar projects as the national planting programme expands.

#### **4. ASHCOMBE GARDENS – INITIAL REPLANTING FOLLOWING ASH DIEBACK**

4.1 Ashcombe is a sheltered wooded valley in Simonsbath. Since 2004 its historical significance, as a Picturesque garden laid out by the Knight family in the 1820s, has been recognised. As such it is a rare and nationally important example of a wild garden and one of the last to be made in the Picturesque style (itself part of the English Romantic Movement). Its relevance to Exmoor National Park is that the seeds of the international National Parks Movement lie in English Romanticism and the appreciation of landscape, topography and nature through poetry, literature, painting and garden design.

4.2 For a number of years work has been done to control non-native invasive species in Ashcombe and to uncover the traces of the garden landscape: its paths, viewpoints, rocky outcrops, bridges and waterfalls. Since March 2019 a group of volunteers have been working in the gardens as part of our Get Involved programme to progress the garden.

4.3 Ash dieback was noted in Ashcombe in 2019 and by spring 2020 was present throughout the valley and very advanced. Sadly, by the autumn this necessitated the removal of all diseased ash trees that posed a hazard to either the public or to property – it amounted to around 30% of the overall tree canopy.

4.4 ENPA's response to this drastic loss of trees in Ashcombe is to replant the valley using predominantly native species; this work is guided by an overall Restoration Plan and is intended to re-establish the original garden elements and design. This work began in March 2020 with the initial phase of replanting comprising c. 90 trees including native lime trees kindly donated by Exmoor parish council. Further work is planned for 2021, including the creation of a small apple orchard or grove within the garden using carefully selected varieties sourced for an upland setting—this will be the most westerly and possibly the highest in Somerset.

## **5. LARKBARROW PEATLAND RESTORATION TRIAL**

- 5.1 Mire restoration was begun on Exmoor in the 1990s by ENPA on its own land at Blackpits. It was initiated in order to improve and restore peatlands; the work was done by ENPA's own estate team.
- 5.2 In the early 2000s the Exmoor Mires Project (latterly 'Partnership') was set up, and under the direction of South West Water (SWW) has rewetted nearly 2000 hectares on Exmoor, mainly on ENPA land. It now operates as the South West Peatland Partnership (SWPP) under SWW and works across the three south-western moors.
- 5.2 SWPP put forward proposals in 2019 to carry out rewetting works on Larkbarrow. Given the landscape sensitivity of the site and its considerable historical importance, ENPA felt that the proposed works, though desirable, were too visually intrusive in their initial form. This led to considerable discussion between SWPP staff and ENPA officers (which focused on excluding a number of areas from rewetting, amending techniques etc). Finally, it was concluded by SWW that no 'business case' could be found for the reduced works and they withdrew.
- 5.3 Throughout, officers at ENPA have been mindful of the words of the Secretary of State when Larkbarrow was acquired by the then Department of the Environment, before being transferred into local authority ownership, 'that the land is part of Exmoor and must be conserved for all time (Michael, now Lord Heseltine letter to Guy Somerset, 25 March 1980). Notwithstanding the essential benefits of peatland restoration, it is the view of ENPA officers that this should be achieved in a way that respects the importance of other aspects of the landscape and therefore done in a way that properly delivers National Park purposes in order to achieve multiple benefits.
- 5.4 ENPA, as part of its continuing commitment to peatland restoration, has therefore undertaken to progress restoration work itself at Larkbarrow in a way that fully takes into account the landscape sensitivity that has already been alluded to, the importance of moving the SSSI into improving condition and the remarkable significance of the historic environment.
- 5.5 We have therefore begun the first phase of trial restoration work on the most significant drainage features on the site. The aim is to restore the two SSSI units to favourable status by sustainably restoring functional hydrology to the blanket bog. This initial trial took place in October 2020. ENPA's Fields Services Team and Conservation Officer (Farming & Land Management) have installed wooden dams, backfilled by hazel bundles to assist with slowing the flow of water and trapping silt. All materials were untreated; the slabwood is a by-product of ENPA milling of timber from its own woodlands; the sisal-tied hazel bundles are a by-product of coppicing.  
  
The team was joined by Robert Hayter of Moorland Surveys, commissioned to carry out an Unexploded Ordnance survey of the Swap Hill Gulley trial re-wetting location.
- 5.6 Initial indications following installation of the dams are positive, but the works will be continually monitored and our methodology refined as necessary, with a view to continuing the restoration at Swap Hill and other prioritised areas at Larkbarrow over the coming years.

**Rob Wilson North**  
**Head of Conservation and Access**  
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