



EXMOOR

NATIONAL PARK

EXMOOR NATIONAL PARK AUTHORITY
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23 January 2020

EXMOOR NATIONAL PARK AUTHORITY

To: All Members of the Exmoor National Park Authority

A meeting of the Exmoor National Park Authority will be held in the Committee Room, Exmoor House, Dulverton on **Tuesday 4 February 2020 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 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).

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).

Sarah Bryan
Chief Executive

A G E N D A

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 7 January 2020 (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.

6. Treasury Management Strategy Statement 2020-21: To consider the report of the Chief Finance Officer (Item 6).

7. Scheme of Members' Allowances 2020/21: To consider the report of the Head of Finance and Operations (Item 7).

8. Exmoor National Park Rural Worker and Succession Farm Worker Dwellings Supplementary Planning Document – Adoption: To consider the report of the Head of Strategy and Performance (Item 8).

9. Exmoor Consultative & Parish Forum: To receive and note the minutes of the meeting of the Exmoor Consultative and Parish Forum held on 17 December 2019. (Item 9).

10. 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, 7 January 2020 at 10.00am in the Committee Room, Exmoor House, Dulverton.

PRESENT

Mr R Milton (Chairperson)
Miss A V Davis (Deputy Chairperson)
Mr S J Pugsley (Deputy Chairperson (Planning))
Mrs L Blanchard
Mr R C Edgell
Mr M Ellicott
Mr N Holliday
Mr J Holtom
Mr M Kravis
Mrs C M Lawrence
Mr E Ley
Mrs F Nicholson
Mr J Patrinos
Mr P Pilkington
Mr B Revans
Mr M Ryall
Mrs E Stacey
Mr N Thwaites
Mr V White

Apologies for absence were received from Mr J Hunt, Mr J Patrinos and Mrs S Takle.

89. DECLARATIONS OF INTEREST:

The following interests were declared in relation to:

Item 6.1 – Application No. 6/26/19/110 - Proposed removal of Condition 2 and Condition 3 of approved application 6/26/01/108 to provide an extended family dwelling (Alteration/Lift Condition) – Traphole Lodge, Old Mineral Line, Roadwater, Watchet, Somerset; and

Item 6.2 – Application No. 6/26/19/112 – Proposed modernisation and alteration to Traphole Lodge and provision of separate garage and store building including creation of garden and raised driveway (Full) – Traphole Lodge, Old Mineral Line, Roadwater, Somerset

- Mrs C Lawrence declared a personal interest as Somerset County Councillor for the Roadwater area, but was not present at the Parish Council meeting when these applications were discussed.
- Mr M Kravis and Mr P Pilkington both declared a personal interest as Somerset West & Taunton Councillors for the Old Cleeve & District ward, but were not present at the Parish Council meeting when these applications were discussed.

90. **CHAIRPERSON'S ANNOUNCEMENTS:** There were no Chairperson's announcements.

91. MINUTES

- Confirmation:** The **Minutes** of the Authority's meeting held on 3 December 2019 were agreed and signed as a correct record, subject to amendment to the resolution at Minute 80 in relation to The Barns, Ellicombe Lane, Alcombe, to read: "To grant a Lawful Development Certificate for the proposed replacement of rear conservatory".
- Matters arising:** There were no matters arising.

92. PUBLIC SPEAKING:

See Minute 93 for details of public speakers.

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

93. Application No. 6/26/19/110

Location: Traphole Lodge, Old Mineral Line, Roadwater, Watchet, Somerset

Proposal: Proposed removal of Condition 2 and Condition 3 of approved application 6/26/01/108 to provide an extended family dwelling (Alteration/Lift Condition)

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

Public Speaking:

(1) Mrs J Johnson-Smith, Old Cleeve Parish Council

(2) Miss T Trickett, Applicant

RESOLVED: To grant planning permission for the removal of Condition 2 and Condition 3 of approved application 6/26/01/108 to provide an extended family dwelling. Permission is subject to a planning obligation being secured to ensure the dwelling is occupied in accordance with the "extended family" criteria and tied to the main dwelling in accordance with Policy HC-D5 or occupied as holiday accommodation, and in accordance with the conditions set out in the report.

94. Application No. 6/26/19/112

Location: Traphole Lodge, Old Mineral Line, Roadwater, Somerset

Proposal: Proposed modernisation and alteration to Traphole Lodge and provision of separate garage and store building including creation of garden and raised driveway (Full)

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

RESOLVED: To grant planning permission for proposed modernisation and alteration to Traphole Lodge and provision of separate garage and store building including creation of garden and raised driveway, subject to the conditions set out in the report.

95. Application No. WTPO 19/05

Location: Newgate Plantation, Dulverton, Somerset

Proposal: Works to Trees subject to Tree Preservation Order: Felling of 135 Ash Trees in 077.h compartment due to threat posed to high risk targets, including domestic buildings, utilities and a public highway. The majority of trees are infected with Hymenoscyphus Fraxinues (Ash Dieback).

7 January 2020

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 Orders to fell 135 Ash Trees in accordance with the conditions set out in the report.

96. **APPLICATION DECISIONS DELEGATED TO THE CHIEF EXECUTIVE:** The Authority noted the **decisions of the Chief Executive determined under delegated powers**.
97. **SITE VISITS:** There were no site visits to arrange.

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

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

The meeting closed at 11.02am

(Chairman)

EXMOOR NATIONAL PARK AUTHORITY

4 February 2020

TREASURY MANAGEMENT STRATEGY STATEMENT 2020-21

Report of the Chief Finance Officer

Purpose of Report: To remind Members of the requirements of the CIPFA Prudential and Treasury Management Codes, and the Local Government Act 2003 Guidance on Investments, and to adopt the proposed Treasury Management Strategy for 2020-21.

RECOMMENDATION: The Authority is RECOMMENDED to:

- (1) NOTE the report of the Chief Finance Officer.
- (2) APPROVE the proposed Treasury Management Strategy for 2020-21 as set out in Sections 2 and 3 of this report.
- (3) NOTE the Prudential Indicators for 2020-21 to 2022-23 as set out in Section 4 of this 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).

Authority Priority: Achieve Best Value from our resources and improve our performance.

Legal and Equality Implications: The Local Government Act 2003 (LGA 2003), specifically Guidance under Section 15(1)(a) 3rd Edition, effective from 1st April 2018.

The CIPFA Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes: Revised 2017 Edition (CIPFA TM Code).

The CIPFA Prudential Code for Capital Finance in Local Authorities: Revised 2017 Edition (CIPFA Prudential Code).

Financial and Risk Implications: Interest from investments forms part of the revenue income of the Authority. This income is affected by the market fluctuations in interest rates. The Authority's revenue cash is aggregated with that of Somerset County Council (SCC). SCC invests sizeable sums into the London Money Market in its name only. Comfund cash is also aggregated with that of other Comfund investors and lent into the market in the name of SCC. For this, SCC assumes the risk to capital of counterparty default, but any loss of interest would reduce the overall return of the Comfund.

1. Introduction and Background

- 1.1 Treasury management is the management of the Authority's cash flows, borrowing and treasury investments, and the associated risks. The Authority has no debt but has investments that average over £3m and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Authority's prudent financial management.

- 1.2 Treasury risk management at the Authority is conducted within the framework of the CIPFA Treasury Management in the Public Services: Code of Practice 2017 Edition (the CIPFA Code) which requires the Authority to approve a treasury management strategy before the start of each financial year. This report fulfils the Authority's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.
- 1.3 Under Section 3 of the LGA 2003 (duty to determine affordable borrowing limit), a Local Authority must have regard to the CIPFA Prudential Code. This code requires the setting of a number of Prudential Indicators, benchmarks within which Treasury and Investment Management, and Capital Financing are managed. The setting of Prudential Indicators for Treasury Management requires Authorities to recognise key implications of their borrowing and investment strategies. These relate to the affordability of overall borrowing limits, the maturity structure of borrowing, and longer-term investments.
- 1.4 In formulating the Treasury Management Strategy, and the setting of Prudential Indicators, Exmoor National Park Authority (ENPA) adopts the Treasury Management Framework and Policy recommended by CIPFA. These can be found in Appendix A.

External Context

- 1.5 The UK's progress negotiating its future trading arrangements with the European Union (EU) will continue to be a major influence on SCC's treasury management strategy for 2020-21, and therefore on the income of ENPA.
- 1.6 UK Consumer Price Inflation (CPI) for November registered 1.5% year on year, unchanged from the previous month. Recent labour market data for the three months to October 2019 showed the unemployment rate at 3.8% while the employment rate was 76.2%. The headline 3-month average annual growth rate slowed to 3.5% in October.
- 1.7 GDP growth rose by 0.3% in the third quarter of 2019 from -0.2% in the previous three months with the annual rate falling further below its trend rate to 1.0% from 1.2%.
- 1.8 The Bank of England maintained Bank Rate at 0.75% in December following a 7-2 vote by the Monetary Policy Committee. Despite keeping rates on hold, MPC members did confirm that if EU trade negotiations caused further uncertainty, and/or if global growth fails to recover, they are prepared to cut interest rates as required. Moreover, the downward revisions to some of the growth projections in the Monetary Policy Report suggest the Committee may now be less convinced of the need to increase rates.
- 1.9 Growth in Europe remains soft, driven by a weakening German economy which saw GDP fall -0.1% in Q2 and is expected to slip into a technical recession in Q3. Euro zone inflation was 0.8% year on year in September, leading to the central bank holding its main interest rate at 0% while cutting the deposit facility rate to -0.5%.
- 1.10 At its last meeting the Fed cut rates to the range of 1.50-1.75% and financial markets expect further loosening of monetary policy in 2020. US GDP growth slowed to 1.9% annualised in Q3 from 2.0% in Q2.
- 1.11 Credit conditions for larger UK banks have remained relatively benign over the past year. The UK's departure from the EU was delayed three times in 2019 and while there remains some concern over a global economic slowdown, this has yet to manifest in any credit issues for banks. Meanwhile, the post financial crisis banking reform is now largely complete, with the new ringfenced banks embedded in the market.

- 1.12 Although the Council's treasury management adviser Arlingclose have maintained their Bank Rate forecast at 0.75% for the foreseeable future, there are substantial risks to this forecast, dependant on EU trade deal negotiation outcomes and the evolution of the global economy. Risk are weighted to the downside.
- 1.13 Gilt yields have risen but remain low due to the soft UK and global economic outlooks. US monetary policy and UK government spending will be key influences alongside UK monetary policy. Gilt yields are expected to remain at relatively low levels for the foreseeable future and the risks are judged to be broadly balanced.
- 1.14 10-year and 20-year gilt yields are forecast to move up slowly over the 4-year forecast period, from 0.75% to 1.00%, and 1.20% to 1.40% respectively: However, volatility arising from both economic and political events are likely to continue to offer borrowing opportunities.

Internal Context

- 1.15 As at 31st December 2019 ENPA had no external debt. The investments of ENPA as at 31st December 2019 stood at just under £2.82m

	Balance on 31/03/2019 £000	Rate as at 31/03 %	Balance on 31/12/2019 £000	Rate as at 31/12 %
Revenue Balances	8	0.375	116	0.375
Comfund Balances	2,800	1.013	2,700	0.963
Total Balances	2,808	1.01	2,816	0.939

- 1.16 In receiving funding for its functions, the National Park Authority effectively turns over approximately £5.4m a year. This represents significant cash movements, and it is important that the Authority has strategies and policies in place to manage such turnover effectively.
- 1.17 The Authority currently manages its investments and cash flow via service arrangements with the Finance and Treasury Management Sections of Somerset County Council. In so doing it needs to adopt policies consistent with the Council's. The Authority is, however, formally separated with its own bank accounts, and it is therefore important that it adopts a Strategy of its own, albeit following very closely that of the County Council.

2. Borrowing Strategy

- 2.1 The Authority is currently debt free. Any potential borrowing would be driven by the capital plan. There are no plans that would necessitate borrowing during 2020-21. As stated in previous strategy statements, when future borrowing is agreed, and Prudential Indicators set, the Chief Finance Officer will make specific decisions with regard to the timing of any borrowing and the length of maturities. Borrowing would be undertaken to minimise borrowing costs and would be consistent with the Authorities' Prudential Indicators.

2.2 The Chief Finance Officer has the delegated power to raise capital finance from such sources as is deemed appropriate within the statutory limitations that apply to the Authority. These are termed 'borrowing instruments' and include: -

- PWLB loans – Fixed or Variable
- Transferable loan instruments
- Non-transferable loan instruments
- Local bonds
- Other (e.g. commercial loan)
- Bank overdraft

2.3 **Sources of borrowing:** For such long-term funding as may be required, the most likely source would be the Public Works Loan Board (PWLB). Short-term borrowing will be sought via Somerset County Council from the money market direct from lenders or from the Authority's bankers in the form of overdraft or otherwise. Internal resources may be used in lieu of external borrowing, and leasing or soft loans will form an alternative to borrowing where appropriate. No new borrowing will be in the form of LOBOs.

2.4 **Debt rescheduling:** The Authority is currently debt free.

3. **Investment Strategy**

3.1 In 2018, the MHCLG issued revised Statutory Guidance on Local Government Investments (3rd Edition). It states "Investments made by local authorities can be classified into one of two main categories:

- Investments held for treasury management purposes; and
- Other investments

3.2 "Where local authorities hold treasury management investments, they should apply the principles set out in the Treasury Management Code. They should disclose that the contribution that these investments make to the objectives of the local authority is to support effective treasury management activities. The only other element of this Guidance that applies to treasury management investments is the requirement to prioritise Security, Liquidity and Yield in that order of importance".

3.3 This strategy applies only to investments held for treasury purposes. Any non-treasury investments are dealt with in a separate Investment Strategy.

3.4 The Authority's current arrangement with SCC for the provision of treasury management services includes investment management. Current arrangements will continue until such time that the Authority is informed otherwise. Under this agreement all surplus funds are lent to the County Council, as general cash balances, or in the SCC Comfund. General cash balances held with SCC currently attract a rate of base rate minus 0.375%. The return generated by the Comfund, although not fixed, has historically been above this rate. For 2019-20 the benefit of investing in the Comfund stood at £13,609 for the first nine months of the year and is predicted to be approximately £17,700 for the year.

3.5 **Strategy:** It is intended to continue to maximise returns by investing in the Comfund when possible. Cash flow balances will continue to be closely monitored by ENPA officers to identify any funds not needed in the immediate future. Investments or disinvestments from the Comfund will be made on a monthly basis, making this an extremely liquid investment.

- 3.6 It is intended that the Authority short-term cash balances be kept to a minimum in order to maximise monthly investment in the SCC Comfund. The timing of sizable grant receipt and investment decisions for the Comfund may mean being occasionally overdrawn for a day or so with SCC short-term balances. The risk of non-payment of grant and debit interest of base rate plus 1% for a day or two, are more than offset by the excess returns of Comfund that would not otherwise be available for approximately 30 days (the next monthly investment/disinvestment day).
- 3.7 **Credit rating:** As SCC is the only counterparty to the Authority there is no need for specific policies or procedures regarding counterparty creditworthiness, to be set out in this strategy. Full details of SCC counterparty policy and procedures will be available on their website when approved by Full Council. For information the current 2019-20 SCC counterparty criteria is included at Appendix B.
- 3.8 SCC has constructed and will maintain a counterparty list based on the criteria set out in Appendix B. The minimum credit quality is proposed to be set at A- or equivalent. The credit standing of institutions (and issues if used) will be monitored and updated on a regular basis.
- 3.9 SCC will continuously monitor counterparties creditworthiness. All three credit rating agencies' websites will be visited frequently, and all ratings of proposed counterparties will be subject to verification on the day of investment. (MHCLG guidance states that a credit rating agency is one of Standard & Poor's, Moody's Investor Services Ltd, and Fitch Ratings Ltd). All ratings of currently used counterparties will be reported to the monthly treasury management meeting, where proposals for any new counterparties will be discussed. New counterparties must be approved by the Section 151 Officer (Director of Finance) before they are used. Any changes to ratings that put the counterparty below the minimum acceptable credit quality whilst we have a deposit, or a marketable instrument will be brought to the attention of the Section 151 Officer (Director of Finance) immediately, and an appropriate response decided on a case-by-case basis. Sovereign credit ratings will be monitored and acted on as for financial institution ratings. Investment limits are set by reference to the lowest published long-term credit rating from the three rating agencies mentioned above. Where available, the credit rating relevant to the specific investment or class of investment is used, otherwise the counterparty credit rating is used.
- 3.10 **Other information on the security of investments:** SCC understands that credit ratings are good, but not perfect predictors of investment default. Full regard is therefore given to other available information on the credit quality of the organisations in which it invests, including those outlined below.
- Credit Default Swaps and Government Bond Spreads.
 - GDP and Net Debt as a Percentage of GDP for sovereign countries.
 - Likelihood and strength of Parental Support.
 - Banking resolution mechanisms for the restructure of failing financial institutions, i.e. bail-in.
 - Market information on corporate developments and market sentiment towards the counterparties and sovereigns.
 - Underlying securities or collateral for 'covered instruments'.
 - Other macroeconomic factors

4. **Prudential and Treasury Management Indicators**

4.1 The Authority measures and manages its exposures to treasury management risks using the following indicators.

4.2 **Authorised limit and Operational Boundary:** The Authority is required to set an authorised limit for total external debt, gross of investments, separately identifying borrowing from other long-term liabilities. The Authority is also required to set an operational limit separately identifying borrowing from other long-term liabilities. This prudential indicator is referred to as the operational boundary. They are both set for the forthcoming, and the following two years. The authorised limit will, in addition, need to provide headroom over and above the operational boundary sufficient for example to accommodate unusual cash movements. A contingency limit of £100,000 has been set for each.

	2020-21 £000	2021-22 £000	2022-23 £000
Authorised limit Borrowing	100	100	100
Operational boundary Borrowing	100	100	100

4.3 **Maturity Structure of Borrowing:** The Authority has set for the forthcoming year, both the upper and lower limits with respect to the maturity structure of its borrowing.

	Upper Limit	Lower Limit
Under 12 months	100%	0%
>12 months and within 24 months	100%	0%
>24 months and within 5 years	100%	0%
>5 years and within 10 years	100%	0%
>10 years	100%	0%

4.4 **Principal sums invested for periods longer than a year:** The purpose of this indicator is to control the Authority's exposure to the risk of incurring losses by seeking early repayment of its investments. As all investments are with SCC and ENPA have the ability to access all funds at one month's notice, an indicator of zero is appropriate.

	2020-21 £m	2021-22 £m	2022-23 £m
Prudential Limit for principal sums invested for periods longer than 1 year	0	0	0

4.5 **Credit Risk Indicator:** All of the Authority's investments are placed with SCC, as a result the Authority do not believe that adopting a credit risk indicator would be appropriate.

5. **Other Matters**

5.1 The CIPFA Code requires the Authority to include the following in its treasury management strategy.

5.2 **Derivative Instruments:** The code requires that the Authority must explicitly state whether it plans to use derivative instruments to manage risks. The general power of competence in Section 1 of the Localism Act 2011 removes much of the uncertainty

over local authorities' use of standalone financial derivatives (i.e. those that are not embedded into a loan or investment). However, the Authority does not intend to use derivatives.

- 5.3 Should this position change, the Authority may seek to develop a detailed and robust risk management framework governing the use of derivatives, but this change in strategy will require Full Authority approval.
- 5.4 **External Service Providers:** The code states that external service providers should be reviewed regularly and that services provided are clearly documented, and that the quality of that service is controlled and understood.
- 5.5 Officers from the SCC Treasury Management team report investment positions and performance via a monthly statement. As required by the CIPFA TM Code, the Chief Finance Officer reports to the Authority on its treasury activities in the form of a mid-year review and an Annual Treasury Management Report.
- 5.6 **Markets in Financial Instruments Directive II (MiFID II):** As a result of the second Markets in Financial Instruments Directive (MiFID II), from 3rd January 2018 local authorities were automatically treated as retail clients but could "opt up" to professional client status, providing certain criteria was met. This included having an investment balance of at least £10 million and the person(s) authorised to make investment decisions on behalf of the Authority have at least a year's relevant professional experience. In addition, the regulated financial services firms to whom this directive applies have had to assess that that person(s) have the expertise, experience and knowledge to make investment decisions and understand the risks involved.
- 5.7 SCC has met the conditions to opt up to professional status and has done so in order to maintain its erstwhile MiFID II status prior to January 2018. As a result, SCC, and thereby ENPA, will continue to have access to products including money market funds, pooled funds, treasury bills, bonds, shares and to financial advice.

6. Background papers

Local Government Act 2003 – Guidance under section 15(1)(a) 3rd Edition, effective from 1 April 2018.

The CIPFA 'Treasury Management in the Public Services' Code of Practice Revised Edition 2017.

CIPFA Prudential Code for Capital Finance in Local Authorities: Revised Edition 2017.

Note: For sight of individual background papers please contact the report author.

Gordon Bryant
Chief Finance Officer
January 2020

Treasury Management Policy Statement

1. Introduction and Background

- 1.1 The Exmoor National Park Authority (ENPA) adopts the key recommendations of CIPFA's Treasury Management in the Public Services: Code of Practice (the code), as described in Section 5 of the Code
- 1.2 Accordingly, ENPA will create and maintain, as the cornerstones for effective treasury management:-
 - A treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities.
 - Suitable treasury management practices (TMPs), setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.
- 1.3 ENPA will receive reports on its treasury management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, a mid-year review, and an annual report after its close, in the form prescribed in its TMPs.
- 1.4 ENPA delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices, and for the execution and administration of treasury management decisions to the Chief Finance Officer as Section 151 Officer, who will act in accordance with the organisation's policy statement and TMPs and, if he/she is a CIPFA member, CIPFA's Standard of Professional Practice on Treasury Management.
- 1.5 ENPA is the body responsible for ensuring effective scrutiny of the treasury management strategy and policies.

2. Policies and Objectives of Treasury Management Activities

- 2.1 ENPA defines its treasury management activities as:-

“The management of the organisation’s investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”
- 2.2 ENPA regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the organisation, and any financial instruments entered into to manage these risks.
- 2.3 ENPA acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management, and to employing suitable performance measurement techniques, within the context of effective risk management.
- 2.4 ENPA's borrowing will be affordable, sustainable and prudent and consideration will be given to the management of interest rate risk and refinancing risk. The source from which the borrowing is taken, and the type of borrowing should allow ENPA transparency and control over its debt.
- 2.5 ENPA's primary objective in relation to investments remains the security of capital. The liquidity or accessibility of ENPA's investments followed by the yield earned on investments remain important but are secondary considerations.

SCC Lending Counterparty Criteria 2019-20

The following criteria will be used to manage counterparty risks to Somerset County Council Investments for new deposits / investments from the time that the new Treasury Management Strategy is passed by Full Council at its meeting in February 2019.

Please note that the limits in this appendix apply only to Treasury Management Investments, not to those detailed in the Separate Investment Strategy.

Where deposits held were made under previous criteria, there will be no compulsion to terminate those deposits to meet new criteria, where a penalty would be incurred.

Deposits - Any Financial Institution that is authorised by the Prudential Regulation Authority to accept deposits, or is a passported EEA institution, which is entitled to accept deposits in the UK, or is a UK Building Society can be lent to, subject to the rating criteria below at the time of the deposit.

Unrated Building Societies

Unrated Building Societies as identified by Treasury Advisors can be used, with a maximum of £1m per Society and a maximum maturity of 1 year.

Marketable Instruments – Any bank, other organisation, or security whose credit ratings satisfy the criteria below:-

Rating of Counterparty or Security

Deposits or instruments of less than 13 months duration (Refer to long-term ratings)

Fitch A- or above

S&P A- or above

Moody's A3 or above

The maximum deposit / investment amount for any authorised counterparty or security that has as a minimum at least two ratings of the three above will be £20m. This is approximately 8.0% of maximum balance, 9.2% of average balance for the year to 31st December 2018-19. The % may be significantly less if borrowing up to the CFR is taken early in the year.

The maximum deposit / investment amount for any authorised counterparty or security that has as a minimum - Fitch AA-, S&P AA-, and Moody's Aa3, will be £25m. This is approximately 10.0% of maximum balance, 11.5% of average balance for the year to 31st December 2018-19. The % may be significantly less if borrowing up to the CFR is taken early in the year.

Deposits or instruments of more than 13 months duration (Refer to long-term ratings)

Fitch AA- or above

S&P AA- or above

Moody's Aa3 or above

The maximum deposit / investment amount for more than 13 months for any authorised counterparty or security that has as a minimum at least two ratings of the three above will be £10m. This figure is to be included in the overall figure above.

The allowed deposit amounts above are the single maximum per counterparty at any one time, and that counterparty or security must be rated as above or better by at least two of the three agencies. Short-term ratings will be monitored and considered in relative rather than absolute terms.

It remains the Council's policy to suspend or remove institutions that still meet criteria, but where any of the other factors below give rise to concern. Also, when it is deemed prudent, the duration of deposits placed is shortened or lengthened, depending on counterparty specific metrics, or general investment factors.

Where deposits held were made under previous criteria, there will be no compulsion to terminate those deposits to meet new criteria, where a penalty would be incurred.

Operational Bank Accounts

As the Council's current bankers, Nat West are currently within the minimum criteria. If they should fall below criteria, the instant access Call Account facility may still be used for short-term liquidity requirements and business continuity arrangements. This will generally be for smaller balances where it is not viable to send to other counterparties or in the event of unexpected receipts after the daily investment process is complete. Money will be placed in the instant access Nat West call account overnight.

Public Sector Bodies

Any UK Local Authority or Public Body will have a limit of £15m and a maximum maturity of 5 years.

The UK Government, including Gilts, T-Bills, and the Debt Management Office (DMADF) will be unlimited in amount and duration.

The table below gives a definition and approximate comparison of various ratings by the three main agencies: -

Definitions of Rating Agency Ratings

	Fitch		Moody's		S&P	
Short-Term	F1+	Exceptionally strong	P-1	Superior	A-1+	Extremely strong
	F1	Highest quality			A-1	Strong
	F2	Good quality	P-2	Strong	A-2	Satisfactory
	F3	Fair quality	P-3	Acceptable	A-3	Adequate
	B	Speculative	NP	Questionable	B and below	Significant speculative characteristics
	C	High default risk				
	(+) or (-)		(1,2, or 3)		(+) or (-)	
Long-Term	AAA	Highest quality	Aaa	Exceptional	AAA	Extremely strong
	AA	V High quality	Aa	Excellent	AA	Very strong
	A	High quality	A	Good	A	Strong
	BBB	Good quality	Baa	Adequate	BBB	Adequate capacity
	BB	Speculative	Ba	Questionable	BB and below	Significant speculative characteristics
	B	Highly Speculative	B	Poor		
	CCC	High default risk	Caa	Extremely poor		

Financial Groups

For Financial Groups (where two or more separate counterparties are owned by the same eventual parent company) investments can be split between entities, but an overall limit equal to the highest rated constituent counterparty within the group will be used.

Country Limits

Excluding the UK, there will be a limit of £30m. This is approximately 12.0% of maximum balance, 13.6% of average balance for the year to 31st December 2018-19. The % may be significantly less if borrowing up to the CFR is taken early in the year.

Money Market Funds

With regulatory changes now effected, previously titled Constant Net Asset Value (CNAV) Money Market Funds have been converted into Low Volatility Net Asset Value (LVNAV) funds. Any LVNAV Fund used must be rated by at least two of the main three ratings agency, and must have the following, (or equivalent LVNAV) ratings.

Fitch AAmmf Moody's Aaa-mf Standard & Poor's AAAM

Subject to the above, deposits can be made with the following limits: -

The lower of £15m or 0.5% of the total value for individual Funds.

No more than 50% of total deposits outstanding are to be held in LVNAV MMFs.

VNAV Pooled Funds

Currently, not all Variable Net Asset Value (VNAV) Funds carry a rating. Many VNAV bond funds are not rated. Equity, multi-asset and property funds are also not credit rated. The decision to invest in a particular asset class or fund will be based on the evaluation of the risk/reward characteristics including volatility, expected income return and potential for capital growth.

No more than £30m of total deposits outstanding are to be held in VNAV Funds (excluding LVNAV MMFs).

Other Indicators

The Council will continue to use a range of indicators, not just credit ratings. Among other indicators to be taken into account will be: -

- Credit Default Swaps and Government Bond Spreads.
- GDP, and Net Debt as a Percentage of GDP for sovereign countries.
- Likelihood and strength of Parental Support.
- Banking resolution mechanisms for the restructure of failing financial institutions, i.e. bail-in.
- Share Price.
- Market information on corporate developments and market sentiment towards the counterparties and sovereigns.
- Underlying securities or collateral for 'covered instruments'.
- Other macroeconomic factors

EXMOOR NATIONAL PARK AUTHORITY

4 February 2020

SCHEME OF MEMBERS' ALLOWANCES 2020/21

Report of the Head of Finance and Operations

Purpose of the report: To consider and adopt a Scheme of Members' Allowances for 2020/21.

RECOMMENDATION: To ADOPT the Scheme of Members' Allowances 2020/21 as set out in Appendix 1, subject to future adjustments to Members' Allowances as linked to staff cost of living pay awards.

Authority Priority: Achieve best value from our resources and improve our performance.

Legal and Equality Implications: The Local Authorities (Members' Allowances) (England) Regulations 2003 require the Authority to adopt a scheme of allowances before the start of each financial year. The equality and human rights impact of the recommendation of this report has been assessed as having no adverse impact on any particular group or individual.

Financial and Risk Implications: Provision has been made within the Core Budget for a 2% increase in the Scheme of Allowances for 2020/21. If the actual increase differs to this then there will be the opportunity when the Revised Budget is set in November 2020 to make the necessary adjustments.

1. INTRODUCTION

1.1 Under the Local Authorities (Members' Allowances) (England) Regulations 2003, the Authority is required to publish a Scheme of Members' Allowances every 12 months and the Scheme for 2020/21 should be published before the start of the 2020/21 financial year on 1 April.

2. LOCAL GOVERNMENT PAY AND THE BASIC ALLOWANCE

2.1 Under the Authority's Scheme of Members' Allowances, adjustments to the Basic Allowance are linked to staff cost of living pay awards. As of January 2020 the staff pay award for 2020/21 has yet to be announced. When this has been agreed members expenses will be uplifted and backdated to reflect this change.

2.2 The Scheme of Members' Expenses will therefore be revised to reflect this.

3. SPECIAL RESPONSIBILITY ALLOWANCES

3.1 Special Responsibility Allowances are payable to Members who have been given significant responsibilities on the basis of the multipliers set out below.

Chairperson of the Authority	2 x basic allowance
Deputy Chairperson of the Authority	1.5 x basic allowance
Deputy Chairperson (Planning)	1.5 x basic allowance
Chairperson of the Standards Committee	.25 basic allowance
Chairperson of the Exmoor Consultative and Parish Forum	.5 x basic allowance

4. MILEAGE AND SUBSISTENCE CLAIMS

- 4.1 Mileage allowance rates are paid to Members and staff in accordance with the Authority's Green Travel Plan adopted in 2010/11.
- 4.2 Levels of subsistence allowances for Members and staff are broadly based on the movement of indices provided by others, such as the Consumer Price Index, and the scheme provides flexibility for allowances to be updated as necessary. The current levels of subsistence allowances are set out in the attached draft Scheme of Allowances.

Gordon Bryant
Head of Finance and Operations
January 2020

**EXMOOR NATIONAL PARK AUTHORITY
SCHEME OF MEMBERS' ALLOWANCES 2020/21****1. INTRODUCTION**

Exmoor National Park Authority's scheme provides for payment of:-

- A **Basic Allowance** which is a flat rate payable to each Member;
- A **Special Responsibility Allowance** for Members undertaking additional roles as defined by the Authority.

2. GENERAL POINTS

The term "Member" in these notes means a Member of the Exmoor National Park Authority.

Members have the option of not claiming all or part of any allowance. The Head of Finance and Operations must be notified in writing if a Member chooses this option.

All enquiries relating to Members allowances should be made to Judy Coles (tel 01398 322250) or e-mail jcoles@exmoor-nationalpark.gov.uk.

3. BASIC ALLOWANCE:-

- Is payable to all Members.
- Is £2,739.36 per annum from 1 April 2020, payable in arrears in monthly instalments. This is paid automatically (unless a Member has opted not to receive it in whole or in part) and Members do not need to claim it.
- Recompenses Members for time devoted to their work as a Member and is intended to cover
 - preparation for and attendance at Authority, committee, sub-committee, panel and working group meetings (including travel time to and from meetings)
 - preparation for and attendance at seminars, conferences and training sessions
 - representing the Authority on "outside organisations"
 - dealing with correspondence
 - single Member duties
 - other incidental costs for which no other specific provision is made, including use of Member's home
- Adjustments to the annual Basic Allowance of £2,739.36 will be linked to staff cost of living pay awards.
- Where the Member's term of office begins or ends at any time other than the start of the financial year, they are entitled to the appropriate proportion of the annual allowance.

4. SPECIAL RESPONSIBILITY ALLOWANCE:-

- Is payable in addition to the Basic Allowance.
- Is payable to Members who have been given significant responsibilities e.g. Chairperson, Deputy Chairperson, Deputy Chairperson (Planning).
- Is allocated on the degree of responsibility and upon the perceived call on the Member's time, as agreed by the Authority, with no Member receiving more than one Special Responsibility Allowance at any one time.
- Is paid in arrears in 12 equal instalments automatically (with no need for the Member to claim) and where applicable is apportioned for part year entitlements.
- Is intended to cover:-
 - significant additional work preparing for meetings
 - meetings with officers
 - meetings with fellow chairmen
 - acting as the spokesperson for their area of special responsibility
 - dealing with correspondence
 - visits directly connected to the performance of a Special Responsibility Allowance, eg official openings, fact finding visits
- Does not include any element for travel expenses, which are claimable in the normal way for any Special Responsibility Allowance duty.
- Is banded on multiples of the basic allowance to reflect the work and responsibilities that have to be undertaken and will be paid as follows:-

Chairperson of the Authority	2 x basic allowance
Deputy Chairperson of the Authority	1.5 x basic allowance
Deputy Chairperson of the Authority (Planning)	1.5 x basic allowance
Chairperson of the Standards Committee	.25 basic allowance
Chairperson of the Exmoor Consultative and Parish Forum	.5 x basic allowance

- To cater for changes in circumstances that can occur during the year and to ensure that no individual cases of exceptional hardship are experienced, the Chief Executive and the Head of Finance & Operations in consultation with the Chairperson can agree Special Responsibility Allowances temporarily for individual Members as considered necessary.

5. TRAVEL ALLOWANCE

- Current rates are shown in Appendix 2.
- Can only be claimed for an approved duty (which is set out in Appendix 3) or one covered by a Special Responsibility Allowance.
- Should be claimed promptly at the end of each month on the Members' claim form.
- For official journeys outside Somerset and Devon see policy as set out in Appendix 2.
- Train fares are normally reimbursed at the standard class rate. Members eligible for a Railcard who regularly use the train for Authority business may reclaim the cost of the railcard.

NB The Corporate Support Officer can obtain pre-booked tickets for Members; such advance bookings attract cheaper fares and reserved seats.

- Wherever possible, Members should share transport.
- Taxi fares will be reimbursed in exceptional circumstances on production of receipts.
- Expenditure on tolls, parking fees, etc may be claimed for re-imburement on production of receipts.
- Members are advised to check the position with their insurer to ensure they have adequate vehicle insurance cover in place to include use of their vehicle for Authority business.

6. SUBSISTENCE ALLOWANCE

- Is claimable for the actual cost of the meal or overnight expenses (excluding alcoholic drinks) up to the same maximum set out for staff which is updated annually. Current rates are shown in the attached Appendix 2.
- Subsistence claims should not include receipts for the purchase of alcoholic drinks.
- Is claimable for any approved duty or Special Responsibility Attendance exceeding 4 hours which spans the agreed meal time periods where additional expenditure is incurred.
- Should be claimed promptly at the end of each month on the Members' claim form and receipts must be attached to support the claim. Claims made without proof of expenditure will only be paid in special circumstances and will be referred for the approval of the Head of Finance and Operations in consultation with the Chairperson or Deputy Chairperson.
- Is not claimable if a meal is provided free of charge.
- For special circumstances the Head of Finance and Operations can agree allowances in excess of the maximum where this is considered necessary and appropriate.

7. NON CLAIMABLE DUTIES

- For the avoidance of doubt, the following duties are **not** approved for the purpose of claiming travel or subsistence allowances:-
 - Single Member duties
 - Attendance at Parish Council meetings
 - Attendance at any committee, panel or working group meetings to which a Member has not been appointed, unless as a previously named substitute

8. PAYMENT OF ALLOWANCES

- Basic Allowances and Special Responsibility Allowances are paid automatically monthly after completion of:-
 - Written undertaking to comply with the Code of Conduct for Members
 - Declaration of interests
 - Tax, National Insurance and Bank detail pro-formas

These allowances are treated as imbursements and subject to Tax and National Insurance Contributions under PAYE regulations.

- Travel and subsistence must be claimed monthly on the Members' Claim Form. Mileage Allowances are taxed according to the profit element which is calculated by comparing the amounts paid per mile with the Inland Revenue's Authorised Mileage Rates. Reimbursement of subsistence and other expenses incurred (car park fees, tolls, taxis etc) should not give rise to a tax or national insurance contribution liability as there is no profit element involved.
- Fuel receipts which predate the dates of travel should be attached to the monthly mileage claim form in order that VAT can be reclaimed on the expenses paid.
- Claims must be submitted monthly. Claims not received by the Corporate Support Officer by the 5th day of the following month will not be paid that month.
- A supply of claim forms can be obtained from the Corporate Support Officer.
- Allowances must not be claimed where the Member is entitled to receive payment from another body for the same duty/activity.
- Payments are made through Somerset County Council which provides a payroll bureau service to Exmoor National Park Authority.
- Members receive through the post an advice slip providing details of the allowances paid.
- Payment has to be made directly into a Bank or Building Society account.
- Members can request a PAYE code from the Inland Revenue for the taxable payments, otherwise payments will be taxed at the basic rate of tax. Some Members may be able to obtain an exemption card for national insurance. Some female Members may be able to obtain a reduced rate certificate (married women or widows). Members seeking advice on the national insurance calculation matters should contact their tax office or the Head of Finance and Operations.
- The Authority regularly reviews expenditure on Members Allowances to ensure the budget is not overspent. In order to assist with the monitoring of the budget Members are asked to submit claims monthly, no matter how small.
- Claims older than 2 months will be referred for the approval of the Head of Finance and Operations in consultation with the Chairperson or Deputy Chairperson and therefore payment may be delayed or refused.

9. UNEMPLOYMENT PAY and STATUTORY SICK PAY

- Members who are unemployed normally do not lose entitlements to unemployment benefit as a result of receiving a Basic Allowance or Special Responsibility Allowance, even though the earnings rule may be exceeded. Members entitled to Disability Benefits may find this entitlement is affected. In such cases Members should clarify the situation with their Tax Office.
- Members are regarded as "employees" under the Social Security and Housing Benefits Act 1982 and are entitled to receive sick pay for the first 28 weeks of sickness a year. If Members wish to pursue claims for sickness benefit, the period of sickness should be in excess of 3 consecutive days and the Corporate Support Officer must be given prompt notification of sickness.

**EXMOOR NATIONAL PARK AUTHORITY
TRAVEL AND SUBSISTENCE**

1. **MILEAGE RATES** (up to 8500 miles per annum after which reduced rates apply) for journeys within Somerset and Devon, and between Members' homes and Dulverton:-
 A flat rate allowance: **46.9p**, Passenger supplement: **5p** per passenger per mile
 The rate for use of a motor cycle is 21p per mile.

2. **JOURNEYS OUTSIDE DEVON AND SOMERSET** For journeys outside Devon and Somerset Members should use public transport whenever possible and appropriate. Recognising that there are situations when it would be more appropriate to travel by private vehicle the rate of **35.2p** per mile is payable unless a case can be made for payment of the full mileage rate and this is subject to PRIOR approval by the Chairperson or Deputy Chairperson. Travel by car can be either by the use of a hire car or by the payment of the normal mileage rates for the journey. Situations where such prior approval is appropriate are on the grounds of:-

- sustainability where two or more people are sharing a vehicle
- inadequacy where public transport is not available or the journey is too time consuming involving changes of trains and taxis
- economy where the costs of using public transport are significantly greater, overnight stays would be avoided, etc.
- efficiency where savings in staff and Members time could justify the payment of the full rate

NB Members must ensure that they have adequate insurance cover for journeys made by them in respect of Exmoor National Park Authority business.

3. **SUBSISTENCE ALLOWANCES**

Breakfast	£7.50	Claimable if away from normal place of residence for more than 4 hours before 11.00am.
Lunch	£10.15	Claimable if away from normal place of residence for more than 4 hours including the lunch time period of 11.30am and 2.30pm.
Tea	£4.30	Claimable if away from normal place of residence for more than 4 hours including the period 3pm to 6pm and cannot be claimed if Evening Meal Allowance is also claimed.
Dinner	£14.00	Claimable if away from the normal place of residence more than 4 hours, ending after 7pm and cannot be claimed if tea is also claimed.
Overnight	£120.00	Claimable if away overnight from normal place of residence for overnight accommodation including breakfast.
Out of Pocket	£5.80 per night £23.25 per week	Claimable for residential courses and conferences.
Receipts must be submitted to obtain subsistence allowances up to maximum allowances above.		

Notes: Members will be taxed at their marginal rate for the cost of travelling between home and Exmoor House. Reimbursement of all other receipted subsistence and other expenses should not give rise to a tax or national insurance liability.

**EXMOOR NATIONAL PARK AUTHORITY
LIST OF APPROVED DUTIES FOR THE PAYMENT OF
TRAVEL AND SUBSISTENCE ALLOWANCES**

Each of the following duties shall be regarded as authorised by the ENPA:-

- Attendance at any
 - Exmoor National Park Authority meeting
 - Meeting of any Authority Committee or Sub Committee to which the Member is formally appointed by the Authority or specifically invited by the Chairperson
 - Working group or panel meetings to which the Member has been appointed by the Authority
 - “ad hoc” meetings and site visits set up by the ENPA or its committees when attending as an appointed Member.
 - Association of National Park Authorities meetings as agreed by the Authority.
- The undertaking of any duty associated with the ENPA or its committees and sub-committees, including briefing sessions, site visits, meetings with outside bodies or individuals, by
 - the Chairperson, Deputy Chairperson and Deputy Chairperson (Planning)
 - the Chairperson of the Standards Committee
 - the Chairperson of the Exmoor Consultative and Parish Forum
- Attendance on Authority, committee and sub-committee tours of inspection and at Members' conferences or seminars where formally appointed by the ENPA
- Attendance as the ENPA's nominee or representative at meetings associated with approved bodies
- Attendance at Open Days, official ceremonies where the Member is performing a specific function
- Attendance at any approved conference where appointed by the ENPA or a committee or sub-committee.
- Any other attendance for which prior approval has been given by the Chairperson or Deputy Chairperson of the ENPA

NB A duty cannot be approved, in retrospect, for the purpose of paying allowances.

EXMOOR NATIONAL PARK AUTHORITY

4 February 2020

EXMOOR NATIONAL PARK RURAL WORKER AND SUCCESSION FARM WORKER DWELLINGS SUPPLEMENTARY PLANNING DOCUMENT – ADOPTION

Report of the Head of Strategy and Performance

Purpose of the report: To present to Members a summary of the findings from the consultation on the Rural Worker and Succession Farm Worker Dwellings Supplementary Planning Document (SPD) as set out in the Representation Statement and to propose Adoption.

RECOMMENDATIONS: The Authority is recommended to:

- (1) NOTE the Representation Statement and comments received (Annex 1);
- (2) APPROVE the Rural Workers and Succession Farm Worker Dwellings SPD for Adoption (Annex 2);
- (3) NOTE and APPROVE the Adoption Statement (Annex 3); and
- (4) DELEGATE to the Chief Executive / Officers authority to:
 - (a) Make any factual or typographical corrections to the Adopted SPD;
 - (b) Provide and make available the Adoption Statement
 - (c) Make available copies of the Adopted SPD

Authority Priority: Exmoor's local communities are thriving with strong connections to the National Park. The SPD accords with the vision of the Exmoor National Park Partnership Plan and will assist with the delivery of the Partnership Plan ambition to ensure that: Exmoor's land-based communities and businesses are supported to provide healthy food and good quality timber, and ensure Exmoor's landscapes continue to be well managed and cared for.

Legal and Equality Implications: The SPD has been produced in accordance with the Town and Country Planning Regulations 2012 and when adopted will form a material consideration in planning decisions but it is not part of the development plan. The Local Plan forms the development plan for the area of Exmoor National Park. It guides and is the first consideration in determining planning applications for land use and development. Legally, planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The equality impact of the recommendation(s) of this report has been assessed as follows: It is considered that there are no equality impact considerations.

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: Planning policies can have a considerable impact on an individual's ability to use their land

and property and this may be considered to infringe human rights. In particular, in relation to Article 1 (Protection of Property) of Part II of the First Protocol, the guidance set out in the SPD is considered to be proportionate and control the use of land and property in accordance with the general public interest.

Financial and Risk Implications: The financial and risk implications of the recommendation(s) of this report have been assessed as follows: The production of the SPD has incurred minimal expenditure which has only involved the necessary printing and publication costs.

Climate Response: No specific implications.

1. INTRODUCTION

- 1.1. In July 2017 the Authority adopted the Exmoor National Park Local Plan 2011-2031. The Rural Worker and Succession Farm Dwellings Supplementary Planning Document (SPD) has been drafted to provide clarity in regard to Local Plan Policies HC-D9 Rural Workers and HC-D10 Succession Farming – Second Dwellings on Established Farms. The SPD is supplementary to the Local Plan and cannot change the policy approach that is set out in the adopted Local Plan.
- 1.2. The Rural Worker and Succession Farm Dwelling Guidance is designed to be an informative document for agents, landowners and farmers, helping applicants to make considered and successful applications. The document will also act as a useful planning tool for Members and Planning Officers when making decisions on proposals.
- 1.3. Members have been closely involved in the drafting of this document including a Member Tour in November 2017, and a number of Member Forum meetings. The drafting of this document has taken a collaborative approach including an informal consultation with the Exmoor Hill Farming Network and Agents in the summer of 2018, which was followed by a formal public consultation in the summer of 2019.
- 1.4. The results of the consultation, and subsequent revisions were summarised in a report for Members which was discussed at Planning Policy Advisory Group on 27 September 2019. The revised draft SPD, showing tracked changes, and comments, and a summary of the consultation comments and proposed response (the consultation database) was also sent to Members for their information.
- 1.5. Subsequently, the results of the consultation process of the draft SPD were summarised in a Representation Statement in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 [regulation 12 & 13]. The Representation Statement and the revised Draft Final SPD were made available at the Authority Office during office hours, on the Authority website and sent out to parties registered on the Authority's Local Plan Consultation database, for a period of 4 weeks from 23 October to 20 November 2019, extended to 13 January 2020, in accordance with Regulation 35.
- 1.6. The final draft SPD is now being brought to members for adoption as the final stage of putting the SPD in place, as required under regulation 4 (1) and (3) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

2. CONSULTATION ON REPRESENTATION STATEMENT AND DRAFT FINAL SPD

- 2.1. A Representation Statement (Annex 1) has been produced explaining how the consultation on the Rural Worker and Succession Farm Worker Dwellings SPD has been carried out at key stages. The Representation Statement addresses the following requirements from the Town and Country Planning (Local Planning) (England) Regulations 2012 [regulation 12]:
 - i. Illustrated the organisations and individuals who were invited to make representations,
 - ii. Showed how they were invited to make representations,
 - iii. Summarised the main issues raised as a result of the consultation, and
 - iv. Showed how those main issues have been addressed in the Rural Worker and Succession Farm Worker Dwellings SPD.
- 2.2. Members will note that the Representation Statement also contains details of an assessment of whether a Strategic Environmental Assessment and Habitats Regulations screening were required for the SPD. The Assessment concluded that the draft Supplementary Planning Document for Rural Worker and Succession Farm Dwelling Guidance is unlikely to have a significant effect on the environment and therefore an SEA and Habitats Regulations screening are not required.
- 2.3. As noted above, the Representation Statement and draft final Rural Worker and Succession Farm Worker Dwellings SPD were consulted on from 23 October 2019 to 13 January 2020 in accordance with Regulations 12, 13 & 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 2.4. Six responses were received. Natural England and Devon Wildlife Trust noted the document but provided no comments. Cutcombe Parish Council expressed *disappointment that some of their, and other responders, key points were not included in the report.* Winsford Parish Council commented that *the Guidance is considered to be too restrictive and more restrictive than the provisions in the Plan.* The Councils made additional comments which did not fall within the scope of the consultation, some of which however had been made and considered as part of previous consultation. North Devon District Council were content with the document. A response was also received from the Country Land and Business Association (CLA) who did not respond to the original consultation. However, the comments submitted were outside the scope of this consultation. Despite this, an analysis of their response has been carried out. Many of the comments raised have been the subject of previous comments by other respondents and were therefore considered as part of earlier consultation. Information on the consultation is set out in Attachment 4 to this paper.
- 2.5. Having received no further substantive comments, no further changes are suggested to the Rural Worker and Succession Farm Worker Dwellings SPD and it is therefore recommended to members for adoption.

3. PROCEDURES FOLLOWING ADOPTION

- 3.1 In accordance with Regulation 11 of the Town and Country Planning Regulations 2012, on adoption, the Authority will be required to make available an Adoption Statement setting out the date on which the SPD was adopted and procedures for any person who may be aggrieved by the SPD. An Adoption Statement is attached in Annex 3.
- 3.2 The Adoption Statement provides, in accordance with the Regulations, that any person aggrieved by the adoption of the SPD may make an application to the High Court for permission to apply for a judicial review. Any such application must be made promptly and, in any event, not later than 3 months after the date on which the SPD is adopted.
- 3.3 Members are recommended to note and approve the Adoption Statement.

4. CONCLUSION

- 4.1 The Rural Worker and Succession Farm Worker Dwellings SPD has now reached the final stage of adoption. Members are recommended to note the Representation Statement, comments received, and approve the Rural Worker and Succession Farm Worker Dwellings SPD for adoption, at which point it will form a material consideration in planning decisions.

Ruth McArthur (Policy and Community Team)
January 2020



Representation Statement

Regulation 12

EXMOOR NATIONAL PARK
RURAL WORKER AND SUCCESSION FARM
WORKER DWELLINGS SUPPLEMENTARY
PLANNING DOCUMENT 2020

If you have any queries or questions relating to this document, please get in touch with the Policy & Community Team using the contact details below:

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TA22 9HL

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1. Introduction

- 1.1 Exmoor National Park Authority is required to prepare a Representation Statement to accompany the Rural Worker and Succession Farm Worker Dwellings Supplementary Planning Document (SPD), in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 [regulation 12]. It has since been updated to include details of the representation statement consultation.

2. Purpose of the Document

- 2.1 This statement explains how the consultation has been carried out at key stages in the preparation of the Rural Worker and Succession Farm Worker Dwellings SPD and addresses the following requirements:
 - Illustrates the organisations and individuals who were invited to make representations,
 - Shows how they were invited to make representations,
 - Summarises the main issues raised as a result of the consultation, and
 - Shows how those main issues have been addressed in the Rural Worker and Succession Farm Worker Dwellings SPD.

Compliance with the Statement of Community Involvement (SCI)

- 2.2 The Authority's first SCI was adopted in August 2006; setting out the minimum requirements the Authority must carry out when consulting at each stage of the preparation of the Local Plan and on any other planning matters which includes the production of Supplementary Planning Documents (SPDs). A revised version of the SCI was prepared as a result of changes to the legislative framework for the planning system including the introduction of neighbourhood planning through the Localism Act 2011 and the publication of the National Planning Policy Framework. The SCI was adopted by the Authority on 3rd November 2015.
- 2.3 The Overarching Aims for Community Involvement in the Planning of Exmoor are as follows:

Exmoor National Park Authority aims to ensure that all those with an interest in the National Park have the opportunity to submit their views in relation to planning matters, and that consultations are structured to facilitate active involvement and are tailored to the type of planning document involved subject to the constraints of the planning system, resources, and deadlines.
- 2.4 The Exmoor National Park Consultation Database maintains a record of all consultees and respondents. This data is maintained in compliance with the General Data Protection Regulation (EU) 2016/679 (GDPR) and Data Protection Act 2018. Some people request their information to be included on the database, whilst other specific and

general consultation bodies are directly contacted as a requirement of the Town and Country Planning (Local Plan) (England) Regulations 2012. All those who have expressed an interest in being consulted on planning matters were notified during the formal consultation process. In addition, in accordance with the requirements of the SCI, the Authority consulted on its draft SPD with statutory bodies, Parish and Town Councils, local interest groups and also local businesses.

2.5 In accordance with the SCI requirements, the Authority ensured that the SPD was formally made available for inspection at the National Park Authority offices at Exmoor House, and sent copies to Somerset West and Taunton and North Devon Councils so they could make them available, during the formal consultation process. In addition, copies were made available in local libraries and information points, press releases were sent out, and the consultation was publicised on the website.

3. Rural Worker and Succession Farm Workers Dwellings SPD – Engagement and Consultation

3.1 Table 3.1 sets out the consultation and engagement strategies employed by the Authority throughout the preparation of the Rural Worker and Succession Farm Worker Dwellings SPD; consistent with the adopted SCI.

TABLE 3.1 SPD ENGAGEMENT AND CONSULTATION

STAGE	DETAILS
INFORMAL CONSULTATION July 2018	Two workshops were held: - one with Exmoor Hill Farm Network on 2 July 2018 and one with Planning Agents on 19 July 2018. Invites were sent out by email. The key questions posed were: <ol style="list-style-type: none"> 1) What is helpful about the Guidance Note? 2) Is there anything that is unclear or unhelpful? 3) Do you have any suggestions as to how we could improve the Guidance Note? 6 representatives attended the Hill Farm Network meeting, and 3 Agents attended the Planning Agents informal consultation.
SEA SCREENING PROCESS CONSULTATION 13 March – 12 April 2019	The Statutory Consultees were consulted on the SEA screening process. An email was sent out 13 March 2019 to the Environment Agency, Natural England and Historic England giving notification of the consultation. Responses were received from the Environment Agency and Natural England. No response was received from Historic England.

STAGE	DETAILS
<p>FORMAL CONSULTATION 7 May – 31 July 2019</p>	<p>The formal consultation was originally planned for 7 May – 18 June. However, due to requests from Parish Councils for extension, the date was extended to 31 July to allow sufficient time for Parish Councils to respond.</p> <p><u>Publicity:</u> Press releases sent out publicising consultation to local press and Farming UK.</p> <p><u>Website:</u> Copies of consultation put online.</p> <p><u>Deposit points:</u> Copies of the consultation document were made available at statutory deposit points (ENPA offices, District Council offices, NP Centres) and local libraries.</p> <p>Notification of the statutory & general consultation bodies, & those on the consultation register.</p> <p>A Quick Guide and Q & A sheet was also produced, put on the website and circulated to consultees via email.</p> <p>19 responses were received, 16 with representations. More details on those consulted are set out in Appendix 3.</p>
<p>REGULATION 12 REPRESENTATION STATEMENT CONSULTATION 23 October 2019 – 13 January 2020</p>	<p>The formal consultation was originally planned for 23 October to – 20 November. However, due to a Parish Councils request for extension, the date was extended to 13 January.</p> <p>Notification of the statutory & general consultation bodies, & those on the consultation register.</p> <p><u>Website:</u> Copies of consultation put online.</p> <p><u>Deposit points:</u> Copies of the consultation document were made available at ENPA offices.</p> <p>6 responses were received. Of these, 2 contained a comment that came within the consultation parameters. 2 representations were acknowledging the invitation to make representations but to confirm that no comments were being submitted.</p>

SEA PROCESS

- 3.2 The Exmoor National Park Authority was required to determine whether or not the contents of the draft SPD required a Strategic Environmental Assessment (SEA). An SEA is required under European legislation for all plans which may have a significant effect on the environment.¹ The findings of the Screening Report concluded that the Draft SPD for Rural Worker and Succession Farm Worker Dwellings was unlikely to have a significant effect on the environment. The three Statutory Consultees were consulted – Historic England, Natural England and the Environment Agency. Responses were received with no objections, from Natural England and the Environment Agency. Historic England chose not to respond.

¹ European Directive 2001/42/EC1

INFORMAL CONSULTATION SUMMER 2018:

A SUMMARY OF THE MAIN ISSUES RAISED

- 3.3 The following tables set out the main issues raised by representations received at the meeting with the Hill Farm Network on 2 July 2018, and with Agents at the meeting on 19 July 2018.

Hill Farm Network comments	Response
Flow diagrams and tables recommended to illustrate process and simplify document	Inserted.
Stressed the importance of rural workers and succession farm worker dwellings remaining affordable for other rural workers in the long term.	Already in document, but wording amended to clarify and stress importance of the need for such a dwelling to remain affordable to other rural land based workers.
The flexibility provided in the Guidance for the size of a rural worker dwelling was welcomed.	Noted.

Agents comments	Response
The structure of the Guidance should follow the process of an application.	Structure amended accordingly.
Agents queried the use of the Agricultural Budgeting and Costing Book.	Query was discussed with Authority Advisors and wording amended accordingly.
Further detail required on what required and when in terms of business accounts, period of accounts	SPD amended to provide further clarification.
The flexibility provided in the Guidance for the size of a rural worker dwelling was welcomed.	Noted.

CONSULTATION SUMMER 2019:

A SUMMARY OF THE MAIN ISSUES RAISED

3.2 The following tables set out the main issues raised by representations received during the formal consultation on 7 May – 31 July 2019.

Comments relating to the whole SPD

Main Issues Raised	Response
A well put together document, offering flexibility.	Noted.
Document long and complex	A Quick Guide is available to applicants along with a Q & A Summary.
The policies providing for rural worker and succession farm worker dwellings, need to be widened out to other rural businesses	The policies are in accordance with paragraph 79 of the National Planning Policy Framework, and therefore do not provide for other rural businesses

1. Introduction

Policy / Plan Reference	Main Issues Raised	Response
Definition of a Rural Worker on page 4 of the Introduction.	A number of concerns raised with regard to the definition of a rural worker. Comments ranged from the definition not including a shepherd or herdsman, to not providing for the modern day farmer.	The definition of a rural worker is set out in policy HC-D9, and for a succession farm worker in policy HC-D10 of the adopted Local Plan and therefore cannot be changed at this stage.

2. Functional and Financial Tests

Policy / Plan Reference	Main Issues Raised	Response
<p>Paragraphs 2.1 & 2.15</p>	<p>A number of consultees raised concerns with regard to the term 'traditional land management' providing that it did not take account of modern farming practices.</p>	<p>It is acknowledged that the meaning of 'traditional methods and practices' can be misleading and unclear. The document has therefore been amended to focus on what the National Park Authority wants from the outcome of farming on Exmoor and provides that: the enterprise will contribute to the conservation or enhancement of the National Park in accordance with policies GP1 and CE-S1 (Landscape and Seascape Character) of the Local Plan, and provide for green infrastructure that incorporates measures to enhance biodiversity in accordance with policy CE-S3 Biodiversity and Green Infrastructure.</p>
<p>Paragraphs 2.9 & 2.17</p>	<p>The draft SPD provides that proposals should demonstrate that the occupation of the existing farmhouse by the current occupants is still essential and that they are available and present on site for the needs of the holding before it can be accepted that there is a need for an additional rural worker dwelling on the site.</p> <p>A representation has been made to say that the correct test would be to examine whether any existing dwelling is suitable and whether it can reasonably be held to be available to meet the needs of a holding for an agricultural worker to live on site.</p>	<p>In order to be flexible and provide discretion in decision making, the paragraphs have been amended to provide for what is 'reasonable' on a case by case basis.</p>

Policy / Plan Reference	Main Issues Raised	Response
Paragraph 2.9	Concerns were raised with regard to the unintended effect of occupancy conditions which are placed on rural dwellings and any existing dwelling(s) on the farm, upon the granting of planning permission for a new rural worker dwelling. Of particular concern, was the potential devaluation of a farm business and potential prevention from borrowing.	No proposed amendments: the SPD is consistent with wording in policy HC-D8 (3).
Page 12 Full Time Rural Worker Methodology	Concerns were raised with regard to how many hours should be worked and what methodology should be used.	Further advice was sought from our advisors to the Authority in such matters and the methodology has been amended to incorporate the use of an additional two methods: The John Nix Farm Management Pocket Book, and the Equine Business Guide. It has also been noted that prior agreement should be sought from the Authority if site specific anomalies need to be accounted for.

3. Size Requirements for A Rural Worker or Succession Farm Dwelling

Policy / Plan Reference	Main Issues Raised	Response
General	Comments were with regard to the size limit for a rural worker or succession farm worker dwelling, providing that the size of a dwelling should be larger for a farm house, where additional space is required for the farm business, and that the space should be equivalent to the functional needs of the farm	Since the Local Plan adoption further evidence work has been undertaken to assess the sizes of additional business space that farmers have been requiring in their planning applications, and this has provided a figure of between an additional 10 to 20 m ² . The additional habitable space which allows for a range of between 106-115sqm, is based on

Policy / Plan Reference	Main Issues Raised	Response
	business. However, other comments were received applauding the additional allowance for space in both the informal and formal consultation.	nationally described space standards, and is therefore consistent with the Local Plan which provides for 93 m ² for a dwelling - the minimum space standard for a three-bedroom, two-storey, 5 person dwelling. If both additional business and habitable space is demonstrated as a requirement for a larger dwelling and this can be justified; then this could result in a dwelling of up to a maximum of 135sqm. The Guidance therefore applies additional flexibility to that of the policy and provides clear expectations as to the justification for additional space.
Paragraphs 3.1 & 3.2	Concerns raised over consistency in the wording with regard to size allowed for a rural worker and succession farm worker dwellings: The Guidance indicates a “maximum gross internal area of 93 square metres”, while the Local Plan includes the proviso “unless it is demonstrated that a larger dwelling is required”.	Paragraph 3.1 and 3.2 have been amended to ensure wording accords with that in the Local Plan
Paragraph 3.4	A number of concerns were raised over the need to detail investment in machinery, land and buildings to justify a larger dwelling.	In acknowledging concern, the paragraph has been amended to read: Evidence of investment over the last 5-10 years that demonstrates a commitment to the business would be considered favourably. This could include for example investment in machinery, livestock, land or buildings.

Policy / Plan Reference	Main Issues Raised	Response
Paragraph 3.5	Consultees argued that the whole income from the farm should be considered in determining the need for a rural worker dwelling or a succession farm worker dwelling, as many farm businesses depend on diversification for the financial sustainability of their enterprise.	Clarification has been provided to provide that incomes derived from diversification or other non-agricultural activities will not usually be considered as justification for additional space, when they do not contribute functionally to the farming activity and therefore do not demonstrate the sustainability of the farming enterprise in its own right.

4. A New Dwelling – Consideration of Location, Siting and Design

Policy / Plan Reference	Main Issues Raised	Response
Paragraph 4.27	Concerns raised as to why there was no reference to promoting eco-friendly buildings and/or renewable energy	SPD amended to encourage provision of on-site low carbon or small-scale renewable energy in accordance with local plan policy CC-S5 Low Carbon and Renewable Energy.

12. Appendix 1: Local Plan Policies

No comments received.

13. Appendix 2: Policy Checklist

No comments received.

REPRESENTATION STATEMENT CONSULTATION OCTOBER 2019 - JANUARY 2020:

A SUMMARY OF THE MAIN ISSUES RAISED

- 3.5 The Regulation 12 consultation was held from 23 October 2019. Following a request for an extension, the consultation period was extended from 20th November until 13th January 2020. The consultation documentation and information made clear that comments should be on how previous consultation responses had been addressed or on changes made to the document since the previous consultation. Respondents were requested not to provide any comments that had been made previously as these had already been considered.
- 3.6 Comments were received from North Devon Council (who were content with the draft SPD) and Cutcombe and Winsford Parish Councils. Natural England and Devon Wildlife Trust responded to confirm that they would not be submitting comments.

Responses to Regulation 12 Representation Statement Consultation

- 3.7 Of those responses considered to meet the consultation requirements the following points were made:
- Disappointment was expressed that some key points made previously have not been included;
 - The Guidance was considered to be too restrictive and more restrictive than the provisions in the Plan.

Additional comments which did not come within the scope of the consultation and which, in some cases, had been submitted through previous consultation were made by the parish councils and the CLA.

All representations within the scope of the consultation have been considered and taken account of by the National Park Authority including whether changes to the draft SPD are appropriate. It is considered that no further changes to the guidance are necessary.

Attachment 1: Informal Consultation Summer 2018

Examples of emails informing of the Informal Consultation.

Email sent 24 June 2018

The Exmoor National Park Authority has been drafting a guidance note to provide more clarity with regard to policies on rural worker and succession farm worker dwellings. We would like to invite you to a meeting to discuss this guidance at an early stage. Please note that this is an **informal consultation on a first draft**. A **formal consultation will take place in the Autumn** where you will be asked for more detailed comments. The questions we will be asking at this stage are:

What is helpful about the Guidance Note?

Is there anything that is unclear or unhelpful?

Do you have any suggestions as to how we could improve the Guidance Note?

The meeting will take place at **Exmoor House in Dulverton on Thursday 19th July 4.30-5.30pm**.
Please confirm if you are able to attend.

I look forward to hearing from you.

Kind regards

Jo Symons

Policy and Community Manager

Exmoor National Park Authority

Exmoor House, Dulverton, Somerset TA22 9HL

Email sent 5 June 2018

Dear Katherine

The Policy team have been working on producing guidance on rural worker and succession farm worker dwellings in order to provide further clarity and information on the policies as provided in the adopted Local Plan 2017. We are shortly to go out to informally consult with a small number of groups including yourself and agents. We would therefore be grateful if we could attend one of your forthcoming meetings to present and discuss the guidance. Please let me know if this would be ok and of any dates you may have in mind.

I look forward to hearing from you.

Kind regards

Jo Symons

Policy and Community Manager

Exmoor National Park Authority

Exmoor House, Dulverton, Somerset TA22 9HL

Attachment 2: Strategic Environmental Assessment Consultation

Document and consultation email

Strategic Environmental Assessment Consultation

Email sent 13 March 2019

The Exmoor National Park Authority has prepared a draft Supplementary Planning Document (SPD) for Rural Worker and Succession Farm Dwelling Guidance; and this has been approved by the Authority for formal consultation. As required by the Environmental Assessment of Plans and Programmes Regulations 2004, it has produced a draft Strategic Environmental Assessment and Habitats Regulations Screening Report and I have attached this, together with the SPD itself. In accordance with the Regulations, the Authority is notifying you of the draft SPD so that you may comment prior to the Authority commencing wider consultation.

I would therefore welcome any comments you have and would be grateful if you could respond if at all possible by Friday 12th April 2019.

I look forward to hearing from you.

Many thanks.

Kind regards

David Clews

Policy Officer

Exmoor National Park Authority

Exmoor House, Dulverton, Somerset TA22 9HL



Exmoor National Park Authority

Draft Supplementary Planning Document

Rural Worker and Succession Farm Dwelling Guidance

Strategic Environmental Assessment and Habitats Regulations Screening Report

1. Introduction

- 1.1 Formal planning documents must not breach, and otherwise must be compatible with EU obligations. These include the Strategic Environmental Assessment (SEA) Directive and Habitats Directive.
- 1.2 A Strategic Environmental Assessment (SEA) is required under European legislation² for all plans which may have a significant effect on the environment. “The Habitats Directive requires authorities to assess the impact of plans or projects that may have a significant effect on “European sites”. Authorities cannot consent to plans or projects they determine may have an “adverse effect on the integrity of a European site” (Special Areas of Conservation and Special Protection Areas) following such an assessment”. A Habitats Regulations Assessment (HRA) is a process which looks at the potential impact of proposals within a plan on European sites.
- 1.3 The Exmoor National Park Authority (ENPA) is required to determine whether or not the contents of the draft supplementary planning document (SPD) for Rural Worker and Succession Farm Dwelling Guidance requires a Strategic Environmental Assessment (SEA).

2. Legislative Background

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, known as the SEA Regulations (from here on referred to as “the Regulations”). Detailed Guidance on these regulations can be found in the Government publication ‘A Practical Guide to the Strategic Environmental Assessment Directive’³ and the National Planning Practice Guidance⁴.
- 2.2 The Habitats Regulations requires that any plan or project likely to have a significant effect on a European site must be subject to an Appropriate Assessment; part of the Habitats Regulations Assessment process is to ensure the plan is not likely to have a significant effect on a European site.
- 2.3 The Planning and Compulsory Purchase Act 2004 (as amended) requires a Sustainability Appraisal, incorporating SEA, to be carried out for Local Plans. The National Planning Practice Guidance (NPPG) explains that there is no legal requirement for supplementary planning guidance to have a sustainability appraisal⁵, but may in exceptional circumstances require a SEA if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan. This Screening Opinion is intended to take account of Schedule 1 of the 2004 Regulations to decide whether significant environmental effects are likely.
- 2.4 Whether a plan requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed in the draft plan. A strategic environmental assessment may be required, for example, where:

² European Directive 2001/42/EC1

³ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

⁴ GOV.UK Strategic environmental assessment and sustainability appraisal 2015

⁵ [Strategic environmental assessment and sustainability appraisal - GOV.UK](#) Paragraph: 008 ID:11-008-20140306

- the plan allocates sites for development;
- the area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
- the plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

2.5 To decide whether an emerging plan might have significant environmental effects, its potential scope should be screened at an early stage against the criteria set out in Schedule 1 the Regulations⁶.

3. The draft supplementary planning document for Rural Worker and Succession Farm Dwelling Guidance

- 3.1 The draft SPD intends to assist those who are seeking to provide a rural worker or succession farm worker's dwelling. It expands on the provisions of the adopted Local Plan Policies HC-D9 (Rural Workers) and HC-D10 (Succession Farming – Second Dwellings on Established Farms). These Policies require development of this nature to meet certain functional and financial tests and the guidance explains in more detail how these issues should be addressed. It also explains size requirements and provides advice on considerations of location, siting and design.
- 3.2 The starting point of this guidance are the Exmoor National Park Local Plan policies, which along with any neighbourhood plans, forms the development plan for the Exmoor National Park. Planning law requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise
- 3.3 Planning applications for rural workers' or succession farm workers' dwellings will be assessed against the Exmoor National Park Local Plan policies, which are set out in full in the Exmoor National Park Local Plan⁷.
- 3.4 National policy⁸ is that in rural areas, housing should be located where it will enhance or maintain rural settlements, and that new isolated homes in the open countryside should be avoided unless there are special circumstances, including for the essential needs of rural workers to live permanently at or near their place of work in the countryside.
- 3.5 It is important to emphasise that housing in the open countryside for rural workers is an exception to national policies of restraint for new development outside settlements. This is particularly the case in National Parks, which have the highest status of protection for landscape.⁹
- 3.6 The Rural Worker and Succession Farm Dwelling Guidance sits within the framework set by the Adopted Local Plan Policies which focus new build development in settlements identified in Policy GP3¹⁰. However, recognising that the housing needs of the farming community may arise outside of settlements, Local Plan policies make provision for rural workers' and succession farm

⁶ http://www.legislation.gov.uk/ukxi/2004/1633/pdfs/ukxi_20041633_en.pdf

⁷ <http://www.exmoor-nationalpark.gov.uk/planning/planning-policy>

⁸ Ibid

⁹ NPPF 2018 Paragraph 172

¹⁰ GP3 SPATIAL STRATEGY

workers' dwellings¹¹ where they are essential for the needs of the farm business and where the need cannot be met through existing or planned development; through:

- the extension or subdivision of an existing home;
- the conversion of an existing building in accordance with HC-D7 Conversions to Dwellings in the Open Countryside or HC-D5 for an Extended Family Dwelling;
- the provision of a temporary residential caravan in accordance with HCD11¹¹ of the Local Plan.
- Through the provision of a new dwelling in accordance with policy HC-D9 for a rural worker or HC-D10 for a succession farm worker.

4. Assessment of need for SEA

4.1 Table 1 assesses whether the draft supplementary planning document for Rural Worker and Succession Farm Dwelling Guidance will require a full SEA.

¹¹ The Exmoor National Park Local Plan has introduced a policy for Succession Farm Dwellings – an additional dwelling on a farm holding. The intention of the policy is to enable the older generation to reduce work through working part time (minimum of 0.5 equivalent), and the younger generation to assume responsibility for the full-time role on the farm. ¹¹ HC-D11 Residential Caravans

Table 1 - Assessment of need for SEA

CRITERIA (Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004)	EXMOOR NATIONAL PARK AUTHORITY RESPONSE	Likely Significant Environmental effect
The characteristics of the plan having regard to -		
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	<p>The draft SPD seeks to guide the development of additional farm dwellings to ensure the future economic viability of holdings and to seek to contribute to the conservation of the National Park.</p> <p>Guidance is provided in the SPD to ensure that the location, siting and design of buildings are appropriate and in accordance with other Local Plan policies. The Local Plan contains a range of policies, which must be read as a whole. The draft SPD sets out practical guidance on the implementation of the Local Plan, which has been subject to SEA/HRA. As a National Park, there is a suite of detailed policies to ensure development is consistent with National Park Purposes, including the conservation and enhancement of the area.</p>	No
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The draft SPD augments policies within the adopted Local Plan, itself in accordance with the NPPF. The SPD also has regard to National Park Purposes.	No
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	Policy GP1 of the adopted Local Plan seeks to ensure that all development should achieve National Park Purposes and sustainable development; the draft SPD does not alter this requirement.	No

(d) environmental problems relevant to the plan or programme.	As long as the guidance is followed and planning applications meet the required functional and financial tests; and other policies in the Local Plan are complied with, the environmental effects are likely to be minimal. The draft SPD sets out practical guidance on the implementation of the Local Plan, which has been subject to SEA/HRA.	No
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The Guidance has to be in general conformity with the Local Plan, which itself complies with European legislation. It does not relate directly to other environmental programmes.	No
Characteristics of the effects and of the area likely to be affected, having regard, in particular to -		
(a) the probability, duration, frequency and reversibility of the effects.	The draft SPD allows for relatively small scale development throughout the National Park; therefore, some element of environmental change will take place. However, the overall impacts will be in accordance with the adopted Local Plan and unlikely to have a significant effect. The draft SPD sets out practical guidance on the implementation of the Local Plan, which has been subject to SEA/HRA.	No
(b) the cumulative nature of the effects.	The relatively small scale developments permitted by the draft SPD will be sparsely distributed throughout the National Park, so their cumulative impact is likely to be low.	No
(c) the transboundary nature of the effects.	The guidance contained within the draft SPD applies only to areas within the National Park, so there will be no transboundary effects.	No

<p>(d) the risks to human health or the environment (for example, due to accidents).</p>	<p>There is limited risk to human health or environment as a result of the guidance within the draft SPD.</p>	<p>No</p>
<p>(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).</p>	<p>The draft SPD relates to the whole of the National Park, but the numbers of households that require additional dwellings on farms is likely to be relatively low. Such accommodation would also need to be justified in terms of functional and financial tests.</p>	<p>No</p>
<p>(f) the value and vulnerability of the area likely to be affected due to</p> <ul style="list-style-type: none"> i. special natural characteristics or cultural heritage; ii. exceeded environmental quality standards or limit values; or iii. intensive land-use. 	<p>The National Park includes a National Nature Reserve; SSSIs; Special Areas of Conservation; County/ Local Wildlife Sites; an International Dark Sky Reserve; Heritage Coast; National Priority Habitats and Species; Ancient Woodland; and Listed Buildings and Conservation Areas. However, the draft SPD does not alter the protection that the adopted Local Plan gives to these environmental, cultural and historic areas and features, so the direct environmental effects of the draft SPD are likely to be limited. The draft SPD sets out practical guidance on the implementation of the Local Plan, which has been subject to SEA/HRA.</p>	<p>No</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The National Park, (itself an International landscape designation) includes a National Nature Reserve; Special Areas of Conservation; International Dark Sky Reserve and Heritage Coast. However, the draft SPD does not alter the protection that the adopted Local Plan gives to these environmental features, so the direct effects of the draft SPD are likely to be limited.</p>	<p>No</p>

Conclusion

The Draft Supplementary Planning Document for Rural Worker and Succession Farm Dwelling Guidance is unlikely to have a significant effect on the environment.

Attachment 3: Formal Consultation Summer 2019

Examples of posters, leaflets, parish newsletters, press releases, other publicity

Email sent 16 April 2019

Dear Sir or Madam

I am writing to advise you of a forthcoming consultation on a Draft Supplementary Planning Document (SPD) relating to Rural Workers and Succession Farm Dwellings, following which the Document will be adopted and used in the consideration of planning applications.

The draft SPD intends to assist those who are seeking to provide a rural worker or succession farm worker's dwelling. It expands on the provisions of the adopted Local Plan Policies HC-D9 (Rural Workers) and HC-D10 (Succession Farming – Second Dwellings on Established Farms). These Policies require development of this nature to meet certain functional and financial tests and the guidance explains in more detail how these issues should be addressed. It also explains size requirements and provides advice on considerations of location, siting and design. The draft Guidance does not alter Local Plan policies and these will remain unchanged.

The consultation is likely to take place soon after the local government elections in May and will continue for a period of six weeks. Following this consultation, the comments received will be reported to a meeting of the Authority, with recommendations for any proposed changes. I am just letting you know in advance that I will be sending you the draft document in due course and that you will be invited to comment.

Yours faithfully

David Clews
Policy Officer
Exmoor National Park Authority
Exmoor House, Dulverton, Somerset TA22 9HL

Tel: 01398 323665

Working together for Exmoor

Press Release for Formal Consultation June 2019

NEW GUIDANCE AIMS TO KEEP EXMOOR FAMILIES FARMING

Exmoor National Park Authority is inviting comments on new guidance into how new homes for rural workers and farming families in the National Park can be applied for, as part of a public consultation running for six weeks until 18th June 2019.

The draft “Rural Worker and Succession Farm Dwelling Guidance” applies to those working in land-based businesses in the National Park, such as farming or forestry, and is supplementary to existing national guidelines as well as those set out in the Local Plan for the National Park.

Nationally, homes in the open countryside are only permitted in exceptional circumstances, such as needing a full-time worker permanently on site to tend livestock. Local planning policy further recognises that maintaining the fabric of Exmoor’s farming community is intrinsic to conserving the distinct landscapes and habitats of the National Park, along with the centuries-old farming practices that help sustain them.

For example, there is extra flexibility to help older farmers retire and a younger generation to take on responsibility for the farm business, or for larger dwellings to be applied for if the scale or nature of the enterprise demands it and the need can’t be met through alternative arrangements. But equally the rules are necessarily stringent around the impact of any new dwelling on the landscape to ensure they are sensitive to the unique character and scenic beauty of the National Park. These new guidelines are intended to help balance these two obligations.

Robin Milton, Chairman of the National Park Authority, said: “This is an important document for Exmoor and its communities to ensure there are opportunities for new housing where it is essential to working people being able to live locally and to conserve and enhance this beautiful area. It is intended to help applicants and all those involved in planning for farm dwellings in the National Park and we would love to hear people’s views.”

Martin Dewdney, Chairman of the National Park Authority Planning Committee, added: “If adopted this document will form part of an extensive toolkit on offer to help with these kinds of planning applications that also includes regular planning surgeries and free pre-application advice. As the Local Plan is already adopted, it won’t form part of the consultation, but we warmly welcome any comments focused on this latest guidance.”

The draft guidelines and comments form are available from the planning policy section of the Exmoor National Park Authority website* and as hard copies at the following locations: National Park Centres in Dulverton, Dunster and Lynmouth, Lynton and Porlock libraries, Exmoor House in Dulverton and West Somerset and North Devon Council Offices in Williton and Barnstaple.



Exmoor National Park Authority
Exmoor House
Dulverton
Somerset TA22 9HL
Tel: 01398 323665
www.exmoor-nationalpark.gov.uk
info@exmoor-nationalpark.gov.uk

A member of National Parks England and National Parks UK

This matter is being dealt with by:

David Clews

Tel: (01398) 323665

Date 7th May 2019

Dear Sir or Madam

**Rural Worker and Succession Farm Dwelling Guidance
Draft Supplementary Planning Document**

I am writing to advise you that the above Draft Supplementary Planning Document (SPD) has been approved by the Authority for public consultation. Responses received will be considered and any necessary changes made to the Document, after which it is intended that it will be adopted and used in the consideration of planning applications.

The draft SPD intends to assist those who are seeking to provide a rural worker or succession farm worker's dwelling. It expands on the provisions of the adopted Local Plan Policies HC-D9 (Rural Workers) and HC-D10 (Succession Farming – Second Dwellings on Established Farms). These Policies require development of this nature to meet certain functional and financial tests and the guidance explains in more detail how these issues should be addressed. It also explains size requirements and provides advice on location, siting and design considerations.

The starting point of this guidance are the Exmoor National Park Local Plan policies, which along with any neighbourhood plans, forms the development plan for the Exmoor National Park. Planning law requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. This guidance does not alter the provisions of the Local Plan policies and these will remain unchanged.

The consultation period runs from 7th May to 18th June 2019. I have attached the draft document for information; and also a form on which responses can be provided. Copies are available at Exmoor House, the National Park Centres at Dulverton, Dunster and Lynton; Porlock and Lynton Libraries; and the offices of North Devon District Council and Somerset West and Taunton Council. Please be aware that all representations received will be publicly available and will appear on the Exmoor National Park Authority website. However, all personal contact details will be removed. Following this consultation, the comments received will be reported to a meeting of the Authority, with recommendations for any proposed changes. Please ensure that any comments on the Draft SPD are received by the Authority no later than **18th June 2019**.

Yours Faithfully

David Clews
Policy Officer
Tel: 01398 323665
dclews@exmoor-nationalpark.gov.uk

Working
together
for Exmoor

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**Draft Rural Worker and Succession
Farm Dwelling Guidance
Supplementary Planning Document
Consultation Response Form**



- This draft Supplementary Planning Document (SPD) has been approved by the Authority for public consultation.
- Please use this form if you wish to support or object to the Guidance.
- Representations received after 18th June 2019 will not be accepted.

Please ensure your response is returned to Exmoor National Park Authority by
18th June 2019

Please post to: Draft Rural Worker Consultation, Exmoor National Park Authority, Exmoor House, Dulverton, Somerset TA22 9HL

Or Email to: localplan@exmoor-nationalpark.gov.uk

Website www.exmoor-nationalpark.gov.uk

Part A – Contact Details

For your response to be valid you must provide your name and contact details below

Personal Details	Agent's Details (Please complete if applicable) <i>Where an agent is used, the agent will be the point of contact.</i>
TITLE	AGENT TITLE:
INITIAL	INITIAL
SURNAME	SURNAME
ORGANISATION <i>IF APPLICABLE</i>	COMPANY NAME:
ADDRESS	ADDRESS
POSTCODE	POSTCODE
EMAIL	EMAIL
TELEPHONE:	TELEPHONE
Signature:	Date:

*Please note that representations should be attributable to named individuals or organisations at a postal address. We are required to report comments received to the Authority. **Please be aware that all representations received by the National Park Authority will be publically available including on our website.** Any personal contact details received will be removed and will otherwise only be used by the Authority to keep the respondent informed of the Supplementary Planning Document's (SPD) progress if requested to do so.*

Please tick here to confirm you give your consent to the above use of your contact details

Rural Worker and Succession Farm Dwelling Guidance Consultation – Website Text

Draft Rural Worker and Succession Farm Dwelling Guidance together with the Strategic Environmental Assessment and Habitats Regulations Screening Report are published for public consultation from **Tuesday 7th May** until **Tuesday 18th June 2019**

The draft document intends to assist those who are seeking to provide a rural worker or succession farm worker's dwelling. It therefore sets out detailed guidance on the practical aspects of making planning applications for new homes for those working in land based businesses in the National Park. Adopted Local Plan policies require such development to meet certain tests and the draft guidance explains in more detail how these issues should be addressed. It also explains size requirements and provides advice on location, siting and design considerations.

The document is intended to be formally adopted as a Supplementary Planning Document to enable greater weight to be given to it when deciding relevant planning applications. This public consultation exercise provides an opportunity for you to have your say on the proposed guidance.

Details on the consultation and how you can view the documents are available below. The response form is also available to view and download to enable you to provide comments. If you need more space, then further forms can be printed or photocopied or additional sheets appended. Comments can only be made on the draft guidance as the Local Plan is already adopted and therefore it does not form part of the consultation.

Copies of the reports are available at

- Exmoor House in Dulverton;
- the National Park Centres at Dulverton, Dunster and Lynmouth;
- Lynton and Porlock libraries; and
- Somerset West and Taunton Offices in Williton and North Devon Council Offices in Barnstaple.

CONSULTATION DOCUMENTS

Covering Letter Notification Document	PDF
Draft Rural Worker and Succession Farm Dwelling Guidance document	PDF
Strategic Environmental Assessment and Habitats Regulations Screening Report	PDF
Response Form	Word

Representations must be in writing and should be sent to the Authority by **18th June** either
By post:

Draft Rural Worker Consultation,
Exmoor National Park Authority,
Exmoor House,
Dulverton,
Somerset
TA22 9HL

Or email: localplan@exmoor-nationalpark.gov.uk

Email sent 27 June 2019

Dear Sir or Madam

Following a request from several parish councils, we have agreed to extend the end date of the consultation period for the Draft Rural Worker and Succession Farm Guidance from 18th June to 31 July. This is to ensure that there is sufficient time for all consultees to consider the document and provide responses.

Kind regards

David

David Clews

Policy Officer

Exmoor National Park Authority

Exmoor House, Dulverton, Somerset TA22 9HL

Tel: 01398 323665

Working together for Exmoor

Consultees

Statutory Consultees
Environment Agency
Natural England
Historic England
Other Consultees
North Devon District Council
West Somerset Council
Somerset County Council
Devon County Council
Exmoor Parish/ Town Councils
Exmoor Society
Exmoor Young Voices
Exmoor Hill Farm Network
Exmoor Uprising
Exmoor Trust
Farmers Weekly
National Trust
Country Land and Business Association
National Farmers Union
Addington Fund
Woodland Trust
Exmoor Farmers
Local Architects, Estate Agents, Surveyors and Planning Agents.
Representatives on the Local Plan Consultation Database

Attachment 4: Regulation 12 Representation Consultation Autumn/Winter 2019/20

Examples of emails and website text

Rural Worker and Succession Farm Dwelling Guidance

Email Sent: 23 October 2019 16:02

Subject: Public Consultation on the Representation Statement and draft final Rural Worker and Succession Farm Worker Dwellings Guidance

I am writing to let you know that a Representation Statement has been produced which explains how the consultation has been carried out at key stages in the preparation of the Rural Worker and Succession Farm Worker Dwellings Guidance and addresses the following:

- Illustrates the organisations and individuals who were invited to make representations,
- Shows how they were invited to make representations,
- Summarises the main issues raised as a result of the consultation, and
- Shows how those main issues have been addressed in the Rural Worker and Succession Farm Worker Dwellings SPD.

This Statement and the amended draft final Rural Worker and Succession Farm Worker Dwellings Guidance are published for public consultation from Wednesday 23 October until Wednesday 20th November.

The guidance is due to be finalised in November and will be widely publicised once adopted.

Copies of the documents are attached and are available in hard copy at Exmoor House in Dulverton during office hours. They are also available for download from the website <https://www.exmoor-nationalpark.gov.uk/planning/planning-policy/rural-worker-and-succession-farm-dwelling-guidance-consultation>.

The response form is also attached and available to view and download from our website. If you need more space, then further forms can be printed or photocopied or additional sheets appended. **Please do not respond to this email but send any responses or queries to localplan@exmoor-nationalpark.gov.uk OR send any hard copies to Ruth McArthur, Exmoor National Park Authority, Exmoor House, Dulverton, Somerset EX22 9HL**

Please do not provide any comments that have been made previously as these have already been considered.

Please be aware that all representations received will be publicly available and may appear on the Exmoor National Park Authority website. However, all personal contact details will be removed. Please ensure that any comments on the Draft SPD are received by the Authority no later than **20th November 2019**.

Kind regards

Jo Symons

Policy and Community Manager

Email Sent: 29 November 2019 12:15

To: localplan <localplan@exmoor-nationalpark.gov.uk>

Subject: Public Consultation on the Representation Statement and draft final Rural Worker and Succession Farm Worker Dwellings Guidance

Further to the email below, I am writing to let you know that a Representation Statement has been produced which explains how the consultation has been carried out at key stages in the preparation of the Rural Worker and Succession Farm Worker Dwellings Guidance and addresses the following:

- Illustrates the organisations and individuals who were invited to make representations,
- Shows how they were invited to make representations,
- Summarises the main issues raised as a result of the consultation, and
- Shows how those main issues have been addressed in the Rural Worker and Succession Farm Worker Dwellings SPD.

This Statement and the amended draft final Rural Worker and Succession Farm Worker Dwellings Guidance were published for public consultation from Wednesday 23rd October until Wednesday 20th November. I am writing to tell you that **the consultation period has been extended and comments will now be accepted until 13th January 2020.**

The guidance is due to be finalised in early 2020 and will be widely publicised once adopted.

Copies of the documents are attached and are available in hard copy at Exmoor House in Dulverton during office hours. They are also available for download from the website <https://www.exmoor-nationalpark.gov.uk/planning/planning-policy/rural-worker-and-succession-farm-dwelling-guidance-consultation>.

The response form is also attached and available to view and download from our website. If you need more space, then further forms can be printed or photocopied or additional sheets appended.

Please do not respond to this email but send any responses or queries to localplan@exmoor-nationalpark.gov.uk OR send any hard copies to Ruth McArthur, Exmoor National Park Authority, Exmoor House, Dulverton, Somerset TA22 9HL

- Please do not provide any comments that have been made previously as these have already been considered. Instead this consultation provides an opportunity for comments on how your previous consultation response has been addressed or on the changes made to the Draft Final Rural Worker and Succession Farm Workers Guidance document since the previous consultation.

Please be aware that representations should be attributable to named individuals or organisations at a postal address. We are required to report comments received to the Authority. **Please note** therefore that all representations received will be publicly available and may appear, with your name / organisation on the Exmoor National Park Authority website. However, all personal contact details will be removed. Please ensure that any comments on the Draft SPD are received by the Authority no later than **13th January 2020.**

Kind regards

Ruth McArthur
Policy and Community Manager

Rural Worker and Succession Farm Dwellings Guidance Consultation Findings

A Representation Statement has been produced which explains how the consultation has been carried out at key stages in the preparation of the Rural Worker and Succession Farm Worker Dwellings Guidance and addresses the following:

- Illustrates the organisations and individuals who were invited to make representations,
- Shows how they were invited to make representations,
- Summarises the main issues raised as a result of the consultation, and
- Shows how those main issues have been addressed in the Rural Worker and Succession Farm Worker Dwellings SPD.

This Statement and the amended draft final Rural Worker and Succession Farm Worker Dwellings Guidance were published for public consultation from Wednesday 23 October until Wednesday 20th November. **The deadline has been extended and representations will now be accepted until 13th January 2020.**

The guidance is due to be finalised early in 2020 and will be widely publicised once adopted.

The draft Guidance intends to assist those who are seeking to provide a rural worker or succession farm worker's dwelling. It therefore sets out detailed guidance on the practical aspects of making planning applications for new homes for those working in land based businesses in the National Park. Adopted Local Plan policies require such development to meet certain tests and the draft guidance explains in more detail how these issues should be addressed. It also explains size requirements and provides advice on location, siting and design considerations. The document is intended to be formally adopted as a Supplementary Planning Document to enable greater weight to be given to it when deciding relevant planning applications.

Copies of the documents are available at Exmoor House in Dulverton during office hours, and are available for download below. The response form is also available to view and download to enable you to provide comments. If you need more space then further forms can be printed or photocopied or additional sheets appended.

Comments should be on how your previous consultation response has been addressed or the changes made to the document since the previous consultation. Please do not provide any comments that have been made previously as these have already been considered.

**Draft Final Rural Worker and
Succession Farm Dwelling Guidance
Supplementary Planning Document
Consultation Response Form**



- The draft Supplementary Planning Document (SPD) has been amended in response to representations received during the Public Consultation in the Summer 2019.
- **Please use this form only if you wish to make any comments on how your previous consultation response has been addressed or changes made to the document since the previous consultation.**

Please ensure your response is returned to Exmoor National Park Authority by

13th January 2020. Representations received after this date will not be accepted

Please post to: Draft Final Rural Worker Consultation, Exmoor National Park Authority, Exmoor House, Dulverton, Somerset TA22 9HL

Or Email to: localplan@exmoor-nationalpark.gov.uk
Website www.exmoor-nationalpark.gov.uk

Part A – Contact Details

For your response to be valid you must provide your name and contact details below

Personal Details	Agent's Details (Please complete if applicable) <i>Where an agent is used, the agent will be the point of contact.</i>
TITLE	AGENT TITLE:
INITIAL	INITIAL
SURNAME	SURNAME
ORGANISATION <i>IF APPLICABLE</i>	COMPANY NAME:
ADDRESS	ADDRESS
POSTCODE	POSTCODE
EMAIL	EMAIL
TELEPHONE:	TELEPHONE
Signature:	Date:

Please note that representations should be attributable to named individuals or organisations at a postal address. We are required to report comments received to the Authority and these may appear with your name/organisation. **Please be aware that all representations received by the National Park Authority will be publicly available including on our website.** Any personal contact details received will be removed and will otherwise only be used by the Authority to keep the respondent informed of the Supplementary Planning Document's (SPD) progress if requested to do so.

Please tick here to confirm you give your consent to the above use of your personal details

Please tick here to indicate if you wish to be kept informed of progress on the SPD

The Authority's Privacy Policy can be found on its website here: <http://www.exmoor-nationalpark.gov.uk/home/privacy>

Part B – YOUR CONSULTATION RESPONSE		
<i>Please note that only comments on the draft guidance document can be accepted</i>		
Paragraph or page number	State: Support / Object / General Comment	COMMENT

All documentation and further information on the Draft SPD are available at www.exmoor-nationalpark.gov.uk



**DRAFT FINAL RURAL
WORKER AND
SUCCESSION FARM
DWELLINGS GUIDANCE**

**Supplementary
Planning
Document**

Exmoor National Park Authority

February 2020

DRAFT

If you have any queries or questions relating to this document, please get in touch with the Policy & Community Team using the contact details below:

✉ Exmoor National Park Authority
Exmoor House
Dulverton
Somerset
TA22 9HL

✉ localplan@exmoor-nationalpark.gov.uk

☎ 01398 323665

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1. INTRODUCTION

- 1.1. The Exmoor landscape that is so valued today for its beauty and apparent wildness, in reality, has evolved and continues to evolve as a result of both the climate and thousands of years of land management. Woodland clearance, heathland burning, land drainage and grazing by animals - particularly cattle and sheep have, over generations, led to the intimate pattern of fields, moor and woods that contribute to the scenic beauty and landscape character of Exmoor National Park. Farming and woodland management have helped to create Exmoor's distinctive landscapes and the Exmoor National Park Authority recognises that sustainable farming and land management are essential to the conservation of Exmoor's landscapes and to maintain the fabric of the farming community.
- 1.2. The Exmoor National Park Authority is conscious of the challenges facing farmers and understands that in order to continue the land management practices that have shaped Exmoor's distinctive landscapes that it may be necessary for a rural worker to live close to their place of work, and in such instances, a dwelling may be required.
- 1.3. PURPOSE OF THIS GUIDANCE NOTE: This guidance note intends to assist those who are seeking to provide a rural worker or succession farm worker's dwelling so their business can thrive and will contribute to the conservation of the Exmoor National Park.
- 1.4. The starting point of this guidance note is the Exmoor National Park Local Plan policies, which along with any neighbourhood plans, forms the development plan for the Exmoor National Park. Planning law requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.¹

¹ Material considerations can include (but are not limited to): overlooking/loss of privacy; loss of light or overshadowing; parking; highway safety; traffic; noise; effect on listed building and conservation area; layout and density of building; design, appearance and materials; government policy; disabled persons' access; proposals in the Development Plan; previous planning decisions (including appeal decisions); and/or nature conservation.

- 1.5. Planning applications for rural workers' or succession farm workers' dwellings will be assessed against the Exmoor National Park Local Plan policies, which are set out in full in the Exmoor National Park Local Plan², as well as this Guidance note, which is a material planning consideration in all planning decisions. The National Planning Policy Framework (NPPF)³ is also a material planning consideration
- 1.6. National policy⁴ is that in rural areas, housing should be located where it will enhance or maintain rural settlements, and that new isolated homes in the open countryside should be avoided unless there are special circumstances, including for the essential needs of rural workers to live permanently at or near their place of work in the countryside.
- 1.7. It is important to emphasise that housing in the open countryside for rural workers is an exception to national policies of restraint for new development outside settlements. This is particularly the case in National Parks, which have the highest status of protection for landscape.
- 1.8. Policies in the Local Plan therefore focus new build development in settlements identified in policy GP3.⁵ However, recognising that the housing needs of the farming community may arise outside of settlements, Local Plan policies make provision for rural workers' and succession farm workers' dwellings⁶ where they are essential for the needs of the farm business and where the need cannot be met through existing or planned development; through:
 - a) the extension or subdivision of an existing home;
 - b) the conversion of an existing building in accordance with policy HC-D7 Conversions to Dwellings in the Open Countryside or policy HC-D5 for an Extended Family Dwelling;
 - c) the provision of a temporary residential caravan in accordance with policy HC-D11⁷ of the Local Plan.
- 1.9. The Local Plan provides great flexibility for housing on farms including through the provision of a local need dwelling through a conversion, for a part time rural

² <http://www.exmoor-nationalpark.gov.uk/planning/planning-policy>

³ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁴ Ibid

⁵ GP3 SPATIAL STRATEGY

⁶ The Exmoor National Park Local Plan has introduced greater flexibility for farm enterprises through a policy for Succession Farm Dwellings – an additional dwelling on a farm holding. The intention of the policy is to enable the older generation to reduce work through working part time (minimum of 0.5 full time equivalent), and the younger generation to assume responsibility for the full-time role on the farm.

⁷ Policy HC-D11 Residential Caravans

worker (see policy HC-D7); as well as through Extended Family Dwellings (Policy HC-D5), which provide an opportunity, where there are existing traditional buildings on a farmstead that have the potential for conversions to dwellings, for families to provide support to each other through living close by. This may for example allow older farmers to retire and a younger generation to take on responsibility for the farm business; it may also provide support for the older generation in their retirement through the younger providing care and thereby improving the social wellbeing of the farming community⁸. The policy is set out in full in appendix 1.

- 1.10. The diagram overleaf provides a summary of the process for a planning application for rural workers' and succession farm workers' dwellings. Please note that the policies will need to be read and complied with in full should an application be made. Policy HC-D9 Succession Farm Workers, HC-D10 Rural Worker Dwellings and HC-D5 Extended Family Dwellings Criteria are set out in full in appendix 1. Local Plan policies HC- D7 Conversions to Dwellings in the Open Countryside, and HC-D8 New Build Dwellings in the Open Countryside will also need to be complied with where appropriate, and are also set out in full in appendix 1 of this document. Further text and explanation is provided in the Exmoor National Park Local Plan. A summary of these policies and their requirements are set out in appendix 2.
- 1.11. The definition of a rural worker is provided in policy HC-D9, and for a succession farm worker in policy HC-D10 of the Local Plan and these are set out below for the purposes of this guidance document.

⁸ Policy HC-D5 provides that extended family dwellings will need to be occupied by a person(s) (and their dependents who can demonstrate that:

- a) the occupier of the associated existing dwelling or the new dwelling has a minimum period of 10 years or more in the last 30 years permanent and continuous residence in the parish or an adjoining parish; and
- b) they are immediate family by virtue of being a direct descendent or antecedent of the permanent occupier of the associated existing dwelling; or
- c) exceptionally, they are a dependent relative who has an essential need to live close to another person, the need arising from age, family or medical reasons.

A RURAL WORKER

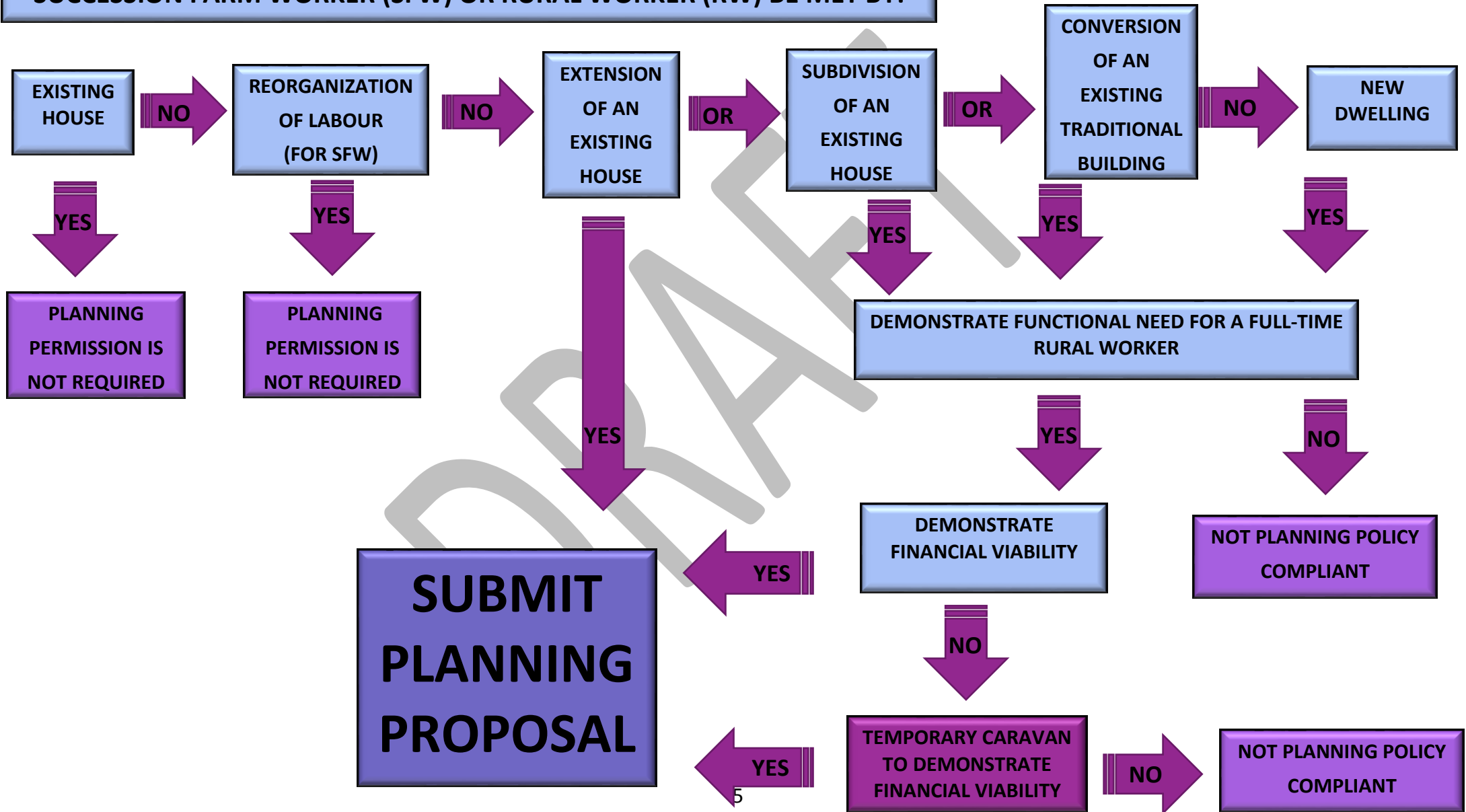
A rural worker in agriculture, forestry or other land based rural enterprise operating in the locality who is engaged in actual physical work, actively contributing to the management of land.

A SUCCESSION FARM WORKER

A succession farm worker is a person younger than the person currently responsible for management of the farm business who has or is intended to have majority control over the business and be the decision maker. The farm business has secure and legally binding arrangements in place to this effect and, to demonstrate that the farm business is jointly held.

DRAFT

CAN AN IDENTIFIED REQUIREMENT FOR AN ON-SITE DWELLING FOR A SUCCESSION FARM WORKER (SFW) OR RURAL WORKER (RW) BE MET BY:



STRUCTURE OF GUIDANCE

1.12. The remainder of this guidance note is set out as follows:

Section 2 – Functional and Financial Tests: An assessment of the business as a whole must be undertaken in order to conclude whether there is an essential need to have a full-time rural worker on site (or in the case of a Succession Farm Dwelling, 0.5 or more of a full-time worker). This section provides further details on these tests.

Section 3 - Size Requirements: This section sets out the size requirements for a rural worker's or succession farm worker's dwelling and provides guidance for cases where a larger dwelling is justified.

Section 4 – A New Dwelling - Consideration of Location, Siting, and Design: A successful scheme for a new dwelling in the open countryside needs to ensure that it is located and sited in a way that functionally relates to the farm buildings, but also positively responds to landscape character, features and elevations. The design of the building(s) is/are essential in contributing to conserving the scenic beauty of the National Park.

2. FUNCTIONAL AND FINANCIAL TESTS

Specific information on the functional and financial tests can be found in Annex 2 of the Local Plan (Rural Land Based Worker Dwellings).

Rural land-based businesses are businesses that manage the land in a way that conserves the National Park's special qualities. These can be defined as farming enterprises based on primary food production, rural estates, forestry, mixed enterprises (e.g. with equestrian activities and/or game shooting) and other businesses that manage the land for conservation and/or recreation, which have benefits for health and well-being. Rural land-based businesses must also need to be located in the open countryside due to the nature of their operations.

FUNCTIONAL REQUIREMENT

- 2.1. A proposal for new housing on land-based enterprises, will need to be accompanied by evidence to show that the enterprise contributes to the conservation or enhancement of the National Park in accordance with policies GP1 and CE-S1 (Landscape and Seascape Character) of the Local Plan, and provides for green infrastructure that incorporates measures to enhance biodiversity in accordance with policy CE-S3 Biodiversity and Green Infrastructure. For farming enterprises, this will generally be an extensive farm⁹ with grazing livestock farming (beef suckler cows and breeding ewes) typical of the upland hill farming practices that have contributed to Exmoor's distinctive landscapes.
- 2.2. The 'essential need' for a rural worker dwelling will need to be justified by a functional requirement for at least 0.5fte for a succession farm worker, or for at least 1 or more full time rural workers to be readily available to attend to the needs of the business for most of the year (day and night). The 'needs of the business' include the efficient operation of the farm/enterprise including the essential care of livestock and responding to any emergencies should they arise.
- 2.3. The nature of the forestry economy on Exmoor, means that it is very unlikely that there will be situations where there is an essential need to live on a woodland holding and to be on call for most of the day or night.

⁹ As opposed to more intensive farming that requires additional feeding and indoor-housing of livestock. This has little benefit for the management or appearance of Exmoor's landscape, which has been shaped by the extensive grazing practices of cattle and sheep breeds which are common to Exmoor and have influenced landscape character. (please see paragraph 7.57 of the Exmoor Local Plan 2017-2031)

- 2.4. Whether the operational needs of the holding are essential in any particular case will depend on the needs of the individual farm, forestry, or rural land-based enterprise and not on the personal preferences or circumstances of any of the individuals involved. In some cases, it will be as appropriate for rural workers to live in nearby villages or hamlets, where they can reasonably access the site within a reasonable time and at short notice.

FINANCIAL TEST

- 2.5. A financial test is also necessary so that a realistic approach can be taken to the level of profitability of an enterprise and whether it can sustain a dwelling without compromising the ability to meet all normal outgoings on the holding. It is important to be able to show that the holding/enterprise and the activity concerned with it, is profitable/viable. A long-term view will be taken in assessing whether an operation is viable and has a clear prospect of remaining sufficiently profitable to finance the dwelling costs and the full time employment of the person occupying it. In order to demonstrate this, for permanent dwellings, the business unit and agricultural activity concerned will need to have been established for three years, having been profitable for at least one of them.
- 2.6. A business appraisal will be required to accompany the planning application. The appraisal should set out how the enterprise meets the functional and financial tests for a new dwelling and how the business is proposed to develop. The appraisal should include for example; submission of actual accounts, comprising the trading and profit and loss, and the balance sheet figures, with all the normal costs of the enterprise, including labour and purchase costs; an assessment of information such as costs of stock, feed, vet care, transport, marketing, electricity, insurance, accountants, water charges, repairs, land rent and financing charges will be required. The cost of the business appraisal will be the responsibility of the applicant. The Authority will consider the information provided and all other evidence submitted with the application, and may also seek additional advice from a qualified consultant prior to determining the application.
- 2.7. In some instances where viability cannot yet be demonstrated, it may be more appropriate to seek planning permission for a temporary caravan. This would then enable the applicant to build their business so that they can then demonstrate the long term viability of the farming enterprise. In such instances, a business plan

which includes financial forecasts will be required to set out how the business is proposed to develop over the next three years.

- 2.8. Additional Rural Worker Dwellings: Many farms will have operated for a number of years on the basis of a single farmhouse. However, changes to the business, such as expansion of the holding and/or increases in stock, or a change to the nature and scale of the enterprise, may lead to an essential need for an additional worker to be on site.
- 2.9. Proposals should demonstrate whether any existing dwelling is suitable and can be reasonably held to be available to meet the needs of a holding for a rural worker to live on site. In addition, however, occupancy restrictions will be imposed on all existing dwellings on the holding to ensure that these are not capable of being separated from the enterprise unrestricted dwellings and then sold on the open market.
- 2.10. Succession Farm Dwellings: The Exmoor National Park Local Plan has introduced greater flexibility for farm enterprises through a policy for Succession Farm Dwellings. The intention of the policy is to enable the older generation to reduce work through working part time (minimum of 0.5 equivalent), and the younger generation to assume responsibility for the full-time role on the farm (though they may not yet work full time). The policy only applies where a second dwelling is sought. It is recognised that the existing farmhouse will meet the current essential need where the older (and sometimes younger) generation live.
- 2.11. The functional requirement for a succession farm dwelling should be for at least an additional 0.5 of a full time worker: either the younger generation gradually building up their role on the farm, or the older generation reducing their input into the farm operation. It will need to be demonstrated that the additional need cannot be met in any other way, including through the re-organisation of labour responsibilities.
- 2.12. The Local Plan policy HC-D10 Succession Farming – Second Dwellings on Farms sets a series of tests the application will need to meet; including demonstration that the farm will succeed to the next generation through legal Partnership Agreements, so that the farm holding or business is in joint ownership/partnership. These legal arrangements are necessary to justify the need for a second dwelling for succession planning, and are likely to avoid the need for a further legal agreement (S106 planning obligation) to be required as part of the planning permission.

- 2.13. For a succession farm worker dwelling, a business appraisal will therefore be expected to demonstrate a need on the farm for not less than 1.5 full time workers – which will include the existing functional requirement for a full time worker together with half a full time worker to justify the need for a second dwelling (i.e. the succession farm dwelling).
- 2.14. The business appraisal will also need to demonstrate viability for at least five years after completion of the proposed dwelling to show how the business will effectively operate and develop under a succession farming partnership agreement. Although, the assessment of the existing viability will be on the basis that the agricultural unit and related activity(ies) have been established for at least three years, and being profitable for at least one of those years (see paragraph 2.6 for details on what information is required); in order to demonstrate viability for at least five years after completion of the dwelling, details on how the business is proposed to develop under the succession arrangements is required to demonstrate successful succession and continuation of the business. This will need to include details of changes over how the partnership agreement is to be enacted including how the split of labour may change as well as any proposed increases or changes in land, stock or machinery and financial forecasts where appropriate.

The circumstances that are **NOT** likely to lead to a successful proposal for a permanent rural worker/ succession farm worker dwelling are:

- where a significant component of the business depends on an insecure or short term tenancy;
- A profit of at least 1 in the last 3 years or more cannot be shown;
- there is insufficient or unreliable income or the long term viability is questionable;
- there is an inadequate and/or weak business appraisal that does not show clear prospects of the business being sustained for a reasonable period of time;
- the essential need to live on the holding is not clearly demonstrated;
- another dwelling has the potential to meet the need.

Full-Time Rural Worker Methodology: The agricultural appraisal to establish the need for a full-time worker for a farming enterprise should be based on **industry standard labour data – The two main guides are** The Agricultural Budgeting and Costing Book (ABC) (which includes 2 methods: their own and the Farm Business Survey (FBS method); and the John Nix Farm Management pocket Book. The Equine Business Guide (EBG) should be used specifically for equine enterprises.

With regard to wages and hours per year, the following calculations are currently used:

- a) **The ABC (own method) has a Standard Man Days (SMD) multiplier and uses 2,200 hours per year (and also allows for an additional 15-20% for general maintenance, repairs and management) which equates to a notional 275 SMD's.**
- b) **The FBS is based on hours per head and uses 1,900 hours, but includes an allowance within their figures for overhead activities).**
- c) **The EBG allows for 2,225 hours which equates to a notional 278 SMD's.**

It is important that baseline data is used for transparency. If site-specific anomalies need to be accounted for then this should be clearly set out in a footnote or equivalent; for example, halving a figure if stock are only on site for 6 months. Prior agreement with the planning authority is advised before including such anomalies in any calculation.

2.15. The table below summarises the evidence required for a functional and financial appraisal and the requirements for the business appraisal.

Summary of Evidence required for Functional and Financial Tests and Business Appraisal¹⁰.	RWD	SFWD
Functional Test		
Enterprise contributes to the conservation or enhancement of Exmoor National Park in accordance with GP1 and CE-S1 (Landscape and Seascape Character) of the Local Plan, and provides for green infrastructure that incorporates measures to enhance biodiversity in accordance with policy CE-S3 Biodiversity and Green Infrastructure	X	X
Enterprise is extensive in nature	X	X
1+ worker required to be readily available to attend to the needs of the business day and night	X	
At least an additional 0.5 + (fte)workers required to be readily available to attend to the needs of the business day and night		X
Evidence on who is to live in the proposed dwelling and where they live now?		X
Evidence to show that there is no suitable alternative housing provision (section 2.16) <ul style="list-style-type: none"> ○ the potential to use existing dwellings on the holding or in the locality; ○ opportunities for the extension and/or subdivision of existing dwellings on the holding; 	X	X

¹⁰ This list is not exhaustive and other evidence may be considered appropriate.

Summary of Evidence required for Functional and Financial Tests and Business Appraisal ¹⁰ .	RWD	SFWD
<ul style="list-style-type: none"> ○ any other permissions for houses that have not been taken up or developed; ○ any existing buildings suitable for conversion; and ○ whether previous houses/plots on the holding have been sold off. 		
Evidence to show that the need cannot be met through the re-organisation of labour.		X
Financial Test		
Business unit and agricultural activity concerned established for at least three years, having been profitable for at least one.	X	X
A business appraisal is required to show: <ul style="list-style-type: none"> - How enterprise meets functional and financial tests - Description of the current/proposed farm enterprise including its extent, operations, infrastructure, labour force, and any proposed changes - How any proposed changes are to be funded and sustained. - How business is proposed to develop - Submission of accounts for three years showing a profit for at least 1 in 3 	X	X
Where viability over three years cannot be demonstrated a business plan may be submitted for a temporary dwelling or caravan setting out how the business is proposed to develop over three years	X	
A copy of a legal partnership agreement to show that the farm holding is in joint ownership/partnership.		X
Details on how the business is proposed to operate under the succession farming partnership to show that the business can continue to be sustained for at least 5 years from post completion of the proposed dwelling under the succession partnership.		X

OTHER OPPORTUNITIES TO MEET HOUSING NEED:

2.16. When the functional test has been proved, the number of workers needed for operating purposes will be based on the scale and nature of the enterprise and the essential operational need to be on site. **In order to justify a new rural worker dwelling or a succession farm dwelling, an applicant must be able to demonstrate that all other opportunities to meet the need have been explored** as follows:

2.17. Existing dwellings: Proposals should demonstrate that other potentially available dwellings on the holding are totally committed or unsuitable. Proposals should also provide evidence to demonstrate the extent to which existing accommodation (for rent or sale) in the local area are both unsuitable and unavailable.

Extensions and Subdivisions: For additional rural worker dwellings or succession farm dwellings, the opportunity for the extension and/or subdivision of the existing farmhouse will also need to be considered, as this avoids the need for a new build

dwelling and may provide a satisfactory independent dwelling for a rural worker. This is a particularly suitable and cost-effective solution when the occupants of the proposed additional dwelling are related to the occupants of the existing farmhouse.

- 2.18. Policies HC-D14 Subdivision of Existing Dwellings and HC-D15 Extensions set out detailed criteria for this approach. For traditional buildings, regard should be had to the historic character of the dwelling particularly if it is a designated heritage asset such as a listed building. In such cases extension and/or subdivision may not be appropriate (policy CE-S4 Cultural Heritage and Historic Environment). Any new dwelling created through the subdivision of an existing dwelling will have a Principal Residence condition imposed. This means that it must be occupied as a persons' sole or principal home. The functional and financial test would need to be met for the subdivision of a dwelling but not for an extension. An affordable dwelling may also be considered as an alternative solution (Please see Policy HC-S2 and HC-S3).
- 2.19. Similarly, if there is a site or building already with planning permission for a dwelling on the holding; then justification will be required to show why this is not suitable for the essential need for a rural worker or succession farm dwelling.
- 2.20. Temporary dwellings: If an existing dwelling, or the extension/subdivision of an existing dwelling on the holding, cannot meet the need for a rural worker then in certain circumstances, particularly for a first dwelling on a holding, a temporary dwelling should be applied for. A temporary dwelling may also be a practicable means for establishing the need for an additional rural worker on a holding where the functional and financial requirements cannot be fully met. This would allow for the expansion/growth of the business over a three-year period, to enable the need for a permanent dwelling to be demonstrated. A temporary dwelling may be a caravan or other low cost and easily removed/dismantled structure that requires minimal ground works and that meets the definition of a caravan.¹¹ Annex 2 of the Local Plan provides further information on temporary dwellings.
- 2.21. Conversions/Change of Use of Existing Buildings: Conversions can provide a beneficial reuse of redundant or disused rural buildings, particularly traditional buildings on farmsteads. The conversion of a structurally sound existing building has advantages over a new build in terms of minimising the visual impact on the

¹¹ Caravan Sites and Control of Development Act 1960 (Section 29) and Caravan Sites Act 1968 (Section 13)

landscape, and reducing site waste and the quantity of building materials required. This option will normally be preferred over new build, providing that the building is both visually and functionally related to the existing farmstead, and the conversion does not have an adverse impact on the character of the building. Many farm buildings adjoining a listed farmhouse will also be listed under the curtilage and a listed building consent would then also be required. While some traditional buildings may not be suitable for conversion, however, if there are potential buildings available, then applicants are encouraged to discuss their suitability with the National Park Authority in advance of making a planning application. Historic England have published guidance¹² on the conversion of traditional farm buildings and this should be referred to where a conversion of a traditional farm building is being considered.

- 2.22. Local Plan policies also provide opportunities to convert existing buildings or holiday lets on farmsteads to either an extended family dwelling or a local affordable dwelling. Such dwellings do not require an agricultural appraisal to justify the need for an additional dwelling and again may provide a preferable approach for some applicants.
- 2.23. The extended family dwellings policy requires the person living in the dwelling, or the existing dwelling on the farm, to have a 10-year local connection to the parish or adjoining parishes. For both extended family dwellings and affordable dwellings there is also flexibility to change the occupancy between a holiday let, an extended family dwelling or a local affordable dwelling. A local affordable dwelling must be occupied by someone in housing need, who is unable to afford to rent or buy on the open market, and has a proven local connection (this can include a need to live close to their place of work).
- 2.24. It should be demonstrated that a suitable dwelling is not available, feasible or practical, as part of any justification for a new dwelling. As provided in paragraph 2.4; in some cases, it will be as appropriate for rural workers to live in nearby

¹² <https://historicengland.org.uk/images-books/publications/adapting-traditional-farm-buildings/>

villages or hamlets, where they can reasonably access the site within a reasonable time and at short notice

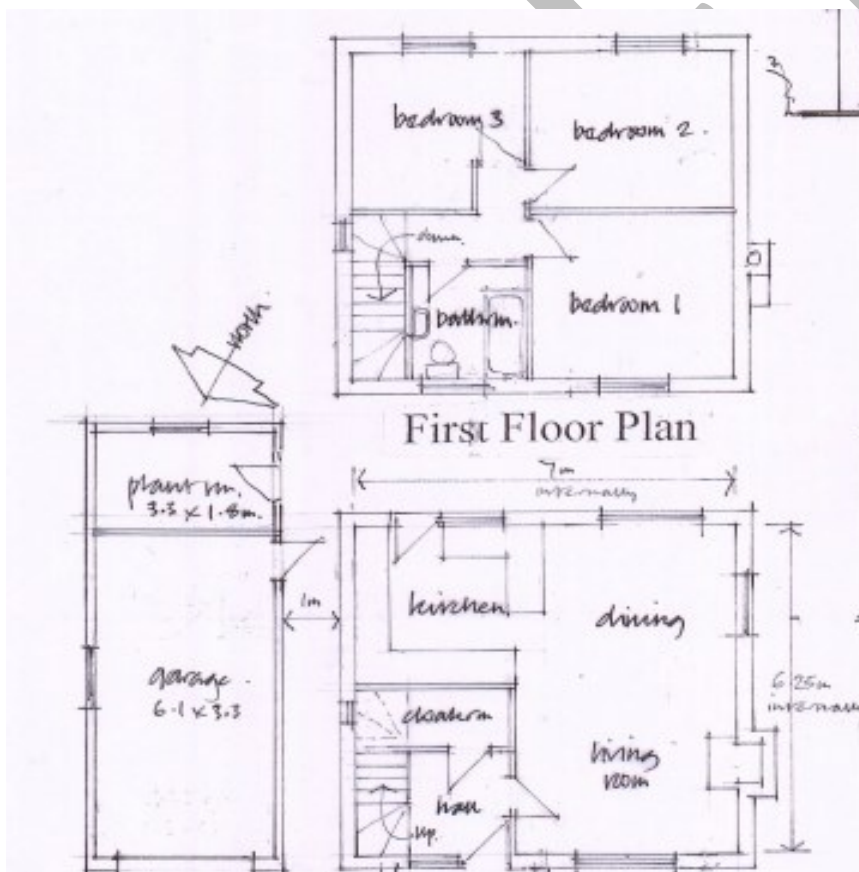
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3. SIZE REQUIREMENTS FOR A RURAL WORKER OR SUCCESSION FARM DWELLING

3.1. It will normally be expected that an application for a rural worker or succession farm worker's dwelling will fall within the 93sqm in accordance with policies HC-D9 and HC-D10. For rural worker dwellings, the gross internal area of 93sqm or less will be required unless it is demonstrated that a larger dwelling is required in which case:

- a) the size of the dwelling will be commensurate with the needs of the holding
- b) a larger dwelling can be sustained by the farm business; and
- c) the proposed dwelling would be affordable in perpetuity to a rural worker

3.2. – For succession farm dwellings the case for a dwelling larger than 93sqm will only be considered in exceptional circumstances, and the above tests (a-c) would apply



Ground Floor Plan

Example of a three bed 90sqm dwelling (not to scale).

THE SIZE OF THE DWELLING WILL BE COMMENSURATE WITH THE NEEDS OF THE HOLDING: JUSTIFICATION FOR A LARGER RURAL WORKER OR SUCCESSION FARM WORKER DWELLING

- 3.3. A larger rural worker dwelling, or succession farm worker dwelling may be permitted for one or two reasons:
- a) there may be a justifiable need for additional business space required to serve the needs of the enterprise such as a boot room, shower room, office and or utility room; and/or
 - b) exceptionally, additional habitable space may be justifiably required beyond 93sqm for residential use such as an additional bedroom.

In both cases, the considerations set out below would need addressing.

A Larger Dwelling can be Sustained by the Farm Business: The Business Case for additional business space and/or habitable space

- 3.4. Consideration of the business case for the proposed dwelling would be provided for in the functional and financial tests (see section 3) as part of the business appraisal. However, further evidence may be required in relation to the justification for a larger dwelling arising from additions to, or increases in size to, the habitable space and/or additional business space. The need for a larger dwelling must be evidenced to show it can be sustained by the farm business. Information regarding the size of the holding including proportions of land ownership and farm business tenancies would be required. This should show any changes over time and demonstrate a maintenance or increase in overall acreage and associated farm buildings. Evidence of investment over the last 5-10 years that demonstrates a commitment to the business would be considered favourably.–This could include for example investment in machinery, livestock, land or buildings.
- 3.5. In considering the business case for additional space, only income relating solely to the farm business will be considered. Incomes derived from diversification or other activities will not usually be considered, when they do not contribute functionally to the farming activity and therefore do not demonstrate the sustainability of the farming enterprise in its own right.
- 3.6. Personal circumstances are unlikely to be considered¹³. A dwelling if permitted would be there as a permanent addition to the farm holding and therefore personal circumstances that may apply at the time of submitting a proposal for a

¹³ unless exceptionally and clearly relevant for example for someone with a physical disability

larger dwelling may not apply in the future. The justification for a larger dwelling must therefore relate to the needs of the enterprise and/or size of the holding.

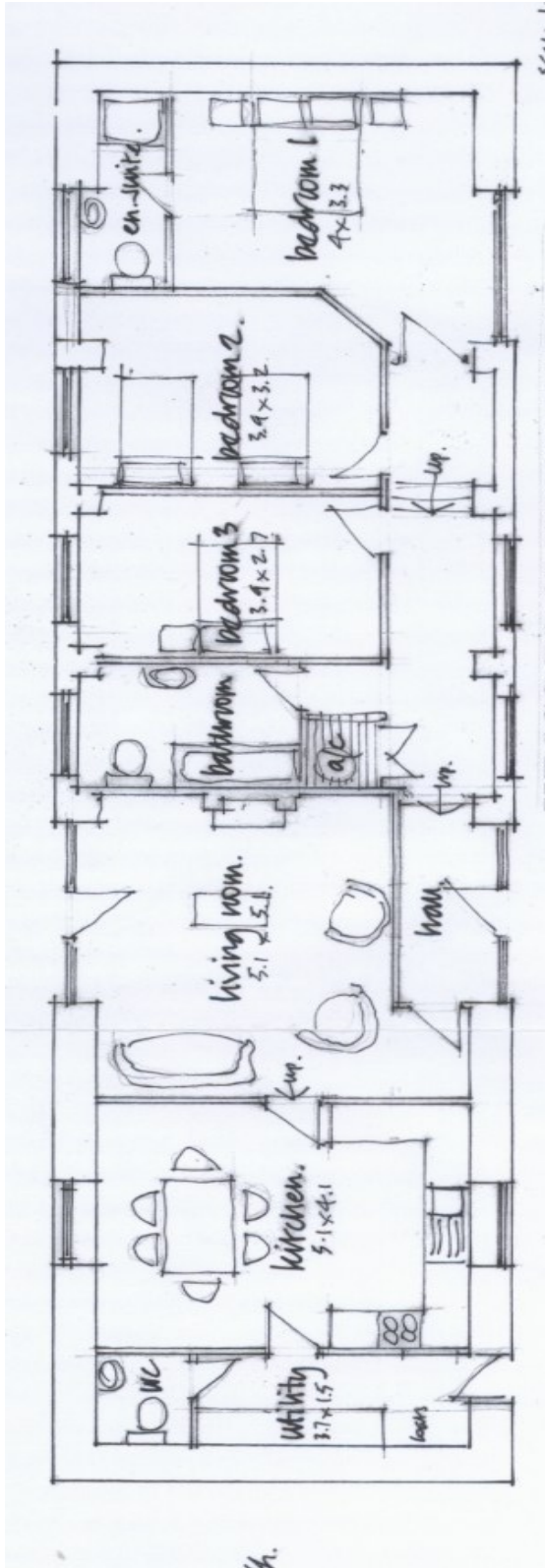
The Proposed Dwelling Would Be Affordable in Perpetuity to a Rural Worker

- 3.7. If a larger dwelling were considered necessary, then it would need to be demonstrated that the dwelling would remain affordable to other rural land based workers over the longer term. To clarify, this does not mean the dwelling is an 'affordable home' as provided for in HC-S2 and HC-S3 but is reasonably affordable for those on a rural worker salary. In determining whether there is evidence of need for a larger dwelling, it is advised that pre-application advice is sought from the Authority before any designs are drawn up.

THE MAIN DWELLING ON THE FARM HOLDING

- 3.8. The main dwelling or farmhouse is financially and functionally integral to the business, potentially serving as the main family home.
- 3.9. It is recognised that there may be a difference between a proposed 'main' dwelling, where there is no existing dwelling(s) to serve a farm or other rural land-based enterprise; and additional dwellings needed to provide for workers employed by an established rural land-based enterprise, which already has an existing dwelling(s). A main dwelling will be a larger dwelling. Therefore, where there is an existing dwelling that is smaller than 93 sqm on the holding, then an additional larger dwelling may be proposed as the 'main' dwelling.
- 3.10. For additional business space the requirement for each room for the operation of the business would need to be demonstrated. A range of between 10-20sqm (gross internal area) may be considered reasonable.¹⁴ The application would also need to show that the required business space could not be reasonably accommodated within existing buildings, which lie within the group of farm buildings on the farm holding.

¹⁴ Planning applications for rural workers and succession farm workers' dwellings have been analysed for Exmoor National Park. Based on this evidence, in assessing the need for additional 'business space', 20sqm maximum is deemed a reasonable size. This is based on previous sizes required for ancillary business space in planning applications over the past nine years.

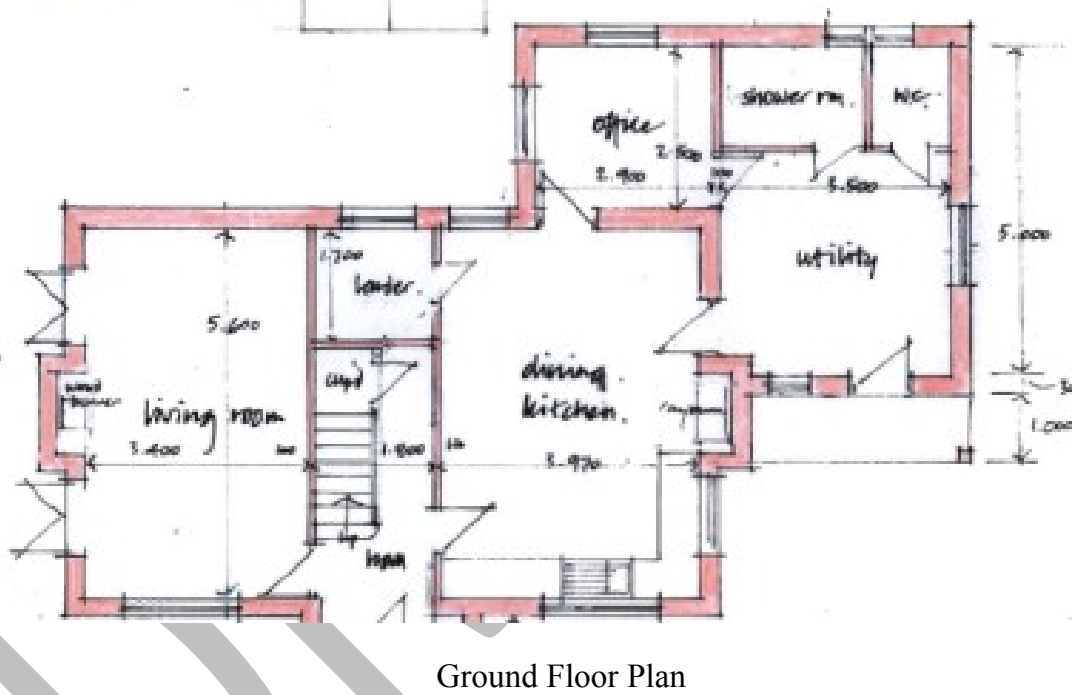
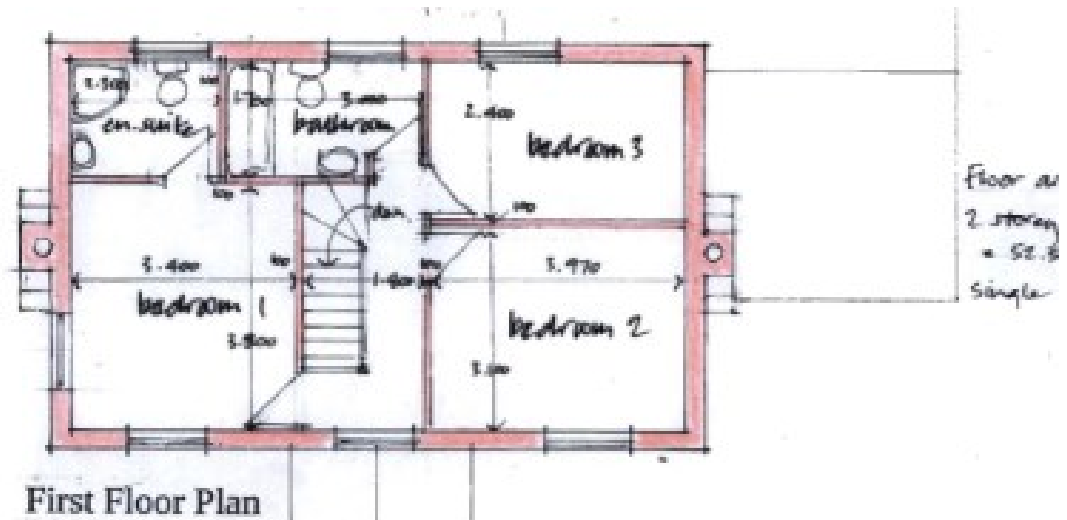


Example of a barn conversion to form a larger Rural Worker Dwelling (116sqm) with additional utility and WC (not to scale).

- 3.11. Additional habitable space (e.g. more bedrooms and/or living space) will only be justified for a main/only dwelling, and if required the business appraisal will need to demonstrate that the farm holding is capable of sustaining the need for a larger dwelling. The business appraisal will therefore need to demonstrate that the farm holding is productive and profitable, and is operating as a single entity, and not as part of a larger enterprise comprising two or more farm holdings. Personal circumstances would not be a material consideration.¹⁵
- 3.12. If exceptionally, additional habitable space can be justified then this could include an additional bedroom and in such instances a range of between 106-115sqm (gross internal area) may be considered an appropriate benchmark.¹⁶ The nationally described space standards is that, for instance 115sqm provides a four bedroom, seven person, two-storey dwelling.
- 3.13. If both additional business and habitable space is demonstrated as a requirement for a larger dwelling and this can be justified; then this could result in a dwelling of up to a maximum of 135sqm (gross internal area). All dwellings are required to be of an appropriate design and materials to ensure they sit in the landscape. The design, configuration and appearance of the dwelling should be acceptable and comply with policy CE-S6 Design and Sustainable Construction Principles – further guidance is available in Section 4.

¹⁵ unless exceptionally and clearly relevant for example for someone with a physical disability

¹⁶ Technical housing standards – nationally described space standards provide for 106sqm (gross internal area) for a four bedroom, six person, two storey dwelling or 115sqm (gross internal area) for a four bedroom, seven person, two storey dwelling.



Example of a larger Rural Worker Dwelling of 130sqm with additional office, shower room, WC and utility (not to scale).

ADDITIONAL DWELLINGS ON THE FARM HOLDING

- 3.14. A second rural worker dwelling or a succession farm worker dwelling would be expected to be smaller than the main dwelling, up to a maximum size of 93sqm. However, in some instances further space may be deemed necessary for the purposes of the farm business. If additional business space is required, that cannot be reasonably accommodated within the 93sqm then an application would need to demonstrate that the additional space would be necessary to the operation and used for the purposes of the farm business.
- 3.15. In any application it would be necessary to demonstrate that the required business space could not be accommodated within existing buildings, which lie within the curtilage of the farm holding or reasonably within the main dwelling. The location, size and functional use of the main dwelling would therefore need to be taken into account and the following questions would be considered:
- Does the main dwelling have an office (or the space for an office) for the farm business? Could the main dwelling reasonably accommodate a farm office?
 - Is the main dwelling well-related to the proposed dwelling?
 - Is it practicable for the business spaces to be shared?
- 3.16. If the main dwelling is not large, for example is 93sqm or less, and is not capable of providing additional space for the operation of a farm business such as an office space, a utility or a boot room, that could reasonably be shared, then the proposed second/additional dwelling may be justified in seeking such additional space. The need for additional space or each room would then need to be demonstrated. A range of between 10-20sqm is considered reasonable. This could result in a dwelling of up to a maximum of 113sqm (gross internal area).
- 3.17. Exceptionally, there may be justification for additional habitable space beyond 93sqm, where an existing dwelling is smaller than 93sqm. In such instances, the tests laid out for the justification for additional habitable space for a main dwelling as set out in paragraphs 3.11-3.13 would apply. By default, the larger dwelling would then become the main dwelling on the holding.

PERMITTED DEVELOPMENT RIGHTS

- 3.18. As rural worker and succession farm dwellings are in the open countryside, a condition restricting permitted development rights for extensions is necessary to protect the character and appearance of the landscape. For similar reasons, and to

ensure that the size of the dwelling is commensurate with the functional requirements of the farm, or rural land-based enterprise, a condition is also necessary to control the floor space of the dwelling. This means that planning permission will be required for any extension.

3.19. A restriction may also be applied where there is an existing dwelling on the farm and a larger/main dwelling is proposed. The restriction on permitted development rights will apply to the existing dwelling so as to avoid two larger dwellings in the open countryside.

EXTENSIONS TO EXISTING AGRICULTURAL OR FORESTRY WORKER DWELLINGS

3.20. The policy requirements for rural worker dwellings will also apply to any application for the extension or enlargement of existing dwellings with an agricultural or forestry worker occupancy condition. The key considerations for such proposals would be whether the extension:

- would lead to the dwelling becoming unaffordable to rural workers over the longer term¹⁷;
- is commensurate with the needs of the holding; and
- would meet with the residential extensions policy HC-D15.

3.21. In some cases, agricultural worker dwellings may have become separated from the original holding for which they were built and are either associated with a relatively small holding or no holding at all. In such cases it is unlikely that any extension to increase the gross internal area of the dwelling over 93sqm would be justified as commensurate with the needs of the holding. It is recommended that pre-application discussions with planning officers should be undertaken before a planning application for an extension is submitted.

3.22. If an extension can be justified in accordance with policy HC-D9 Rural Workers, it should either provide an increase in floorspace to 93sqm gross internal area, or have regard to this guidance in terms of the additional space that may be considered necessary and commensurate with the functional requirements of the holding if the internal area is to exceed 93sqm. Extension proposals should also have regard to policies CE-D4 Extensions and HC-D15 Residential Extensions.

¹⁷ To clarify, this does not mean the dwelling is an 'affordable home' as provided for in HC-S2 and HC-S3 but is reasonably 'affordable' for those on a rural worker salary.

SUMMARY

3.23. A summary of the evidence required to justify a larger dwelling that has a gross internal area larger than 93sqm is set out in the table below.

Evidence required to justify a larger dwelling
1. Consideration of the business case in a business appraisal including evidence of need for at least 1 full time equivalent (fte) rural worker or at least 0.5fte succession farm worker.
2. Information regarding the size of the holding including proportions of land ownership and farm business tenancies showing any changes that have occurred that demonstrate a maintenance or overall increase in acreage and associated farm buildings over the last 5-10 years.
3. Evidence of investment over last 5-10 years.
4. Evidence that the farm holding can sustain a larger dwelling, including: that the holding is substantial in size; is productive and profitable; and is operating as a single entity, and not as part of larger enterprise comprising two or more farm holdings.
5. Information on whether the proposed dwelling is to be the main dwelling or if not, then how many other dwellings are on the holding and details of their size (gross internal area) and composition of rooms.
6. Justification for the need for each room or additional space i.e. office, utility, boot room and/or shower room.
7. Evidence that any required additional space could not be reasonably accommodated in existing buildings on the farm holding
8. Information on whether any business uses (such as a farm office) could be shared with a main dwelling and any other dwellings on the farm holding

4. A NEW DWELLING - CONSIDERATION OF LOCATION, SITING, AND DESIGN

- 4.1. Where the need for a new rural worker or succession farm dwelling is proven, the proposal should demonstrate that the location, siting and design of the dwelling are acceptable. The proposed dwelling should be functionally related to the farmstead and positively respond to the character and appearance of the surrounding landscape. Designs that do not reflect the traditional form, siting and materials of existing dwellings on Exmoor, can appear incongruous or intrusive in the landscape.
- 4.2. Successful siting and design are necessary to conserve the scenic beauty of the National Park so that the dwelling is not elevated in the landscape but rather is integrated and sited below the skyline. Traditionally, farmhouses have integrated well with the landscape because the landscape itself has generally dictated their siting and design in terms of their functional use, shelter, availability of materials, and access.

LOCATION & SITING

- 4.3. The Landscape Character Assessment Supplementary Planning Document¹⁸ provides some key guidelines for locating and siting new development in the open countryside together with specific planning guidelines for each landscape character type. It is advised that this document is referred to when considering the siting of a new dwelling.
- 4.4. In summary the key guidelines that should be considered for new dwellings in the open countryside, are:

<p>Minimise the visibility of the development and negative impacts on landscape character</p>	<ul style="list-style-type: none"> • Ensure that new development fits with the surrounding landscape through avoidance of sites on skylines and prominent spurs of land, particularly within or where they would impact on LCT A (<i>High Coastal Heath</i>) and LCT D (<i>Open Moorland</i>). • Consider the prominence of the site when seen from popular viewpoints such as hill summits, car parks, settlements and public rights of way. Choose a less prominent site, if possible. • Consider how new development is sited in relation to any nearby buildings in terms of scale, massing and form.
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¹⁸ <http://www.exmoor-nationalpark.gov.uk/Whats-Special/landscape/landscape-character-assessment-2018>

	<ul style="list-style-type: none"> • When siting a new building, ensure it is well-related to existing building groups. • Materials and colours should be carefully selected to appear recessive against the landscape backdrop. Wooded or well-treed backdrops may help to reduce the visibility of a building by providing a background which is relatively easy to blend into. • Minimise external lighting and light spill from buildings.
<p>Work with the form and existing features of the landscape</p>	<ul style="list-style-type: none"> • Aim to site new buildings in folds of the landform to provide screening, shelter and better visual integration with the landscape. • Make use of existing contours, minimising earthworks and the need for cut and fill. • On sloping sites, align new dwellings parallel with contours to reflect the landform, and avoid siting development high up on open slopes. • Retain existing landscape features (e.g. field boundaries, trees, hedges, hedgebanks and streams), especially those which link the site to the surrounding landscape. • Use existing access tracks where possible, rather than new ones. • Locate new dwellings in the context of existing buildings to form a group, and to create a sense of continuity between old and new farm buildings. Archaeological considerations may need to be taken account of -for example, in instances where modern buildings may detract from the historic character and nature of the group
<p>Identify opportunities to enhance landscape character</p>	<ul style="list-style-type: none"> • Where screening is required, use tree species in traditional patterns to enhance landscape character. • Use traditional patterns of hedges and hedgebanks to help screen and integrate development and access tracks and enhance landscape character.
<p>Consider the landscape and visual impacts of all parts of the development, not just buildings</p>	<ul style="list-style-type: none"> • Make sure that boundary and surface treatments are low-key and respond to the rural character, and do not visually stand out e.g. the choice of materials for parking areas and tracks should be naturally muted tones. • Retain existing gateways, gateposts etc. and avoid widening lanes and entrances, in order to retain the character of rural lanes and tracks. • Consider the impacts of the proposed new development on all aspects of tranquillity, including sound and movement.

- 4.5. As the summary of key guidelines shows, a great deal of care will be needed to position a new rural worker or succession farm dwelling successfully. For an additional rural worker dwelling or a succession farm dwelling, choosing a plot close to the existing farmhouse will substantially reduce its landscape impact. This proximity can also reduce the cost of installing new utilities such as electricity, drainage and telecommunications; the provision of access. Where there is no existing farmhouse, a new dwelling should be located in sight and sound of the main farm building group, so it is both visually and functionally related to these buildings. A site separated, or remote from existing farm buildings, accessed separately from those buildings, or in a visually intrusive location, will not be acceptable.
- 4.6. Siting of the dwelling should respect traditional patterns of development particularly in relation to the traditional layout of historic farmsteads. The historic significance of the existing farmstead may indicate a particular design response or that an alternative site may be preferable – for example where it is related to more modern agricultural buildings on the holding or there are archaeological considerations. Opportunities should be taken, to orientate the dwelling so that it maximises natural light and heat gain and is sheltered from the prevailing wind.
- 4.7. In accordance with policy CE-S6 on new holdings, the National Park Authority will seek to ensure that a permanent dwelling will positively contribute to its setting in terms of siting, massing, scale, height, orientation, density and layout. This may be close to or in the position for which a temporary dwelling or mobile home was initially permitted. Where the position of a temporary dwelling or caravan is considered the most appropriate, alternative temporary housing may be necessary whilst the new dwelling is being built. Therefore, careful consideration needs to be given to the siting of a temporary dwelling. Where existing buildings are proposed for conversion, the proposed dwelling must still be well related to the building group on the holding.
- 4.8. Applicants are recommended to discuss proposals with Planning Officers in advance of submitting a planning application, particularly if the proposed location and siting of the dwelling does not correspond to the guidance above.

DESIGN PRINCIPLES

4.9. The design refers to how the new dwelling should look, and should be considered in the context of the proposed location and siting. These suggestions are aimed primarily at designs that reflect traditional Exmoor farmhouses and will be suitable for most circumstances. This does not mean that more innovative designs will not be considered if the location and siting is appropriate or the location requires a particularly sensitive approach. However, pre-application planning advice is strongly advised in this instance. The principles of design and sustainable construction are set out in policy CE-S6 of the Local Plan and any application should show how these principles have been incorporated or considered.

Scale, Form & Massing

4.10. The general form and shape of traditional Exmoor farmhouses in the open countryside is relatively long and low –these are utilitarian dwellings that reflect their functional and practical purpose. It is advisable that as far as possible, new buildings reflect these traditional styles to be compatible with landscape character and less exposed to climatic factors.

4.11. On sloping sites, split level designs can help the building relate appropriately to the surrounding landform whilst avoiding the need for inappropriate over-engineered platforms and the need for extensive cut-and-fill.

4.12. To produce a more successful and realistic design of a traditional Exmoor farmhouse, the following factors should be considered:

- The traditional scale of a building is around 5 metres in depth. The proposed dwelling should sit well in the landscape and respond to the Exmoor vernacular.
- Roof form and pitch – traditional roof forms are generally dual-pitch roofs with gable ends. The eaves should be open and project over the walls by at least 150mm to provide greater protection against the prevailing wind. Chimneys are a traditional feature and should be incorporated as part of the roof form – the style of chimney should be influenced by the local vernacular style as they can often be a significant architectural feature of some traditional houses on Exmoor.
- Dormers – in one-and-a-half storey houses, dormer windows will allow the first floor to go into the roof space and should provide sufficient light and ceiling height for the rooms on the first floor. Flat roof dormers will not be permitted. Dormers should also align with windows on the lower storey.

- 4.13. Single storey dwellings may occasionally be appropriate where they can help to minimise any adverse impacts on the landscape and where this may produce a design response that reflects the form and character of traditional farm buildings on a farmstead, which would result in a mass of smaller, lower buildings better able to be set into the landscape. However, care should be taken to avoid replicating what has become the typical ‘agricultural worker’s bungalow’ in past years. Designs should generally be consistent with traditional farmhouses in the locality unless particular circumstances indicate an alternative response may be needed. In some sensitive locations, individual houses could be built into hillsides or have green roofs. This solution can be successful in minimising impacts on visual amenity and landscape character.
- 4.14. For mobile homes/temporary dwellings, style and design options are more limited. Nevertheless, attempts must be made to find a suitable site and location along with an appropriate design.

Porches

- 4.15. Enclosed porches are considered to be part of the gross internal area of the dwelling and therefore will be calculated as part of the 93sqm. However, open porches do not form part of the 93sqm calculation and may provide an opportunity to incorporate a traditional feature of many Exmoor farmhouses, and serve a practical purpose e.g. for storing boots and firewood, and provide shelter to remove outdoor clothing. The scale of the porch should be proportionate to the dwelling, so that it does not dominate the main elevation of the building.

Materials and Detailing

- 4.16. Generally, natural stone, render or timber should be used for external walls. Although natural stone is preferred, where it is unavailable, rendered external walling with a pale colour-washed roughcast finish may be acceptable as it can harmonise well with both the landscape and existing vernacular buildings, as will the use of traditional roof coverings. Policy CE-S6 Design & Sustainable Construction Principles requires the use of traditional materials such as stone, and roof coverings – natural slate or clay tiles or natural sustainable building materials, such as timber. There are many examples of slate wall hangings on Exmoor, which were used to weather-proof walls facing the prevailing south-westerly wind.
- 4.17. Openings: Windows should be recessed, and accord with the character of the area, for example simple side-hung casements with vertical emphasis which are typical

of traditional farmhouses on Exmoor may be appropriate where the solid wall area should dominate the proportion of openings to wall area. Traditional wooden sashes may also be appropriate.

- 4.18. In summary, new dwellings should have a clear, simple geometric form with a limited palette of natural materials. Any architectural detailing should be simple and robust; avoiding ornamentation or intricate detail. Any contrast in materials and/or colour should be modest to ensure it complements the landscape setting and traditional buildings in the locality.

House to Plot Ratio

- 4.19. Traditionally, farmhouses often have a very modest curtilage or garden plot as they were generally built as part of a compact farm building group. Modern day living requirements can often result in a different layout to that seen on historic farmsteads. Therefore, care should be taken on the design and area of the plot, to ensure that the residential nature of the dwelling and any domestic outbuildings, and the curtilage is designed so that their arrangement is compatible with the farmstead and the landscape character of the area. The context of the site is an important consideration.

- 4.20. The curtilage, including provision of access within the site and areas for car parking and turning may also involve levelling, cutting and/or filling, and therefore can potentially have as much impact as the house itself. Parking should be carefully positioned to the rear or the side of the house to minimise visual impact in the wider landscape.

Outbuildings

- 4.21. Opportunities for the reuse of existing buildings as domestic outbuildings or additional business space should be considered in locations where there are existing traditional farm buildings that are redundant or under-used, and well-related to the proposed dwelling.
- 4.22. New outbuildings should be small-scale, single-storey and subservient to the main house and curtilage so they do not dominate the plot. The form of the building and materials used should respond to the main dwelling and harmonize with the landscape.

- 4.23. Outbuildings should be used for purposes incidental to the dwelling such as garages or workshops¹⁹, and may also accommodate home offices.²⁰ This avoids the need to locate the office space within the dwelling, particularly in cases where the farm business is not sufficient to demonstrate the need for a larger dwelling.
- 4.24. Outbuildings, including garages, should be detached and separate from the main dwelling and not in a position that could be linked to the main dwelling in any form. This is because a linked building would constitute part of the dwelling floorspace and may well exceed the floorspace requirements for rural worker and succession farm dwellings. Siting outbuildings in a way that means they have natural surveillance from the main dwelling but do not unnecessarily add to the bulk or massing of the dwelling will most likely contribute to a successful scheme.

Landscaping (see key planning guidelines for landscape above)

- 4.25. New dwellings together with their associated curtilage and any outbuildings should provide opportunities to enhance wildlife. Any landscaping should aim to enhance local ecological networks and be compatible with local landscape character. Planting should enhance the rural setting of the house and help to integrate it with the landscape and farmstead.

Access

- 4.26. An access shared with the farm will usually be expected, where it can be achieved practicably. New access tracks should therefore be avoided unless the existing farm access is unsuitable for reasons of safety and cannot be reasonably adapted to meet safety concerns or highway requirements. Any proposals for new access tracks should comply with highway safety standards and be rural in character and sensitive to the surrounding landscape by avoiding looking formal or over-engineered.

Sustainable Resources

- 4.27. Provision of on-site low carbon or small-scale renewable energy is encouraged in accordance with policy CC-S5 Low Carbon and Renewable Energy. Such schemes could also provide a practical solution to dwellings that are temporary and/or off-grid. Some holdings will have their own sustainable source of wood for use as a source of fuel for heating – biomass/woodfuel boilers may be eligible for grants

¹⁹ Policy HC-D15 Outbuildings

²⁰ Policy SE-D1 Home Based Businesses

and may be considered as part of the farm business (non-domestic) or as domestic scheme.

4.28. External lighting: applicants will need to check whether their proposed site lies within the Exmoor Dark Sky Reserve core zone, or critical buffer zone, as different policy approaches apply for these particular areas to ensure the protection of the Dark Sky Reserve.²¹ In other areas of the National Park, external lighting should only be incorporated for reasons of safety and security, and should ensure that light spillage is minimised.

Design Considerations – Additional Space Justified for the Needs of the Business

4.29. It is important that in those circumstances where additional space can be justified by the needs of the business [section 3], particularly additional business space, that it is sympathetically designed and proportionate in massing and form to the proposed habitable space of the dwelling. The additional space can be added in to the original design- if the dwelling has not yet been built -or as an extension, if it is for an existing dwelling.

4.30. This may be achieved by breaking the larger floorspace into smaller elements. A two or one and a half storey main dwelling can be enlarged by single storey additions to the side or rear.

4.31. It is recommended that the single storey addition is designed as:

- a side extension with a roof whose form, pitch and materials matches the main dwelling; or
- a rear lean-to extension with roof pitch and materials matching the main dwelling; or
- a wrap-around extension to the rear and side with roof pitch and materials matching the main dwelling; this may be the best solution where a larger area is justified to ensure the overall scale and massing of the dwelling is appropriate.

PREPARING A PROPOSAL

4.32. When preparing a development proposal, it is important that consideration is given to policies contained within the Local Plan. It is recommended that pre-application advice is sought from National Park Authority Planning Officers regarding the proposal and the need for any further information that may be

²¹ Policy CE-S2 Protecting Exmoor's Dark Night Sky

required to support the planning application. Further information is available on the [Planning Advice](#) webpage.

- 4.33. The services of suitably qualified professionals to assist in the preparation of a planning application, including any agricultural appraisals, drawings, structural reports etc. is strongly advised.

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5. APPENDIX 1: LOCAL PLAN POLICIES

HC-D5 EXTENDED FAMILY DWELLINGS CRITERIA

- 1. An Extended Family dwelling will only be permitted through the change of use of an existing traditional building in accordance with CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings, and in close association with an existing dwelling:**
 - a) in settlements within the curtilage of an existing dwelling; or
 - b) a farmstead within an existing group of buildings.
- 2. The dwelling size will be in accordance with HC-S2 A Balanced Local Housing Stock.**
- 3. Extended Family dwellings will be occupied by a person(s) (and their dependents) who can demonstrate that:**
 - a) the occupier of the associated existing dwelling or the new dwelling has a minimum period of 10 years or more in the last 30 years permanent and continuous residence in the parish or an adjoining parish; and
 - b) they are immediate family by virtue of being a direct descendent or antecedent of the permanent occupier of the associated existing dwelling; or
 - c) exceptionally, they are a dependent relative who has an essential need to live close to another person, the need arising from age, family or medical reasons.
- 4. A planning obligation will be secured to ensure that the intended occupants meet the requirements of the Extended Family occupation in this policy and to tie the dwelling(s) to the main house to ensure that they are not sold off separately.**
- 5. The variation of a planning obligation which restricts the occupancy of an Extended Family dwelling as set out in this policy will only be permitted where the occupancy of the dwelling is limited by agreement to local persons as defined in HC-S1 Housing, and HC-S3 Local Occupancy Criteria for Affordable Housing, or as a holiday let where the proposal is in accordance with HC-D13 Replacement of Holiday Occupancy Conditions and Extended Family Ties.**
- 6. Where permission is granted a condition will be attached removing permitted development rights in accordance with HC-S2 A Balanced Local Housing Stock.**

HC-D7 CONVERSIONS TO DWELLINGS IN THE OPEN COUNTRYSIDE

- 1. In the open countryside the change of use of a non-residential building(s) to a dwelling(s), will be permitted where:**
 - a) the need for the dwelling(s) cannot be met within the existing housing stock, from sites/buildings already with planning permission or through the acceptable extension and/or subdivision of an existing dwelling; and
 - b) it is in accordance with CE-S5; and
 - c) in the case of local need accommodation, the building is located in a hamlet or farmstead where there is an existing dwelling. The intended occupants will meet the local need criteria in HC-S3 and a planning obligation will be secured to ensure that occupancy of the dwelling(s) is confined to persons in local housing need in perpetuity; or

d) in the case of ‘extended family accommodation’, the building is located in a farmstead within an existing group of buildings, in close association with an existing dwelling and the proposal otherwise accords with HC-D4; or
e) in the case of a rural worker or succession farm dwelling, the building is well related to existing buildings on the holding. The occupancy of a rural worker dwelling will be limited to a person(s) able to demonstrate a proven essential need for the accommodation in accordance with HC-D9 or, for a succession farm dwelling, the occupancy requirements in HC-D10.

2. In the case of buildings within an existing agricultural, or other primary business responsible for land management, a change of use will only be permitted where it can be demonstrated that the agricultural use of the existing building(s) to be reused is redundant.

3. Where permission is granted a condition will be attached removing permitted development rights in respect of extensions in accordance with HC-S2 and in respect of alterations in accordance with CE-S5.

HC-D8 NEW BUILD DWELLINGS IN THE OPEN COUNTRYSIDE

1. New dwelling(s) in the open countryside will only be permitted where:

a) the accommodation is designed to meet a proven need for a rural worker in accordance with HC-D9 or succession farm worker in accordance with HC-D10 that cannot be met:

- i. within the existing housing stock including through the subdivision of an existing dwelling, from sites/buildings already with planning permission; or**
- ii. through the provision of a temporary residential caravan in accordance with HC-D11; or**
- iii. the conversion/change of use of an existing building in accordance with CE-S5 and HC-D7;**

b) the dwelling is well related to existing buildings on the holding such that the dwelling and farm buildings operate as a single entity; and

c) the design and layout of the development meet the requirements of CE-S6 and the size will be in accordance with HC-D9 or HC-D10 as appropriate.

2. Where permission is granted a condition will be attached removing permitted development rights in respect of extensions.

3. Where permission is granted for a new dwelling on an agricultural or forestry holding that has an existing dwelling(s) under the control of the applicant which needs to be used in connection with the enterprise, a condition will be attached to ensure that the occupancy of any existing dwelling(s) is also limited to persons able to demonstrate a proven essential need for that accommodation.

HC-D9 RURAL WORKERS

1. New housing to meet the needs of rural workers in the open countryside will only be permitted in accordance with HC-D7 Conversions to Dwellings in the Open Countryside, or HC-D8 New Build Dwellings in the Open Countryside, and where:

- a) it is justified by a proven essential functional need for a full time rural worker in agriculture, forestry or other rural land based enterprises to live permanently at or near their place of work;**
- b) in the case of agriculture or other rural land based enterprises, the business is proven to be financially viable in the long term, it is extensive in nature, the land management activity contributes to the conservation or enhancement of the natural beauty and wildlife of the National Park and is in accordance with the tests set out in Annex 2 of this Plan;**
- c) where the need for a dwelling is proven, a planning condition will be attached to ensure that occupancy of the dwelling(s) is confined to a rural worker in agriculture, forestry or another rural land based enterprise operating in the locality; and**
- d) the gross internal area will be 93sqm or less unless it is demonstrated that a larger dwelling is required in which case, the size of the dwelling will be commensurate with the needs of the holding, it can be sustained by the farm business and it would be affordable for the essential need in perpetuity.**

HC-D10 SUCCESSION FARMING - SECOND DWELLINGS ON ESTABLISHED FARMS

1. New housing to meet the needs of succession farmers in the open countryside will be in accordance with HC-D7 Conversions to Dwellings in the Open Countryside, or HC-D8 New Build Dwellings in the Open Countryside. A new second dwelling on a single farm holding within the open countryside will only be permitted where:

- a) the accommodation is designed to meet an existing proven functional need for an additional 0.5 or more of a full time agricultural worker to live permanently at their place of work on an established enterprise;**
- b) the business is proven to be financially viable in the long term, it is extensive in nature and where the farming activity contributes to the conservation or enhancement of the natural beauty and wildlife of the National Park and is in accordance with the tests set out in Annex 2 of this Plan;**
- c) a planning obligation will require that there are secure and legally binding arrangements in place to demonstrate that:
 - i) the farm business is jointly held; or**
 - ii) management of the farm business has been transferred to a person younger than the person currently responsible for management; or**
 - iii) transfer of management will take place on planning permission being granted for the dwelling;****
- d) the need cannot be met in any other way including through the re-organisation of labour responsibilities;**
- e) the design and layout of the development meet the requirements of Policy CES6 Design and Sustainable Construction Principles;**

f) the gross internal area will be 93sqm or less unless, exceptionally, it is demonstrated that a larger dwelling is required, in which case the size of the dwelling will be commensurate with the needs of the holding, and that it can be sustained by the farm business in perpetuity; and
g) a planning condition is attached to ensure that occupancy of the dwelling(s) is confined to rural workers in accordance with Policy HC-D9 Rural Workers.

2. The policy will apply only to a single additional succession farm dwelling to be attached to an established farm after adoption of this Plan. Permission will not be granted for subsequent succession farm dwellings on the holding.

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6. APPENDIX 2: POLICY CHECKLIST

In the open countryside the change of use of a non-residential building to a dwelling or a new build dwelling will be permitted where:	HC-D7 Conversions	HC-D8 New Build Dwellings	HC-D5 Extended Family Dwellings
The need for the dwelling cannot be met within the existing housing stock including from sites/buildings already with planning permission or through the acceptable extension and/or subdivision of an existing dwelling or through the conversion or subdivision of an existing building	X	X	
The need for the dwelling cannot be met through the provision of a temporary residential caravan in accordance with Local Plan policy HC-D11 Residential Caravans		X	
A change of use of an existing agricultural building will only be permitted where that use is shown to be redundant.	X		X
For Extended Family Dwellings, the occupier of the associated existing or intended dwelling has a minimum of 10 years+ permanent and continuous residence in the last 30 years, in the parish or adjoining parish; and they are immediate family; or exceptionally, they are a dependent relative who has an essential need (arising from age, family or medical reasons) to live close to another person*.			X
The building is well related to existing buildings on the farm holding and operates as a single entity	X	X	X
A planning obligation will be secured and come into force prior to commencement of works to ensure the intended occupants meet the requirements of the Extended family occupation*, and to tie the dwelling to the main house.			X
A condition will be attached removing permitted development rights.	X	X	X
Where there is an existing dwelling on the farm holding, under control of the applicant which needs to be used in connection with the enterprise, a condition will be attached to ensure the occupancy of that dwelling is limited to persons who have a proven essential need for that accommodation.	X	X	

Requirements for Policy HC-D9 Rural Worker Dwelling (RWD) and HC-D10 Succession Farm Worker Dwelling (SFWD)	HC-D9 RWD	HC-D10 SFWD
Proven essential functional need for a full time rural worker to be readily available to be on site for most of the year (day and night) to attend the needs of the business through for example the essential care of livestock, and therefore has a need to live permanently at or near their place of work	X	
Proven essential functional need for an additional 0.5 or more of a full time agricultural worker		X
Business proven to have long term financial viability, is extensive in nature, and contributes to the conservation or enhancement of the National Park.	X	X
Attached planning condition to ensure the occupancy of the dwelling is for a rural worker	X	X
The gross internal floorspace will be a maximum of 93sqm unless a larger dwelling can be justified (see section 3)	X	X
Demonstration that the need cannot be met in any other way including through the re-organisation of labour responsibilities.		X
Required planning obligation to ensure succession farming is legally binding		X
Only one single succession farm per each established farm unit.		X



ADOPTION STATEMENT

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

THE TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012

Notice is hereby given in accordance with Regulations 11 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012, that the Exmoor National Park Rural Worker and Succession Farm Worker Dwellings Guidance Supplementary Planning Document (SPD) was formally adopted by Exmoor National Park Authority on 4th February 2020. In accordance with Regulation 11 of the Town and Country Planning (Local Planning) (England) Regulations 2012, any person with sufficient interest in the decision to adopt the supplementary planning document, may apply to the High Court for permission to apply for judicial review of that decision. Any such application must be made promptly and, in any event, not later than 3 months after the date on which the supplementary planning document was adopted.

The adopted Local Plan forms the development plan for the area of Exmoor National Park. It guides and is the first consideration in determining planning applications for land use and development. Legally, planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Now adopted, the Rural Worker and Succession Farm Worker Dwellings Guidance SPD forms a material consideration in all planning decisions.

The SPD and associated documents including this Adoption Statement and the Representation Statement are available for public inspection during normal office hours at:

- Exmoor National Park Authority office reception, Exmoor House, Dulverton, Somerset
- West Somerset Council offices, West Somerset House, Killick Way, Williton, Somerset
- North Devon Council offices, Lynton House, Commercial Road, Barnstaple, Devon

All documentation can be viewed on Exmoor National Park Authority website at www.exmoor-nationalpark.gov.uk

For further information, please email localplan@exmoor-nationalpark.gov.uk or phone 01398 323665.

Clare Reid - Head of Strategy & Performance

Exmoor National Park Authority, Exmoor House, Dulverton, Somerset TA22 9HL

Dated: 4 February 2020

ITEM 9

EXMOOR NATIONAL PARK AUTHORITY EXMOOR CONSULTATIVE AND PARISH FORUM

MINUTES of the meeting of the Exmoor Consultative and Parish Forum held on Tuesday 17 December 2019 at 2.00pm at the Moorland Hall, Wheddon Cross

PRESENT

N.B. Only those who signed the attendance register are listed

Mike Ellicott	Exmoor National Park Authority and Chairman of the Forum
Andrea Davis	Exmoor National Park Authority & Devon County Council
Andrea Gonzalez	Animal and Plant Health Agency (APHA)
Brian Turley	Forestry England
Cathy Nicholls	CPRE Somerset
Chris Binnie	Farmer
Chris Eveleigh	Farmer
Eric Ley	Exmoor National Park Authority & North Devon District Council
Frances Nicholson	Exmoor National Park Authority
Francesca Willes	Local resident
Graham Lamacraft	Dunster Parish Council
Guy Thomas-Everard	Exton Parish Council
H Rose	Minehead Town Council
Hugh Thomas	Exmoor & District Deer Management Society (EDDMS)
Irene Cristofaro	Animal and Plant Health Agency (APHA)
J Dascombe	Luccombe Parish Council
James Wilmoth	Wootton Courtenay Parish Council
John Addicott	Beagles
John Anson	Cutcombe Parish Council
John Bray	Winsford Parish Council
Jonathan Webber	Farmer
Katherine Williams	Exmoor Hill Farming Network
Ken Urquhart	FFDMG
Kevin Connell	Winsford Parish Council
Malcolm McCoy	Porlock Parish Council
Marilyn Crothers	Nettlecombe Parish Council
Martin Ryall	Exmoor National Park Authority
Mike Groves	Exmoor Uprising
Molly Groves	Porlock Parish Council
P Gannon	Old Cleeve Parish Council
P Storey	Local Resident
Peter Green	Veterinary Surgeon (BVSc Cert EO MRCVS)
Peter Pilkington	Exmoor National Park Authority & Somerset West & Taunton Council
Philip Beauvois	Skilgate Parish Council
Rachel Thomas	The Exmoor Society
Richard Bishop	Treborough Parish Council
Richard Edgell	Exmoor National Park Authority & Devon County Council
Richard Peek	North Molton Parish Council
Robin Milton	Exmoor National Park Authority & East Anstey Parish Council
Roger Foxwell	Cutcombe Parish Council
Roger Webber	Farmer & Cutcombe Parish Council

Sarah Cookson	Brushford Parish Council
Sarah Takle	Exmoor National Park Authority & Timberscombe Parish Council
Steven Pugsley	Exmoor National Park Authority & Somerset West & Taunton Council
Sue Batter	Farmer
Tessa Theed	Combe Sydenham
Tom Yandle	Badgworthy Land Company
Vivian White	Exmoor National Park Authority & Cutcombe Parish Council
William Theed	Combe Sydenham

1. Apologies for absence were received from:

Alastair Rodway	Lynton and Lynmouth Town Council
Andy Milne	Somerset West & Taunton District Council
Jeremy Holtom	Exmoor National Park Authority and Parracombe Parish Council
John Wibberley	Invitee
Nick Holliday	Exmoor National Park Authority
Susan J May	Exmoor Trust

National Park Authority staff in attendance:

Sarah Bryan, Chief Executive
Dean Kinsella, Head of Planning & Sustainable Development
Rob Wilson-North, Head of Conservation & Access
Dan Barnett, Access & Recreation Manager
Richard Eales, Ranger
Rosie Wilson, Ranger
Judy Coles, Corporate Support Officer (Note Taker)

2. **MINUTES:** The [minutes](#) of the Forum meeting held on 12 September 2019 were agreed as a correct record.

Matters Arising: There were no matters arising.

3. QUESTIONS FROM THE FLOOR:

- It was questioned whether the agendas and minutes of the Authority's Partnership Groups would be made available on the Authority's website. Sarah Bryan, Chief Executive advised that some minutes were published i.e. this Forum and the Exmoor Local Access Forum, but that the majority of Partnership Groups were not decision making bodies and therefore historically notes have not been published. The Authority is currently discussing this request with the groups concerned and will report back to a future meeting.
- It was questioned what the current situation was in relation to the use of timber versus other materials (eg plastic or aluminium) for windows and conservatories within the National Park. The Head of Planning & Sustainable Development, advised that the Authority's policies within the Local Plan are very much orientated to using traditional materials where possible, in order to protect the character of dwellings within communities and to ensure the continuation of traditional construction techniques for future generations to enjoy. However, a pragmatic approach would always be taken and each application would be assessed on its merits.

4. REVIEW OF THE EXMOOR CONSULTATIVE & PARISH FORUM

The Head of Planning & Sustainable Development informed Forum Members that 10 responses to the review had been received and the following conclusions reached:-

Meeting Location – the locations will be varied throughout the National Park to encourage a more diverse range of people to attend.

Agenda – Forum Members will be encouraged to set the agenda for meetings, with the National Park Authority taking a step back from this.

Meeting Notes – as the Forum is not a decision making body, it has been agreed informal notes will be taken rather than formal minutes which will no longer need to be approved by the National Park Authority. Instead the Forum's Chair / Deputy Chair will approve them and they will be circulated as soon as possible after the meeting.

Number of Meetings – there will be 4 quarterly meetings on an annual basis (2 daytime and 2 evening), with a 5th meeting held in reserve on an 'as needs' basis should any urgent issues need to be discussed.

Electronic Papers – in future papers will be circulated via email, and will no longer be printed and posted.

2020 Meeting Dates

- Thursday, 19 March 2020 @ 10.30 am – Exmoor House
- Thursday, 11 June 2020 @ 7.00 pm – Venue TBC
- Thursday, 17 September 2020 @ 7.00 pm – Venue TBC
- Thursday, 12 November 2020 @ 10.30 am – Venue TBC

5. WILD DEER AND BOVINE TUBERCULOSIS - PRESENTATION BY PETER GREEN BVSC CERT EO MRCVS

An audio recording of the presentation and subsequent discussion can be listened to via the following link (*timestamp = 0.14 – 1.44*)

<https://www.exmoor-nationalpark.gov.uk/about-us/meetings-agendas-reports/exmoor-consultative-and-parish-forum/17-december-2019>

- All UK deer species can be infected with bTB - specific clinical signs are uncommon and most commonly present as poor condition and sometimes diarrhoea, once the disease is well advanced
- Any internal abscess in a deer is suspicious of bTB
- Within the bTB cattle High Risk Area, bTB may be present in 1-2% of the deer population, increasing to up to 4% where prevalence of infection in badgers is high
- Infected deer shed infection predominantly through saliva and mucous, at low levels in faeces and hardly at all in urine. In contrast Badgers shed infection in urine, faeces, mucous and via pus from infected wounds
- Deer are almost invariably a *spill-over host* of bTB (*spillover = infection of wild animals from domestic stock*)
- Deer infected with bTB are an *indicator* of high levels of bTB infection in the local environment. They are *very rarely* a significant *reservoir* of infection (*reservoir = maintaining infection within the population*)

- Cattle-to-cattle transmission of bTB is significantly under-estimated by the farming industry
- Artificial feeding of wild deer poses the greatest risk of transmission
 - *M bovis* survives for weeks on roots partially consumed by infected deer
 - Deer-to-deer transmission at feed sites has produced hot-spots of maintenance within high density deer herds
 - Intensive pheasant rearing is a potential high risk

Local problems

- bTB reported to occur regularly in red deer in a few locations, but no reliable data and therefore no current firm evidence of maintenance status
- APHA reluctant to take further samples: therefore deer stats under-reported
- Deliberate misinformation about deer from pro-badger elements
- Farmers and deer shooters choosing not to shoot deer in poor condition
- Infected carcasses left to decay and be scavenged

Could there be a limited reservoir of maintenance in red deer locally?

- A maintenance population of red deer is possible BUT NOT CONFIRMED
- *IF* maintenance population exists, risk to cattle is still low

Sensible advice to farmers

- Very low risk with deer and cattle grazing together
- Higher risk if both have access to feeders, silage clamps and especially root crops
- Attempts to eradicate deer are pointless
- Have sensible deer management in place
- Culling males has very limited impact on population numbers
- Use qualified deer stalkers who will resist trophy shooting and can identify disease
- Cull deer in poor condition and report all abscessed deer to APHA
- Dispose of suspect carcasses properly

Sensible advice to everyone:

- **Do not feed wild mammals** – it encourages them to aggregate unnaturally

The way forward on Exmoor?

- Collaboration, honesty, transparency and co-operation between neighbouring landowners across a wide area will be essential
- Establish the facts – collect and plot data
- Consider deer populations on a landscape scale – not just property wide
- Determine population prevalence
- IF THERE IS A bTB MAINTENANCE POPULATION:

- Plan and implement deer management as a working co-operative – farmers need to share info
- Establish and support an evidence-based, science-led deer management group

Points noted following Forum Discussion:

- Reporting suspected case of bTB in truly wild deer (not enclosed deer) is not likely to result in your cattle being put on restriction, unless there is a high risk they have come into close contact with a deer with lesions.
- If a deer has been shot, it is not a good idea to field dress it in case it does have TB. It should be taken elsewhere to be washed down so as not to contaminate the moor/pasture.
- It was agreed that a working co-operative needs to be set up to take forward the work required to address this issue, including a fund to help meet the cost of safely disposing of infected deer was required.

Forum Members thanked Mr Green for a very informative presentation.

Action: The Park Authority will act as intermediary to bring together relevant groups to investigate ways of establishing a disposal fund and effective deer management group.

6. REVIEW OF PROTECTED LANDSCAPES (GLOVER REPORT) – This item was postponed to a future meeting.

7. CLIMATE CHANGE EMERGENCY – This item was postponed to a future meeting.

8. HISTORIC SIGNPOST PROJECT – Mr Steven Pugsley updated the Forum that whilst Heritage Lottery funding for this project has now ended, work is still ongoing. The Steering Group are meeting regularly and will be arranging further training in 2020 and are negotiating with CareMoor regarding additional funding. Records have been made of the signposts that still need work and the signposts already repaired will not be allowed to deteriorate. As it is much cheaper to repair the fingerposts than cast new ones, Forum members were urged to pick-up any damaged parts they may find on the roadside and notify the Steering Group.

9. FARMING ISSUES

Mr Roger Foxwell suggested the National Park Authority should arrange a public meeting with the wider farming community regarding the Glover Review as a matter of urgency. He also suggested that an updated report on the state of farming on Exmoor should be produced, as the last one was published in 2015.

10. PLANNING ISSUES

- The Head of Planning & Sustainable Development advised the Forum that the transition to a new planning system had not gone as smoothly as anticipated. Work is ongoing with the IT provider to resolve the issues, and it is hoped that Officers will soon be able to reduce the backlog of validation and registrations. Forum members were asked for their patience during this challenging time, and to pass on details of any issues they experience when using the system.

- It was questioned why Winsford Parish Council were required to determine both a normal planning application and a General Development Order for 2 mobile phone masts as part of the new Emergency Services network. Dean Kinsella advised that any mast of 15 metres or over will require a planning application which would normally be determined within 8 weeks, but can be extended to allow for further debate if required. For masts under 15 metres, the operator can submit a Prior Approval which requires the Authority to determine the application within 56 days, after which the operator is able to erect the mast regardless.

11. EMERGING ISSUES OR TOPICS FOR WIDER DEBATE:

- Review of Protected Landscapes (Glover Report) – *postponed item*
- Climate Change Emergency – *postponed item*
- Burning of Heather

12. DATE AND TIME OF NEXT MEETING: The next meeting will be held on Thursday 19 March 2020 at 10.30am at Exmoor House, Dulverton.

13. OTHER BUSINESS OF URGENCY: There was none