

Draft Local Plan

November 2013



EXPLANATORY NOTE

STRATEGIC AND DEVELOPMENT MANAGEMENT POLICIES

Please note that this draft Local Plan contains both strategic and more detailed development management policies. The plan (together with any neighbourhood plans) will be the sole development plan for the area.

This is a change from the adopted Local Plan currently in force which only contains detailed policies, as it was prepared when there was also a separate Joint Structure Plan for Somerset and the whole of Exmoor National Park. The Joint Structure Plan set out the strategic policies. Together they were the development plan for the National Park. Changes to national legislation mean that Structure Plans (and the regional plans, or regional spatial strategies, that were to replace them) have now been abolished.

In this draft Local Plan the strategic policies set out the overarching approach to development in the National Park while the development management policies contain more detailed criteria to guide planning decisions. They are arranged section by section with each section having a different two letter code e.g. 'CC' for climate change. Each policy has a separate number. This starts with the code denoting the section it can be found in, followed by 'S1' 'S2' and so on for strategic policies and 'D1' 'D2' and so on for development management policies. The 'General Policies' (GP) in Section 4 are strategic policies and apply to all development proposals.

Comments and representations are invited on this document and any other relevant planning matters or omissions. An interactive version of the Draft Local Plan can be found on our website www.exmoor-nationalpark.gov.uk where you can make your representation online, or a representation form will be available to download (or we can send you a printed copy).

Please send your response to:

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Please ensure your response arrives by Friday 13th December at the latest.

Access to information:

If you would like this document in large print, other formats or another language, please contact us. We will do our best to help.

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LOCAL PLAN POLICY STRUCTURE

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2. VISION, STRATEGIC PRIORITIES AND OBJECTIVES	
3. SPATIAL PORTRAIT	
POLICIES	
4. GENERAL POLICIES	
GP1	General Policy: National Park Purposes & Sustainable Development
GP2	Model Policy
GP3	General Policy: Major Development
GP4	General Policy: Spatial Strategy
GP5	General Policy: Securing Planning Benefits - Planning Obligations
GP6	General Policy: Enhancing the National Park
5. CONSERVING AND ENHANCING EXMOOR	
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CE-D1	Protecting Exmoor's Dark Night Sky
CE-S2	Biodiversity
CE-S3	Green Infrastructure
CE-D2	Green Infrastructure Provision
CE-S4	Cultural Heritage and Historic Environment
CE-D3	Conserving Heritage Assets
CE-S5	Principles for the Conversion or Structural Alteration of Traditional Buildings
CE-S6	Principles for the Conversion or Structural Alteration of Non-Traditional Buildings
CE-S7	Design & Sustainable Construction Principles
CE-D4	Advertisements, Shopfronts and Private Road Signs
CE-S8	Small Scale Working or Re-working for Building and Roofing Stone
CE-S9	Major Mineral Extraction
CE-D5	Interim Development Order Permissions
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CC-D1	Flood Risk
CC-D2	Coastal Development
CC-S2	Responding to Coastal Change
CC-D3	Water Conservation
CC-S3	Low Carbon & Renewable Energy Development
CC-D4	Small-Scale Wind Turbines
CC-D5	Freestanding Solar Arrays
CC-S4	Waste Management
CC-D6	Sewerage Capacity & Sewage Disposal
CC-S5	Pollution
7. ACHIEVING A THRIVING COMMUNITY	
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HC-S2	Housing Conservation and Enhancement
HC-S3	Local Occupancy Criteria
HC-S4	Financial Contributions for Affordable Housing
HC-S5	Principal Residence Housing
HC-D1	Conversions to Dwellings in Settlements
HC-D2	New Build Dwellings in Settlements
HC-D3	Specialist Housing for Exmoor's Communities
HC-D4	Conversions to Dwellings in the Open Countryside
HC-D5	New Build Dwellings in the Open Countryside
HC-D6	Rural Workers
HC-D7	Succession Farming – Second Dwellings on Established Farms

HC-D8	'Extended Family' Dwellings Criteria
HC-D9	Residential Caravans
HC-D10	Replacement of Rural Workers Occupancy Conditions
HC-D11	Replacement of Holiday Occupancy Conditions and Extended Family Ties
HC-D12	Subdivisions of Existing Dwellings
HC-D13	Residential Extensions
HC-D14	Outbuildings
HC-D15	Replacement Dwellings
HC-S6	Travelling Communities
HC-S7	Local Commercial Services & Community Facilities
HC-D16	Local Commercial Service Provision
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HC-D19	Important Visual Amenity Space
HC-S8	Residential Institutions
8. ACHIEVING A SUSTAINABLE ECONOMY	
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SE-S2	Business Development in Local Service Centres and Villages
SE-S3	Business Development in the Open Countryside
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SE-D2	Safeguarding Existing Employment Land and Buildings
SE-S4	Agricultural and Forestry Development
9. ACHIEVING ENJOYMENT FOR ALL	
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RT-D1	Serviced Accommodation
RT-D2	Staff Accommodation
RT-D3	Safeguarding Serviced Accommodation
RT-D4	Non-serviced Accommodation
RT-D5	Tented Camp Sites
RT-D6	Camping Barns
RT-D7	Certificated Caravan & Touring Caravan Sites
RT-D8	Static Caravan Sites
RT-D9	Alternative Camping Accommodation
RT-D10	Recreational Development
RT-D11	Equestrian Development
RT-D12	Access Land and Rights of Way
RT-D13	Safeguarding Land Along Former Railways
RT-S2	Reinstatement of the Lynton and Barnstaple Railway
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AC-S2	Transport Infrastructure
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AC-S4	Electricity and Communications Networks
AC-D4	Radio and Mobile Telecommunications Infrastructure
AC-D5	Fixed Line Transmission Infrastructure
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ES-D1	Dulverton Community Safeguarding Area
ES-D2	Cutcombe & Wheddon Cross Community Safeguarding Area

1. INTRODUCTION

- 1.1 This is the draft Local Plan for Exmoor National Park. This introduction sets out and explains:
- a) the National Park context;
 - b) national guidance;
 - c) role of the Local Plan;
 - d) preparation of this Local Plan;
 - e) implementation and monitoring; and
 - f) how to use this Plan.

NATIONAL PARK CONTEXT

- 1.2 Exmoor is one of 15 National Parks in the United Kingdom and one of only four in southern Britain. Designated for their natural beauty and for the opportunities they offer for open air recreation, National Parks contain some of the most spectacular scenery in Britain, where it is possible to experience open space, peace, wildness and tranquillity.
- 1.3 Exmoor National Park is an asset of national, regional and local importance and provides a unique landscape of moorland, woodland, valleys, farmland and a spectacular coast. The National Park has a variety of habitats which support a great diversity of wildlife species many of which are rare and has many settlements, sites and features of rich cultural interest. Exmoor's landscapes also provide a wide range of benefits or 'ecosystem services' for wider society as a whole and hosts around 2 million visitor days each year.
- 1.4 Exmoor is also a living, working landscape - a home and workplace for nearly 10,300 people. The spatial strategy must therefore address the local need for affordable housing, provide opportunities for the diversification of Exmoor's economy and maintain a range of local services and facilities.
- 1.5 This Local Plan sets out a vision, objectives/strategic priorities and policies to guide development to achieve the National Park's statutory purposes and, in so doing, to further the wellbeing of Exmoor's communities. A spatial strategy directs development to the most sustainable locations, and, in doing so, helps to conserve and enhance the National Park and its special qualities as well as to achieve sustainable local communities and a thriving Exmoor economy for the period to 2030. Everyone can contribute to this Local Plan and may be affected by it. It is therefore important that a wide a range of people and organisations get involved in its preparation.

NATIONAL PARK PURPOSES AND DUTY

- 1.6 National Parks have two statutory purposes, as defined in the Environment Act 1995¹: primary legislation underpinning National Park designation:
- To conserve and enhance the natural beauty, wildlife and cultural heritage of the area;
 - To promote opportunities for the understanding and enjoyment of its special qualities by the public.
- 1.7 In pursuing these purposes Section 62 of the Act² places a duty on National Park Authorities to seek to foster the economic and social well-being of local communities within their National Park and shall, for that purpose, co-operate with local authorities and public bodies whose functions include the promotion of economic or social development within the area of the National Park.
- 1.8 Section 62 of the Act also places a general duty on all relevant authorities, including the National Park Authorities, statutory undertakers and other public bodies, to have regard to these purposes³. Where there is an irreconcilable conflict between the statutory purposes, the

¹ The National Parks and Access to the Countryside Act 1949, Section 5 as amended by Section 61 of the 1995 Environment Act

² National Parks and Access to the Countryside Act 1949 Section 11A as inserted by Section 62 of the Environment Act 1995

³ *ibid*

Sandford Principle will be applied and the conservation of the National Park will be given priority.

- 1.9 The 2012 Localism Act brought in a duty for public bodies to co-operate on strategic cross-boundary issues in the preparation of Local Plans. Underpinning National Park designation and Local Plan preparation then is a requirement that National Park authorities and public bodies, including local authorities, work together. The National Park Authority has long-standing experience of working in partnership with other authorities and organisations to ensure that regard is had to National Park purposes and in delivering the duty to local communities because the National Park Authority is not the housing authority (the role of district councils) and does not have responsibility for economic development (district and county councils).

NATIONAL GUIDANCE

NATIONAL PLANNING POLICY FRAMEWORK

- 1.10 The government published its National Planning Policy Framework (NPPF) in March 2012⁴. It sets out the Government's planning policies for England relevant to the work of all planning authorities. It constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications. The development plan remains the starting point for determining planning applications and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 1.11 The NPPF sets out a presumption in favour of "sustainable development". It states that for plan-making, Local Plans should meet objectively assessed needs unless specific policies in this Framework indicate development should be restricted⁵. Footnote 9 to this paragraph of the NPPF provides examples including Special Areas of Conservation, Sites of Special Scientific Interest and National Parks. The NPPF makes clear that "Great weight should be given to conserving landscape and scenic beauty in National Parks ..., which have the highest status of protection in relation to landscape and scenic beauty⁶. It refers to the National Parks and the Broads Vision and Circular as it provides further guidance and information on National Parks.
- 1.12 The NPPF states that Local Plans should set out the strategic priorities for the area. This should include strategic policies to deliver the homes and jobs needed in the area and conservation and enhancement of the environment, including landscape⁷. Plans should be based on co-operation with neighbouring authorities and public bodies on planning issues that cross administrative boundaries particularly those which relate to the strategic priorities. This is to ensure that they are co-ordinated and reflected in individual Local Plans to meet development requirements which cannot wholly be met within their own areas because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of the Framework⁸.

THE NATIONAL PARKS AND THE BROADS VISION AND CIRCULAR

- 1.13 The National Park Circular provides policy guidance specifically for the English National Parks for all those whose decisions or actions might affect them including, amongst others, government departments, government agencies, local authorities and other public bodies. The Circular includes a vision and sets out key outcomes:
- a) a renewed focus on achieving Park Purposes;
 - b) leading the way in adapting to, and mitigating climate change;
 - c) a diverse and healthy natural environment, enhanced cultural heritage and inspiring lifelong behaviour change towards sustainable living and enjoyment of the countryside;

⁴ National Planning Policy Framework (NPPF), DCLG 2012

⁵ *ibid* Para. 14

⁶ *ibid* Para. 115

⁷ *ibid* Para. 156

⁸ *ibid* Paras. 157, 178 and 179

- d) fostering and maintaining vibrant, healthy and productive living and working communities; and
- e) working in partnership to maximise the benefits delivered.

1.14 The NPPF, National Parks Circular and other relevant national guidance have been taken into account in the preparation of this Local Plan which is judged to be consistent with it.

ROLE OF THE LOCAL PLAN

- 1.15 The Exmoor National Park Authority, as the Planning Authority for the area, has a statutory duty to prepare, monitor and review a Local Plan for the area within Exmoor National Park. The Local Plan, along with Neighbourhood Plans, form the statutory development plan for Exmoor National Park. This Local Plan excludes those parts of West Somerset and North Devon outside the Exmoor National Park which are covered by separate Local Plans prepared by the District Councils.
- 1.16 In guiding planning decisions on Exmoor, the Local Plan is a vital component in maintaining the character of the National Park and fostering the social and economic well being of Exmoor's communities. It seeks to ensure effective services and a coherent approach for the National Park and the surrounding area across administrative boundaries.
- 1.17 This plan sets out a vision and objectives/strategic priorities for the National Park-for the lifetime of the Plan 2011-2031. In so doing it links to the Management Plan for Exmoor National Park (the Partnership Plan⁹) which sets out Exmoor's special qualities, the long term vision, objectives and priorities to be achieved on Exmoor 2012 to 2017 and provides a framework for integrating the various activities of the National Park Authority and for stimulating and co-ordinating action by other agencies. The Partnership Plan vision and objectives are shared with the Local Plan. The vision contains additional detail for the purposes of the Local Plan and, together with the objectives/strategic priorities, is set out in section 4.

PREPARATION OF THIS LOCAL PLAN

- 1.18 This draft Local Plan has benefited from early and extensive consultation with communities and stakeholders as well as being based on available and commissioned evidence. It has been prepared as a pre-publication document. Consultation to date has involved:
- 1.19 **Stakeholder Workshops** in Dunster and Lynton together with a meeting in Dulverton were held between December 2008 and January 2009 to scope key issues and options for the then Core Strategy & Development Management Policies DPD. Topic papers on economy and employment, housing, climate change, waste management and pollution, historic and built environment, and minerals, landscape, wildlife and land management, settlements, services, transport and recreation and tourism were prepared to inform the workshops. An LDF stakeholder consultation report was prepared and made available.
- 1.20 **'Your Future Exmoor' Consultation Events** comprised 13 school and college workshops were carried out from July 2009 to February 2010. These involved all the primary and First schools, and Dulverton Middle School, within the National Park and three schools and colleges in Minehead, Barnstaple and Ilfracombe. 21 'Your Future Exmoor' (YFE) community events were held between January and March 2010 in every settlement in the National Park to seek views on issues and options and a YFE event for stakeholder organisations was held in May 2010. Feedback reports were produced reflecting the findings from each event as well as a combined summary report. These events and workshops were attended by nearly 1,000 people. A further 4 detailed topic group meetings were held during November 2010 to discuss: recreation, tourism, climate change and housing.
- 1.21 Additionally, a **'Your Future Exmoor' Visitor Survey** was conducted during part of 2009 and 2010. A report was produced based on the findings from this survey.
- 1.22 A **'Your Future Exmoor' Residents Survey** for local residents was undertaken through the National Park Authority's Parklife community newspaper which is delivered to every household

⁹ Exmoor National Park Partnership Plan 2012-2017

within the National Park. It provided an additional opportunity for local people to give their views, particularly if they were unable to attend one of the community events.

- 1.23 During the period November 2011 to January 2012 a '**Your Future Exmoor**' Consultation was held in parallel with the Partnership Plan for Exmoor. The following aspects of the Local Plan were consulted on:
- i. **The draft Vision, Objectives and three General Policies.** The views received have been considered and Section 4 of this plan reflects those amendments made
 - ii. **Local Plan Options** (location of new development and delivery of affordable housing)
 - iii. The **Sustainability Appraisal, Sustainability Appraisal Non-Technical Summary and Habitats Regulations Assessment** were also part of the consultation

EVIDENCE AND OPTIONS

- 1.24 A number of options were considered during preparation of the Plan. Consideration of all reasonable options has resulted in the policies set out in this document. The other options that were considered are set out in Scope for Alternative Options and can be viewed on the National Park Authority website.
- 1.25 The Local Plan needs to be supported by robust evidence. Exmoor National Park has updated the majority of the required evidence base and the policies in the Local Plan reflect this evidence. There is however outstanding evidence that will be finalised to inform the publication Local Plan. This includes a Gypsy and Traveller Assessment and the Open Space Strategy.

SUSTAINABILITY APPRAISAL (INCLUDING STRATEGIC ENVIRONMENTAL ASSESSMENT) AND HABITATS REGULATIONS ASSESSMENT

- 1.26 A Sustainability Appraisal was conducted for the issues and options presented at the 'Your Future Exmoor' Consultations. The policies set out in the Draft Local Plan have been tested against a set of sustainability objectives to assess the implications of each policy against a number of environmental, economic and social indicators¹⁰. An assessment of the impacts on internationally important wildlife sites has also been carried out (as required under the Habitats Regulations)¹¹.
- 1.27 Recommended changes from the Sustainability Appraisal and Habitat Regulations Assessment have been incorporated in the Plan. You can view these appraisals online at the Exmoor National Park Authority's website. Please contact the National Park offices for a printed copy if you are not able to view the document online.

IMPLEMENTATION AND MONITORING

- 1.28 The Local Plan will be monitored through the Annual Monitoring Report in order to establish whether the policies are achieving their intended objectives and whether there are unexpected trends or changed circumstances that may necessitate a review. Indicators against which the policies will be monitored will be set out in the Publication draft of the Local Plan.

HOW TO USE THIS PLAN

- 1.29 This Plan reflects changes to national planning policy which has resulted in the move from preparing a suite of documents as part of a Local Development Framework to a single document approach as presented in this Local Plan. The Local Plan (together with any neighbourhood plans) is now the sole development plan for the area. As such, it contains both strategic planning policies, which take forward the vision and objectives/strategic priorities and sets out the overarching approach to development in the National Park, and development management policies which, consistent with the strategic policies, provide more detailed criteria to guide planning decisions and to deliver the vision and objectives for the National

¹⁰ Sustainability Appraisal Report Exmoor National Park Draft Local Plan Including Minerals and Waste Policies – Clare Reid Consultancy October 2013

¹¹ Exmoor National Park Local Plan Habitats Regulations Assessment – Somerset County Council October 2013

Park. The Plan also contains a Proposals Map. Whilst this Local Plan is subject to consultation, the previously saved policies of the Exmoor National Park Local Plan remain in force.

- 1.30 The policies within this Local Plan constitute an overall approach to future development in the National Park and it is important that the Plan is read as a whole. A practical consequence of this is that several policies may apply to one proposal. Cross referencing of policies is used where it is particularly important to clarify the relationship between areas of policy. Links between other policies are generally not identified because it is impossible to pre-empt all potential combinations of policy that might apply to a particular type of development. The General Policies apply to all proposals within Exmoor National Park. In addition, some proposals may require an Environmental Impact Assessment. The National Park Authority encourages early discussions on proposals before submission of a planning application. These can initially be discussed with Planning officers on the phone, by making an appointment at the National Park Authority offices in Dulverton or at one of the weekly planning surgeries in Porlock or Lynton.
- 1.31 The Plan is available for consultation which runs from 4th November to 13th December 2013. Comments must be made in writing, include contact details, and be received by **Friday 13th December**. You are encouraged to provide your comments online at www.exmoor-nationalpark.gov.uk
- 1.32 After consultation responses are received they will be considered and amended as appropriate. The next stages of plan preparation are as follows:
- Evidence Preparation
 - Consultation Period (Draft Local Plan): THIS STAGE
 - Consideration of Consultation Responses and Finalising Evidence
 - Consultation Period (Publication Version of the Local Plan)
 - Submission Preparation
 - Submission to Secretary of State
 - Examination in Public
 - Inspector's Report:
 - Adoption
- 1.33 Thank you for taking the time to respond to this consultation. This is an important stage and a chance for you to give us your views on the Draft Local Plan that will shape development in the National Park to 2030.

Please note that Section 2 Vision and Strategic Priorities and Objectives and Section 4 General Policies will show text that has been ~~struck through~~ (deletion) and text in *italics and underlined* (addition). This highlights the changes made to these specific sections following consultation on the Vision, Objectives and General Policies during November 2011 to January 2012.