



# EXMOOR

---

## NATIONAL PARK

EXMOOR NATIONAL PARK AUTHORITY  
EXMOOR HOUSE, DULVERTON  
SOMERSET TA22 9HL  
TEL: (01398) 323665  
FAX: (01398) 323150  
E-mail: [info@exmoor-nationalpark.gov.uk](mailto:info@exmoor-nationalpark.gov.uk)  
[www.exmoor-nationalpark.gov.uk](http://www.exmoor-nationalpark.gov.uk)

24 September 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 via Microsoft Teams Video Conferencing software on **Tuesday 6 October 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 as soon as possible, or at the latest by 4pm on the working day before the meeting of the agenda item on which they wish to speak, indicating a brief summary of the matter or matters to be raised (contact Judy Coles on 01398 322250 or email [jcoles@exmoor-nationalpark.gov.uk](mailto:jcoles@exmoor-nationalpark.gov.uk)).

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

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

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

Sarah Bryan  
Chief Executive

## AGENDA

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

### 1. Apologies for Absence

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

Members are asked to declare:-

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

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

### 3. Chairperson's Announcements

4. **Minutes**
  - (1) To approve as a correct record the Minutes of the meeting of the Authority held on 8 September 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.

---

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

### 6. Appeals

- 6.1 To note the [decision](#) of the Secretary of State for Housing, Communities and Local Government to dismiss the Appeal against the refusal to grant planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted – East Harwood Riding Stables, Harwood Lane, Timberscombe

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

<b>Agenda Item</b>	<b>Application No.</b>	<b>Description</b>	<b>Page Nos.</b>
7.1	6/40/19/101	Proposed installation of 15m telecommunication mono pole mast and associated equipment together with twin wheel access track – Halse Farm, Halse Lane, Winsford, Somerset	1 – 24
7.2	62/41/20/017	Proposed external refurbishment of clubhouse – Lynton & Lynmouth Bowls Club, Rock Avenue, Lynton, Devon	25 - 34

- 8. Application Decisions Delegated to the Chief Executive:** To note the applications determined by the Chief Executive under delegated powers ([Item 8](#)).
- 9. Site Visits:** To arrange any site visits agreed by the Committee (the reserve date being Friday 30 October (am)).
- 

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

- 10. Risk Management:** To consider the report of the Chief Finance Officer ([Item 10](#))
- 11. Consultations on Changes to the Planning System:** To consider the report of the Head of Strategy and Performance and Head of Planning and Sustainable Development ([Item 11](#))
- 12. Review of Exmoor National Park Authority’s Statement of Community Involvement:** To consider the report of the Head of Strategy and Performance ([Item 12](#))
- 13. 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, 8 September 2020 at 10.00am via Microsoft Teams Video Conferencing software.

#### PRESENT

Mr R Milton (Chairperson)  
Miss A V Davis (Deputy Chairperson)  
Mr S J Pugsley (Deputy Chairperson (Planning))  
Mrs L Blanchard  
Mr R Edgell  
Mr M Ellicott  
Mr D Elson  
Mr J Holtom  
Mr J Hunt  
Dr M Kelly  
Mr M Kravis  
Mrs C M Lawrence  
Mr E Ley  
Mrs F Nicholson  
Mr J Patrinos  
Mr B Revans  
Mrs E Stacey  
Mr N Thwaites  
Dr S Warren  
Mr V White

Apologies for absence were received from Mr P Pilkington and Mrs S Takle

#### 173. DECLARATIONS OF INTEREST:

In relation to Item 7.1 - Application No. 6/15/20/104 – Proposed agricultural building (20m x 15m) – West Howe Barn, West Howetown Lane, Exton, Dr M Kelly declared a pecuniary interest as he had acted in his capacity as Agent in relation to this Application. He indicated he would therefore withdraw from the meeting when this item was discussed.

The following declarations were declared in relation to Item 7.2 – Application No. 6/31/20/101 – Proposed first floor extension to agricultural building to provide office space to be used ancillary to the main dwellinghouse together with timber cladding and construction of first floor bridge – Springwater Farm, Elworthy, Lydeard St Lawrence, Taunton:

- Mr M Kravis was sent an email by the Applicant.
- Mr S Pugsley was copied into an email which the Applicant sent to Mr M Kravis, but did not consider that this would prevent him from participating in the meeting or chairing this item.

#### 174. CHAIRPERSON'S ANNOUNCEMENTS:

- The Authority meeting is being held via Microsoft Teams video conferencing software, in accordance with Standing Orders and the Formal Meetings Protocol (details of which are available on the Authority's website)
- The meeting would be video recorded and the recording will be available on the Authority's website within 72 hours.

#### 175. MINUTES

- Confirmation:** The **Minutes** of the Authority's meeting held on 4 August 2020 were agreed and signed as a correct record.
- Matters arising:** There were no matters arising.

**176. PUBLIC SPEAKING:** See Minutes 180, 181 and 184 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).

## APPEALS

**177.** The Committee noted the **decisions** of the Secretary of State for Housing, Communities and Local Government in respect to Appeals relating to Land at Four Acre, Broomstreet Lane, Oare, Somerset:

Appeals A and B – to correct and vary the Enforcement Notice on ground (f) prior to upholding it (ENF/0083/16)

Appeal C – to dismiss the appeal against refusal to grant a certificate of lawful use or development in respect of the use of land as a caravan site (Application 6/25/18/102)

**178.** The Committee noted the **decision** of the Secretary of State for Housing, Communities and Local Government to dismiss the Appeal against the inclusion of Condition 3 in relation to Application No. 62/41/19/026, which provides control over the materials for the window and door openings to be incorporated in the permitted extension - Saffron Cottage, Lydiate Lane, Lynton, Devon.

**179.** The Committee noted the **decision** of the Secretary of State for Housing, Communities and Local Government to dismiss the Appeal against the refusal to grant proposed change of use of agricultural building to two holiday lets - Application No. 62/19/19/008 - Strawberry Fields (Collings Ball), Shute Lane, Combe Martin, Ilfracombe, Devon

## DEVELOPMENT MANAGEMENT

Before the officer presentation Dr M Kelly left the meeting.

**180. Application No. 6/15/20/104**

**Location: West Howe Barn, West Howetown Lane, Exton**

**Proposal: Proposed agricultural building (20m x 15m)**

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

**Public Speaking:**

(1) Mrs R Thomas, The Exmoor Society

<b>RESOLVED:</b> To grant planning permission subject to the conditions set out in the report.
--

Mr M Ellicott and Mr J Patrinos did not vote on Agenda Item 7.1 above, as they were not present for the duration of the item.

After the vote, Dr M Kelly returned to the meeting.

**181. Application No. 6/31/20/101**

**Location: Springwater Farm, Elworthy, Lydeard St Lawrence**

**Proposal: Proposed first floor extension to agricultural building to provide office space to be used ancillary to the main dwellinghouse together with timber cladding and construction of first floor bridge**

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

**Public Speaking:**

- (1) Mr D Drummond, Applicant's Agent
- (2) Mr A McKelvey, Applicant

**The Authority's Consideration**

The meeting noted that whilst planning officers considered the principle of a home office was acceptable, they considered that the siting, design and scale of the proposed building were not acceptable and that the proposed works were therefore contrary to a number of policies contained within the Exmoor National Park Local Plan 2011-2031.

The majority of the Authority Committee agreed with the officers recommendation that planning permission should be refused, however Dr M Kelly requested that the reasons for refusal be amended to reflect that the application was also contrary to Paragraphs 170 and 172 of the National Planning Policy Framework. A motion to refuse planning permission on that basis was proposed and seconded and was carried by a majority of the Committee.

**RESOLVED:** To refuse planning permission for the following reasons:-

The proposed development seeks to erect a first floor extension to an existing agricultural building to provide office space together with timber cladding and a first floor footbridge. The scale, form and massing of the proposed building is disproportionate within the site. The proposed building, by virtue of its scale, form, massing and design, causes harm to the character and visual amenity of the surrounding landscape and the character and appearance of the dwelling. The proposed development would result in an unacceptable detrimental impact on the character and appearance of the landscape of this part of the National Park. It is considered that the siting, design and scale of the proposed building are not acceptable and the proposed works are therefore, contrary to policies HC-D16, CE-S6, SE-D1, SE-S4, CE-S1 and CE-D1 of the Exmoor National Park Local Plan 2011-2031 and Paragraphs 170 and 172 of the National Planning Policy Framework.

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

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

---

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

## 184. INCOME GENERATION AND CHARGING FOR SERVICES

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

### Public Speaking:

(1) Mrs R Thomas, The Exmoor Society

### The Authority's Consideration

The Authority Committee held a wide-ranging discussion and whilst broadly supportive of the proposals contained within the Chief Executives report, Members were mindful of the impact the charges might have on local communities and visitors to Exmoor. They requested that the Authority take great care during the consultation process to communicate the benefits the enhanced services would provide.

In relation to Recommendation 2, Members were of the view that it was imperative the National Park Authority work with the local community in Simonsbath to ameliorate inappropriate parking elsewhere in the village and to ensure that any displacement of vehicles as a result of more prominent charging being introduced at Ashcombe car park, does not exacerbate road hazards elsewhere in Simonsbath.

Members raised a number of other points in relation to the proposals and Officers confirmed that they would give further thought to each and provide an update at a future meeting:-

- Ensure that any "branding" is sensitive to the character of the National Park and clarify how the interpretation boards will link and work together across all sites.
- Give consideration to a range of charging including winter hours, disabled parking and local permits
- Investigate the feasibility of providing Wi-fi in public places / carparks
- Give consideration to the issue of Motorhomes before next summer
- Investigate the use of QR Codes for parking charges and CareMoor giving

In relation to Recommendation 3, the Head of Planning & Sustainable Development suggested that it would be sensible to account for any other planning charging regime that the Government may introduce into legislation at a future date. The Chairman of the Authority was in agreement with this proposal, and requested that an amendment be made to Resolution 3 to allow for this.

Dr M Kelly volunteered to assist Officers to explore the feasibility of charging for pre-application advice and to review Land Charge Search fees.

Miss A V Davis, Mr D Elson, Miss E Stacey and Dr S Warren volunteered to work with the Sustainable Economy Manager on the development and implementation of the External Project Funding strategy.

Upon concluding the debate, the Authority Committee resolved to adopt the recommendations, as amended, contained within the Chief Executive's report.

**RESOLVED: The Authority resolved to:-**

- (1) Note progress on the review of facilities and fees charged at Exmoor National Park Authority car parks.
- (2) Approve the release of £45,000 from the Estates Reserve for the repair and refurbishment of Ashcombe toilets and the installation of a contactless pay machine, in order to secure the future of the historic buildings and generate a sustainable income from the site.
- (3) Approve the charging of a fee to process and determine applications for the 'discharge of conditions' associated with a planning approval, in line with the charges set out by the current national fee guidance shown below, and to continue to update planning fees in line with any future Government recommendations and guidance:
  - £34 per request for householder application and £116 for all other requests.
- (4) Note the proposal to explore the feasibility of charging for pre-application advice and to review Land Charge Search fees.
- (5) Note the External Project Funding strategy and nominate up to three Members to work with the Sustainable Economy Manager on its development and implementation.

Mrs C Lawrence and Miss E Stacey did not vote on Item 10 above, as they left the meeting before the debate concluded.

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

The meeting closed at 2.04pm

(Chairperson)





## Appeal Decision

Site visit made on 18 August 2020

**by A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)**

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

**Decision date: 26 August 2020**

**Appeal Ref: APP/F9498/W/20/3249186**

**East Harwood Riding Stables, Harwood Lane, Timberscombe TA24 7UE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Alan Jones against the decision of Exmoor National Park Authority.
- The application Ref 6/34/19/106, dated 26 July 2019, was refused by notice dated 24 September 2019.
- The application sought planning permission for retrospective consent for gallop and extension to gallop, and retention of horse walker without complying with a condition attached to planning permission Ref 6/34/15/102, dated 13 May 2015.
- The condition in dispute is No 5 which states that: *"The use of the gallop track for exercising horses, so far as it relates to the section alongside Bridleway WL 25/33, shall not take place outside 0800 hours to 1200 hours Mondays to Fridays, 0800 hours to 1130 hours on Saturdays, and 0800 hours to 0930 on Sundays during April to October inclusive; and 0800 hours to 1400 hours Mondays to Fridays, 0800 hours to 1230 hours on Saturdays, and 1000 hours to 1130 hours on Sundays during November to March inclusive."*
- The reason given for the condition is: *"To provide a balance between the needs of the business and the interests of users of the public rights of way in accordance with Policy TR12 of the adopted Exmoor National Park Local Plan and RTD12 of the Publication Draft Local Plan."*

### Decision

1. The appeal is dismissed.

### Background and Main Issue

2. In 2013 retrospective planning permission<sup>1</sup> was granted at appeal<sup>2</sup> (the Recent Appeal) in respect of a gallop and which was subject to planning conditions which limited the hours of use of the gallop. In 2015, Exmoor National Park Authority (the NPA) permitted an extension to the hours of use for the gallop<sup>3</sup>. This appeal concerns a proposal which seeks to extend the hours of permitted use from that given in the 2015 planning permission.
3. The main issue is whether or not the appeal proposal would adversely affect users' interests having regard to local planning policy and, if users' interests

<sup>1</sup> Exmoor National Park Authority Reference: 6/34/13/101

<sup>2</sup> Planning Appeal Reference: APP/F9498/A/13/2197067

<sup>3</sup> Exmoor National Park Authority Reference: 6/34/15/102

would be adversely affected, whether there are other material considerations to justify the proposal.

### Reasons

4. Policy RT-D12 of the Exmoor National Park Local Plan 2011 – 2031 (the Local Plan)<sup>4</sup> concerns Access Land and Rights of Way and provides, amongst other things, that users' interests must not be adversely affected by development. In instances where users' interests are adversely affected by development, it will be necessary to demonstrate that the need and benefit of the proposal would outweigh the harm caused to users of the access network.
5. The gallop, which is the subject of this appeal, is positioned adjacent and parallel to an access track and bridleway on its northern side. The gallop is separated from the bridleway by a high hedge for a majority of its length, with a separate public footpath crossing over the bridleway and gallop at approximately the midway point of the gallop. There are signs placed at points along the bridleway which notify users as to the times during the week for which the gallop is in use.
6. As noted above, extended hours of use were permitted by the NPA in 2015, and provided that during the period November to March inclusive, additional hours of use would be allowed on both weekdays and at weekends. The Appellant is now seeking a variation to the condition which restricted the hours of use, in order to allow for the current November to March permitted hours of use, to be used throughout the year.
7. The Inspector in the Recent Appeal noted that, "a horse cantering past another, particularly when unseen, as would be the case for much of the section of bridleway affected, can spook the horse, which can have safety implications, particularly for inexperienced or nervous riders". Whilst the Inspector concluded that, in that instance, the extended hours would likely result in the level of risk to users of the bridleway being quite low, there would undoubtedly be some residual risk and that "some potential users may be deterred from using the bridleway while the gallop is in use and that these are considerations which must be weighed against the need for, and benefits of, the development". The conclusion of the Recent Appeal was that, whilst there would be some harm to users' interests, these would be outweighed by the demonstrated needs and benefits associated with that proposal.
8. The evidence before me indicates that the NPA has allowed a temporary trial period during which the proposed extended hours of use was allowed, and it is acknowledged that no specific objections to that trial period were raised. I also acknowledge the comments and observations from the West Somerset & Exmoor Bridleways Association, the NPA's Public Rights of Way & Access Officer and the support provided by an interested party. However, I would agree with the conclusion reached by the Inspector in the Recent Appeal that increased use of the gallop would undoubtedly result in some additional risk, albeit to a limited degree, and that, consequently, some potential users of the bridleway would be put off from using the bridleway while the gallop was in use.
9. In my view, and consistent with the Inspector in the Recent Appeal, the appeal proposal to further extend the hours of use would result in some harm to the

---

<sup>4</sup> Adopted by the National Park Authority July 2017.

interests of users of the bridleway, and while the harm would be limited, it would nonetheless result in some additional harm by reason of the likelihood that some users, whether they reside within the locality and surrounding area or not, would be put off using the bridleway during the periods when the gallop was in use. Accordingly, to comply with the provisions of Policy RT-D12 of the Local Plan, it must be demonstrated that the need and benefit associated with extending the hours of use would outweigh the harm to the interests of users of the bridleway.

10. The Appellant has put it to me that the extended hours of use are needed on the basis of a number of factors. In the first instance, the Appellant maintains that the additional hours of use are necessary in order to comply with the requirements of a Flat Racing Licence. In this regard, while I note the reference to the Flat Racing Licence, the evidence submitted does not confirm why the additional hours would be needed in order to comply with the racing licence or how the level of proposed additional hours had been calculated or arrived at to ensure that the hours would be sufficient in order to meet the requirements of the licence or the business.
11. In the second instance, the Appellant maintains there is a need for extended hours so that they can “match” those trainers who have extensive access to a gallop. In this regard, I have not been provided with any information regarding gallops which the Appellant contends would provide more extensive access and, consequently, there is no comparison before me which would demonstrate that there is a need for additional hours in this instance. Furthermore, while I note the contention that the proposal would allow for more horses to be trained and that this “also benefits the local rural economy”, I have only been provided with generalised comments and assertions regarding the level of contribution the proposal would make to the local rural economy.
12. The Appellant has further put it to me that the proposed extension of hours of use would benefit users of the public bridleway and public footpath, given that when the gallop’s current hours of use run short of what is required in relation to the training of horses, the Appellant makes use of the public bridleway. In this regard the Appellant maintains that without increased hours of use, additional time will need to be spent on the nearby public bridleways and, therefore, it would be likely to increase the risk of conflicting with the recreational use of the bridleway by other users.
13. Whilst the potential for increased usage of the public bridleway is acknowledged, it is apparent that the Appellant would be able to continue using the bridleways at any time irrespective of whether this appeal was allowed or not. Therefore, the risk associated with using the public bridleways and the potential conflict that that may bring, would continue to exist. The additional hours of use requested would therefore not necessarily result in decreased usage of the public bridleway.
14. For the above reasons, I find that the proposal would result in some limited harm to the interests of users of the public bridleway and, in my view, it has not been sufficiently demonstrated that the needs and benefits associated with the proposal would outweigh that identified harm. Accordingly, the proposed change of hours of permitted use would conflict with the requirements of Policy RT-D12 of the Local Plan.

15. I acknowledge the Appellant's submissions with respect to the effect of the proposal on the existing horse training business. However, in the absence of substantive evidence as to how the need and benefit of the proposal would outweigh the harm to users' interests, and having regard to the legitimate and well established local and national planning policy aims which seek to protect and enhance public rights of way and thereby help promote healthy and safe communities, dismissal of this appeal would be proportionate and necessary.
16. I also acknowledge the submissions of the main parties with regards to a document which has been described as a local petition, and I have noted the Appellant's comments concerning the description of development as provided on that document. In this regard, it is noted that the description given matches that as provided on the NPA's decision notice and, while the details are acknowledged, I have attached only very limited weight to this document in the determination of this appeal. In any event, even if I attached less weight to this document in determining this appeal, in my view and for the reasons given above, it is apparent that there would be some limited form of harm to users' interests and, in this instance, it has not been demonstrated that that harm would be outweighed by any identified need or benefit.

### **Conclusions**

17. For the reasons given above, I conclude that the appeal should be dismissed, and the condition retained in its present form.

*A Spencer-Peet*

INSPECTOR

# 7.1



## Committee Report

Application Number:	6/40/19/101
Registration Date:	03-May-2019
Determination Date:	13-Jun-2019
Applicant	The Home Office and EE Limited
Agent:	Mr. J Davies, Savills
Case Officer:	Joe White
Site Address:	Halse Farm, Halse Lane, Winsford, Somerset
Proposal:	Proposed installation of 15m telecommunication mono pole mast and associated equipment together with twin wheel access track. Amended Description.
Recommendation:	Refusal
Reason for bringing before Authority Committee:	Given the significance of the application, providing infrastructure for the new Emergency Services communication network, the harm to landscape that is identified and the Officer recommendation, Officers consider the proposal ought more properly be referred to the Authority Committee for decision in accordance with paragraph 7(3)(vi) of the agreed Scheme of Delegation.

### Relevant History

None

### Site Description & Proposal

The planning application proposes the erection of a 15 metre mono pole telecommunication mast together with associated equipment compound, including a meter and other cabinets, and a twin track stone access track providing vehicular access to the base of the mast across a field.

The application has been amended from that first submitted. The most significant amendment is the change in design of the proposed mast. It was initially proposed that a 15 metre lattice tower mast be installed and this has been amended to the 15 metre mono pole mast now proposed.

The application site lies within a field and adjacent a hedge boundary on land north east of Halse Farm to the east of Winsford Hill, on a hill slope above the village of Winsford, which lies to the north east.

## 7.1

---

The proposed 15 metre mast would be a single pole accommodating three antennas and a microwave dish. The antennas would be at the top of the mast, with the microwave dish positioned just below the antennas. A pole mounted satellite dish is proposed near the base of the mast.

The new mast would be provided within a compound that would also accommodate cabinets and equipment associated with the mast and telecommunication equipment. The compound would be enclosed by a 1.8 metre mesh fence with barbed wire top. The base of the compound would comprise stone surfacing with concrete. A stone surface turning area is proposed to the south side of the compound measuring approximately 10 metres by 10 metres. A 3 metre wide track is proposed across the field to provide access from an existing farm track that lies to the south of the site. The new access track would run alongside a hedgerow and would comprise twin stone tracks.

The mast is proposed as part of the Emergency Services Mobile Communications Programme (ESMCP).

The ESMCP is the Home Office led programme responsible for replacing Airwave telecommunications network. ESMCP aims to provide an integrated critical voice and broadband data communications service for three Emergency Services that meets the public safety requirements for functionality, coverage, availability and security. This would update the existing network, which is becoming out dated and will not be continued.

It is explained that the chosen technology will be based on enhancing a commercial 4G network, configured to give the Emergency Services priority over other users. Police, Fire and Health are all represented on the Programme at strategic and operational levels, including the relevant government departments and devolved bodies in Scotland and Wales.

The new service, to be known as the Emergency Services Network (ESN), will be delivered across England, Scotland and Wales via a mix of existing and new greenfield mast sites. The radio coverage will be provided by EE who are delivering much of the core network by upgrading existing sites and building new sites. There are however, 'not-spot' sites, which, largely because of demographics and geography, have not been populated with sufficient mobile communications infrastructure to deliver the ESN. These areas are being addressed by the Extended Area Service (EAS) project. The EAS project extends the coverage provided by EE by procuring, on behalf of the Home Office, telecommunications infrastructure in these defined remote and commercially unviable areas. The Home Office is acting as the prime contractor to contract with acquisition, design and build suppliers. New "green field" sites, such as this, are understood, if planning permission is secured, to be then owned and operated by the Home Office for Government use. EE will install their active equipment on these sites and connect this to their core ESN network.

## 7.1

---

The papers submitted with the application explain that EE would be at liberty to offer their own commercial services to the general public from these EAS sites, but are under no obligation to do so.

The applicant has engaged with the Local Planning Authority prior to submitting the application and through the course of the application.

---

### Consultee Representations

---

**NATS Safeguarding** – 7 May 2019 – The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company (“NERL”) has no safeguarding objection to the proposal.

19 August 2020 - The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

**Dulverton Town Council** – 13 May 2019 – No objections. However members consider it preferable if the colour was less conspicuous.

7 September 2020 - No objections, however members consider that better use could be made of the mast/pole to provide improved internet coverage.

**Exton Parish Council** – 14 May 2019 – No objections but did ask if the visual impact could be ameliorated in any way.

**Winsford Parish Council** – 22 May 2019 – Winsford Parish Council support in principle the provision of a mobile mast in the Winsford locality. The Council would prefer if the mast could be made to look less conspicuous, and would prefer for the mast to be available for public use as well as emergency use.

## 7.1

---

8 August 2019 – Further to their previous comments on the above planning application (6/40/19/101), Winsford Parish Council have asked me to write adding support to the letter submitted by the Campaign to Protect Rural England (dated 25 July 2019).

21 September 2020 - Winsford Parish Council offers qualified support for the amended planning application, we would repeat the concerns expressed when the application was first submitted, providing the mast has a facility for mobile connection to the Winsford village and surrounding area, also the council would like further camouflage on the mast.

**Exmoor Society** – 8 August 2019 – The Exmoor Society wishes to raise concerns relating to the above application. It recognizes the importance of a communications network for emergency services but believes, in this case, that there are alternative sites in the vicinity.

The developer's Landscape and Visual Appraisal does not take into sufficient account the proximity of the mast and associated developments to open moorland, access land, an essential ingredient of Exmoor's national park status. The proposed scale and siting of the installation will have a highly negative impact on prominent skylines, horizons and long reaching views and the different experiences they provide for people's wellbeing. This will lead to loss of natural capital when the purpose of national parks is to increase and enhance it.

The Exmoor Society supports Exmoor National Park Authority's Senior Landscape Officer's professional opinion that there are alternative sites better-suited for mitigating the negative impact of this proposed installation.

**Campaign to Protect Rural England** – 26 July 2020 – CPRE Somerset appreciates the opportunity to comment on the above planning application and wish to object to this development proposal in its current location.

This application has been made by The Home Office and EE as part of the Emergency Services Mobile Communication Programme, it consists of 1no. 15m telecommunication lattice mast and associated equipment together with twin wheel access track, 1.1m high stock fence, FURO, M35 & Viper cabinets within foul weather enclosure on concrete base with safety handrail, 450mm wide cable tray at high level on 2no. support poles fixed to tower base, safety handrails at height, 15m dynamic concepts DC410 tower on 5.4x5.4m concrete base, proposed ducts @100mm, metal cabinet in southern fence line on concrete base, generator on concrete base, 10x5m turning area, gravel infill across proposed site, satellite backhaul dish on support pole fixed to tower base, 3m wide twin track stone access track, 1.8m high mesh fence c/w barbed wire top and timber gravel boards, 3 m wide metal double access gate c/w barbed wire, 2m high existing hedgerow.



## 7.1

---

The proposed development lies within the setting of Exmoor National Park. The National Parks and Access to the Countryside Act 1949 confirmed the significance of National Parks, later amended to The Environment Act 1995 which places a statutory duty on all relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage, and the promotion of opportunities for the understanding and enjoyment of the special qualities of national parks by the public when discharging any function in relation to, or affecting land within a National Park.

The National Planning Policy Framework (NPPF) 2019 under paragraph 172 requires that;

‘great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.’

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires determination of the planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The relevant development plan is Exmoor National Park Local Plan 2011-2031 (adopted July 2017).

Policy AC-D5 – Radio and Mobile Telecommunications Infrastructure states;

1. Proposals for radio and mobile telecommunications development will be permitted where they first seek to share existing infrastructure, there is capacity in landscape terms, and no increase in height of existing masts is required.
2. Where it can be demonstrated that (1) is not possible, apparatus will be sited on existing masts or other features such as buildings or other structures, to minimise adverse effects on landscape character.
3. Where it can be demonstrated that (1) and (2) are not possible, the apparatus shall be sited and designed to ensure that it has an acceptable appearance in the landscape including through camouflage as a natural or traditional feature.
4. In determining all proposals:
  - a) the highest standards of design will be sought in terms of colour, dimensions, construction and overall shape to minimise any visual impact;
  - b) there will be no unacceptable cumulative or sequential visual impact with other vertical structures in the landscape;
  - c) there will be no unacceptable adverse effects on sensitive habitats and wildlife, or the historic environment;
  - d) if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building;
  - e) the amenity of nearby residents and visitors are not adversely affected; and
  - f) opportunities for enhancement of the landscape including consolidation of any existing telecommunications infrastructure will be sought.

## 7.1

---

5. A condition will be attached to any planning consent to ensure that there will be ongoing management in place where trees are essential in providing amelioration to visual impacts including as camouflage to antenna within trees.

Policy AC-D7 – Satellite Antennae states;

1. The installation of satellite antennae or wireless broadband equipment will be permitted where they are sited unobtrusively and are of a scale and design which will not cause unacceptable harm, either individually or cumulatively, to the historic or architectural interest of traditional buildings, the street scene, or overall landscape or settlement character.

2. Installations that reduce the unacceptable harm caused by the cumulative visual impact of individual technologies will be favourably considered in relation to the tests above.

CPRE Somerset considers this application to be contrary to both Policies AC-D5 (1,2,3) and AC-D7 (1).

CPRE Somerset recognises the vital importance for modern communications for the Emergency Services. However, CPRE Somerset requests that the Home Office and EE (as part of the Emergency Services Mobile Communication Programme) considers several alternative sites in the Winsford area, sites that would mitigate against the negative impact on the sensitive landscape of the Exmoor National Park as the one proposed on land at Halse Farm, near Halse Lane.

CPRE Somerset is also concerned that Landscape and Visual Appraisal of Halse Farm Mast (EAS0201) by Pleydell Smithyman Ltd does not fully recognise the huge value of this particularly important landscape for walkers, visitors, riders, archaeologists, glacierologists (The Punch Bowl), morphologies, biologists, botanists (Burrow Wood is renowned for its carpet of bluebells under old oaks) and ecologists.

CPRE Somerset considers this application is contrary to NPPF (2019) para 172 and The Environment Act 1995.

**Landscape Officer** – 26 June 2019 – The application site is in an area of elevated and sloping agricultural land to the east of Halse Farm, Winsford. The site is located at an elevation between of 320 and 325m AOD with the adjacent high point to the south east at 329m AOD. Halse Farm is a working farm with associated campsite facilities situated on the edge of the open moorland of Winsford Hill.

The application site is within the Landscape Character Type F (LCT F) ‘Enclosed Farmed Hills with Commons’ of Exmoor National Park and is in close proximity to the extensive ‘Open Moorland’ landscape character type (LCT D2), an ‘Open Access’ area designated as SSSI and SAC. Key features of this LCT include a rolling terrain of hills and ridges with land use predominantly defined by pasture with a regular pattern of enclosure on higher ground. Built development is largely clustered around the more sheltered valley sides and bottom with no significant built structures at this

## 7.1

---

higher elevation. There is a strong influence of adjacent landscapes types including the extensive open moorland.

Wide panoramic views are experienced from the site, both into and out from the surrounding areas including the open access land at Winsford Hill. The site is visible from surrounding PROW's and from the public highway including Ash Lane and Halse Lane. From surrounding locations, the introduction of a mast in this location will appear skyline.

The introduction of a telecommunications mast in this location will impact on both the landscape character and visual amenity of the wider setting when viewed from surrounding areas. The associated infrastructure compound and access track will further increase this impact in an area of largely free from built structures, and will appear out of character with the surrounding landscape of open moorland with its smooth horizons and expansive views.

There are existing managed field boundary hedges that offer some potential degree of mitigation to the lower part of the mast but the steeply sloping and rising ground is likely to result in a significant extent of the lattice mast structure being visible above the existing hedges and above the skyline.

Associating the proposed mast in closer proximity to existing built structures or by utilising existing mature vegetation to the south of the application site on less elevated ground could offer significantly greater scope to mitigate the visual impact on the wider landscape setting. Given the character and distinctiveness of the surrounding landscapes I would request that alternative application sites and heights are fully considered due to the potential prominence within the wider extensive landscape of the open moorland of this current proposal.

Careful scale and siting should seek to conserve the prominent skylines, horizons and long reaching views of this area by locating any new vertical structures below the skyline or by visually integrating new structures through the use of existing vegetation to partially screen where appropriate.

September 2020 - Comments on Amended and Additional Plans submitted:

I welcome the additional information submitted by the applicant and acknowledge that the amendment to propose a 15m monopole structure does to some degree reduce the visual impact of this proposed development change. However, the scale and skyline nature of this proposal in this prominent hilltop location need to be considered within the wider landscape context for this site in the National Park. With few mitigating factors to allow it to be camouflaged by any existing natural or traditional features in this particular location, I consider the siting of this mast and its associated infrastructure contained within this proposal will result in visual and character harm when viewed from the wider landscape.

## 7.1

---

I propose further consideration is sought to ensure that the delivery of this much needed service is met in a way that seeks to conserve the character and visual quality of the wider landscape as well as facilitating the provision of telecommunication services to the surrounding area. Seeking to utilise existing vegetation or structures in the landscape could help integrate this provision in a more sensitive manner as could a reduction in scale of the proposed height of the mast.

**Wildlife Officer** – 22 May 2020 – The proposed mast and track is to be placed over improved pasture, which has negligible potential to support protected species and is a low priority habitat.

However, to ensure the grassland remains low quality to support protected species, such as birds and reptiles, please attach the following condition:

- Any vegetation within the construction and access track area should be kept at a height of 10 centimetres or below to minimise the risk of harming/killing any reptiles and nesting birds which may establish territories if grass is left to go rank before the construction phase.

Reason: In the interest of species protected under the Wildlife and Countryside Act 1981 (as amended).

The hedgerow surrounding the proposed mast and to the west of the proposed access track is closely box cut and provides poor screening and habitat for biodiversity. As an enhancement measure, and in accordance with National Planning Policy Framework (NPPF), please apply the following condition to any planning permission granted, to be captured within a landscape management plan submitted to the LPA:

- The hedgerow to the north and west of the proposed mast, and hedgerow to the west of the proposed access track, is to be managed to promote biodiversity. Management prescriptions will include allowing the hedgerow to grow to at 3-4 metres high and 3 wide with a tapering tall ruderal vegetation edge of 1m- to promote pollinators and other associated biodiversity.

Reason: To ensure the proposal meets the requirement within the National Planning Policy Framework 2018 (NPPF)\*, requiring the development to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity in accordance with the local planning policy.

\*NPPF 2018 Section "170. Planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity".

**Natural England** - Natural England has no comments to make on this application.

## 7.1

---

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

As the application relates to The New Forest National Park we defer to you for comments regarding location and wider landscape setting of the development and whether or not it would impact significantly on the purposes of the designation.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

25 August 2020 - Natural England has previously commented on this proposal and made comments to the authority in our email dated 20 May 2019.

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

**SCC Highways** – No observations

**MET office** – Thank you for consulting the Met Office about the above application. The proposal is approx. 17.2 km from the weather radar at Cobbacombe Cross and will have no impact on its operation. Therefore we have no objections to the application.

1 September 2020 - We have no objections to the proposal.

---

### Representations

---

## 7.1

---

A letter has been received expressing understanding of the need for the proposed development and querying whether the mast can be for use other than solely the Emergency Services, commenting that, if there is to be a mast the potential benefit of that, in terms of telecommunication, should be maximised. Improved internet connection for the area to the south west of the application site is also encouraged.

---

### **Policy Context**

---

NATIONAL PARK PURPOSES AND THE DUTY are as follows:

1. Conserve and enhance the natural beauty, wildlife and cultural heritage
2. Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When national parks carry out these purposes they also have the Duty to:  
Seek to foster the economic and social well-being of local communities within the national parks.

The key planning policies are detailed below.

#### EXMOOR NATIONAL PARK LOCAL PLAN 2011-2031

##### GP1 ACHIEVING NATIONAL PARK PURPOSE AND SUSTAINABLE DEVELOPMENT

1. Sustainable development for Exmoor National Park will conserve and enhance the National Park, its natural beauty, wildlife and cultural heritage and its special qualities; promote opportunities for their understanding and enjoyment by the public, and in so doing, foster the social and economic wellbeing of local communities.
2. In achieving sustainable development all proposals for new development, activities and land use will demonstrate that:
  - a) They are consistent with the National Park's legal purposes and duty. Where there is irreconcilable conflict between the statutory purposes, the conservation and enhancement of the National Park will prevail consistent with the Sandford Principle; and
  - b) They do not conflict with the vision and objectives of the Exmoor National Park Management Plan and the policies in this Local Plan read in combination.
3. Opportunities must be taken to contribute to the sustainable development of the area. Particular attention will be paid to:
  - a) ensuring high quality design and the intensity of the use or activity is appropriate to the character and appearance of the National Park;
  - b) the impact on the character and setting of the site and/or buildings:

## 7.1

- c) supporting the function and resilience of communities by retaining and strengthening their services and facilities, protecting their safe, attractive public places and employment opportunities, and providing for a size and type and tenure of housing to address local affordable needs and help create a balance community;
- d) accessibility to services, local services and facilities, jobs and technology, enabling, where appropriate, the use of sustainable transport and the impact on traffic levels;
- e) the efficient use of land, buildings, services and infrastructure;
- f) the impact on the amenities of local residents, occupiers of neighbouring properties, and visitors, and conserving or enhancing the quiet enjoyment of the National Park;
- g) the use of sustainable building techniques, materials and minimising energy use and waste;
- h) maintaining the quality of natural resources and ensuring ground conditions are acceptable;
- i) the needs of future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change; and
- j) supporting the health and socio-economic wellbeing of local communities and encouraging community participation.

### CE-S1 LANDSCAPE CHARACTER

1. The high quality, diverse and distinct landscapes and seascapes of Exmoor National Park will be conserved and enhanced.

2. Development should be informed by and complement the distinctive characteristics of the:

- a) landscape character types and areas identified in the Exmoor National Park Landscape Character Assessment; and
- b) seascape character areas and types identified in the North Devon and Exmoor Seascapes Character Assessment.

3. Development proposals should also have regard to, and be appropriate in terms of impact with the conservation of significant landscape and seascape attributes including:

- a) Section 3 Land;
- b) Heritage Coast;
- c) Landscape setting of Exmoor's settlements;
- d) Historic field patterns and boundary features;
- e) Important trees, tree groups and orchards.

4. Opportunities to conserve, enhance and restore important landscapes and landscape characteristics as identified in the LCA, including minimising existing visual detractors, will be encouraged.

### CE-D1 PROTECTING EXMOOR'S LANDSCAPES AND SEASCAPES

The key part of this policy explains;

## 7.1

1. Development will be permitted where it can be demonstrated that it is compatible with the conservation and enhancement of Exmoor's landscapes and seascapes through ensuring that:

a) the visual impact of the development in its immediate and wider setting is minimised through high quality design that reflects local landscape character with particular regard to scale, siting, materials, and colour; and

b) the cumulative and/or sequential landscape and visual effects of development do not detract from the natural beauty of the National Park and the experience of tranquillity.

### CE-S3 BIODIVERSITY AND GREEN INFRASTRUCTURE

The policy requires, among other things, the enhancement of biodiversity.

### CE-S6 DESIGN AND SUSTAINABLE CONSTRUCTION PRINCIPLES

1. Development proposals should deliver high quality sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor's built and historic environment and in doing so applicants will be expected to demonstrate the following design principles:

a) All new build development should positively contribute to its setting in terms of siting, massing, scale, height, orientation, density and layout.

b) The materials and design elements of a new building or conversion of an existing building, should complement the local context through the use of traditional and natural sustainable building materials. The use of locally-sourced sustainable building materials will be encouraged.

c) Design should reinforce landscape character and the positive arrangement of landscape features through planting and landscaping schemes, boundary treatments, and surfacing. Existing features such as trees, hedges and stone walls should be retained particularly where they are characteristic of the streetscape and/or the local area.

d) Design should have regard to health and well-being and ensure that sufficient public and/or private space is provided or available, and footpaths and cycleways are incorporated where appropriate.

e) The design and layout of development should have regard to improving safety, inclusivity and accessibility for those who live, work and visit there.

f) The layout and design of new streets and associated infrastructure, required as part of new build development proposals, should respond to local character and the scale, and proportions of the historic street pattern. Opportunities for streets to be used as social spaces will be encouraged.

g) The use and activity of the development should not detrimentally affect the amenities of surrounding properties and occupiers including overlooking, loss of daylight, overbearing appearance, or other adverse environmental impacts.

2. To incorporate sustainable construction methods, proposals should:

a) promote the sustainable use of resources;



## 7.1

- b) provide adequate access to, and storage for, recycling waste; and
- c) future proof against climate impacts, including flood risk, in accordance with CC-S1.

3. Proposals that reduce carbon emissions further than required by Building Regulations, including through improving energy efficiency or through renewable and low carbon technologies (CC-S5), will be encouraged.

### AC-S4 ELECTRICITY AND COMMUNICATIONS NETWORKS

1. Development to improve the accessibility and standard of the electricity and telecommunications networks will be encouraged in order to contribute to thriving communities and businesses, and climate change mitigation. Great weight will be given to ensuring that the National Park and its special qualities are conserved and enhanced.

2. Proposals will be supported where:

- a) the location, siting, scale and design of structures will not cause any unacceptable adverse impacts on the landscape and/or seascape character, visual amenity, biodiversity and cultural heritage of the National Park;
- b) co-operative working with partner organisations and utility operators has been demonstrated, to facilitate the sharing, utilisation and consolidation of existing communications infrastructure in rolling out new or improved communication technologies; and
- c) provision is made for the removal of apparatus and reinstatement of land when the apparatus becomes redundant.

### POLICY AC-D5 RADIO AND MOBILE TELECOMMUNICATIONS INFRASTRUCTURE

1. Proposals for radio and mobile telecommunications development will be permitted where they first seek to share existing infrastructure, there is capacity in landscape terms, and no increase in height of existing masts is required.

2. Where it can be demonstrated that (1) is not possible, apparatus will be sited on existing masts or other features such as buildings or other structures, to minimise adverse effects on landscape character.

3. Where it can be demonstrated that (1) and (2) are not possible, the apparatus shall be sited and designed to ensure that it has an acceptable appearance in the landscape including through camouflage as a natural or traditional feature.

4. In determining all proposals:

- a) the highest standards of design will be sought in terms of colour, dimensions, construction and overall shape to minimise any visual impact;
- b) there will be no unacceptable cumulative or sequential visual impact with other vertical structures in the landscape;

## 7.1

- c) there will be no adverse effects on sensitive habitats and wildlife, or the historic environment;
- d) if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building;
- e) the amenity of nearby residents and visitors are not adversely affected; and
- f) opportunities for enhancement of the landscape including consolidation of any existing telecommunications infrastructure will be sought.

5. A condition will be attached to any planning consent to ensure that there will be ongoing management in place where trees are essential in providing amelioration to visual impacts including as camouflage to antenna within trees.

### POLICY RT-D12 ACCESS LAND and RIGHTS OF WAY

1. The access network will be safeguarded by ensuring that development proposals will not adversely affect:

- a) the condition of the access network;
- b) users' interests; and
- c) character and appearance.

2. Where proposals will adversely affect the access network applicants will be required to demonstrate that:

- a) the need for and benefit of the development clearly outweighs any harm to the current access network;
- b) there is no appropriate alternative location;
- c) any harm will be kept to a minimum;
- d) the affected network will be improved and enhanced to protect users' interests;
- e) opportunities have been sought to provide linkages between routes, and strengthen the green infrastructure network; and
- f) an acceptable diversion and/or compensatory land of equal or better quality are provided where necessary.

### CC-S1 CLIMATE CHANGE MITIGATION AND ADAPTION

The policy encourages climate change mitigation measures and encourages proposals to adapt to the consequences of climate change will be encourage.

A key material planning consideration is the advice from the NATIONAL PLANNING POLICY FRAMEWORK (NPPF) published in February 2019.

One of the key elements of the NPPF is achieving sustainable development. This is explained in paragraphs 7, 8 and 9:

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually

## 7.1

supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

There is an emphasis on supporting a prosperous rural economy and supporting high quality communications infrastructure. There is also an emphasis on conserving and enhancing the natural environment.

Paragraph 80 says planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

Paragraph 112 says advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to

## 7.1

services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).

Paragraph 113 says the number of radio and electronic communications masts, and the site for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.

Paragraph 116 says that local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

Paragraph 172 is the relevant section that refers to National Parks. This sets out that: Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads.

---

### **Planning Considerations**

---

Planning decisions need to be taken in accordance with policies of the Development Plan unless planning considerations indicate otherwise.

The main planning matters are considered to be whether the development proposed is acceptable in landscape terms, in particular whether the proposal conserves the natural beauty, wildlife and cultural heritage of the area, and an assessment of the public benefit from the mast to the wider area.

The Halse Farm site is elevated and prominent in a number of localised views, including from public highways (roads and footpaths) and open access land, notably to the west on Winsford Hill, and from positions within Winsford. The character of the area is a hill slope of sloping agricultural land on the edge of the open moorland of Winsford Hill. The land has a 'rounded' character, which is devoid of vertical features.

The development proposed is a telecommunication mast and equipment as part of the Emergency Services Mobile Communications Programme (ESMCP). This would therefore provide an important part of the Emergency Services Network (ESN). The

## 7.1

---

papers submitted explain that the applicant has considered potential alternative sites for a mast to ensure suitable coverage to this area of the National Park, and particularly to the village of Winsford and the roads surrounding the area.

A Landscape and Visual Appraisal (dated August 2020) has been submitted in support of the application. The Appraisal considers the overall landscape value of the landscape character of the site is medium and that the overall landscape value of the locality, where there is potential for intervisibility with the proposed development, is high. Overall the appraisal concludes that the proposed development would have no 'important' effects upon landscape character or visual amenity. It also advises that the proposal would not cause unacceptable adverse impacts on either landscape character or visual amenity.

The Appraisal advises that the mast, antenna and dish mounts would be painted Grey Brown (RAL 8019) to assist blending in with the vegetated backdrop and surrounding landscape. The ground based equipment including cabinets would be painted Olive Green (RAL 6003).

The Authority's Landscape Officer advises that wide panoramic views are experienced from the site, both into and out from the surrounding areas, including the open access land at Winsford Hill. It is noted that the proposed mast would be skyline. The Landscape Officer recognises the change in design and form of the mast proposed and advises that this does reduce the overall visual and landscape impact of the development from that initially presented through the application, but that the amended design does not adequately address the concern raised in terms of the harm caused.

The Landscape Officer comments that the introduction of a telecommunications mast in this location will impact on both the landscape character and visual amenity of the wider setting when viewed from surrounding areas. The advice is that the development will appear out of character with the surrounding landscape of open moorland with its smooth horizons and expansive views.

The Landscape Officer advises that associating the proposed mast in closer proximity to existing built structures or by utilising existing mature vegetation on less elevated ground could offer significantly greater scope to mitigate the visual impact on the wider landscape setting. She also says that, given the character and distinctiveness of the surrounding landscapes, she would request that alternative sites and heights are fully considered due to the potential prominence within the wider extensive landscape of the open moorland of this current proposal.

During the course of the application some discussion has taken place exploring potential options for a mast slightly further to the west, within the same field, but closer to an outgrown hedge. However, in exploring that, the agent advised that the site would require a taller mast and, in any case, the hedge has been laid and that

## 7.1

---

site is not considered to have any greater capacity or to ensure the proposed development would be any less harmful in the landscape.

CPRE and the Exmoor Society have raised concerns with the proposed development. The comments received relate to the application as initially submitted and, therefore, relate to the proposal with a lattice tower mast design. At the time of writing this report no further comment had been received from CPRE or the Exmoor Society. Any further comments will be verbally updated at the Authority Committee meeting.

Accommodating any vertical element in the landscape, even a natural one such as a tree or tree group, is very difficult. The applicants and the Case Officer have looked at other sites prior to the submission of this application and while those were considered sensitive in terms of landscape capacity, the likelihood of those sites or their suitability for telecommunication development was not resolved. This included looking at sites on land to the north of Winsford. Those pre-application discussions were not properly finalised in the view of Officers and instead this proposal came forward.

The site that has been chosen is very exposed. It is in an elevated position and with a rolling landscape. The mast would appear as a very alien and vertical feature in this landscape. It would be clearly visible in a popular vista from the public roads, including views in close proximity from Halse Lane, the open moorland of Winsford Hill and also from locations within the historic core of Winsford. The scale of the mast at 15m, even though a pole, would be out of character with the form of any other features in this area. There are some telegraph poles, of about 8m in height, which lie close to the site and provide some vertical features. These poles are already apparent in the landscape and detract from the character and appearance of the area. The proposed mast is set on this exposed and elevated site, at a height of 15m and with antennas and dish. The harm will be substantially greater than the already harmful telegraph poles.

Furthermore, it is also important to consider the impact of the compound. This includes a pole mounted satellite backhaul dish and a cabinet, both of which would stand taller than the fence enclosing the compound. These will add to the visual harm from the installation.

There are not considered to be materially adverse impacts on ecology, residential amenity, highway safety, light pollution or archaeology. It is understood that the site will run from a generator so that a separate electricity supply will not be necessary.

The papers submitted explain that the site is proposed to provide contiguous coverage to the village of Winsford and all minor roads in the surrounding area.

The importance of providing coverage for the Emergency Services is significant and there is public benefit with the proposed development in supporting a fit for purpose Emergency Services communication network with an integrated critical voice and broadband data communications service in the interests of public safety.

## 7.1

---

The existing coverage offered by the Airwave network does not provide broadband data services and is not being continued. The new service would not currently provide sufficient coverage locally, particularly that to the area of Winsford and, in any case, with the Airwave network being replaced, there is a need to ensure suitable coverage and resilience in the new network.

This is a significant planning consideration in this rural area.

The proposed development is, however, considered to cause landscape harm.

Officers have sought to further explore options for telecommunication, including with a smaller mast even acknowledging that this could bring forward the need for additional mast sites within the locality. The agent, however, acknowledging that some other sites have been explored and that the proposed site provides good operational coverage from a practical point of view, wishes to have this application formally determined. The agent can then consider other steps/options if that is necessary, depending on the formal outcome of the application.

The planning policies are set out in detail earlier in this report. The overarching planning policy GP1, in accordance with National Park purposes, requires that development should conserve and enhance the natural beauty, wildlife and cultural heritage of the area. The NPPF requires that this be given great weight in the decision making process (para. 172).

Policy SC-S4 encourages development to improve telecommunications networks in order to contribute to thriving communities and businesses. The policy requires that, in doing so, great weight be given to ensuring that the National Park and its special qualities are conserved and enhanced.

The policy advises that, among other things, proposals will be supported where the location, siting, scale and design of structures will not cause any unacceptable adverse impact. The policy does in that case anticipate some harm from such development.

Policy AC-D5 seeks a sequential analysis of first looking at sharing masts, altering existing masts and buildings, and only then erecting new masts. The policy requires the highest standards of design in terms of colour, dimensions, construction and overall shape to minimise any visual impact.

The telecommunications policies recognise that it is difficult to erect a new mast without some form of impact. For the equipment to work it must be clear of obstruction, and this includes trees. The mast will, therefore, need to be higher than the surrounding trees. The test under these policies is not whether there will be an adverse impact, but whether that harm is unacceptable.

## 7.1

---

The Partnership Plan 2018-2023 ambition includes ensuring Exmoor's local communities are thriving with strong connections to the National Park. A strategy includes to provide an effective transport network and efficient telecommunications infrastructure, which are well used and support local communities and business.

### CLIMATE EMERGENCY

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

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

There would be an impact on the climate from the construction process and the sourcing of construction materials. There is, however, public benefit with the proposal, as outlined earlier in this report, and Officers consider that the impact on the climate resulting from the construction of the proposed development would not be such that a reason for refusal should be given.

---

### Human Rights

---

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

---

### Conclusion

---



## 7.1

---

In this case, the proposed mast and compound will be very prominent and introduce a new vertical element in to a gentle and rounded horizon becoming one of the only vertical elements in this stunning panoramic National Park landscape and standing considerably taller and more conspicuous than existing telegraph poles. Paragraph 172 of the NPPF requires 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 beauty.

The provision of a comprehensive network for the Emergency Services is also a significant planning consideration. It should be noted that while it is considered that the discussions on options have not been exhausted any site in this area will have a landscape impact.

In terms of the planning balance, there are two very significant competing priorities, protection of the landscape in a National Park and providing a network for the Emergency Services. It is considered, in this case, the siting and appearance of the mast, on this smooth hillslope close to open moorland, with few vertical elements, is so harmful to the character and appearance of the landscape that this harm outweighs the benefits deriving from the provisions of the network proposed, particularly because Officers are not convinced that there is no other viable solution for providing this important facility, whether at other site(s) or with a lower mast height.

When considering the landscape impact of the proposed mast, from positions close to the site and the locality, it is considered that the mast, because of its vertical nature, size and industrial form will cause significant landscape harm. The impact of the mast will be noticeable from wider locations, particularly from Halse Lane near the site, from Winsford Hill and from within the historic settlement of Winsford, as well as a number of other publicly accessible locations in the wider landscape. The Landscape Officer raises concern with the proposal on this basis. Concerns have also been received from other consultees in relation to the landscape impact of the development.

The proposal is considered to fail the overarching policies requiring the conservation of natural beauty. Having identified harm to the landscape, this, in accordance with the NPPF, is given great weight as a material planning consideration, and that harm remains of considerable importance.

Weight within the planning decision making process needs to be given to the public benefits that the proposal will provide, notably in relation to public safety with the contribution the development will make to ensuring a contiguous Emergency Services communication network. There is also potential further benefit if the mast has capacity to also provide a commercial cellular voice and data services to the local community.

The National Park Authority has a good past history of working with telecommunication operators to accommodate telecommunication equipment within

## 7.1

---

the National Park to improve mobile and broadband coverage over the National Park. The Authority has worked hard to find solutions and ensure the infrastructure can be accommodated without causing unacceptable harm to the scenic quality and character of the Exmoor's landscapes and people's enjoyment of those landscapes.

In this case, however, the proposal, given the particular character of the site, is considered to cause significant harm and that harm cannot be easily put aside, in accordance with the NPPF. There is clearly public benefit and this can be a difficult area of judgement, because the public benefit relates in particular to public safety. The site, however, offers little redeeming feature in terms of ability to mitigate the landscape impact of the proposed 15 metre tall mast and the associated equipment. The planning balance in this case is therefore considered to fall against the favour of the proposal and it is recommended that planning permission be refused for the reason set out below.

Notwithstanding the recommendation, Officers remain keen to work with the applicant to work toward an acceptable solution and ensure suitable coverage for the Emergency Services Network, but where there is an acceptable level of harm to landscape – including exploring options for a suitable site(s) on land to the north of Winsford and the potential for more than one site with smaller masts, which may require the agent holding more discussion with landowners and exploring those options.

---

### **Recommendation**

---

The site for the proposed mast and compound is located within a gentle and rounded landscape close open moorland, in a National Park landscape that provides a sense of remoteness and tranquillity, and that is largely free from built development. The vertical mast and compound will break the smooth rounded hill slope of this area of countryside and, because of this siting and appearance, will cause significant harm detracting from the character and appearance of the area, and the benefits of the network are judged not to outweigh this harm. As a consequence, the proposal is contrary to Policies GP1, CE-S1, CE-D1, CE-S6, SE-S1, AC-S4, AC-D5 and RT-D12 of the Exmoor National Park Local Plan (2011-2031) and the guidance in the National Planning Policy Framework.

---

### **Informatives**

---

#### **POSITIVE & PROACTIVE STATEMENT**

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National Park Authority has endeavoured to work positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all

## 7.1

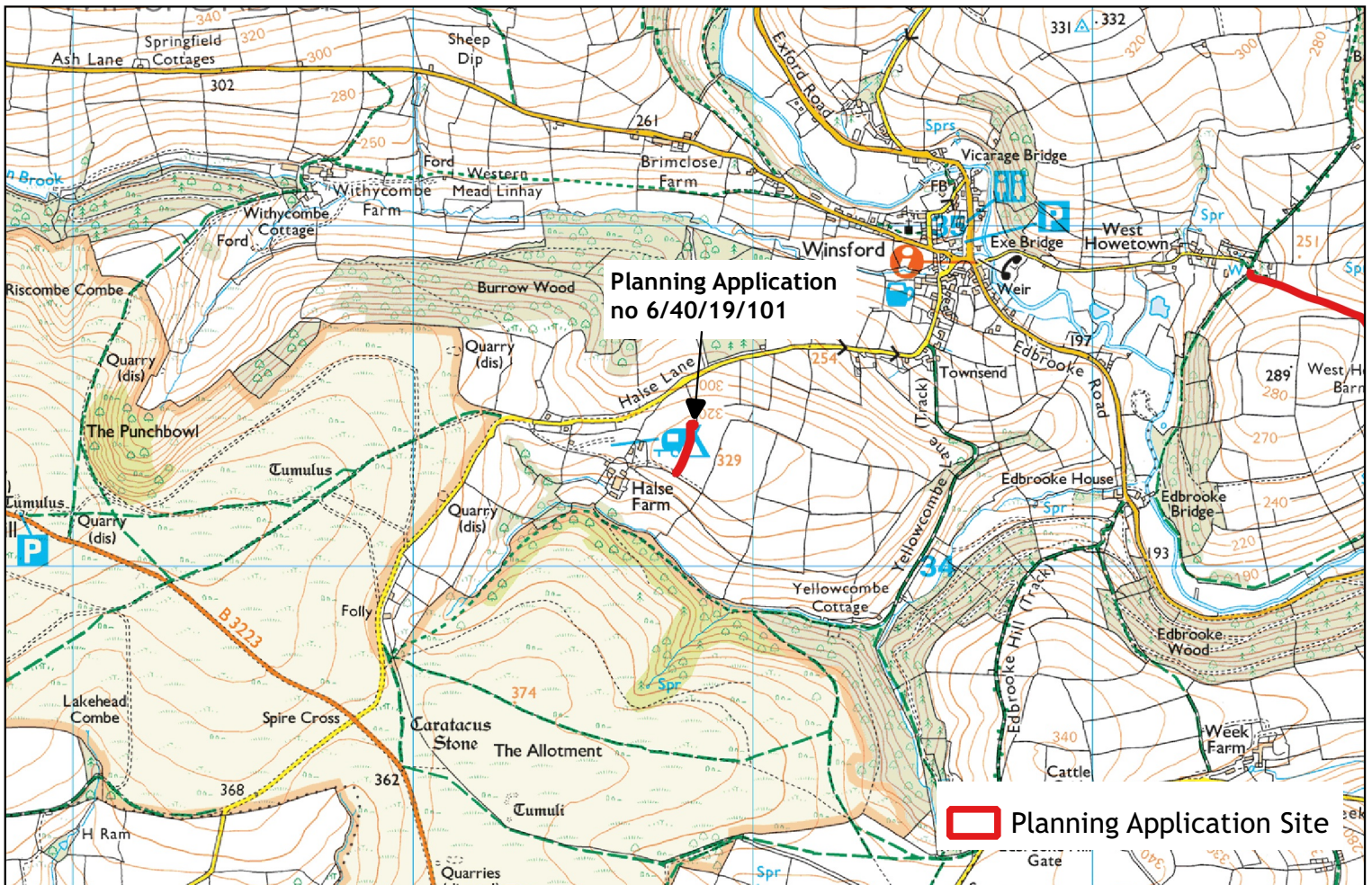
---

relevant planning considerations have been appropriately addressed to achieve a positive outcome. However, in this case, matters relating to flood risk have not satisfactorily been addressed



Site Map  
Scale 1:2500

© Crown copyright and database rights 2020 Ordnance Survey 100024878. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form



Overview Map  
Scale 1:20000

© Crown copyright and database rights 2020 Ordnance Survey 100024878. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form

## 7.2



### Committee Report

Application Number:	62/41/20/017
Registration Date:	15-Jul-2020
Determination Date:	27-Aug-2020
Applicant	Mr. Jan Stokes
Agent:	
Case Officer:	Ben Gilpin
Site Address:	Lynton & Lynmouth Bowls Club, Rock Avenue, Lynton, Devon, EX35 6DL
Proposal:	Proposed external refurbishment of clubhouse
Recommendation:	Refusal
Reason for bringing before Authority Committee:	In accordance with the agreed scheme of delegation – because the officer recommendation to refuse is contrary to the support of the Town Council.

### Relevant History

62/41/01/002 Demolition of existing garage & construction of a new lock up garage at the rear. Approved 14/02/2001

62/41/08/011 Retrospective application for demolition of garage and construction of replacement. Approved 25/03/2008

62/41/08/037 Retrospective application in respect of demolition of existing garage. Refused 17/02/2009

62/41/09/018 Retention of 'lo-line' flood lighting columns. Approved 07/07/2009

62/41/13/023 Proposed extension to the bowling club pavilion to provide a changing room. Refused 17/07/2013

62/41/13/034 Proposed extension to the Bowling Club Pavilion to provide a changing room. Approved 29/08/2013

62/41/76/022 The construction of a car park with access. Refused 02/02/1977

62/41/78/001 Use of porch as shop to sell sweets, minerals and ice cream. Approved 09/03/1978

62/41/79/034 Erection of Sports hall and car park. Withdrawn 10/09/1980

## 7.2

---

62/41/99/047      Erection of 'lo- line' floodlighting columns. Approved 02/03/2000

---

### Site Description & Proposal

---

The site is an existing pavilion style building that serves the bowls club (the bowling green is to the south (elevated above the site), circa 420 metres west of the centre of Lynmouth. The building itself would not alter in terms of its scale. The windows, doors, soffit and fascia boards that are currently in situ would be replaced with the same, but in uPVC material. The steel sheet cladding is to be replaced with rendered cement boarding.

The building is for community and recreational uses, and there has been a building on this site since at least 1932 (circa 90 years). The site is situated within the settlement of Lynton,

---

### Consultee Representations

---

#### **ENPA HISTORIC BUILDINGS OFFICER:**

I have great sympathy with the applicant's financial situation and understand their preference for wanting to use uPVC windows over timber. Policy CE-S5, The Conversation or Structural Alteration of Existing Buildings and Policy CE-S6, Design and Sustainable Construction Principles, are both clear in the preference for timber over uPVC for the construction of windows. There is little doubt that uPVC is cheaper initially than timber and that they require less maintenance. However, there has been much research carried out showing that uPVC has a shorter lifespan than a good quality timber window and that despite a higher initial cost, timber windows ultimately work out to be cheaper over the life of the window. Timber windows are a more sustainable product, take less energy to manufacture and are more easily recycled at the end of their life. Timber windows are also more aesthetic in their appearance. I appreciate that timber windows require more maintenance, however, as the building is single storey the costs and complexity of this work is reduced. I would strongly urge the applicant to look again at timber.

There is however a caveat in the pre-amble of policy CE-S6 which states that: uPVC window frame / conservatory design has improved, and some products now have a closer resemblance to the character, profile and appearance of a traditional timber window. Alternative materials may be considered in certain circumstances for non-traditional buildings in areas outside conservation areas (e.g. some minor extensions to, or replacement windows in, post-war/non-traditional buildings where existing materials and the age, form and setting may indicate such consideration). The building does not lie within the conservation area. I am unsure of the age of the building, but it seems likely to be post war. It is also constructed from some non-

## 7.2

---

traditional materials. It may therefore be possible to allow uPVC in this case, but I would want to condition that glazing bars are integral to improve the aesthetics of the window should the application be approved. Aluminium windows might also be an alternative.

**\*\* NOTE \*\*** Qualification of the Consultees original comments was received on the 21<sup>st</sup> September 2020, saying:

“My original comment should not be seen as supporting the use of uPVC. I was suggesting that the building could be potentially seen as meeting this caveat in the policy. If the building were seen as non-traditional then uPVC may be considered but my suggestion was that they would need to resemble timber as closely as possible, this would include the use of integral glazing bars. I don’t want members to infer from my comment that I was supportive of uPVC here but that clarification was needed as to whether or not we considered the building to be of traditional construction.

As we now know the building is pre-war [and] it is therefore considered to be a traditional building, and so this caveat does not apply. This being the case I do not think that the existing proposal can be seen to meet Policy CE-S5, The Conservation or Structural Alteration of Existing Buildings and Policy CE-S6, Design and Sustainable Construction Principles, both of which are clear in the preference for timber over uPVC for the construction of windows.”

ENPA ECOLOGY: No comments received

ENPA PRoW: No comments received

ENPA LANDSCAPE: No comments received

**NDDC:** No objection

DCC - HIGHWAYS: No comments received

### **LYNTON AND LYNMOUTH TOWN COUNCIL:**

It was RESOLVED To support the Bowls Club in the interests of the social context of that sports club. The proposed UPVC window replacement would not be out of keeping as there are many UPVC windows in the immediate vicinity.

---

### **Representations**

1 Letter of representation has been received raising concern that during the course of the construction works there could be an adverse impact from builders playing music loudly. A condition to control this is requested.:

## 7.2

---

### Policy Context

---

Exmoor National Park Local Plan 2011-2031

GP1 Achieving National Park Purposes and Sustainable Development  
CE-S1 Landscape and Seascape Character  
CE-S4 Cultural Heritage and Historic Environment  
HC-S6 Local Commercial Services and Community Facilities  
CE-S2 Protecting Exmoor's Dark Night Sky  
CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings  
CE-S6 Design and Sustainable Construction Principles  
CC-S1 Climate Change Mitigation and Adaption

The National Planning Policy Framework (NPPF) is also a material planning consideration.

---

### Planning Considerations

---

The main planning considerations are considered to be whether the proposed replacement of the windows and doors from timber to Upvc are acceptable with regards to the character and appearance of the existing building, and visual amenity of the locality.

#### Principle:

The pre-amble to Policy CE-S5 is important in determining what qualifies as a 'traditional building' in this instance.

The text to paragraph 4.119 reads as follows:

"Traditional buildings are important assets that contribute to the cultural heritage of the National Park and include a range of building types. The term 'traditional buildings' refers to mostly older buildings of solid wall construction built of natural and often local materials (e.g. stone, cob, brick, lime mortar and render) that on Exmoor usually predate the Second World War.

This term may also include buildings of historic interest, and where the use of certain materials may be long established, for instance some timber buildings and community buildings clad in corrugated iron sheeting. It will be for the National Park Authority to determine whether a building is considered to be 'traditional' based on its historic and/or vernacular merit and its contribution to the National Park."

It is noted that the pre-amble does not seek to exclude buildings that are not constructed using what is generally considered the 'usual' historic materials of stone



## 7.2

---

and slate, but also includes buildings that could be clad in alternative materials, such as corrugated sheeting for example.

It also suggests that as a criterion to help identify 'traditional buildings', they (the building or buildings) would usually predate 1939.

Based on the evidence available, the building being circa 90 years old and the applicant suggesting the building is 100 years old, and as the building would also meet the materials criteria above (it is a building that is of sufficient age and is one that is clad and finished in alternative materials), it is considered that the building that is the subject of this application would qualify as a 'traditional building'.

### Design and Appearance

Policy CE-S6 Design and Sustainable Construction Principles, sets out the principles guiding the design and construction of new development. It states that – 'the use of traditional, natural materials is critical in ensuring that the appearance of new developments conserves and enhances the quality and character of the built environment'. The National Park Authority will therefore expect the use of traditional vernacular materials, including timber window and door frames.

The use of cement rendered boarding to replace the ailing steel cladding, is not in itself considered to cause harm to the building, or the integrity of Exmoor, as to warrant a recommendation of refusal.

However, this application seeks to install Upvc windows, and composite doors. Policy CE-S6 states that the use of Upvc is not considered an appropriate material for aesthetic reasons. The use of Upvc and composite materials will likely erode the character and appearance of the building, the local area and street scene.

The use of Upvc openings is likely to have a negative impact on the street scene and not contribute to the overall local character of the traditional built vernacular. The proposal is not considered to conserve or enhance the streetscape through positively reinforcing the traditional feature of timber panel windows.

It is acknowledged that there are examples of Upvc within the locality. These have likely been installed on dwellinghouses under the General Permitted Development Order (GPDO) so therefore have not been subject to a planning application. However, despite there being examples within the locality for this modern material, development proposals should seek to avoid adverse cumulative impacts within the built environment, and the erosion of their aesthetics. The removal of the original, traditional timber windows would cumulatively impact on the streetscape.

The existing design and form of the windows and doors complements the traditional building and the historic setting. The proposed replacement windows will use Upvc as a replacement. This is not likely to have the same high-quality appearance or level of

## 7.2

---

detailing as traditional timber windows. The proposed windows appear to be thicker framed and will not have the same detailing such as glazing bars, and fixed panes as existing on the current windows.

It is noted that the ENPA Historic Buildings Officer had suggested that, if the building was not deemed to qualify as 'traditional' then a planning condition may have been appropriate. However, from subsequent evidence identifying the building as having been in place since before World War II, the adopted policy suggests the building would be deemed 'traditional' and as such, the planning condition suggested would not be appropriate in this case.

Therefore, the proposal is considered to erode the character and appearance of the building, and the local historic settlement core. The application has not demonstrated that a non-timber window would have the same high-quality appearance as a traditional timber window which is required under Policy CE-S6. Considering the above, the proposal is not considered to comply with Policy CE-S6 of the Local Plan.

### Cultural Heritage

The existing building is a traditional building. The protection of the cultural heritage and historic environment of Exmoor is a high priority for the National Park Authority, and forms part of the purposes of the National Park. Policy CE-S4 of the Local Plan relates to the Cultural Heritage and Historic Environment of Exmoor. Although the building is not a designated heritage asset, it forms an important part of the local character and distinctiveness of the area. As a result, it is desirable to preserve this its character and appearance. In addition, Policy CE-S4 states - 'to be consistent with the conservation and enhancement of the cultural heritage of the National Park, proposals which may affect Exmoor's settlements, whether or not they are currently designated as conservation areas, should seek to preserve or enhance their historic/architectural interest, character and appearance'. Therefore, weight should be given in the decision-making process to the preservation and enhancement of the historic character of the traditional buildings.

Policy CE-S4 permits development that conserves and enhances the local distinctiveness, cultural heritage and historic environment of Exmoor National Park. The proposal is likely to erode the historic character of the building and settlement by installing a modern artificial material, which is not sympathetic in design or appearance. Upvc is not a traditional vernacular material and the frames are likely to be bulky in appearance and not have the same level or quality of design detailing as the existing timber windows. Policy CE-S4 also notes that the historic character of buildings and settlements is easily eroded by small incremental changes over time, and the character of historic buildings can easily be destroyed by unsympathetic or inappropriate repair.

In light of the above considerations, the proposal is not considered to make a positive contribution to the local distinctiveness of the historic environment, nor does it ensure

## 7.2

---

that the character of the heritage asset and its setting is conserved or enhanced, so is not compliant with Policy CE-S4 of the Local Plan.

### Climate Emergency

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

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

There would be an impact on the climate from the development process and the sourcing of construction materials. The proposal would be required to meet modern building regulations. In this instance it is considered that the impact on the climate resulting from the works of the proposed development, given their nature and scale, would not be such that a reason for refusal should be given on the grounds of Climate Emergency.

---

### Human Rights

---

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

---

### Conclusion

---

## 7.2

---

It is acknowledged that the application relates to the Lynton and Lynmouth Bowls Club, which is an important local facility for the community. Guidance from the NPPF, paragraph 193, states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. The NPPF also advises in paragraph 192 that 'in determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness'. In forming a decision on this application, the viability and use of the building has been considered, but it is concluded that there are alternative material choices which can meet energy efficiency requirements, and there is no detail to suggest that these would not be viable options, which will ensure the character and appearance of the area are preserved and enhanced. Good quality timber frame windows and doors have a longevity. As quoted in paragraph 184 of the NPPF 'heritage assets are an irreplaceable resource and should be preserved... so that they can be enjoyed for their contribution to the quality of life of existing and future generations'.

In considering the above, the proposal fails to satisfy Policy CE-S4, Policy CE-S6 of the Exmoor National Park Local Plan, or the tests of the NPPF. Therefore, it is recommended that the application is refused on this basis

---

### **Recommendation**

---

A refusal of planning permission is recommended.

1. The proposed works by virtue of its materials, mechanical sheen and appearance, is not considered to be an acceptable form of development as it detracts from and is incongruous with the character and appearance of the traditional building and the fails to conserve the special qualities of the historic character and appearance of this part of the settlement. It is, therefore, contrary to Policies GP1, CE-S4 and CE-S6 of the Exmoor National Park Local Plan 2011 - 2031, and the National Planning Policy Framework.

---

### **Informatives**

---

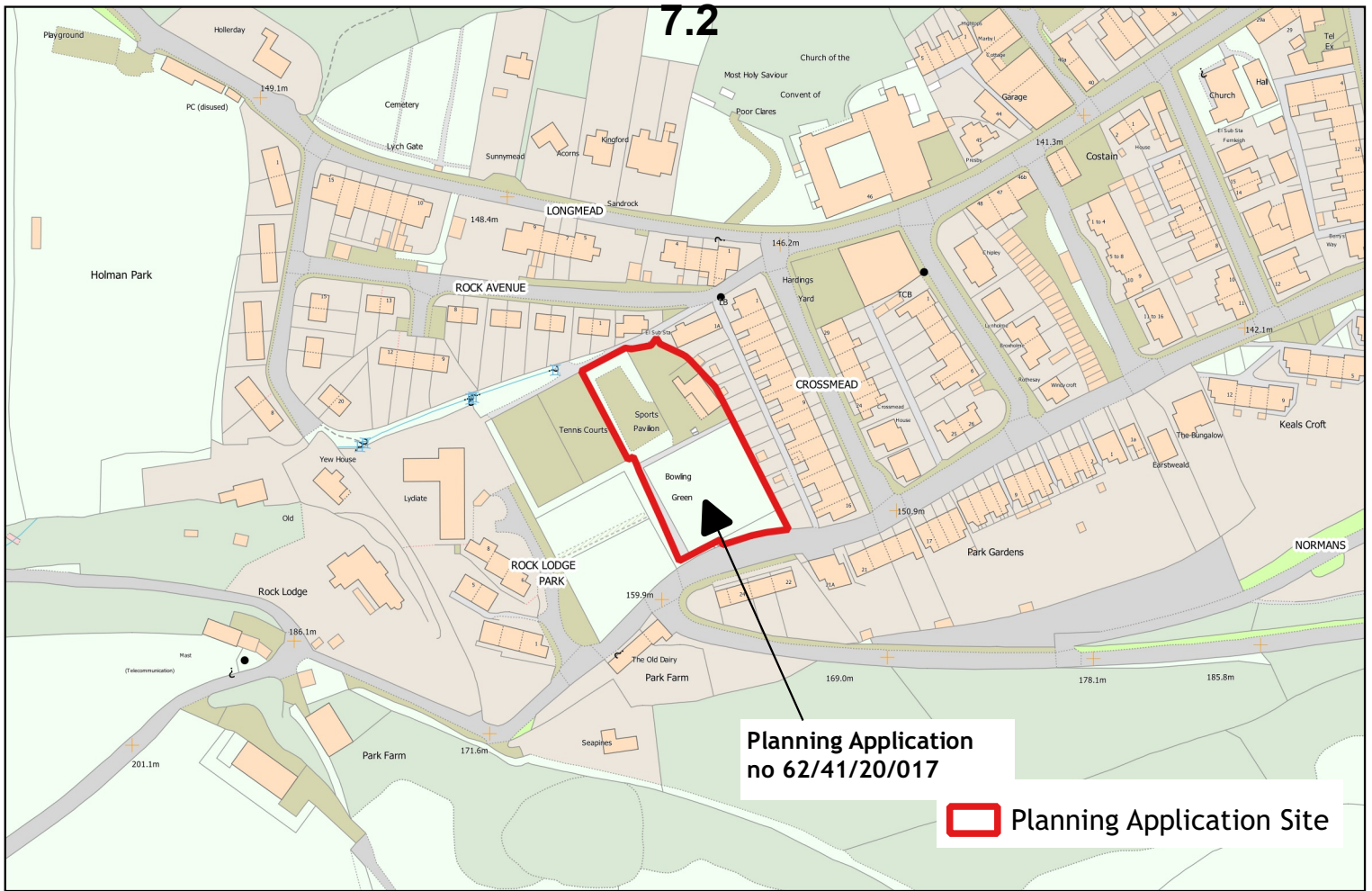
#### POSITIVE & PROACTIVE STATEMENT

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National

## 7.2

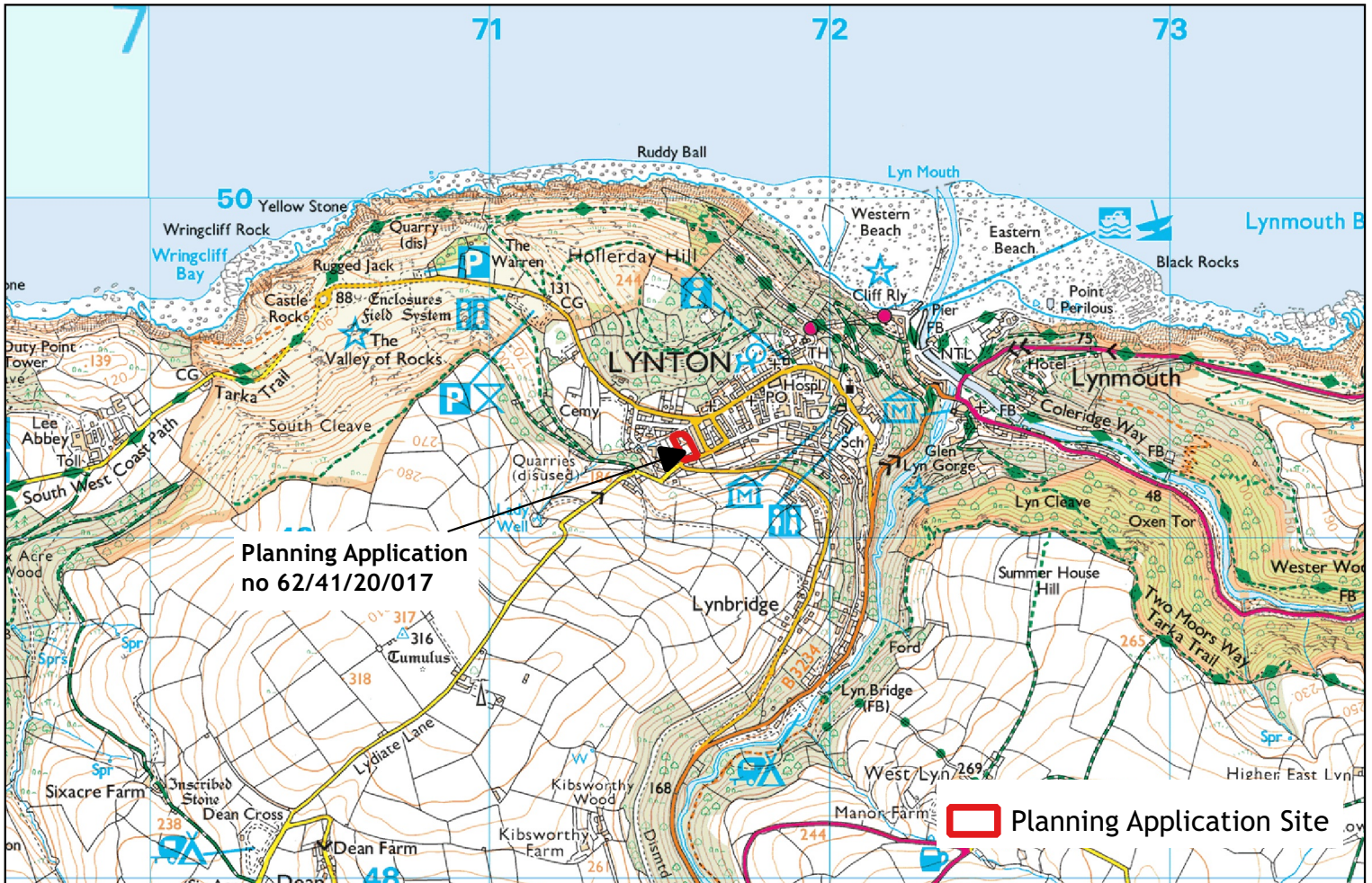
---

Park Authority has endeavoured to work positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed to achieve a positive outcome. However, in this instance and despite the offer of alternative materials, accord could not be reached and the proposal has to be refused due to conflict with the Development Plan.



**Site Map**  
Scale 1:2500

© Crown copyright and database rights 2020 Ordnance Survey 100024878. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form



**Overview Map**  
Scale 1:20000

© Crown copyright and database rights 2020 Ordnance Survey 100024878. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form

**Application decisions delegated to the Chief Executive**

<b>Ref and Grid Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
6/8/20/111	Mr & Mrs I Nelder - Proposed conversion of loft into habitable accommodation together with erection of dormer window and rear extension. (Householder ) - 3 Barnes Cottage, Lower Park Lane, Cutcombe, Wheddon Cross, TA24 7AW	Approved with Conditions 18-Sep-2020
6/42/20/108	Mrs C Luhr - Proposed single storey entrance porch. Retrospective. (Householder ) - LINHAY COTTAGE, WITHYPOOL, MINEHEAD, TA24 7RD	Approved with Conditions 18-Sep-2020
WTPO 20/05	Doverhay Management Ltd - Works to Tree subject to Tree Preservation Order: Felling of T3 Black Pine. (WTPO ) - Doverhay Place, Minehead Road, Porlock, Somerset, TA24 8HU	Approved with Conditions 17-Sep-2020
6/10/20/110LB	Mr P Sutcliffe - Listed building consent for the proposed alterations to chimney to facilitate the installation of a woodburner. (Amended description). (Listed Building Consent ) - Park Gate Cottage, 28, Park Street, Dunster, Minehead, Somerset, TA24 6SR	Approved with Conditions 09-Sep-2020
6/10/20/109	Mr D M Hall - Proposed widening of opening in barn attached to dwelling to enable access, storage and parking of vehicle. Retrospective (Householder ) - 39, WEST STREET, DUNSTER, MINEHEAD, TA24 6SN	Refused 17-Sep-2020
6/10/20/108	Mr Paul Simmons - Proposed relocation of existing field shelter within the same paddock. (Full ) - HIGHER KITSWALL COTTAGE, DUNSTER, MINEHEAD, TA24 6TD	Approved with Conditions 03-Sep-2020
62/41/20/020	Mrs C Sutton - Lawful development certificate for the existing replacement single storey side extension, together with the replacement of timber cladding. (CLEUD ) - Hoe Cottages, North Walk, Lynton, Devon, EX35 6HJ	Approved 10-Sep-2020
6/8/20/108	Miss C Challinor and Mr G Mohan - Proposed removal of existing residential mobile home and construction of residential dwelling and home office. (Full ) - Little Oak Farm, Timberscombe, Minehead, TA24 7UF	Approved with Conditions 15-Sep-2020
62/41/20/018	Ms. Milne - Proposed conversion of agricultural building to form a two bedroom holiday unit and separate store, plus part-retrospective change of use	Withdrawn 26-Aug-2020

**Application decisions delegated to the Chief Executive**

<b>Ref and Grid Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
	of another agricultural building to form a two bedroom holiday unit. (Full ) - Lower Coombe Park Farm, Lynton, EX35 6LE	
6/40/20/106	Miss. S Lole - Proposed conversion of an existing barn for the purpose of holiday letting accommodation. (Full ) - TORRE FARM, WINSFORD, MINEHEAD, TA24 7HU	Approved with Conditions 26-Aug-2020
6/3/20/115	Mr. N Cole - Proposed conversion of garage to workshop/garden store. (Householder ) - COWLINGS, BURY, DULVERTON, TA22 9NE	Approved with Conditions 07-Sep-2020
6/14/20/104	Dr E Greenall & Mr C O'Connor - Proposed conversion of storage rooms in stables to disabled accessible one bedroom flat for dual use of holiday accommodation and dependent relative annex. (Amended description) (Full ) - Simonsbath Barton, Simonsbath To Lynton Road, Simonsbath, TA24 7SJ	Approved with Conditions 03-Sep-2020
6/40/20/105	Knaplock-Estate - Proposed replacement of old septic tank system with new package sewage treatment plant. (Full ) - Land off Watery Lane (Easting 286802, Northing 133052), Winsford, Dulverton, Somerset	Approved with Conditions 26-Aug-2020
6/8/20/107	Mr John Levenson - Proposed relocation of entrance driveway, together with demolition of car port to facilitate installation of new entrance driveway. (Full ) - Heathpoult Farm, Wheddon Cross, Minehead, TA24 7BH	Approved with Conditions 26-Aug-2020
6/20/20/104	Mr. Davidson, Chargot Estates - Proposed installation of two biomass boilers. (Full ) - Langham Farm, Chargot Lane, Luxborough, TA23 0SL	Approved with Conditions 26-Aug-2020
6/13/20/102	Mr H Rawson - Lawful development certificate for the proposed use of part of retail space for sale of food and drink for consumption on the premises ancillary to existing shop use. (Amended description) (CLOPUD ) - Exmoor Stores, Exford, Minehead, TA24 7PP	Approved 02-Sep-2020
6/15/20/105	Ms L Harris - Proposed installation of a gate, landing and steps into stone boundary wall to provide ingress	Approved with Conditions 26-Aug-2020



**Application decisions delegated to the Chief Executive**

<b>Ref and Grid Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
	into garden from road. (Householder ) - Chapel Cottage, Week Lane, Exton, TA22 9JL	
6/41/20/101	Mr. N Kelly, MHPF (UK) Ltd - Proposed two storey side and single storey rear extensions, together with alterations to existing dwelling, change of use of adjacent land to domestic garden area, change of use of part of barn to domestic outbuilding, and associated landscaping. (Full ) - Felons View, Rodhuish Hill Lane, Withycombe, TA24 6QH	Approved with Conditions 10-Sep-2020
6/43/20/103	Mrs J Jones - Lawful Development Certificate for dwelling (use class c3) with unrestricted occupancy - dwelling free from the encumbrance of the planning conditions attached to planning permission 6171. (Amended description) (CLEUD ) - SOUTH VIEW, WOOTTON COURTENAY, MINEHEAD, TA24 8RF	Refused 22-Sep-2020
6/35/20/101LB	Mrs P Cooper - Listed building consent for the proposed renewal of slates on front and rear roof slopes. (Listed Building Consent ) - TREBOROUGH FARM, TREBOROUGH, WATCHET, TA23 0QW	Approved with Conditions 14-Sep-2020
62/11/20/007	EE Limited - Proposed installation of a 11.97m Telegraph Pole mast and associated development. (Amended description). (Full ) - HALLSLAKE FARM, LYNTON, EX35 6LG	Approved with Conditions 08-Sep-2020
6/19/20/103	Mr. Peter Little, Exmoor Bees and Beehives - Proposed erection of a timber framed building for honey extraction and general bee farming operations (Full ) - Land to the West of Chrisland Drive, Holnicote, Minehead, Somerset, TA24 8TR	Approved with Conditions 14-Sep-2020
6/34/19/112	Mr, M Passmore - Proposed Porch. Retrospective. (Householder ) - Honeysuckle Cottage, Great House Street, Timberscombe, Somerset.	Approved with Conditions 16-Sep-2020

## EXMOOR NATIONAL PARK AUTHORITY

6 October 2020

### RISK MANAGEMENT

#### Report of the Head of Finance and Operations

**Purpose of Report:** To report that the review of the risk management arrangements for the Authority has been carried out.

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

- (1) NOTE that the annual review of Risk Management has been carried out.
- (2) APPROVE the Health, Safety & Welfare Policy set out in Appendix 1.
- (3) APPROVE the Risk Register set out in Appendix 2.
- (4) NOTE that the Business Continuity/Disaster Recovery Plan has been reviewed.

**Authority Priority:** Achieve by providing core services; getting best value from our resources and improving our performance.

**Legal and Equality Implications:** The equality impact of the recommendation of this report has been assessed as having no adverse effects regarding equality impact.

Consideration has been given to the provisions of the Human Rights Act 1988 and an assessment of the implications of the recommendation of this report is that there are no adverse impacts on human rights.

**Financial and Risk Implications:** Provision is made in the annual budget for managing risk, including health and safety requirements. The review has highlighted no additional financial requirement and confirmed that arrangements are in place for the management of risk.

---

## 1. INTRODUCTION

- 1.1 A review of the risk management arrangements has been carried out. The process of risk management is intended to make sure that those managing an organisation and its work activities are fully aware of the inherent risks and adopt the necessary, balanced precautions. It is not about cultivating a risk averse culture but it is about managing adverse risks. Risk Management can be of increased importance at a time when an organisation could be facing significant change.
- 1.2 The Institute of Risk Managers has produced this definition of risk management:- “the identification, measurement, control and financing of those risks which threaten the existence, the assets, the income or the personnel of an organisation or the services it provides”.
- 1.3 Specifically, risk management aims to cover all areas of an organisation’s activities including decision making and performance management. In so doing it endeavours to:

- Protect service delivery and its impacts on the general public
- Protect the image and reputation of the Authority
- Secure the assets of the Authority
- Secure the funding and income sources of the Authority
- Secure the well-being of employees and users of services
- Ensure the integrity and resilience of information systems
- Ensure probity and sound ethical conduct
- Avoid criminal prosecution or civil litigation

## **2. THE AUTHORITY'S CURRENT POSTION**

2.1 The possibility of a risk happening, materialising into an adverse event is always a possibility and Exmoor National Park Authority already has a wide range of measures in place to protect itself and prevent the realisation of risks. These include:

- Promotion of a strong health and safety culture. Recently we commissioned the Safety Officer from the Peak District National Park Authority (who also provides services to other National Park Authorities) to undertake a report on the management of Health and Safety within Exmoor National Park Authority. His work formed the basis of a report which offers reassurance over the safety and adequacy of our current operations. He also suggested changes to the Health, Safety and Welfare policy which is contained in Appendix 1.
- There are Health and Safety focus groups covering all areas of work, and any accidents or “near misses” are recorded and investigated so as to prevent any recurrence.
- The Risk Assessment system is working well, having replaced the previous paper based methodology. Fire risk assessments have been updated for Exmoor House and the other corporate properties. Regular fire drills are held.
- A stress reduction policy and driving policy are in place.
- Financial activities are scrutinised by the Internal and External auditors and annual reports are presented to the National Park Authority. For 2019/20 the Authority again looks likely to receive an unqualified report from its External Auditors. Each year a Treasury Management Strategy Statement is adopted by the Park Authority and on two other occasions through the year the Authority reports on compliance with it. The Authority prepares a Medium Term Financial Plan covering a five-year period, agrees the Annual Budget and closely monitors all expenditure.
- Annual Governance Statement: an annual statement is produced and audited by the Devon Audit Partnership (DAP) our internal auditors. During 2016/17 a new Code of Corporate Governance was produced and this resulted with the audit opinion showing as High Standard with overall arrangements for generating the Annual Governance Statement being sound and effective.

- **Legality:** the posts of Chief Executive and Chief Finance Officer are staffed by experienced officers and the Authority procures its Monitoring Officer through Devon County Council. These controls ensure the legality and reasonableness of its activities. Members of the Authority receive regular briefings on specific subjects.
- **Insurance:** On 1st April 2017 the Authority moved insurers following a tender exercise taken across national parks and led by the South Downs. This gave the Authority the opportunity to reviews its insurance cover to ensure that it is adequate and covers as much of its “transferable” risk as is practicable. It maintains regular contact with representatives of the insurance companies. It is also active in monitoring risks to minimise the likelihood of any claims to avoid any increase in insurance premiums e.g. regular safety checks of its car parks and toilets. A safety plan is in existence for all its land and property.
- **Performance Management:** There is a “Golden Thread” linking the objectives of the National Park Partnership Plan to budgets and the work plans of all staff. Six monthly reports are compiled so that the Leadership Team and the Park Authority are aware of progress and have early warning of any emerging problem areas.
- **Condition maintenance surveys** have been undertaken at Exmoor House and the Pinkery Centre for Outdoor Learning. The Authority has approved budgets and work has commenced to protect these assets. A condition maintenance survey for the Lynmouth Pavilion is in the process of being commissioned.
- **Project Management:** The Authority uses a project management framework to help in the completion of a range of projects with which the Authority is involved.
- **Conduct:** Standards of Conduct for Members and Staff are currently being reviewed. A training programme has been established to ensure that standards are maintained.
- **Business Continuity / Disaster Recovery Plan:** This provides a framework for action in the event of the loss of ICT services, the loss of Exmoor House and the Authority’s other premises for an extended period. The investments in ICT capability over recent years has significantly improved resilience in this area.

2.2 Risk Management since March 2020 has been focussed on the Covid-19 pandemic. Significant activity has been focussed on understanding government advice and regulations, establishing Covid-safe working practices and ensuring that staff are fully informed. Meetings are now generally held remotely and Exmoor House is currently open for limited numbers of staff working in a carefully prescribed manner. The National Park Centres, Field Services staff and engagement activities are back up and running. The Outdoor Education Centre is taking day visitors and some family groups staying overnight.

2.3 It is not practicable to fully brief Members on the work that has been undertaken to produce safe and compliant activities. Members can be reassured that individual risk assessments per work place and an overarching Response and Recovery plan have been produced and are continually being updated. These are available upon request.

- 2.4 Risk Management forms part of the corporate governance framework. The Corporate Governance arrangements are reviewed annually by the Chief Finance Officer and Solicitor and Monitoring Officer.

The Annual Accounts include a signed declaration by the Chief Finance Officer and the Annual Governance Statement is signed by the Chairman and Chief Executive and included in the audited annual statement of accounts. The Annual Accounts are given formal approval by the Final Accounts Committee which receives a report from the appointed External Auditor.

- 2.5 The annual review of the Health, Safety & Welfare Policy has been carried out and this is attached at [Appendix 1](#) for consideration and approval. This was subject to a redraft in 2019 to improve consistency with other policy documents.

The Cabinet Office has produced a national risk register and regional ones which cover the area of the National Park have been produced by Local Resilience Forums. The Authority's own risk register supplements these and deals with the risks which have the potential to affect the strategic work of the Authority, and this, too, has been reviewed.

An updated version of the Strategic Risk Register is attached at [Appendix 2](#) and the Risk Management Matrix at [Appendix 3](#). This is recommended for approval.

- 2.6 The Strategic Risk Register has been recently reviewed by Leadership Team. In particular:

- The definition of major incidents affecting service delivery has been widened to include a pandemic and the current risk of this has been raised. The score would be higher but for the fact that service delivery is being maintained.
- The pandemic has impacted upon our ability to physically meet up with partners and for them to finance activities on Exmoor.
- Environmental Information Regulations is now explicitly referred to within Regulatory Risk.
- We are closer to knowing the final cost of the removal of trees affected by Ash Die-Back. The risk has now been downgraded.
- The UK's exit from the European Union will impact upon the National Park. In particular there will be changes to agricultural subsidies, funding streams that can be accessed and the environmental legislative framework.
- The Designated Landscapes (National Parks and AONBs): 2018 review has broad and ambitious terms of reference. The known risks to the Authority are that new, insufficiently funded obligations are introduced or that changes to financing or governance weaken the ability of the Authority to meet park purposes.
- We may be less able to deliver new projects with others due to funding constraints and/or lack of capacity to deliver the Partnership Plan.

### **3. BUSINESS CONTINUITY AND DISASTER RECOVERY**

- 3.1 The Business Continuity/Disaster Recovery Plan (BCDR) is an integral part of the Authority's Risk Management Strategy. The BCDR Plan provides a framework for action in the event of the loss/disruption for an extended period of ICT Services, key staff, Exmoor House and the Authority's other premises.

3.2 In reviewing the Plan the following factors have been taken into account:

- The Authority provides no mission critical or emergency services that require continuous delivery.
- In the event of a major incident, the Authority may have to cope with the loss of ICT Services, Exmoor House and its other premises for up to a week. This would have a detrimental effect on services in the short term.
- Enhancements have been made to the Authorities resilience via the use of Microsoft 365 for Outlook. This enables staff to access e-mail and calendars on-line rather than via the servers based at Exmoor House. Further progress will be made to hosting Share Point 365 over the course of the next year also. This will enable documents to be recovered from the Cloud.
- Regular backups and the retention of backup servers will enable the restoration of the ICT systems from a suitable location with sufficient connection speeds within 24-48 hours.
- Vital and unique records including planning records, contracts and land and property documentation will have a third backup at a remote location and/or via cloud storage.
- The Authority's website, Financial, Payroll and Human Resources systems are hosted by third party service providers.
- Because Exmoor House is in a flood plain, key records are stored digitally or if held in paper form are either housed on the first floor of Exmoor House or raised off the ground. Documents are also held at the Warehouse and at the Town Centre Offices. Over the last twelve months the digitalization of documents continues.
- In the event of the loss of telephone landlines to any of the Authority's premises this would be covered by the use of mobile phones and redirection of numbers.
- Exmoor House incoming calls would be answered in the event of a loss of power by using phones that do not require a power supply or by redirection services.
- The Uninterrupted Power Supply (UPS) at Exmoor House would maintain power supplies to ICT equipment for at least 30 minutes to allow for an orderly shutdown. Out of hours the risks associated with a power failure are accepted.
- An incident information line service has been enabled which will be cascaded to staff to enable them to telephone in and listen to a recorded message providing them with information/instruction.

3.3 The robustness of our systems and processes have been tested as a result of the pandemic. We now have much greater experience in remote working, using video conferencing facilities and accessing the phone systems externally. We have needed to purchase certain additional pieces of hardware but for the most part the IT infrastructure has proved itself reliable.

**Gordon Bryant**  
**Head of Finance and Operations**  
**September 2020**

## Exmoor National Park Authority - Policy

### HEALTH, SAFETY AND WELFARE

This policy sets out the Authority's commitment to health, safety and welfare and the responsibilities of its staff and health and safety groups.

#### General Principles

##### **The Authority's commitments to health, safety and welfare**

The Authority aims for excellence in the health, safety and welfare of all its employees and of anyone else affected by its activities. It will achieve this through ensuring awareness, competence, and compliance and by enabling the development and sharing of good practice:

**Awareness:** All who work with and for the Authority will have an awareness and understanding of potential health and safety risks and their own responsibilities in achieving safe working practices. Identified risks will be assessed, controlled and monitored.

**Competence:** All who work with and for the Authority will have the competence to undertake their work with minimum risks to health, safety and welfare. People will be adequately instructed and trained to identify risks and implement safe working practices, and will be empowered to raise health and safety concerns with all levels of management.

**Compliance:** All who work with and for the Authority will be required to report and investigate accidents, incidents and near misses to drive improvement in health and safety management. Managers will actively and openly monitor and review working practices and implement any changes required to comply with legislation and improve our health and safety performance. We will engage and collaborate with contractors to ensure their working practices fulfil legislative and best practice requirements.

The Authority will allocate adequate resources for health and safety training, equipment and the development of working practices.

#### 1. Health, safety and welfare responsibilities

- 1.1. **Authority Members** have a duty to ensure the effective management of health and safety throughout the organisation. Authority Members will liaise with the Chief Executive to monitor delivery of the commitments within this policy and ensure that adequate resources are available to meet the Authority's health, safety and welfare responsibilities.
- 1.2. **The Chief Executive** has overall responsibility for the operation and development of health and safety policy and practice. They are responsible for ensuring, as far as reasonably possible, the health, safety and welfare of all staff and anyone else affected by the Authority's activities, and in particular for:
  - Providing strategic leadership in the management of health and safety at work and ensuring the Authority has adequate resources allocated in the annual budget to meet obligations
  - Ensuring the Authority is providing and maintaining equipment and systems of work that minimise risks to health, safety and welfare
  - Ensuring the Authority is providing the information, instruction and supervision necessary for the health and safety of all employees and anyone else affected by the Authority's activities
  - Ensuring the Authority's work places are in a safe condition and are adequate for the welfare of employees, ensuring there are safe means of leaving these places in the event of an emergency
  - Monitoring health and safety performance and establishing any groups that are a statutory requirement, requested by employees, or are necessary to progress particular aspects of health and safety policy or procedure (see also Staff Consultative Groups).

**1.3. The Health and Safety Manager** has responsibility for the following:

- Supporting the Chief Executive in the preparation and review of the Authority's health, safety and welfare policies and periodically bringing the Health, Safety and Welfare Policy to the attention of all employees to raise awareness and as a reminder of their responsibilities
- Supporting Section Heads in the development of competence and compliance with safe systems of work, including risk assessments, and the monitoring and review of health and safety performance
- Ensuring the Authority has access to specialist health, safety and welfare advice as required
- Investigating work-related accidents reportable as defined in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) and to commission external investigations of incidents as required
- Ensuring appropriate fire safety arrangements are made for all the Authority's premises and adequate first aid provisions are in place
- Having staff consultation arrangements in place for the discussion of health, safety and welfare issues
- Ensuring statutory forms, accident records, statutory inspection records, risk assessment records and other health, safety and welfare records are properly completed and appropriately stored, including filing reports as required by the Health and Safety Executive
- Advising Leadership Team (Section Heads) on relevant health and safety legislation (including Statutory Notices) and policies to ensure compliance in all work places under their control
- Ensuring consideration of health and safety issues at Leadership Team meetings and ensuring regular reporting on performance to the Health and Safety Committee

**1.4. Sections Heads** have a duty, in addition to those duties of a supervisor, to:

- Raise awareness and foster a commitment to, and a culture of, safe and healthy working within their team
- Increase team competence and introduce and update safe systems of work
- Ensure health and safety discipline and compliance
- Ensure the effective communication of health and safety information
- Carry out regular safety inspections of premises and activities including those included in the Public Safety Plan
- Ensure that risk assessments are carried out for all activities for which they are responsible and that these are updated promptly when appropriate
- Ensure compliance with fire safety arrangements in all premises under their control
- Ensure that all work places under their control comply with relevant health and safety legislation and with health and safety policies and that relevant statutory notices are displayed
- Ensure that chemical and hazardous material used by their staff are clearly labelled and properly stored and recorded and that adequate information is given to staff
- Maintain their personal competence to manage the health, safety and welfare of their team, and those affected by Authority activities, through appropriate training as necessary

**1.5. A Supervisor** is anyone who is required to supervise other people, whether they are employees, volunteers or contractors. Anyone in a supervisory role has a duty to ensure that all the people being supervised:

- Are aware of all the dangers associated with their work place or work activity
- Are properly trained and supervised and are competent to carry out their work safely
- Are compliant in following risk assessments, health and safety procedures, safe systems of work, accident reporting and other guidance issued
- Have all the relevant information about the safe use and storage of the equipment, chemicals and materials with which they are working or that are present in their working environment



- Are using equipment that is in good condition, fitted with appropriate safety devices and maintained in a safe repair
- Wear any protective clothing required
- Do what they can to ensure the health, safety and welfare of everyone in the work area
- Are aware of all emergency procedures

**Additionally, Supervisors must:**

- Set a good example of safe practice
- Monitor practices and follow up compliance issues
- Ensure that risk assessments are carried out for all activities for which they are responsible and that these are updated promptly when appropriate
- Ensure that equipment and facilities for which they are responsible are properly maintained
- Record and investigate any accidents, near misses or potentially dangerous incidents and report them in the appropriate way to the Health and Safety Manager and the appropriate Section Head
- Carry out frequent safety inspections of all work areas and activities under their control and take any necessary action
- Ensure they remain informed by keeping up to date with the findings of the health and safety focus groups/committee and any current/new legislation

**1.6. The Land and Property Manager** will ensure that regular safety inspections of premises and activities occur, including those in the Public Safety Plan.

**1.7. All Employees** have a duty to work safely to protect the health, safety and welfare of themselves and others. Any breach of this policy and reasonable health and safety procedures/instructions may result in internal disciplinary action. Severe breaches of health and safety procedures/policy may result in dismissal in line with the Authority's disciplinary procedures. You must therefore:

- Read and adhere to the Health, Safety and Welfare Policy and any revised versions issued (the most up-to-date policies are available to view or download from [SharePoint](#))
- Assist with the preparation of risk assessments to achieve safe working systems, and follow risk assessments, approved safety procedures and instructions (the Risk Assessment Library on [SharePoint](#) contains all the Authority's risk assessments)
- Work safely being mindful at all times of your working environment and practices and potential risk to yourself and others
- Use safety equipment and protective clothing provided to you and report any damage/issues with it
- Know and follow all emergency procedures
- Report any training needs and take part in relevant training – always work within your level of competency
- Promptly report to your supervisor any hazards, incidents, accidents, near misses or anything that might put anyone's health and safety at risk
- Cooperate in incident or accident investigations

## **2. Reporting health, safety or welfare issues**

Report any incidents, accidents, near misses, safety concerns, or request health, safety and welfare advice, via your line manager or the person supervising your work.

## **3. Staff Consultative Groups**

**3.1. Health, Safety and Welfare Focus Groups** meet on a regular basis and at least three times a year to discuss and resolve health, safety and welfare issues in their areas of work. These meetings will also provide information on any changes in legislation and guidance. Those attending the Focus Group are responsible for cascading information on health and safety to the staff that they represent. There are four Health, Safety and Welfare Focus Groups:

- **Exmoor House** (1 representative from each section working within Exmoor House/Town Centre offices)
- **Access and Recreation and Field Services Team** - Health and Safety is included as an item on each team meeting agenda
- **National Park Centres** (Centre Managers)
- **Support to National Park Users**

**3.2. Health, Safety and Welfare Committee** meets at least twice a year and is chaired by the Chief Executive. The Committee will discuss any issues identified by the Focus Groups, circulate information about new health and safety legislation or best practice, report on corporate health and safety matters (e.g. accident reporting) and any other relevant health, safety or welfare issues. Again, it is the responsibility of those attending to cascade information to the staff they represent. Attendees include the Chief Executive, Health and Safety Manager, Section Heads, Land and Property Manager and a representative from each Focus Group.

**3.3. External assistance** may be required at times when the Authority will identify key, high priority risk areas within its activities and will appoint professional, qualified assessors/advisors to review and monitor the implementation of policies and practices based on an assessment of risk.

## 4. Health and safety policies and procedures

All the Authority's up-to-date policies and procedures can be found on [SharePoint](#) or requested from the HR Officer. Some of the key policies include:

- First Aid and Emergency Evacuation (as well as being displayed around Authority buildings)
- Lone Working
- Driving
- Home Working
- Managing Stress in the Workplace
- Bullying and Harassment
- Whistleblowing
- Work Life Balance
- Alcohol and Substance Misuse Policy
- Dogs at Work

## 5. Officers referred to in this policy

<b>Chief Executive:</b>	Sarah Bryan	
<b>Section Heads:</b>	Dean Kinsella	Head of Planning & Sustainable Development
	Rob Wilson-North	Head of Conservation & Access
	Gordon Bryant	Head of Finance & Operations
	Clare Reid	Head of Strategy & Performance
<b>Land &amp; Property Manager:</b>	Matt Harley	
<b>Health &amp; Safety Manager:</b>	Gordon Bryant	
<b>Supervisors:</b>	Any employee of the Authority who is required to supervise other employees, contractors or volunteers	
<b>HR Officer:</b>	Ellie Woodcock	

EXMOOR NATIONAL PARK AUTHORITY - STRATEGIC RISK REGISTER

RISK	STRATEGIC RISK	DESCRIPTION OF RISK AND POTENTIAL IMPACT	INHERENT RISK			CONTROLS IN PLACE/ MITIGATION ALREADY TAKEN	CURRENT RISK			OWNER	ADDITIONAL PLANS
			LKLHD	IMPACT	SCORE		LKLHD	IMPACT	SCORE		
1	Funding Risk	1.1 The NPG from DEFRA provides 85% of the Authority's core income and so is key to funding services. Reductions in NPG will mean a reduction in services.	3	4	12	Regular communications with DEFRA concerning future NPG levels. The relatively low level of contractual commitment's within ENPA's budget, such as staffing, provides some flexibility and ability to respond to a changing financial climate.	2	3	6	Chief Finance Officer	The funding level is linked to the Medium Term Financial Plan. ENPA's Finance and Performance Advisory Panel help to manage the business impact of potential changes in funding.
		1.2 Other external income sources may fluctuate or reduce (RPA, NPC, commercial property, Pinkery or car park income). The risk is that there is little time to react if income falls.	3	3	9	External income sources are varied and not linked to particular funding streams or client groups. Costs may reduce as income falls also. This will reduce the impact.	3	2	6		We will continue to monitor budgets, anticipate outcomes and take action accordingly. We continue to seek out new funding streams to improve resilience.
		1.3 External grants and contributions may fall over time reducing our ability to deliver schemes.	3	3	9	One -off grant monies are not relied upon to fund core costs. ENPA spending commitments are linked to funding stream and so can fall with the external grant.	3	2	6		If funding ends for one-off schemes then the scheme ends also.
		1.4 The U.K's exit from the European Union adversely impacts on direct and indirect funding.	3	3	9	Subsidies are guaranteed until 2022.	3	2	6		We will continue to seek to influence the future direction of agricultural subsidies.
2	Legal Risk Drain on resources due to high legal and other costs, staff diverted from priority commitments	2.1 Unsound decisions expose the Authority to legal and/or regulatory challenges and costs	3	3	9	The Code of Corporate Governance, Annual Governance Statement and audits describe and monitor the governance arrangements.	2	3	6	Monitoring Officer	Annual review of Governance arrangements Legal contingency reserve funds allocated
		2.2 Officers fail to oppose or advise against unsound decisions	3	4	12	Members Code of Conduct. The authority employs experienced members of staff who are able to advise against potentially illegal courses of action.	2	4	8		
		2.3 Legal challenges to decisions of the National Park Authority. Decision making places insufficient weight to National Park purposes.	3	3	9	Experienced Solicitor and Monitoring Officer is employed to provide legal advice.	2	3	6		
3	Financial Risk e.g. Actions outside of the Authorities Financial Regulations, Standing Orders and Code of Conduct	3.1 Officers acting outside of delegated powers and beyond budgetary limits	3	3	9	Standing Orders and Financial Regulations in place, approved and staff are aware of. Budget monitoring reports are distributed on a monthly basis and are discussed with the Head of Finance quarterly. All orders are authorised by the Head of Finance.	2	2	4	Chief Finance Officer	Outturn reports are presented to the Authority. Members also see interim revised budgets at month 6.
		3.2 Officers failing to comply with Contracts and Standing Orders. Risk of legal challenge and financial loss.	3	3	9	Annual letter to staff setting out standards of conduct, Anti-fraud, Corruption and Bribery Policy. Procurement Processes in place and requires segregation of duties for purchasing goods and/or services. Both Internal and External Audit provide reassurance.	2	2	4		Legal contingency reserve funds allocated
		3.3 Financial liabilities related to the land and property holdings such as maintenance or repair costs. We are mid-way through the safe removal of trees affected by Ash Dieback and so are more able to predict the final cost.	3	4	12	Condition maintenance surveys are undertaken and acted upon on a regular basis to ensure that needs are identified. Funds are identified as part of the budget setting process.	3	3	9		Legal contingency reserve funds allocated. There is also the opportunity to set aside funds as part of the mtfp process.
		3.4 The costs of Job Evaluation and future staff pay awards will put pressure on the cost base.	3	4	12	The financial impact of Job Evaluation is now known and we will work to identify cost pressures in advance of them arising.	3	3	9		The budget setting process ensures that pressures are identified and alternative ways of managing the cost are suggested.
4	Service Delivery Risk e.g. disease outbreak and /or other restrictions	4.1 Fire or Flooding of Park premises	3	4	12	Close liaison maintained with neighbouring Authorities. ENPA possesses video conferencing facilities and the ability of staff to work from home.	3	3	9	Chief Executive	The Business Continuity and Disaster Recovery Plan has been developed and is regularly enhanced as the technology provides opportunities.
		4.2 Lack of business continuity planning in case of e.g. IT failure (such as via a Ransomware attack), buildings out of action (esp. Exmoor House), prolonged power failure	3	3	9	A Disaster Recovery and Business Continuity Plan in place. Remote working facilities provided. External message line and call cascade system in place.	2	3	6		
		4.3 Major incidents such as a pandemic or a nearby major environmental incident.	3	4	12	ENPA are currently maintaining service provision in the context of a global pandemic. Civil emergencies are not an ENPA responsibility. County and District Civil Contingencies Unit are Cat 1 responders and have Major Incident Plan.	3	3	9		

RISK	STRATEGIC RISK	DESCRIPTION OF RISK AND POTENTIAL IMPACT	INHERENT RISK			CONTROLS IN PLACE/ MITIGATION ALREADY TAKEN	CURRENT RISK			OWNER	ADDITIONAL PLANS
			LKLHD	IMPACT	SCORE		LKLHD	IMPACT	SCORE		
		4.4 Members of the public or service users getting hurt impacting on the ability of the Authority to undertake activities.	4	4	16	Certain members of staff are first aid trained, Risk Assessments are produced and incidents are reported to the Health and Safety Board.	3	3	9		
5	Recruitment and Retention Risk	5.1 Reliance on certain key staff	3	4	12	Strategies in place for key staff	3	3	9	Chief Executive	Employee Strategy ENPA is exploring opportunities for undertaking work for external organisations, providing a development opportunity for staff and external income opportunities for the Authority.
		5.2 Concentration of knowledge and experience									
		5.3 Difficulties in recruiting and retaining experienced and knowledgeable staff due to disparities in pay between ENPA and comparable bodies.	3	3	9	Reward packages, relocation packages, targeted advertising, Job descriptions include cross cover, cover arrangements with other local authorities.	3	2	6		
		5.4 Lack of career progression opportunities									
		5.5 Remote location – travel difficulties									
		5.6 Availability of suitable housing									
6	Legislative and Regulatory Risk Failure to comply with legislative and legal requirements resulting in criminal and /or civil prosecutions, negligence claims, legal costs and adverse publicity	6.1 Health and Safety Acts	3	4	12	Health and Safety Policy and Health and Safety Officer in place. Risk assessments undertaken and and all stored within a central easily accessible repository. Collaboration with external Safety Officer in respect of Health and Safety assurance.	2	3	6	Solicitor / Chief Finance Officer / H&S Manager	Advice on changes to legislation provided via external professional support.
		6.2 Equalities legislation e.g. DDA	3	3	9	Equal Opportunities policy in place.	2	3	6		
		6.3 General Data Protection Regulation and the Freedom of Information and Environmental Information Acts.	4	3	12	All requests monitored by Senior Officer and quarterly reports passed to Leadership Team E-mail protocols and search tools in place ICT Acceptable Use policy in place for staff	3	3	9		
		6.4 Planning process	4	3	12	Professionally qualified planners advise on planning process and there is a programme of training for Authority Members.	3	3	9		
		6.5 Premises	3	3	9	Safety Plan in place with regular inspections. Support & maintenance contracts for plant & equipment in place. Staff Training on core risk areas.	3	2	6		
		6.6 Glover Review introduces new burdens or unfavourable changes to the regulatory regime.	4	4	16	We will respond to the Glover Review after it has been released. Service Planning will provide the opportunity to adapt and the 'New Burdens' doctrine should ensure that new obligations are funded.	3	3	9		
7	Reputational Risk	7.1 Reliance on goodwill, as ENPA only owns 7% of land	3	4	12	A Communications Officer is in place, and staff receive media training and briefings on key issues.	2	3	6	Chief Executive	Engagement Strategy
		7.2 Impact of Staff/public and staff/member behaviour				Code of Conduct in place, annual declaration by staff and members					
		7.3 Incorrect or inappropriate communication				A Communications Officer in post, communications fed out through correct channels					
		7.4 There are reputational risks associated with shooting, climate change, fracking and the future of swaling practices.				We continue to monitor the legislative, environmental, regulatory and cultural landscape to ensure our practices are well supported and defensible.					
8	Risks to Partnership Working e.g. in response to unpopular stance/decision taken by the NPA	8.1 Reliance on goodwill as ENPA only owns 7% of land, and even that is managed by others	3	4	12	Good consultation processes, Exmoor Consultative Forum, Parish Council Member representation, attendance at Parish meetings and area panels	2	3	6	Chief Executive	Partnership working is central to our ability to function and influence behaviour in the park. It will always be a priority to the Authority.
		8.2 Non co-operation of landowners and tenants who manage the natural and cultural resources of the area									
		8.3 Non-cooperation of businesses that promote tourism/recreation									
		8.4 ENPA may be less able to deliver new projects with others due to funding constraints and/ or lack of capacity to deliver the Partnership Plan.									

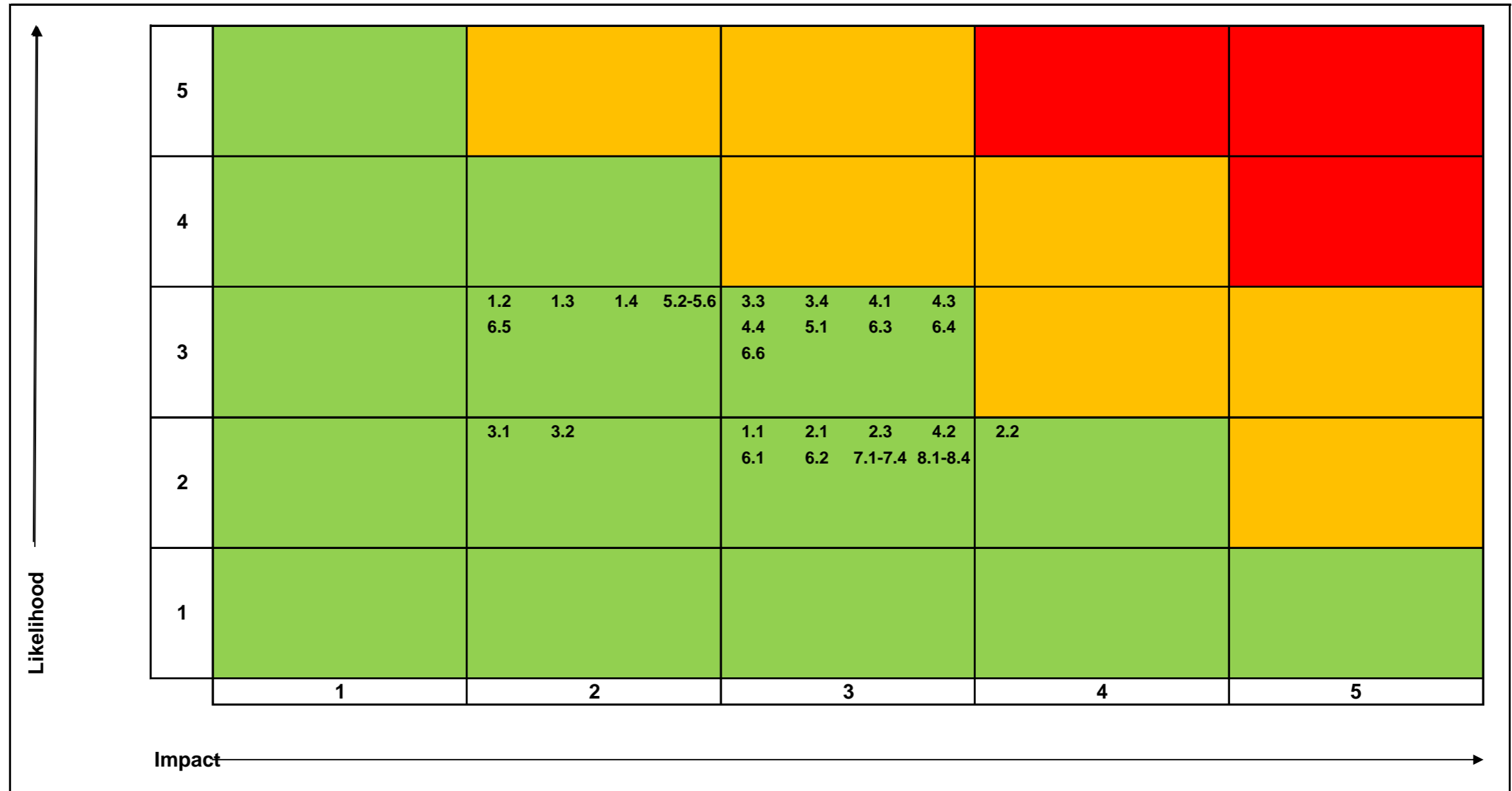
RISK MANAGEMENT MATRIX

Risk Matrix Indicators

Current score for each sub-risk on Strategic Risk Register

- Likelihood**
- 1 Rare
  - 2 Unlikely
  - 3 Possible
  - 4 Likely
  - 5 Very likely

- Impact**
- 1 Negligible
  - 2 Minor
  - 3 Moderate
  - 4 Major
  - 5 Catastrophic



		5	4	3	2	1
Likelihood	5	5	10	15	20	25
	4	4	8	12	16	20
	3	3	6	9	12	15
	2	2	4	6	8	10
	1	1	2	3	4	5
		1	2	3	4	5
		Impact				

- Risk Assessed Score**
- 20-25 Immediate Action
  - 10-16 Review Regularly
  - 1-9 No Action necessary

## EXMOOR NATIONAL PARK AUTHORITY

6 October 2020

### CONSULTATIONS ON CHANGES TO THE PLANNING SYSTEM

#### Report of the Head of Strategy and Performance and Head of Planning and Sustainable Development

**Purpose of the report:** To inform Members about two Government consultations on changes to the planning system

**RECOMMENDATIONS:** The Authority is recommended to consider the consultation proposals and to:

- (1) NOTE that responses to the Changes to the Planning System consultation will be fed in by Officers to the National Parks England response
- (2) AGREE to delegate responsibility to prepare a response to the Planning White Paper to the Chief Executive, in consultation with the Chairperson, Deputy Chairperson, and Deputy Chairperson (Planning), taking on board Member comments.

**Authority Priority:** Maintain our Core Services – Working with the community and business; and delivering our statutory functions as Local Planning Authority.

**Legal and Equality Implications:** The National Park Authority was designated as a Local Planning Authority by the Environment Act 1995. The Authority carries out its functions as Local Planning Authority in accordance with planning legislation.

**The equality impact of the recommendation(s) of this report has been assessed as follows:** The Government is required to have regard to the potential impact of the proposed changes on the Public Sector Equality Duty. The consultation invites views on the duty.

**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:** None

**Financial and Risk Implications:** The proposed reforms of the planning system are radical and include proposals to change the way the planning system is funded. It is not known at this stage how these proposals will impact on the finances or functions of the National Park Authority.

**Climate Response:** The proposals recognise the importance of the planning system in combating climate change. One of the three pillars of the proposals is to bring a new focus on design and sustainability, to support efforts to combat climate change.

## 1. INTRODUCTION

- 1.1 The Government is running two separate consultations on changes to the planning system. *Changes to the Planning System* and the Planning White Paper "*Planning for the Future*". This report outlines the consultation proposals, and the proposed responses.

## 2. CHANGES TO THE PLANNING SYSTEM

- 2.1 The first consultation, "*Changes to the Planning System*" deals with a number of technical changes, namely:
- Changes to the standard method for assessing local housing need.
  - Delivering "First Homes" through developer contributions in the short term until the transition to a new system.
  - Supporting small and medium-sized builders by temporarily lifting the small sites threshold below which developers do not need to contribute to affordable housing, to up to 40 or 50 units.
  - Extending the current Permission in Principle to major development.
- 2.2 The consultation document is available online via the following link:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/907215/200805\\_Changes\\_to\\_the\\_current\\_planning\\_system\\_FINAL\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907215/200805_Changes_to_the_current_planning_system_FINAL_version.pdf)
- 2.3 The deadline for this consultation is the **1<sup>st</sup> October**. As it is not possible to bring a paper to Authority prior to the consultation deadline, Officers will notify Chairs and feed comments through a response to be submitted by National Parks England (NPE).
- 2.4 Whilst the NPE response had not been finalised at the time of producing this report, it is likely to pick up the following points:
- Concerns over the proposed revisions to the standard methodology for housing need which will increase pressure for development both within some National Parks and also in their setting (the latter being of particular concern for Exmoor). The methodology results in figures for some local authorities that are not deliverable without detrimentally impacting on the delivery of the two statutory National Park purposes.
  - Support for the proposed exemption of 'designated rural areas' (including National Parks), from the requirement to deliver 'First Homes' (sold at a discount to market prices for first time buyers), in recognition of the particular circumstances around planning within nationally protected landscapes.
  - The impact of the proposed affordable housing site size threshold changes will be significant in some areas, including some rural areas. However, the proposals will not apply in designated rural areas (including National Parks) and this is supported as it is considered essential in enabling National Park Authorities to continue to deliver affordable housing for our local communities.
  - The proposals to extend the 'Permission in Principle' option to major developments is noted, although it is unclear what the uptake of this would be and what it adds over and above existing routes available to developers (such as outline planning permission).

2.5 In practice, these changes are not likely to have significant implications for Exmoor, particularly if designated rural areas (including National Parks) are exempted from the First Homes requirement and increase in thresholds. The focus on delivering affordable homes to meet the needs of local communities, using Rural Exception Sites, will continue.

### 3. PLANNING FOR THE FUTURE

3.1 The Planning White Paper “*Planning for the Future*” is also out for consultation, with a deadline for comments by **29<sup>th</sup> October**. The consultation document is available online via the following link:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/907647/MHCLG-Planning-Consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907647/MHCLG-Planning-Consultation.pdf)

3.2 The White Paper proposes a radical and wholesale change to the planning system. It aims to simplify and modernise the planning process under three ‘pillars’:

- **Planning for development** – focussing on local plans and decision-making
- **Planning for beautiful and sustainable places** – focussing on design, environmental impacts and climate change
- **Planning for infrastructure and connected places** – focussing on the infrastructure levy

3.3 The scope of the White paper is huge, and it lacks detail in most areas, which presents challenges in understanding the implications of potential changes. However, some of the main proposals from the consultation are listed below. A fuller summary of the consultation document is given in **Appendix 1**.

- **Local Plans** will be replaced by shorter, standardised, more interactive plans that are ‘rule based’ backed up by design codes instead of policies. They will be limited to setting out types of land allocation and maps. It appears that policies, which are currently in Local Plans, will be set out by central government in the National Planning Policy Framework (NPPF).
- Plans will identify zones using a ‘area’ approach with development consent depending on the area that a development is in. These are one of either:
  - *Growth* areas: where development will have automatic consent in the form of an outline permission;
  - *Renewal* areas: existing built areas for smaller scale development such as densification and infill, where there will be a presumption in favour of development; and
  - *Protected* areas: with environmental / cultural protections and the open countryside. In these areas proposals will need planning permission and they will be assessed against national policies in the NPPF (except where they are subject to permitted development rights or development orders).
- In growth and renewal areas, schemes could be brought forward that are different from the plan through an application, but this is expected to be exceptional.
- Environmental appraisals and assessments of plans such as sustainability appraisals will be abolished and replaced by a simplified process.



- Plan preparation must meet a statutory 30-month timetable. Consultation will be front-loaded and shifts to the plan making stage (rather than the planning application stage), using digital consultation methods. It appears that there will be a single period of public consultation, with all consultation responses being considered by the Plan Inspector alongside the draft plan.
- The duty to co-operate will be removed, although further consideration will be given to how strategic cross-boundary issues such as major infrastructure of strategic sites will be planned for.
- There will be a focus on good design and beauty through using national and local design guidance and codes. Local design codes will be prepared locally with community involvement. The government is also proposing a “fast-track for beauty” system to encourage developers to bring forward higher quality proposals – a recommendation of the Building Better, Building Beautiful Commission (<https://www.gov.uk/government/publications/living-with-beauty-report-of-the-building-better-building-beautiful-commission>).
- Changes are proposed to the standard method of housing numbers taking account of “constraints” such as National Parks, Areas of Outstanding Natural Beauty, Green-belt, and nature conservation designations to establish binding housing requirement figures for plans. National Parks are mentioned specifically in relation to housing requirements: *“National Parks are highly desirable and housing supply has not kept up with demand; however, the whole purpose of National Parks would be undermined by multiple large scale housing developments”*.
- For **development management**, changes are proposed for the way statutory consultees such as Parish and Town Councils or the public comment on planning applications. It appears that elected councillors/National Park members will no longer be responsible for decisions on planning applications.
- Proposals will be assessed against design codes/rules and national policies in the NPPF. Current time limits on applications of 8/13 weeks from validation to decision making will be binding and planning conditions will be standardised.
- Planning enforcement powers and sanctions will be strengthened.
- Other proposals include the protection of green spaces by allowing for more building on brownfield land and all new streets to be tree lined.
- There will be a Government review and update of planning for listed buildings and conservation areas to allow, where appropriate, sympathetic changes and securing consent for routine works.
- A new national levy will replace the current system of developer contributions and planning obligations (Section 106 agreements)
- There is also an ambition that new ‘zero carbon ready’ homes delivered under the new system will not require future retrofitting.

3.4 Unsurprisingly, given their radical nature, the proposals have generated significant debate in the planning world. Many recognise that change is needed, and that the planning system has become overly complex following years of incremental changes by successive governments. The original ambitions for the planning system, created in the post-war years of recovery and renewal (at the same time

that National Parks themselves were created, in part to provide healing places for the nation after the years of suffering during the war), have been gradually eroded. The Government's approach, set out in the Planning White Paper, is to start afresh.

3.5 There are many principles in the consultation that are welcomed, including:

- Simplifying and speeding up the system, and providing certainty.
- Engaging the public and local communities at an early stage, and front-loading public engagement and consultation on Local Plans.
- A greater focus on design and sustainability, including responding to climate change.
- More user-friendly means of engaging the public through greater use of digital platforms and increased accessibility to data.
- A recognition that planning departments need to be adequately resourced.

3.6 However, as with all radical changes, the real impact of what is proposed lies in how the system will be implemented in practice. There are inevitably, many questions and concerns that arise from the proposals including:

- The erosion of the democratic process and involvement in decision-making.
- The centralisation of planning, with no policies except those in the NPPF, and consultation responses to plans to be considered by Planning Inspectors.
- The ability to manage development in a way that is attuned to local circumstances and in line with National Park purposes.
- Ensuring continued protection given to National Parks (retaining the great weight given to their protection in the NPPF, and the recognition that they are not suitable areas for major development). Also retaining the duty on public bodies to have regard to National Parks, particularly in relation to development which could impact on the setting of the National Park.
- The ability for the public to get involved in planning applications.
- How planning functions will be funded in areas where there is little development, such as National Parks.
- The loss of expertise and local knowledge that planning professionals and other specialists bring to the process.
- How a national approach to design codes and criteria will avoid a blanket approach to development; good design needs to be site specific and reflect local character.
- How affordable housing to meet local needs can continue to be delivered in places like Exmoor where this is a high priority, and our approach set out in the Local Plan is specifically tailored to the local needs and circumstances of the National Park. Will policies set at national level in the NPPF be able to cover such circumstances?
- Ensuring equal access to digital means of involving the public in planning, particularly in remote rural areas where digital connectivity such as superfast broadband cover is variable, and not everyone has access to digital technology.

- The need for improved data cut to National Park boundaries to enable greater data accessibility.
- The ability for some flexibility around zoning, not just a blanked ‘protected areas’ designation for National Parks (to enable development that our local communities need, particularly affordable housing and to support key sectors such as agriculture and tourism).
- Details of how environmental protection and enhancement will be secured, with a simpler environmental assessment process.

#### 4. PLANNING WHITE PAPER CONSULTATION RESPONSE

- 4.1 A response to the Planning White Paper consultation is being prepared by National Parks England, led by the Heads of Planning, with input from the Planning Policy Officers. Members may also wish to add their support for the NPE response, and to feed in additional comments via a separate ENPA response. This would be prepared by Officers following discussion at the Authority meeting, and would be submitted under delegation to the Chief Executive, in consultation with the Chairs. The points below would form the basis for this response, along with other comments made by Members.
- 4.1.1 To welcome the proposals to look afresh at the planning system, and the aims of making it simpler, quicker and easier for people to engage with. This needs to be properly resourced in order to ensure that it is **realistic, and enables meaningful public participation**.
- 4.1.2 To support the proposals for **simplifying Local Plans**, and reducing the time it takes to prepare them. However, it is considered that the proposals go too far in taking out all Development Management policies, and may be too simplistic. National policy will not be able to cover all the needs of local communities, and be sensitive to different local circumstances, as well as ensuring consistency with National Park purposes. Local policies play an important role in responding to specific local issues (for example on Exmoor policies supporting succession farm and extended family dwellings), and promoting local distinctiveness, which is particularly important in National Parks. There is a need for clarity over whether there will be flexibility to add policies to Local Plans if the NPPF is silent on a specific issue (for example in relation to Exmoor’s Dark Sky Reserve). There is concern that where the NPPF is silent, there will be a presumption in favour of development.
- 4.1.3 To support the proposals for **Local Plans to be visual and map based** (noting the comment above regarding the need for some locally derived policies), involving greater engagement with communities, and greater use of digital technology. However, this requires good broadband and connectivity which is not always available in some areas, particularly remote rural areas, so there needs to be other means of engaging with communities to ensure that certain groups and individuals are not excluded.
- 4.1.4 To raise concerns around how the **three proposed ‘areas’ for Local Plans** would apply to National Parks. A blanket designation of ‘protected areas’ across the National Park would not allow for necessary development to support local communities and businesses. For example, there may need to be some ‘renewal area’ designations within settlements, however this would imply a presumption in

favour of development in these areas which may not be appropriate in the National Park. There has also been discussion with other National Park Authorities that perhaps an additional area(s) is needed to allow appropriate rural change. Currently, the proposals only refer to **self and custom-build homes and community-led housing developments** in growth areas. These are important delivery options for affordable housing in the National Park and we suggest that there should be opportunity for them in other zones too.

- 4.1.5 It is important that the proposals in the Planning White Paper are linked to the Government's ambitions for **nature recovery** and other proposals in the Environment Bill. For example, Local Plans should also link with other plans such as Local Nature Recovery Plans, to show how nature recovery and environmental net gain can be delivered, and to avoid development which would conflict with nature recovery. The new planning system could also be proactive in supporting proposals which seek to improve nature, based on local nature recovery strategies.
- 4.1.6 To welcome the recognition that the standard methodology for calculating housing need needs to take account of **constraints such as designated areas including National Parks**, which are highly desirable areas for housing, and that the whole purpose of National Parks would be undermined by multiple large scale housing developments.
- 4.1.7 The new planning system must enable an **approach to affordable housing delivery** which recognises that it is not appropriate nor possible to 'build' out of an affordable housing problem in National Parks. Bespoke policies and delivery approaches are required to ensure that the needs of local communities in the National Parks can be met. There appears to be no acknowledgement that many of the problems that the proposals are trying to address are those of delivery rather than planning procedure, for example in relation to new housing, including those for social rent. Records compiled by the Local Government Association show that over the last 10 years, about 90% of planning applications were approved and of the 2.5 million homes granted planning permission, only 1.5 million have been built. Accordingly, more than a million homes with planning permission have not yet been built. In National Parks, where the delivery of affordable housing is the primary need, some of the main barriers to delivery are lack of resources for affordable housing providers to deliver new housing, or to purchase existing housing for social-rented housing, and finance for local need self and custom build homes.
- 4.1.8 Removal of the **Duty to Co-operate** needs to be replaced with an appropriate system for broader strategic planning. For the National Parks, this is particularly important to ensure that binding housing targets can be met in the most appropriate places, recognising that National Parks are not suitable areas for major development. The 'Section 62 Duty' on public bodies to have regard to National Park purposes needs to be strengthened to ensure that the setting of the National Park is protected from damaging development.
- 4.1.9 The aim that the reformed planning system will continue to protect places of environmental and cultural value including areas of defined national and international importance (such as National Parks and Sites of Special Scientific Interest), but also those which are valued and defined locally (such as Conservation Areas and Local Wildlife Sites) is supported. The principle of simplifying the process for environment appraisal is understood, but details of how this would be achieved are lacking, and **any weakening of environmental protection would not be supported**.

- 4.1.10 The ambitions under pillar two ‘Planning for beautiful and sustainable places’ are welcome. National Park Authorities have been at the forefront of delivering natural beauty and sustainable development, in line with our statutory purposes and duty. **A greater emphasis on good design and sustainability is fully supported.** The appointment of a chief officer for design and place-making in each authority (and we assume that National Park Authorities are included in this) would help to ensure that these issues are high priority. Local design codes will be important to reflect local, vernacular character and design. However, there are concerns that extended Permitted Development Rights and ‘Pattern Book’ design can lead to uniform and mediocre development that the Government is seeking to avoid. Further clarification is needed on how local design codes will link with Local plans and decision-making.
- 4.1.11 To welcome statements in the White Paper regarding the role planning needs to play in **mitigating and adapting to climate change**. Carbon reduction targets aligned with the national net-zero timetable should be incorporated into Local Plans.
- 4.1.12 The proposals to speed up decision-making, involving greater use of **digital technology**, is supported in principle. However, it is unclear how this will work in practice and there are many details that need to be properly understood. For example, what if data is non-existent, poor, conflicting or not sufficient to be useful in decision-making?
- 4.1.13 There are **grave concerns over the apparent lack of democratic involvement in, or over-sight of decision-making**. The current planning system has a two-stage process, where local councillors and the public can comment on both the formation of the local plan, and then on the individual planning applications. The proposed reforms would give only one opportunity for democratic oversight, when the design code is first prepared. This could be many years in advance of particular schemes being given the green light. Determining everything at the policy stage will be very difficult for people to understand. Local councillors would not be able to stop specific developments at the application stage and would not have any say over how the development looks and whether the infrastructure is appropriate. Also loss of public involvement at planning application stage removes the ability to benefit from local knowledge on the potential impact of proposals – details which even the best forward planner will not have thought of and which plan making is not equipped to do, often years before a proposal may be brought forward.
- 4.1.14 We would like to understand further the proposals for replacing the Community Infrastructure Levy and Section 106 planning obligations with a **new consolidated Infrastructure Levy**, which is charged as a fixed proportion of development value above a set threshold. Whilst CIL does not apply in the National Park, Section 106 planning obligations are an important tool for managing development, for example in retaining affordable housing for local needs.
- 4.1.15 That the reform should take the opportunity to align with and deliver governments response to the **Glover Review**, in particular ensuring National Park Authorities have the tools to be efficient, innovative and forward-thinking environmental organisations
- 4.1.16 The implementation of any reforms, and the success of the proposed new system, will depend on **planning being appropriately resourced**, and it is important that funding remains independent of financial influence in decision-making. It is welcome that consideration is being given to shifting the burden of funding the planning system to those who are “the beneficiaries of planning gain”, primarily the

landowners and developers. However, an approach which also funds plan-making would be a significantly higher burden upon the applicant. Also of concern is the proposal that successful appeals should have their fees refunded. The White Paper recognises an imbalance in resources where the level of development is likely to fall significantly short of drawing in the income necessary to resource a planning department, as is likely to be the case in many National Parks. It is important that this detail is addressed.

- 4.1.17 The recognition that planning departments will need the necessary skills and resources to deliver a new planning system is welcome, as it is clear that the proposals will require a new range of skills and potentially a re-alignment of roles within planning departments with a greater emphasis on plan-making and engagement. An effective planning system will require the **skills and judgement of professional planning officers** in plan making and development management, which should not just become a data-based checklist exercise. The tone of some parts of the Planning White Paper is concerning in this regard.
- 4.2 Members are invited to comment on the proposals and any additional points to raise.

**Clare Reid, Head of Strategy and Performance**  
**Dean Kinsella, Head of Planning and Sustainable Development**  
**Ruth McArthur, Policy and Community Manager**  
**6 October 2020**

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

Appendix 1 Summary of Planning White Paper Main Proposals

*Changes to the Planning System*

Planning White Paper "*Planning for the Future*"

## Appendix 1: Summary of Planning White Paper Main Proposals

**Foreword by the Prime Minister:** “Radical reform unlike anything we have seen since the Second World War. Building, from the ground up, a whole new planning system for England”

**The White Paper is divided into three ‘Pillars’:**

- 1. Planning for development** – focussing on local plans and decision-making
- 2. Planning for beautiful and sustainable places** – focussing on design, environmental impacts and climate change
- 3. Planning for infrastructure and connected places** – focussing on the infrastructure levy

### **Pillar 1 - Planning for development**

#### **Local Plans**

1.16/2.7 – Local Plans should be **significantly shorter** in length (around a third of current plans), and limited to no more than setting out types of land allocation and be **‘rules based’** i.e. set out site- or area-specific parameters and opportunities. They will no longer contain policies - these will be in the NPPF.

2.8 – Local Plans will allocate *all* land into:

- *Growth areas* suitable for “*substantial development*”; a term which will be “*defined in policy to remove any debate about this descriptor.*” The White Paper mentions new settlements, urban extensions, and major development. Local plans will set out what use classes, height and densities will be approved via the plan. Adoption of the plan then confers outline planning permission. Full permission will be via a reserved matters application, a Local Development Order or potentially a development consent order in the case of large developments.
- *Renewal areas* - again, local plans set out the acceptable uses, heights and densities. There would then be a new statutory presumption in favour of permission for specified uses which meet the design code plus other prior approval requirements. Consent can be granted through permission in principle, a full planning application, or a Local / Neighbourhood Development Order (i.e. same as now).
- *Protected areas* - the plan ‘key’ and accompanying text would explain what is permissible by cross-reference to the National Planning Policy Framework.’ Any development proposals would come forward as now through planning applications being made to the local authority (except where they are subject to permitted development rights or development orders), and judged against policies set out in the National Planning Policy Framework.

In growth and renewal areas, schemes “different to the plan” could be brought forward through a full planning application (i.e. same as now).

1.16 - Local Plans should be ***“visual and map-based, standardised, using digital technology, and a new standard template”***.

1.16 - Authorities ***“should radically and profoundly re-invent the ambition, depth and breadth with which they engage with communities”*** as they consult on Local Plans.

1.16 - **Consultation will be ‘streamlined’** at the planning application stage. Instead there will be one opportunity to influence where development can happen which will be at the zoning/ plan making stage.

2.48 - Plans will be subject to a **statutory 30 month preparation process**. There will be sanctions for those who fail to meet this. After a ‘call for areas’ under the three categories stage (6 months) there would be only one consultation period after submission of the Plan (6 weeks). There is a right to be heard (examination) – 9 months – but the format of this will be at the discretion of the Inspector.

2.52 – Plans to be **reviewed every five years** – as now.

2.23 - Local Plans will need to identify areas to meet a range of development needs – such as homes, businesses and community facilities – for a **minimum period of 10 years**.

2.17 - Plans will be subject to a single statutory **“sustainable development” test** replacing the existing tests of soundness. A slimmed down assessment of deliverability for the plan would be incorporated into this “sustainable development” test.

2.19 - The **Sustainability Appraisal** system will be abolished and replaced by a simplified process for assessing the environmental impact of plans, which would continue to satisfy the requirements of UK and international law and treaties .

2.19 - The **Duty to Cooperate** test would be removed (although further consideration will be given to the way in which strategic cross-boundary issues, such as major infrastructure or strategic sites, can be adequately planned for).

2.25 – There will be a **standard method for establishing housing requirement** figures which ensures enough land is released in the areas where affordability is worst. This housing requirement would also ‘blend’ in the number of homes that are already in an area with household projections (para - 20 of the [Changes to the Current Planning System Paper](#)) and land constraints and opportunities for densification/use of brownfield land, plus a buffer to compensate for non-deliverability. The methodology would be take account of National Parks for the first time with the White Paper saying *“the extent of land constraints in an area to ensure that the requirement figure takes into account the practical limitations that some areas might face, including the presence of designated areas of environmental and heritage value, the Green Belt and flood risk. For example, areas in National Parks are highly desirable and housing supply has not kept up with demand; however, the whole purpose of National Parks would be undermined by multiple large scale housing developments so a standard method should factor this in”*.

2.27 – Housing Delivery Test and presumption in favour of sustainable development to be retained but five year housing land supply test to be abolished.



## Development management

2.13 - **Policies to be set out nationally in NPPF**, i.e. not in Local Plans which will have an allocation/rule format.

2.39 – The system to be **digitised and standardised** to make things quicker and easier, including new **standard planning conditions**, and a single maximum page planning statement for major development. For the Spending Review, the Government will prepare “*a specific, investable proposal for modernising planning systems in local government*”.

2.38 – The current **time limits** of eight or 13 weeks for determining an application from validation to decision “*should be a firm deadline – not an aspiration which can be got around through extensions of time as routinely happens now*”.

2.40 - **Planning fees** would be refunded if deadlines are not met or where an appeal is successful.

2.40 – **Planning conditions are** to be standardised.

3.28 - There will be a quicker, simpler framework for **assessing environmental impacts** and enhancement opportunities.

5.29 - There will be a **strengthening of enforcement powers and sanctions** (no details on this are available yet).

## Pillar 2 – Planning for Beautiful and Sustainable Places

3.6 - **Design guidance and codes** to be prepared locally with community involvement.

3.6 - A **National Model Design Code** to be published this Autumn, setting out more detailed parameters for development in different types of location including worked examples.

3.11 - Government will explore the options for establishing a **new expert body** to help authorities make effective use of design guidance and codes.

3.12 - Proposals coming later this year for improving the **resourcing of planning departments**.

3.12 - Each authority to appoint a **chief officer for design and place making**.

3.18 – In growth areas a **masterplan and site-specific codes** to be agreed as a condition of the permission in principle which is granted through the plan.

3.19 – Government will legislate to widen and change the nature of **permitted development**, so that it enables popular and replicable forms of development to be approved easily and quickly. It wishes to return to ‘**pattern books**’ being used to articulate standard building types, options and associated rules (such as heights and set-backs).

3.31 – Government will review and update the planning framework for **listed buildings and conservation areas**, to allow, where appropriate, sympathetic changes to address **climate change**. They will also explore whether there are new and better ways of

**securing consent for routine works**, including whether suitably experienced architectural specialists can have earned autonomy from routine listed building consents.

3.33 - Government will respond to the **Future Homes Standard** consultation in the autumn. It will review the roadmap to the Future Homes Standard to ensure that implementation takes place to the shortest possible timeline. They will also explore options for the future of energy efficiency standards, beyond 2025.

### **Pillar 3 – Planning for Infrastructure and connected places**

4.7 - The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold (a new '**Infrastructure Levy**'), with a mandatory nationally-set rate or rates and the current system of planning obligations abolished. This would be based upon a flat-rate, valued-based charge, set nationally, at either a single rate, or at area-specific rates.

4.19 - The scope of the Infrastructure Levy could be extended to capture changes of use **through permitted development rights**

4.21 - Under the Infrastructure Levy, authorities would be able to use funds raised through the levy to secure **affordable housing** (rather than Section 106).

### **Other Changes**

5.17 - The cost of operating the new planning system should be **principally funded by the beneficiaries of planning gain** – landowners and developers – rather than the national or local taxpayer. This will include allocated some 'gain' for local plan work.

## EXMOOR NATIONAL PARK AUTHORITY

6 OCTOBER 2020

### REVIEW OF EXMOOR NATIONAL PARK AUTHORITY'S STATEMENT OF COMMUNITY INVOLVEMENT

#### Report of the Head of Strategy and Performance

**PURPOSE OF THE REPORT:** To consider updates to the Statement of Community Involvement setting out how Exmoor National Park Authority intends to consult and engage the public and other stakeholders on future planning policy documents, and planning applications.

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

- (1) ADOPT the updated Statement of Community Involvement, noting the temporary changes made in the light of the Coronavirus pandemic.
- (2) DELEGATE to the Chief Executive any amendments following member discussion and factual or typographical corrections.

**Authority Priority:** To meet the requirements of legislation where applicable to National Parks and conduct Authority consultation and engagement in line with good practice and statutory requirements.

**Legal and Equality Implications:** The Planning and Compulsory Purchase Act 2004 (section 18) requires local planning authorities to prepare a statement of community involvement. The Coronavirus Act 2020 make allowances for changes to the way Authorities conduct their business due to the pandemic, until 7 May 2021.

**The equality impact of the recommendations of this report has been assessed as follows:** There are no foreseen adverse impacts on any protected group(s).

**Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendations of this report is as follows:** There are no implications for Human Rights Act.

**Financial and Risk Implications:** The review of the Statement of Community Involvement is considered to have minimal financial and risk implications. The report will be published on the Authority's website, and printed copies will only be made available on request.

---

## 1. INTRODUCTION

- 1.1 The Authority has a statutory duty to prepare and keep up to date, a Statement of Community Involvement (SCI), setting out how the Authority will consult and engage the public and other stakeholders on future planning policy documents, and planning applications

1.2 The SCI was last updated in 2015. It now needs to be updated to reflect changes in planning legislation and guidance. The Authority is not required to consult on the SCI.

## **2. CORONAVIRUS IMPLICATIONS**

2.1 Whilst updating the SCI, the Coronavirus pandemic took hold. As a consequence, many of the Authority's procedures for consultation and engagement cannot be followed. The revised SCI is therefore an interim version and it sets out the temporary changes to the decision-making and consultation methods used by the Authority in respect of its planning function during the pandemic. This includes for example, Authority meetings being held virtually to determine planning applications, contacts with applicants and statutory consultees being by email or phone, and changes to the way site notices are dealt with and site visits are carried out.

2.2 The revised SCI is set out in **Appendix 1**. This shows via 'Tracked changes' how interim arrangements will operate.

2.3 It is intended that once Coronavirus restrictions have lifted the Authority will review the interim measures put in place in response to the Coronavirus outbreak and update the SCI as necessary.

2.4 The SCI will be monitored for its effectiveness through the Annual Monitoring Report.

## **3. CONCLUSIONS**

3.1 Members are therefore recommended to adopt the SCI as the key document to inform local communities and stakeholders how the Authority will involve, engage and inform them in relation to the determination of planning applications and the preparation of planning documents.

**Clare Reid**  
**Head of Strategy and Performance**

**Ruth McArthur**  
**Policy and Community Manager**

**September 2020**

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

Localism Act 2011.

Town and Country Planning (Local Plan) (England) Regulations 2012

Neighbourhood Planning Act 2017 and Neighbourhood Planning Act Regulations 2017

Coronavirus Act 2020

Appendix 1: ENPA Statement of Community Involvement 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:

Exmoor National Park Authority  
Exmoor House  
Dulverton  
Somerset  
TA22 9HL

localplan@exmoor-nationalpark.gov.uk

01398 323665

## Contents

<b>Introduction</b> .....	<b>4</b>
<a href="#"><u>Note on Interim Statement of Community Involvement</u></a> .....	<b>5</b>
<b>Areas of Responsibility</b> .....	<b>6</b>
<b>Commitment to Engagement</b> .....	<b>7</b>
<b>Community Involvement in Planning</b> .....	<b>8</b>
<b>Resources</b> .....	<b>9</b>
<b>Publicity Networks</b> .....	<b>10</b>
<b>Community Involvement in Practice</b> .....	<b>12</b>
<b>Statement of Intent</b> .....	<b>12</b>
<b>Methods of Community Involvement</b> .....	<b>13</b>
<b>Planning Applications</b> .....	<b>14</b>
<b>Plan Making</b> .....	<b>17</b>

Page intentionally left blank

## INTRODUCTION

1. This 'Statement of Community Involvement' (SCI) sets out how Exmoor National Park Authority intends to consult and engage the public and other stakeholders on future planning policy documents,<sup>1</sup> and planning applications.
2. It is not intended to set out rigid procedures or fixed processes but rather to describe our approach and suggest appropriate ways in which people and communities may be involved at different stages. We will use this SCI as a guide in preparing planning policy and considering planning applications.

### **Overarching Aims for Community Involvement in the Planning of Exmoor**

**Exmoor National Park Authority aims to ensure**

- 1. that all those with an interest in the National Park have the opportunity to submit their views in relation to planning matters, and**
- 2. 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, deadlines and circumstances beyond the control of the National Park Authority**

- [3. This SCI is an interim or temporary version setting out how consultation will be managed during the Corona Virus pandemic. It is intended to review this SCI once it is considered appropriate to do so.](#)

---

<sup>1</sup> Includes Local Plans as defined by The Town and Country Planning (Local Planning)(England) Regulations 2012 section 6, Supplementary Planning Documents, and neighbourhood planning documents.



### Note on Interim Statement of Community Involvement - October 2020

The corona virus outbreak has meant some changes to the Authority's decision-making roles and consultation methods in respect of its planning function. In summary:

- **Decision-making.** Authority meetings are being held as virtual meetings;
- **Contact.** Pre-application discussions or discussion on submitted planning applications will be carried out by email, video link, or phone only;
- **Parish Councils.** Notification of planning applications to Parish Councils will be by email;
- **Local consultation.** Neighbour notifications by direct letter will continue to take place over this temporary period;
- **Site notices.** Where planning officers are unable to conduct site visits, site notices will be sent to agents or applicants who will be expected to display them prominently. The Authority will request photographic proof that this has been done.
- **Site visits.** Only external site visits will be carried out, where possible, by officers. If officers need to access private land, that will take place only with the prior agreement of the site owner. Officers will obey social distancing principles and it will be at the discretion of both the officer and applicant/owner as to whether a visit can be completed. The overriding factor in this decision is the health and safety of both the officer and the applicant/site owner;
- **Payments.** These will preferably be made electronically via the BACS system. Card payment over the phone or cheque through the post will, however, remain available.
- **Planning Surgeries at Porlock and Lynton.** These will not take place while restrictions are in place to manage the corona virus outbreak including social distancing rules;
- **Planning Policy Consultation.** The Authority is not intending to carry out any new public consultation events whilst the social distancing rules are in place. Where it is judged that wider consultation is required alternative remote methods will be considered such as questionnaires and surveys.

The Authority will do its utmost to continue to run an efficient planning service during these difficult times, and we ask for the co-operation of applicants and all those participating in the planning process in assisting the Authority to achieve this.

It is intended that once restrictions have lifted the Authority will review its Statement of Community Involvement to remove interim measures put in place in response to the corona virus outbreak.

'Tracked changes' through the remainder of this document show how interim arrangements will operate.

## AREAS OF RESPONSIBILITY

4. Exmoor National Park Authority is an ‘all-purpose’ planning authority, responsible for land use planning for the whole of Exmoor National Park. This Statement of Community Involvement (SCI) will affect all planning matters in the National Park (including minerals and waste planning).
5. In Somerset, Somerset West and Taunton Council and Somerset County Council are responsible for all local government functions except for planning in that part of the National Park within Somerset. In the Devon area of the National Park, North Devon District Council and Devon County Council are responsible for all local authority functions except for planning in that part of the National Park within Devon.
6. The National Park Authority is comprised of 22 members. This includes appointees of the Secretary of State who provide specialist National Park expertise and perspectives, representatives of local parish council interests; and nominated representatives of North Devon District Council, Somerset West and Taunton Council, Devon County Council and Somerset County Council.
7. Unlike local councils, the Authority represents not just the locality, but the area as a National Park. This means that, in addition to the local interests of, for example, local residents, businesses and landowners; those from elsewhere but with an interest in National Parks, or the special qualities of Exmoor must also be engaged and their views taken into account.
8. Exmoor National Park was designated as a National Park in 1954 under the National Parks and Access to the Countryside Act 1949. The purposes of National Park designation as amended by the Environment Act 1995 are:
  - To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park area
  - To promote opportunities for understanding and enjoyment of the National Park’s special qualities
9. Exmoor National Park Authority was established as an independent authority in 1997 under provisions set out in the Environment Act 1995. The Act sets out two primary duties for the Authority:
  - To do anything which is calculated to facilitate, or is conducive to, the accomplishment of the National Park purposes. For example, the rights of way network is managed and maintained by Exmoor National Park Authority which has delegated powers from Devon and Somerset County Councils.

- To seek to foster the social and economic well-being of local communities in the National Park.

## Values

10. Our values are reflected throughout the work of the Authority and are:

**Sustainability:** using resources responsibly, cost effectively and efficiently and providing a model for more sustainable ways of working

**Customer focus:** being responsive to the needs of the public, partner organisations and each other and going the extra step to engage people in our work

**Respect:** treating everyone, both within and outside the Authority, with respect and providing equality of opportunity for all

**Improvement:** actively seeking ways to improve our services and performance, seeing problems as challenges not obstacles in an environment that encourages people to be flexible and innovative

**Professionalism:** providing a high quality, professional service based on high standards and excellent communications

**Team Work:** working together to achieve the Authority's objectives, supporting colleagues and committing to achieving the Authority's vision

## COMMITMENT TO ENGAGEMENT

11. Exmoor National Park Authority promotes better awareness and engagement amongst local communities and other interested parties to have a say in the planning and sustainable development of Exmoor National Park, and how the Authority itself undertakes its responsibilities.
12. This Statement of Community Involvement complements the Authority's broader commitment to improving engagement, the Exmoor National Park Partnership Plan 2018 – 2023<sup>2</sup> sets out a long-term visions and ambitions for Exmoor National Park and was developed in consultation with partner organisations, communities, visitors and businesses. The NPA facilitates the

---

<sup>2</sup> <https://www.exmoor-nationalpark.gov.uk/about-us/key-documents>

Plan but it relies on partners to help deliver the ambitions in it. Partnership groups and delivery partners are listed on the Authority's website.<sup>3</sup>

13. The Authority continues to build upon its long tradition of partnership working to fulfil its aims and obligations under the planning system. Participation is encouraged through fora and groups; such as the Exmoor Consultative and Parish Forum.
14. The Authority's Equality Statement<sup>4</sup> also sets out the approach to working with our partners, in line with the Equality Act 2010, in seeking opportunities to eliminate discrimination and advance equality of opportunity between people who share a protected characteristic under the Act and those who do not.

## COMMUNITY INVOLVEMENT IN PLANNING

15. The Authority adopted its first Statement of Community Involvement in 2006. This [Interim](#) Statement of Community Involvement replaces the previous version updated in 2015. It fulfils the statutory requirement in Section 10A of the 2012 Local Plan Regulations (as amended in 2017) that Statements of Community Involvement must be reviewed every five years.
16. [This interim version \(October 2020\) has been produced in response to revised working arrangements necessary since the outbreak of the corona virus. It will be withdrawn and replaced once the Government announces that restrictions are no longer in place.](#)
17. The Localism Act 2011 reformed the way local plans are prepared; this led to the introduction of the Town and Country (Local Planning) (England) Regulations 2012 and the publication of the National Planning Policy Framework (NPPF). It also introduced Neighbourhood Planning. This SCI specifies the support and advice available from the Authority to Neighbourhood Planning Groups wishing to make a Neighbourhood Development Plan in line with the requirement for planning authorities to support neighbourhood planning.<sup>5</sup>
18. The Duty to Cooperate places a legal duty on local planning authorities and public bodies to engage constructively on an ongoing basis to maximise the

---

<sup>3</sup> <https://www.exmoor-nationalpark.gov.uk/about-us/partnership-working#:~:text=Exmoor%20National%20Park%20Authority%20works%20in%20partnership%20with,the%20conservation%20and%20enhancement%20of%20the%20distinctive%20>

<sup>4</sup> Exmoor National Park Authority – Equality Statement - <http://www.exmoor-nationalpark.gov.uk/about-us/key-documents>

<sup>5</sup> The Neighbourhood Planning Act 2017

effectiveness of preparing local plans in relation to cross boundary strategic matters such as those relating to the housing market, travel to work areas, river catchments and ecological networks.

19. The planning system continues to place a strong emphasis on full consultation with everyone involved in planning – that is, how land will be used, conserved, developed or improved. Paragraph 16 c) of the NPPF states: Plans should be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees. This SCI includes additional detail on how the Authority will engage communities on the preliminary stages of Plan-making and the Local Development Scheme.
20. In the past, exercises such as the ‘Your Future Exmoor’ events attended by almost 1000 of the National Park’s population, have shown that people have a real interest in the National Park and the planning policies and decisions that will affect the area and its communities. Their input influenced the preparation of the 2017 Local Plan and demonstrated that public involvement in planning for Exmoor can make a real difference.

## RESOURCES

21. A wide range of Authority staff and members are engaged in the various partnership work outlined and can contribute to engagement of the relevant groups with the Authority’s planning service. Specialist Authority staff also contribute to the development of planning policy or comment on planning applications.
22. The **Development Management Team** assists the community and other stakeholders with their involvement in planning applications. It is supported by customer support, monitoring and Planning Investigations staff who are able to provide general advice and information on planning applications.
23. The **Policy and Community Team** is responsible for the Authority’s planning policy function which includes preparation and consultation on local development documents, strategic planning matters, neighbourhood planning and planning policy monitoring. They are able to advise on local planning documents and opportunities to engage in shaping them.

## **PUBLICITY NETWORKS**

24. The Authority uses a wide network for the dissemination of planning information, particularly in relation to plan-making. Documents are made available on the Authority's website and people/organisations on the Authority's contacts database and Parish/Town Councils and Parish Meetings are emailed at key stages when planning policy documents become available for consultation or adoption.
25. The Authority will ensure that local planning policy documents (and copies of strategic environmental assessment documents) are available for inspection ~~at Exmoor National Park Authority's Head Office at Exmoor House, Dulverton~~ <sup>6</sup> online on the National Park Authority website. Copies of documents related to plan making may also be made available during opening hours at:
- National Park Centres at Dulverton, Dunster and Lynmouth;
  - Local libraries such as those at Minehead, Porlock, Lynton, Dulverton, Combe Martin and Barnstaple;
  - Local Information Points - these include a number of village shops and tourism outlets which have an agreement with Exmoor National Park Authority to provide basic information about their immediate location and services offered by the Authority;<sup>7</sup>
  - Other local community services (including shops and public houses).
26. Many of these outlets are available to display consultation material through the goodwill of the businesses or other organisations concerned. The Authority will continue to use such networks on an informal basis or to deposit leaflets outlining planning matters.

### **National Park Authority Publications**

27. The Authority has two publications and these are used to draw attention to forthcoming consultations (where publication dates make this possible) and the recent publication of local development documents. The timescales involved preclude reference to planning applications. These are currently published annually and are 'ParkLife', aimed primarily at local residents and businesses, and 'Exmoor Visitor', which is targeted towards visitors to the National Park.

---

<sup>6</sup> [Temporary amendment of regulations 35 and 36 of the Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 removing requirements to make certain documents available for inspection at premises and to provide hard copies on request.](#)

<sup>7</sup> <http://www.exmoor-nationalpark.gov.uk/enjoying/national-park-centres/local-information-points>

### **Other Opportunities for Engagement**

28. The Exmoor Consultative and Parish Forum provides a mechanism for consultation and involvement of key local stakeholders on the Authority's activities. The Forum, [which is being facilitated through virtual meetings during the corona virus outbreak](#), comprises representatives from the Exmoor parish/town councils, a number of organisations, including statutory agencies, local authorities, non-governmental organisations and other groups from, or with an interest in, Exmoor National Park. Details of the chair and vice chair of the Forum are on the Authority's website.<sup>8</sup>
29. The Forum receives updates on the Authority's activities which can include preparation of local development documents, and it has the opportunity to provide input and comment on their content and processes. Members are able to question the Authority and its officers on local planning documents and significant planning applications.
30. In addition to this Forum and the representation by five parish council Members of the Authority itself, great emphasis is given by the Authority to its involvement with parish and town councils of the National Park. In terms of planning, they are routinely consulted on all planning applications within their respective parishes and local development documents. The Authority is also represented on Somerset West and Taunton Council's Exmoor Panel which brings together parish and town councils in the National Park.
31. The Authority provides training to the Parish/Town Councils on planning matters, including planning applications, and provides information and updates on the preparation of local planning documents.

### **Equality**

32. Under the provisions of the Equality Act 2010, the Public Sector Duty requires public authorities to have due regard for equalities considerations when exercising their functions.
33. When consulting on planning documents, it is also important that the protected characteristics of the Equalities Act are taken into consideration; ensuring that all groups of people have the opportunity to access relevant material and are able to participate.
34. In relation to planning applications, a combination of site notices, on line information [and face-to-face meetings](#) means that we have a variety of

---

<sup>8</sup> <https://www.exmoor-nationalpark.gov.uk/about-us/committees/exmoor-consultative-and-parish-forum>

methods to help ensure that the public are informed about proposals in their local area.

## COMMUNITY INVOLVEMENT IN PRACTICE

**EXMOOR NATIONAL PARK AUTHORITY**  
**GUIDING PRINCIPLES FOR COMMUNITY INVOLVEMENT IN PLANNING**

The following principles will determine the Exmoor National Park Authority's approach to engaging the community in informing the determination of planning applications and in preparing planning policy documents:

- Openness, fairness and impartiality
- Maximising opportunities for constructive engagement of relevant communities and undertaking joint consultations where appropriate
- Balancing the resources available for the Authority's responsibilities
- Reaching out to those who have not previously been involved in planning matters
- Ensuring information is clear and avoiding jargon
- Providing feedback on the changes made as a result of consultation
- Recognition that the Authority must act within its powers and responsibilities laid out in legislation

## STATEMENT OF INTENT

35. The Authority will publicise planning applications, invite comments on them, and take such comments into account when it makes decisions on them.

36. The Authority will consult widely on planning policy documents, using a range of methods according to the nature of the document and the likely interest in it. Drafts of planning policy documents will also be published for comment. The comments received will be considered when the Authority is making decisions as to whether to modify these documents or in designating a neighbourhood area. Interested parties will be able to request to be consulted on future local planning documents, and will be advised when the document's preparation reaches the appropriate stage.

37. The Authority will review its arrangements and methods of community involvement as part of the Authority\_Monitoring Report. This will include an



assessment of the effectiveness of these arrangements and consideration of change as a result of suggestions received or emerging examples of good practice.

## **METHODS OF COMMUNITY INVOLVEMENT**

38. Community involvement can take a wide variety of forms, and each has its advantages and disadvantages. As engagement and participation approaches evolve, it is likely that the methods and practices employed by the Authority will also change. The Authority will use a variety of approaches in preparing its local planning documents and will attempt to ensure that these are carried out at times and places convenient to local communities and other stakeholders. The selection of consultation methods will be informed by the guiding principles for community involvement and will balance considerations such as the potential to engage a significant portion of groups most affected or interested, minimise consultation fatigue as much as possible, and take into account any preferences indicated by communities themselves and the availability of resources.

39. Examples of the methods that may be employed include:

- Distribution of documents including availability on the Authority's website, and opportunity to respond via a form, a letter or e-mail;
- Availability of planning officers by phone to discuss proposals or issues;
- Web-based / digital consultation to enable participation on plans and policies via discussion, comments and mapping;
- Surveys which might involve questionnaires, interviews or similar;
- Public exhibitions where informative posters and other material are displayed, and planning officers are in attendance to discuss matters with individual members of the public;
- Drop-in sessions, workshops (where members of the public have the opportunity to engage in group debates and practical exercises);
- Meetings (where the public and community leaders have an opportunity to address the meeting and also put questions to planning officers and other key players) as appropriate.

Publicising consultations through:

- emails/letters,

- press releases<sup>9</sup> and publications such as ParkLife/ Exmoor Visitor;
- social media.

## PLANNING APPLICATIONS

40. The nature of the National Park and the type of development generally occurring within it sets the context for this part of the Statement of Community Involvement. As a relatively remote and sparsely populated rural area, with mainly scattered small settlements, the pace of development is, for the most part, modest.

### Major Planning Applications and Applications of Wider Interest

41. The National Planning Policy Framework (NPPF) presumes against major development within the National Park.<sup>10</sup> As a consequence, there are likely to be few developments of large scale or significant impact. However, this is a matter of planning judgement. The Local Plan includes a Major Development policy which provides an interpretation of major development in the context of the NPPF, which will not necessarily be consistent with the Development Procedure Order definition of major development for the categorisation of planning applications.<sup>11</sup> The environmental quality and national status of Exmoor also means there are individuals and organisations across the country that have a legitimate interest in how this national asset may be affected, and any implications for the wider family of National Parks.
42. Such applications are likely to include most developments which are ‘major’ applications, but also may well include applications which do not technically meet this definition of ‘major’ including those defined by the Local Plan policy for major development.
43. For major planning applications and those applications where Exmoor National Park Authority judges, on the basis of the nature of the application, or the expression of the relevant communities, that an application would have significant implications or interest for the local, or relevant regional or

---

<sup>9</sup> If an article appears in the press, on the radio or on a news or interest website the content of the article or broadcast is at the discretion of the media organisation

<sup>10</sup> MHCLG (2019) National Planning Policy Framework, para. 172

<sup>11</sup> The formal definition of ‘major development’ (for the purposes of consultation on planning applications) is set out in The Town and Country Planning (Development Procedure) (England) Order 2010, and includes – minerals development (i.e. mining, etc.); waste development; housing development of more than 10 units or 0.5 hectares; new building(s) with floorspace 1,000 sqm or more; development of land 1 hectare or more.

national, community, the National Park Authority will pursue a flexible and pragmatic approach with regard to engaging the community such as:

- notifying both local communities and the wider range of parties including those with a national interest in the National Park, to enable public involvement in the assessment of proposals;
- continuing to provide, as resources permit, pre-application advice to potential applicants. We encourage pre-application discussions with planning officers.
- encouraging those promoting a development to consult any individuals or communities who may be affected by their proposals to ensure that concerns can be considered and addressed by the applicant before any application is made. Where a Planning Performance Agreement (PPA) is in place, the applicant is required to ensure that pre-application consultation has been undertaken effectively.<sup>12</sup>

### **Other Planning Applications**

44. The generally limited amount and size of development, and the small size of the settlements, tend to mean that local communities and individuals are understandably interested and concerned about the potential impact of developments that would be regarded as relatively modest in other contexts.

45. The NPA will continue to provide, as resources permit, pre-application advice to potential applicants. We encourage pre-application discussions with planning officers, even for minor schemes, in order to assess whether the principle of development is acceptable and to identify any potential issues that can be resolved prior to the submission of an application. Note that this will not normally include public consultation by the Authority, as this will take place when (or if) a planning application is actually made.

46. All potential applicants are encouraged to discuss their proposal with anyone likely to be affected by or interested in their application in advance of proposals being finalised and an application submitted. The planning case officer or other planning officer will be available at reasonable notice to discuss or explain the proposal by telephone or via email if that is considered appropriate [or in person at Exmoor National Park Authority's offices in Dulverton or at the surgeries at Porlock and Lynton.](#)

47. In addition, the Authority will:

- publish a weekly list of new applications received on its website and also send the list to the parish/town councils in the National Park (if they have an application in their Parish), Somerset West and Taunton

---

<sup>12</sup> Exmoor National Park Authority – Planning Performance Agreement Charter

Council, North Devon Council, Somerset County Council and Devon County Council;

- make planning applications available for inspection ~~at-on the~~ Exmoor National Park Authority's ~~offices and on its~~ website;
- Display, or arrange a site notice to be displayed at the site (or nearest highway in the case of sites with no highway frontage);
- advertise relevant applications in the local newspaper;
- notify neighbours by letter;
- notify the relevant town/parish council or parish meeting, statutory consultees and other bodies likely to be interested in the application based on their individual requirements;
- allow consultees at least 21 days to submit initial representations
- ~~where an application is presented to the Exmoor National Park Authority for its decision the applicant, supporter, objector or other interested parties have the right to request to speak to a meeting of the Authority for a maximum of two minutes before the decision is made (recordings of meetings are available on our website)~~ Where an application is presented to the Exmoor National Park Authority Committee for its decision the applicant, supporter, objector or other interested parties have the right to request to speak to a virtual meeting of the Authority for a maximum of two minutes before the decision is made (recordings of meetings are available on our website).
- publish decisions on planning applications on the Authority's website [www.exmoor-nationalpark.gov.uk/planning](http://www.exmoor-nationalpark.gov.uk/planning)

### Getting in Contact about Planning Applications

Unless you have been advised who the case officer is, in the first instance please contact:

Email: [plan@exmoor-nationalpark.gov.uk](mailto:plan@exmoor-nationalpark.gov.uk)

Write to: Planning Team  
Exmoor National Park Authority  
Exmoor House, Dulverton  
Somerset TA22 9HL

## PLAN MAKING

### Local Plans

48. Local Plans (together with neighbourhood plans) form the ‘development plan’ for each local planning authority. All decisions on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise. Local Plans can contain development strategies, detailed policies, supporting text and maps.
49. Local Plans and Supplementary Planning documents must be prepared in accordance with the relevant regulations in force at the time which include the legal requirements for the stages when a plan should be consulted on and who should be consulted.<sup>13</sup> Planning guidance sets out specified procedures including for consultation. These include preparation of a local development scheme, statement of community involvement, a sustainability appraisal, habitat regulations assessment and examination by an independent planning inspector.
50. We will consult statutory organisations (specific consultation bodies) including Councils, infrastructure providers and Government bodies as legally required or otherwise appropriate, as well as Town / Parish Councils, Parish Meetings, and those on the Authority’s register which is maintained to include contact details of any person or organisation who has expressed an interest in the Plan (see para 78). This may also include local businesses, voluntary and other organisations (including those identified as general consultation bodies) and the general public.
51. The intention is to ensure that there are opportunities for a wide range of local and national organisations / the public to input into the plan’s development.
52. The nature of the consultation will depend on formal regulations, and partly on the subject matter. For example, whether it affects just one village, or is about a specialist topic, or is of more general interest and effect.
53. [Where there is a need to progress plan-making while restrictions are in place to manage the corona virus outbreak, the Authority will seek to achieve effective and practicable community engagement. This is likely to use online engagement such as digital consultations, video conferencing, and the use of social media. Documents will be available for inspection on the Authority’s website. The National Park Authority is mindful that not everyone has access to a reliable broadband signal and / or internet access. We will consider how](#)

---

<sup>13</sup> Town and Country Planning (Local Plan) (England) Regulations 2012

best to ensure those sections of the community without internet access can still be involved. This may include allowing individuals to nominate an advocate to share views on their behalf and/or consulting by telephone or in writing.

54. Legally, local plans must be subject to a review process every five years to determine whether they need reviewing. If evidence from this review indicates that a full or partial review of the Local Plan is needed, the Authority will publicise our intention to start an Exmoor National Park Local Plan review (including the preparation of a revised LDS) on our website, through press releases, Parklife/Exmoor Visitor as appropriate, using social media and through emails/letters and updates through the Authority's networks and at fora/meetings.
55. The Local Development Scheme (LDS) is a project timetable which gives information and detail about the preparation and review of local plan documents and supplementary planning documents in the National Park. The LDS is useful for anyone involved in the plan-making process as it sets out when each document is available for formal consultation. The LDS is available online on the Exmoor National Park Authority website.
56. There are various points in the preparation of Local Plans at which organisations and individuals may become involved. These are set out in paragraphs 61-65 below.
57. As the Local Plan is in preparation consultation documents will be published setting out options, evidence, and draft policies. The final publication of the Plan gives the public an opportunity to make formal representation to a Planning Inspector for independent examination.
58. Planning policy consultations will normally be held for a minimum period of six weeks. Opportunities to submit comments online or electronically will be made available wherever possible.
59. The accompanying Sustainability Appraisal (incorporating a 'Strategic Environmental Assessment') provides an analysis of the potential impact of the proposals (or options) in terms of the environmental, social, and economic dimensions of sustainability. As such it provides an important tool informing the selection and balancing of the contents of the local development document. Comments will be invited on both the local plan and the sustainability appraisal which will evolve alongside it and for consultations on supplementary planning documents.
60. Following consultation, once we have had an opportunity to consider all responses, the comments received, or a summary of them and an indication of how they have been addressed, will be published on the website. This may

be published alongside subsequent stages of consultation.<sup>14</sup> Comments at drop-in sessions will be summarised. Whilst all comments received will be taken into account, it should be noted that we cannot always act upon each one as, in addition to varying views often being put forward, wider considerations must also be taken into account such as national policy and legislation. Those who responded to a consultation and Town / Parish Councils / Meetings will be notified of the adoption of new planning policy documents.

## **Early engagement**

### *Evidence gathering*

61. At the start of Local Plan preparation, neighbouring authorities and bodies with technical knowledge will be approached. Possible methods of involvement/consultation may include discussion, emails and/or letters to assist with evidence gathering. Planning guidance encourages local planning authorities to publish documents forming part of their evidence base as they are completed on their website in an accessible format, rather than waiting until options are published or a local plan is published for representations, to keep communities informed and involved. The Authority will therefore endeavour to publish evidence on its website as it becomes available and to ensure that it is written in plain English

### *Identification of issues*

62. Local communities including Town / Parish Councils/ Meetings, stakeholders, statutory bodies and adjoining authorities will be asked for ideas, views and information on the issues the Plan will address. Possible methods of involvement / consultation may include through the Authority's website, emails/letters, press releases and Parklife/Exmoor Visitor, and use of social media and drop-in sessions / workshops and meetings as appropriate.

### *Options*

63. Local communities and Town / Parish Councils/ Meetings, local businesses, stakeholders / interest groups, statutory bodies, and adjoining authorities will be asked to provide their input into options for the plan. Possible methods of involvement / consultation may include use of the Authority's website,

---

<sup>14</sup> This excludes any comments made at Publication stage which will be considered through the Local Plan Examination by an independent Planning Inspector.

emails/letters, press releases and Parklife/Exmoor Visitor, and social media and drop-in sessions workshops and meetings as appropriate.

### **Draft Plan**

64. Local communities and Town / Parish Councils/ Meetings, local businesses, stakeholders / interest groups, statutory bodies, and adjoining authorities will be consulted on the draft plan. Possible methods of involvement / consultation may include use of the Authority's website, emails/letters, press releases and Parklife/Exmoor Visitor, and social media and drop-in sessions workshops and meetings as appropriate.

### **Publication Plan**

65. Local communities and Town / Parish Councils/ Meetings, local businesses, stakeholders / interest groups, statutory bodies, and adjoining authorities will be consulted on the Publication plan. Possible methods of involvement / consultation may include use of the Authority's website, emails/letters, press releases and Parklife/Exmoor Visitor, and social media and drop-in sessions workshops and meetings as appropriate.

### **Supplementary Planning Documents (SPDs)**

66. These have a lesser status than local plan documents. They give further detail in relation to policies which are already in the development plan (e.g. the Local Plan) and should help applicants make applications or aid infrastructure delivery. We will formally consult statutory bodies, Town / Parish Councils / Meetings and local interest groups on a draft version. Earlier informal consultation arrangements may be held depending on the subject matter and resources available. A formal examination by a Planning Inspector is not required.

### *Evidence Gathering*

67. Those with technical knowledge will be engaged - possible methods of involvement / consultation may include discussions and use of emails / letters.

### *Identifying Issues*



68. Local communities and Town / Parish Councils/ Meetings, local businesses, stakeholders / interest groups, statutory bodies, and adjoining authorities will be consulted. Possible methods of involvement / consultation may include use of the Authority's website, emails/letters, press releases and Parklife/Exmoor Visitor, and social media and drop-in sessions workshops and meetings as appropriate.

*Draft Supplementary Planning Documents*

69. Local communities and Town / Parish Councils/ Meetings, local businesses, stakeholders / interest groups, statutory bodies, and adjoining authorities will be consulted. Possible methods of involvement / consultation may include use of the Authority's website, emails/letters, press releases and Parklife/Exmoor Visitor, and social media and drop-in sessions workshops and meetings as appropriate.

70. The Authority may also produce technical planning guidance/advice which is not subject to consultation because it covers topics of a technical and factual nature.

**Neighbourhood Planning<sup>15</sup>**

71. Neighbourhood development plans, neighbourhood development orders and community right to build are all elements of neighbourhood planning. Once a neighbourhood development plan is brought into force it becomes part of the development plan for the neighbourhood area.

72. Neighbourhood Development Plans (NDPs) are prepared by local communities for their own Parishes or areas with the support and advice from the Local Planning Authority. NDPs are produced by a Neighbourhood Planning Group. This could be formed by a Town or Parish Council, or where there is no recognised council, a Neighbourhood Forum.

73. Local planning authorities are required to set out their policy for discharging their duty to give advice or assistance to qualifying bodies to facilitate proposals for neighbourhood development plans (NDPs) or neighbourhood

---

<sup>15</sup> -This advice and assistance also applies to Neighbourhood Development Orders and Community Right to Build Orders.

development orders (NDOs), including proposals for the modification of NDPs.<sup>16</sup>

74. They are required to support qualifying bodies in the production of their plans and are ultimately responsible for formally incorporating the eventual plan into their statutory planning framework.
75. Exmoor National Park Authority will act as the lead local planning authority (LPA) for Neighbourhood Plan Areas wholly within the Exmoor National Park boundary. Where a Neighbourhood Plan Area falls partly within the National Park and partly within a neighbouring District Council local planning authority (LPA) area, the NPA will liaise with the LPA with the expectation being that the LPA with the main settlement or majority of population within its boundary will act as lead.
76. The role of the Authority is to offer advice and assistance and to take the draft plan through a consultation and examination stage and on to final adoption. In addition, any draft plan or order will need to be subject to a public referendum. As the National Park Authority is not an Election Authority (i.e. it does not hold elections or referenda) responsibility for any referendum will rest with the relevant district council.
77. The following table explains the roles and responsibilities of the qualifying body and the Elections Authority and the National Park Authority and sets out where the National Park Authority will offer support and advice.

Stage	The National Park Authority will...
Designation of a Neighbourhood Plan Area	<ul style="list-style-type: none"> <li>• Explain the Neighbourhood Plan process</li> <li>• Check that the designation of area application is valid and complete</li> <li>• Publicise designation of area application</li> <li>• Designate the area as a Neighbourhood Area where it meets the relevant conditions</li> </ul>

<sup>16</sup> Regulation 4(a) of the [Neighbourhood Planning Act 2017 \(Commencement No 3\) Regulations](#) brought section 6 of the act into force

<p>Draft Plan Preparation</p>	<ul style="list-style-type: none"> <li>• Foster an open and collaborative approach to the development of the NDP. The Neighbourhood Planning Group will carry out consultation for a minimum of 6 weeks on the early stages of the NDP. A Consultation Statement must then be submitted to the Exmoor National Park Authority along with the draft NDP indicating what consultation has been carried out and how it has informed the preparation of the draft NDP.</li> <li>• Offer advice and support, for example on meeting basic conditions, consideration of the need for environmental assessments, suitability of supporting evidence and consultation statement, compatibility with national planning guidance and Local Plan policies.</li> <li>• Share existing information and evidence base work held by the Local Planning Authority, as appropriate and subject to any data protection or confidentiality issues.</li> <li>• Provide an indicative housing provision figure if requested by the qualifying body</li> <li>• Provide constructive comments on the emerging plan and other supporting documents (e.g. Basic Condition Statement) prior to formal submission.</li> </ul>
<p>Submission to Local Planning Authority</p>	<ul style="list-style-type: none"> <li>• Validate, check and publicise the submission for a minimum of 6 weeks. As a minimum, the documents will be published on website and comments</li> </ul>

	invited from prescribed statutory bodies and those who have previously indicated an interest.
Examination	<ul style="list-style-type: none"> <li>● Appoint the examiner and publish all required documents</li> <li>● Make arrangements for any hearing, publicity, notification and make documents available on website as directed by the examiner</li> <li>● Undertake modifications to the NDP as recommended by the examiner</li> <li>● Publish a decision statement on the Authority's website</li> </ul>
Referendum	<ul style="list-style-type: none"> <li>● Inform the electoral authority (EA) as soon as possible of the likely timescale for referendum.</li> <li>● Work with the EA to ensure that the timings and resourcing of referendum are reasonable, clearly understood and agreed in advance.</li> <li>● Meet the reasonable costs of the referendum.</li> </ul>
'Made'	<ul style="list-style-type: none"> <li>● Publish the decision statement on website, advising that the document is now 'made' and forms part of the local plan.</li> <li>● Send a copy of the decision statement to the Neighbourhood Planning Group and advise any person who asked to be notified that the NDP has been made.</li> </ul>

**Consultation Register**

78. If you wish to be notified about the preparation of local planning documents (local plans), planning policy, neighbourhood plans or supplementary planning documents, your details will need to be held on the consultation register. These details are only used for planning policy consultations and held in accordance with the General Data Protection Regulations.

To ensure that your details are logged on our system please contact us by:

Emailing: [localplan@exmoor-nationalpark.gov.uk](mailto:localplan@exmoor-nationalpark.gov.uk)

Writing to: Policy & Community Team  
Exmoor National Park Authority  
Exmoor House  
Dulverton  
Somerset  
TA22 9HL

79. [Please note that while restrictions due to the corona virus outbreak remain, it is preferred that correspondence is conducted via email if at all possible.](#)

### **How we will use your information**

The Authority is registered with the ICO and processes data in accordance with the Data Protection Act 2018 and The General Data Protection Regulation (EU) 2016/679 ( GDPR). The information you share with us in relation to planning policy consultations will be retained on a file and/or electronic database indefinitely for the purpose of providing background evidence for decisions made.

The Local Government (Access to Information) Act 1985 requires that all representations must be available for public inspection (which includes the Press). Comments received will usually be acknowledged, and will be placed on file, on our database and published on our website with your name and the organisation you represent. Personal contact details may be used to provide updates in relation to any representation you may make or notify you of any future consultations, if appropriate. Anonymous submissions cannot be taken into account.

You should not include any personal information in your comments that you would not wish to be made publicly available or make any discriminatory comments. Personal contact information (address, telephone number and email) will not be published. We reserve the right to withhold any comments or parts of comments that are offensive or defamatory. By submitting your comments you are confirming they are your personal views and you agree to accept legal responsibility for your comments and accept that they will be publicly available.