



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
www.exmoor-nationalpark.gov.uk

24 March 2022

EXMOOR NATIONAL PARK AUTHORITY

To: All Members of the Exmoor National Park Authority

A meeting of the Exmoor National Park Authority will be held in the **Committee Room, Exmoor House, Dulverton** on **Tuesday, 5 April 2022 at 10.00am.**

Please Note: The Authority is currently trialling a new meeting format to better manage Authority business, so Agenda items relating to the Authority's role as sole **local planning authority** for the National Park area, including determination of planning applications, will commence at **1.30 pm.**

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).

The meeting will be **recorded**. By entering the Authority's Committee Room and speaking during Public Speaking you are consenting to being recorded. We will make the recording available via our website for members of the public to listen to and/or view, within 72 hours of the meeting taking place.

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

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

Sarah Bryan
Chief Executive
A G E N D A

AGENDA

The meeting will be chaired by Mr R Milton, Chairperson of the Authority.

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 meetings of the Authority held on 1 March 2022 (Item 4)
 - (2) To consider any Matters Arising from those Minutes.

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

6. **Landscapes Review Consultation Response:** To consider the report of the Chief Executive and Head of Strategy and Performance (Item 6)

7. **Update on the Authority's work and approach to Sustainable Tourism:** To consider the report of the Head of Planning and Sustainable Development (Item 7)

8. **Visitor Management and Engagement during 2022:** To consider the report of the Head of Conservation and Access (Item 8)

9. Personnel Update

Starters

04/04/2022 – Peter Haddock – Information Advisor (Lynmouth NPC) – seasonal fixed term post

24/04/2022 – Clare Weeks – Retail Support Officer – permanent post

Leavers

15/04/2022 – Kashmir Flint – Learning and Engagement Ranger – end of fixed term contract

Other

Josephine Bradford – Funding and Project Development Officer – fixed term contract extended to 31/03/2023

10. Any Other Business of Urgency

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 commence at 1.30 pm and will be chaired by Mr S J Pugsley, Deputy Chairperson (Planning). If the Deputy Chairperson (Planning) is absent, the Deputy Chairperson of the Authority shall be preside.

11. Appeals

11.1 To note the **decision** of the Secretary of State for Levelling Up, Housing and Communities to allow the Appeal and grant planning permission for proposed replacement of staff and welfare/office building in accordance with Application 62/41/21/017 – Sparhangar Equestrian Centre & Farm, Barbrook, Lynton, Devon, EX35 6LN

11.2 To note the **decision** of the Secretary of State for Levelling Up, Housing and Communities to dismiss the Appeal in relation to Application 6/20/21/101 – The Hazery, Luxborough, Watchet, Somerset, TA23 0SD

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

Agenda Item	Application No.	Description	Page Nos.
12.1	6/8/21/105	Proposed conversion of single storey barn to residential use either as self-catering holiday accommodation or low rent housing for local people/people working in the vicinity – Lower Cleeve Barns, Cutcombe, Wheddon Cross, TA24 7AS	1 – 24
12.2	6/3/21/120	Proposed construction of Dark Skies Discovery Hub stargazing and seating area – Wimbleball Lake, Hill Lane, Brompton Regis, TA22 9NU	25 - 41

13. Application Decisions Delegated to the Chief Executive: To note the applications determined by the Chief Executive under delegated powers (Item 13).

14. Site Visits: To arrange any site visits agreed by the Committee (the reserve date being Friday, 29 April 2022 (am)).

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, 1 March 2022 at 10.00am in the Committee Room, Exmoor House, Dulverton.

PRESENT

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

Mrs L Blanchard	Mrs C Lawrence
Mr M Ellicott	Mr A Milne
Mr D Elson	Mrs F Nicholson
Mr J Holtom	Miss E Stacey
Mr J Hunt	Mr N Thwaites
Dr M Kelly	Dr S Warren
Mr M Kravis	Mr J Yabsley

Apologies for absence were received from Mr E Ley, Mr J Patrinos, Mr B Revans, Mrs P Webber and Mr V White

121. DECLARATIONS OF INTEREST:

The following declarations were declared in relation to Item 6.1 – Application No. 62/62/21/002 – Proposed erection of cattle building (27.49m x 15.30m) – South Dean Farm, Trentishoe, Parracombe, Barnstaple, EX31 4QB

- Mr J Holtom declared a pecuniary interest as he was representing the Applicant in relation to this application and would therefore leave the meeting when this item was considered.
- Mr D Elson declared a personal interest as the Applicant was a neighbour who was occasionally employed on his farm and would therefore leave the meeting when this item was considered.

In relation to Item 7 – Planning Consultation to Somerset West and Taunton to Planning Application 3/39/21/028 Mr M Kravis, Mrs C Lawrence, Mr A Milne, Mr S J Pugsley and Mr N Thwaites declared having been lobbied by the Friends of Quantock in their capacity as councillors for Somerset County Council and Somerset West and Taunton District Council.

122. CHAIRPERSON'S ANNOUNCEMENTS:

- The Authority was grateful to Dextra Group PLC for their generosity in sponsoring the UK National Parks Conference to be held on Exmoor in September 2022.
- The recent storms had caused extensive damage across Exmoor and had created a lot of work for the Authority's Ranger, Rights of Way and Field Services Teams, which would have a knock-on effect to normal workloads over the coming weeks.

- Following an observation from a member of the public listening back to the Authority meeting recordings, Members were reminded to turn on and clearly speak into their microphones to ensure their words were captured on the recording.

123. MINUTES

- Confirmation:** The **Minutes** of the Authority's meeting held on 1 February 2022 were agreed and signed as a correct record.
- Matters arising:** There were no matters arising

124. PUBLIC SPEAKING: See Minute 128 and 131 for details of public speakers

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

DEVELOPMENT MANAGEMENT

Before the Officer presentation, Mr D Elson and Mr J Holtom left the meeting room

125. Application No. 62/62/21/002

Location: South Dean Farm, Trentishoe, Parracombe, Barnstaple, EX31 4QB
Proposal: Proposed erection of cattle building (27.59m x 15.30m)

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

The Authority's Consideration

Prior to the Officer presentation, the Committee noted two minor corrections to the report – on Page 1, under the Site Description & Proposal heading, the beginning of the second sentence should read "Before the development **is** constructed..." and on Page 4, under the Planning Background heading, the end of the third paragraph should refer to "... (reference 62/62/21/**003**)".

The meeting also noted that Officers considered a further condition should be added to those contained within the report in relation to the landscapes works proposed. Whilst Condition 2 would ensure that landscaping works were carried out, it was considered they should be completed before the end of the first planting season, following the completion of the erection of the building. This would help ensure assimilation of the development into the surrounding landscape as quickly as possible.

The Authority Committee agreed with the Officer recommendation and resolved to grant planning permission subject to all the conditions outlined.

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

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

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

2. The works hereby approved shall not be carried out except in complete accordance with drawings numbered File No 1 (Location Plan), File No.2, File No.4, File No.5, File No.6, File No.7, File No.8 & File No.9 and date stamped 20th April 2021.

Reason: For the avoidance of doubt and to ensure the works accord with the approved details.

3. The site must be drained on a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul drainage.

Reason: To prevent pollution of the water environment.

4. No farm effluent or contaminated surface water, including wash down water shall be discharged into any watercourses or water sources.

Reason: To prevent pollution of the water environment and to ensure that the development does not increase risk of flooding from surface water discharge.

5. Where the development hereby approved ceases to be used for the purposes applied for within ten years from the date of this permission and planning permission has not been granted authorising development for purposes other than those set out under the above condition within three years of the permanent cessation of the authorised uses, and there is no outstanding appeal, the development must be removed unless the Local Planning Authority has otherwise previously agreed in writing.

Reason: For the strict control of development in the countryside and the Local Planning Authority wishes to ensure that the development is used solely for the purposes hereby permitted.

6. The development hereby approved shall be used solely for the purposes of agriculture or horticulture as defined under Section 336 of the Town & Country Planning Act 1990.

Reason: To ensure that the development hereby permitted is used solely for the purposes of agriculture and horticulture.

7. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no external lighting shall be installed on the development hereby approved unless details have first been submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter be installed and operated fully in accordance with the approved scheme.

Reason: In the interests of visual amenity, the conservation of protected species and habitats and to protect Exmoor's dark night sky

8. The proposed creation of an earth bank and associated landscape work hereby approved shall be carried out before the end of the first available planting season following the substantial completion of works to erect the cattle building and any works shall be completed in strict accordance with the details as shown on plans File No.7 & File No.8.

Any trees or plants which within a period of 10 years from the date of this decision die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to a variation.

Reason: To assimilate the development into the landscape

After the vote, Mr D Elson and Mr J Holtom returned to the meeting room

126. Application No: 62/41/22/015DC

Location: Valley of the Rocks, Road from Hollerday Gate to Castle Rock, Lynton, EX35 6JH

Proposal: Proposed Discharge of Condition 4 (scheme of investigation for archaeological work) of application 62/41/21/019

The Authority considered the [report](#) of the Head of Planning and Sustainable Development.

RESOLVED: To approve the details and discharge Condition 4 of planning permission 62/41/21/019.

127. PLANNING CONSULTATION TO SOMERSET WEST AND TAUNTON TO PLANNING APPLICATION 3/39/21/028 – INSTALLATION OF A GROUND MOUNTED SOLAR FARM WITH BATTERY STORAGE AND ASSOCIATED EQUIPMENT

The Authority considered the [report](#) of the Head of Planning and Sustainable Development.

The Authority's Consideration

The Authority Committee expressed concerns that the Landscape and Visual Impact Assessment exercise carried out had not included a formal assessment of the impact of the proposed development on the setting of the National Park.

Members had strong reservations about the scale and massing of the proposed development and considered that it would have an adverse impact on views from within the National Park and would therefore cause harm to its setting.

The Committee unanimously agreed that the proposed Officer comments should be strengthened and submitted to Somerset West and Taunton Council.

RESOLVED: To recommend that Somerset West and Taunton Council be advised of the Authority's comments to the proposal and the impact on the setting of Exmoor National Park.

128. APPLICATION DECISIONS DELEGATED TO THE CHIEF EXECUTIVE: The Authority noted the [decisions of the Chief Executive determined under delegated powers](#).

Public Speaking: Mr N Furze

Mr Furze was the agent for planning application 6/35/21/103 noted in the report and raised his disagreement to the decision of the Planning Service to delegate the

decision to refuse the planning application. The Parish Council had commented on the application and Mr Furze considered their comments to be supportive of the proposal.

The Head of Planning explained that Parish and Town Council's had received training on the interpretation of the Scheme of Delegation and that only comments that explicitly identified that a Parish Council supported or objected to a proposal, contrary to the Planning Service view, would potentially lead to an application being considered by the Planning Committee.

129. SITE VISITS: There were no site visits to arrange.

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

The meeting closed for recess at 11.14 am and reconvened at 11.28am.

130. MEDIUM TERM FINANCIAL PLAN 2022/23 TO 2026/27 AND BUDGET 2022/23

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

RESOLVED:

- (1) To adopt the Medium Term Financial Plan at Appendix 1 to the report and agree the Financial Strategy that underpins the MTFP and Budget as set out in Section 8.
- (2) To approve the Core and Programmes, Partnerships and Contributions to Reserves Budget for 2022/23 as summarised in Appendices 2 and 3 to the report.
- (3) To approve the Capital Investment Strategy shown in Section 6 of the report.
- (4) To note the positions on Reserves as detailed in Appendix 5 to the report.

131. EXMOOR NATIONAL PARK AUTHORITY CORPORATE PLAN 2022-23

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

Public Speaking: Mr R Foxwell, Local Resident

The Authority's Consideration

In relation to concerns raised by the Public Speaker, it was confirmed that a discussion about the Governments' consultation into the Landscapes Review was on the Agenda for the Exmoor Consultative & Parish Forum scheduled for Thursday, 17th March. The Authority had widely publicised the consultation via its website, partnership working links and social media presence and were strongly encouraging the local community to submit their own individual responses to the consultation.

The Authority Committee were supportive of the proposed content of the Exmoor National Park Authority Corporate Plan 2022-23, however requested that consideration be given to making amendments to reflect the following specific areas:-

- Endeavour to weave FiPL and the upcoming ELMS more strategically into the actions to be achieved
- Include reference to a more flexible and blended approach to working as a result of the pandemic and to reflect climate emergency pledges
- Ensure that sufficient resources are allocated to heritage and landscape work and not just put into areas such as nature recovery
- Ensure that we are engaging with the community and providing the means for a two-way flow of information
- Welcome new ways to engage young people, with an initial focus on climate change.
- Harness the Authority's influence in relation to education and training to help improve prospects for the local community
- Build on the opportunities highlighted by the Rural Enterprise Exmoor Vision
- Include reference to the need to ensure food security, recognising the intrinsic links between landscape, landscape management and why the National Park was designated
- Recognise that we are going through a time of huge change and external pressures that we cannot control, but need to remain flexible and ready to adapt to these changes

RESOLVED:

- (1) To approve the Exmoor National Park Authority Corporate Plan 2022-23.
- (2) To delegate to the Chief Executive and Chairperson authority to agree minor amendments following Member discussion and in the light of National Park grant budget settlement, and production of final Plan.

132. PINKERY OUTDOOR EDUCATION CENTRE DECARBONISATION PLANS

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

The Authority's Consideration

The Head of Strategy and Performance was joined by the Pinkery Centre Manager to deliver the presentation on the Centre's decarbonisation plans. Committee Members were delighted that the Authority had secured grant funding which would enable the continued development of Pinkery as a centre of excellence for demonstrating and educating people about climate change, including different renewable energy technologies and climate mitigation through nature recovery.

The Authority Committee welcomed the fact that Pinkery's existing renewable energy systems – wind turbine, solar PV, solar thermal and battery store – would soon have biomass technology added to the mix. In addition, it would provide the opportunity to further educate the school groups who visited Pinkery on these renewable energy technologies, and it was hoped that the Centre could be used as a case study to help a wider audience understand better how rural buildings could be decarbonised.

RESOLVED:

- (1) To note the grand funding secured for the Pinkery decarbonization project in Section 2 of the report.
- (2) To agree to allocate additional funding from the Reserves Estate to provide project management, two wood burners, and contingency (see paragraph 3.2 of the report).

133. TREASURY MANAGEMENT STRATEGY STATEMENT 2022-23

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

RESOLVED:

- (1) To note the report of the Chief Finance Officer.
- (2) To approve the proposed Treasury Management Strategy for 2022-23 as set out in Sections 2 and 3 of the report.
- (3) To note the Prudential Indicators for 2022-23 to 2024-25 as set out in Section 4 of the report (although some are currently set a zero, all Treasury Management indicators are included for completeness of information and others may well be used in the future).

134. SCHEME OF MEMBER ALLOWANCES 2022-23

The Authority considered the [report](#) of the Head of Finance and Operations

The Authority's Consideration

The Head of Finance and Operations advised the Committee that an increase of 1.75% had just been announced in relation to the staff cost of living pay award for the period 1 April 2021 to 31 March 2022. Adjustments would therefore be made to the Basic Allowance and Members' expenses would be uplifted and backdated to reflect this change. It was not known when agreement would be reached in relation to the staff pay award for the period 1 April 2022 to 31 March 2023.

RESOLVED: To adopt the Scheme of Members' Allowances 2022/23 as set out in Appendix 1 to the report, subject to future adjustments to Members' Allowances as linked to staff cost of living pay awards.

135. PERSONNEL UPDATE: The Authority noted the recent staff changes as set out on the agenda. On behalf of Members, the Chairperson thanked those staff who were leaving the Authority for their professionalism and commitment towards carrying out the important work of the Authority.

136. ANY OTHER BUSINESS OF URGENCY: There was none

The meeting closed at 12.56pm

(Chairperson)

EXMOOR NATIONAL PARK AUTHORITY

5 APRIL 2022

LANDSCAPES REVIEW CONSULTATION RESPONSE

Report of the Chief Executive and Head of Strategy and Performance

Purpose of Report: To comment on and approve the Authority's response to the consultation on the Government's response to the Landscapes Review

RECOMMENDATIONS: The Authority is recommended to:

- (1) NOTE the Government's response to the Landscapes Review.
- (2) AGREE the response to the consultation (see para 3.2) and delegate to the Chief Executive in consultation with the Chairperson of the Authority, to agree and submit the final response in the light of any additional comments from Members.

Authority Priority: A valued asset: Work with Defra and other Protected Landscapes to strengthen joint working and respond to the Landscapes Review recommendations.

Legal and Equality Implications: Section 65(4) Environment Act 1995 – provides powers to the National Park Authority to “do anything which in the opinion of the Authority, is calculated to facilitate, or is conducive or incidental to:-

- (a) the accomplishment of the purposes mentioned in s. 65 (1) [National Park purposes]
- (b) the carrying out of any functions conferred on it by virtue of any other enactment.”

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). The consultation includes measures relating to diversity and inclusion.

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 the Human Rights Act.

Financial and Risk implications: The proposals in the Government's response to the Landscape Review will have financial implications for the Authority if implemented.

Climate response: The consultation includes proposals to address climate change.

1. Background

- 1.1 The Government's formal response to the independent review of National Parks and Areas of Outstanding Natural Beauty (AONBs) led by Julian Glover was published on 15 January 2022. The response can be accessed via: [Landscapes review \(National Parks and AONBs\): government response - GOV.UK](https://www.gov.uk/government/consultations/landscapes-review-national-parks-and-aonbs) (www.gov.uk)

- 1.2 The response includes summary of action that has already been taken relating to various of the Glover recommendations, and a consultation on other proposals which the Government is seeking further views on including proposed changes that would require primary legislation. The consultation runs until 9 April 2022.
- 1.3 The Landscapes Review (Glover report) reported in September 2019, and details are available via [Landscapes review: National Parks and AONBs - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/landscapes-review-national-parks-and-aonbs). The Review contained 27 detailed proposals covering five themes:
- Landscape alive for nature and beauty
 - Landscapes for everyone
 - Living in landscapes
 - More special places
 - New ways of working

2. Government response to the Landscapes Review

- 2.1 The government response is structured around four different themes:
- A more coherent national network
 - Nature and climate
 - People and place
 - Supporting local delivery
- 2.2 Whilst the Government's response covers all the Glover recommendations, not all are being consulted on. Some are considered to be dealt with by other consultations or legislative changes such as planning reforms, and not all recommendations are accepted.
- 2.3 The consultation paper also sets out a revised vision for protected landscapes: *"A coherent national network of beautiful, nature-rich spaces that all parts of society can easily access and enjoy. Protected landscapes will support thriving local communities and economies, improve our public health and wellbeing, drive forward nature recovery, and build our resilience to climate change"* (page 3).

3. ENPA response to the Consultation

- 3.1 The proposed response to the consultation is set out in the Appendix.
- 3.2 Following discussions with Members, a final response will be approved by the Chairperson and Chief Executive and submitted to Defra.

4. Wider Exmoor response

- 4.1 Details of the Government's response and consultation were circulated to our partners on Exmoor, and we encouraged them to submit their own response to the public consultation. We also publicised the consultation more widely through our social media channel.

- 4.2 We met with the Chairs of our Partnership Plan groups and key partners to discuss the consultation, and also discussed this with the Exmoor Parish and Consultative Forum (which includes parish and town councils and other partner organisations and networks).
- 4.3 A summary of the comments from these discussions is given below:
- Any changes to the wording of the statutory purposes needs to be future-proof and avoid current ‘buzz’ words such as ‘natural capital’.
 - National Park Authorities should not become a local arm of Defra. Local expertise is key.
 - A one size fits all would not work for National Parks due to the diversity of different farming types within each.
 - The historic environment is not highlighted strongly enough in the review.
 - The funding for Sites of Special Scientific Interest (SSSIs) is too remote from what is actually happening in situ. The new Environmental Land Management scheme and SSSIs do not work together.
 - There is support amongst some in the local community for the third purpose on social economic duty to become a statutory purpose and for local community needs to be considered more seriously.
 - The proposal for a Secretary of State appointed Chair was not supported as that would be undemocratic.

5. ENPA response to date

- 5.1 Whilst waiting for the formal Government response to the Landscapes Review the Authority has acted on the Review’s proposals where we have been able to. We continue to focus on the Government’s key priorities; to connect people with Exmoor’s special qualities, particularly new audiences, to reduce our carbon footprint, to take forward the nature recovery vision. We are also exploring how we can use the ENPA Estate and the Farming in Protected Landscapes Programme to deliver these objectives. Some recent examples include:
- Adoption of the Exmoor Nature Recovery Vision
 - Working with the farming community and partners on Exmoor’s Ambition and completing a Test and Trial for Defra to feed into the new Environmental Land Management Scheme
 - Delivering the Farming in Protected Landscapes Programme
 - Adopting a climate action plan for ENPA and taking action to decarbonize ENPA buildings, including securing funding for energy efficiency measures and renewable energy at Pinkery Outdoor Education Centre
 - Woodland creation on the ENPA Estate at Bye Wood, and establishing a tree nursery at Exford
 - Seeking new ways to engage with young people including working with school groups on climate action, and hosting two cohorts of Exmoor Young Rangers

- Working with partners to review delivery of the Partnership Plan, and producing a mid-term progress report
- Adapting our visitor management and engagement approach to support new audiences, putting more resources into engagement at popular sites and pop-up events
- Considering options for reducing Board size, particularly in the light of the creation of a new unitary authority in Somerset
- Considering how greater diversity in Board membership might be achieved

5.2 We will continue to work closely with other Protected Landscapes and Defra to feed into discussions on the Landscapes Review.

Sarah Bryan
Chief Executive

Clare Reid
Head of Strategy & Performance

March 2022

Item 6 - Appendix

Questions <i>(text in italics extracted from the consultation report)</i>	ENPA proposed consultation response
1. Do you want your responses to be confidential? If yes, please give your reason.	No
2. What is your name?	
3. What is your email address?	
4. Where are you located? North East/North West/Yorkshire and The Humber/East Midlands/West Midlands/East of England/London/South East/South West/Remote	South West
5. Which of the following do you identify yourself as? National Park Authority or the Broads Authority/AONB team/Local authority/Other public body/Environmental NGO/Other NGO/Professional body/Academic/Business/Resident of a protected landscape/Member of the general public/Other	National Park Authority (NPA)
A stronger mission for nature recovery (p10)	
6. Should a strengthened first purpose of protected landscapes follow the proposals set out in Chapter 2? <i>We agree with Proposal 1 that the current statutory purpose to 'conserve and enhance' is not strong enough. This does not reflect that many of our existing landscapes are now badly degraded, or the urgency of the fight to tackle biodiversity loss. We will therefore strengthen this purpose, making it clear that we need to actively recover nature in these areas, rather than simply conserve what remains. We</i>	Yes The statutory purposes have stood the test of time but we are open to them being updated to reflect current ambitions for National Parks and the outcomes the nation is seeking from them. Whilst there are benefits to modernising some of the language used, any changes to the wording of the statutory purposes should be simple and avoid jargon, particularly using phrases that are not easily understood by the public and may become outdated e.g. natural capital, ecosystem

Questions <i>(text in italics extracted from the consultation report)</i>	ENPA proposed consultation response
<i>propose to amend the current statutory purpose so that: • A core function of protected landscapes should be to drive nature recovery • A revised purpose should be more specific with regards to nature outcomes and explicitly mention biodiversity • The principle of natural capital should also be included to capture the societal value of nature in our protected landscapes and encompass a broader range of ecosystem services</i>	services. However, if natural capital is included in the wording, this should include natural <u>and cultural</u> capital.
7. Which other priorities should be reflected in a strengthened first purpose e.g. climate, cultural heritage?	<p>It is critical that any changes to the statutory purposes do not lose any of the integral components of natural beauty, wildlife and cultural heritage (both tangible and intangible). These are inter-linked and have equal importance / weight. We would strongly oppose any changes that weaken the priority given to natural beauty / landscape and cultural heritage.</p> <p>We are very concerned at the lack of reference to cultural heritage in the proposed vision for Protected Landscapes.</p> <p>We support proposals to include reference to climate change in the statutory purposes as this would give greater weight and recognition of the key role National Parks can play in climate mitigation and adaptation</p> <p>As NPAs we would wish to work closely with Government on any proposed changes to the wording of the statutory purposes and duty</p>
Agricultural transition (p12)	
8. Do you support any of the following options as we develop the role of protected landscapes in the new environmental land management schemes? Tick all that apply.	

Questions <i>(text in italics extracted from the consultation report)</i>	ENPA proposed consultation response
<ul style="list-style-type: none"> • Designing the environmental land management schemes in a way that works for all farmers and land managers, including the specific circumstances for those in protected landscapes, recognising that farmers in these areas are well-placed to deliver on our environmental priorities. 	Yes
<ul style="list-style-type: none"> • Using Local Nature Recovery Strategies to identify projects or habitats within protected landscapes. 	Yes However these should not be the only strategies used to prioritise ELMS funding, and reference should also be made to other strategies particularly National Park Management Plans, historic environment, access strategies and so on
<ul style="list-style-type: none"> • Monitoring the effectiveness and uptake of the new environmental land management schemes in protected landscapes. Using this to inform whether further interventions are needed to ensure we are on track for wider nature recovery ambitions. 	Yes
<ul style="list-style-type: none"> • Creating a clear role for protected landscape organisations in the preparation of Local Nature Recovery Strategies. Our recent LNRS consultation specifically asks for views on the role of different organisations in the preparation of LNRSs, including protected landscapes. 	Yes
<ul style="list-style-type: none"> • Building on FiPL, empowering protected landscapes to support decision-making and delivery against agreed priorities, including through dedicated project coordinators and advisers. 	Yes

Questions <i>(text in italics extracted from the consultation report)</i>	ENPA proposed consultation response
<p>9. Do you have any views or supporting evidence you would like to input as we develop the role of protected landscapes in the new environmental land management schemes?</p>	<p>The new Environmental Land Management Scheme (ELMS) is critical to create the right incentives for land managers and is central to delivering National Park purposes and National Park Management Plans.</p> <p>On Exmoor and in other National Parks we have a track record of delivery through for example Exmoor’s Ambition and the Test and Trial carried out for Defra. We have good relationships and trust with our farming community built up over many years and supported through the Exmoor Hill Farming Network.</p> <p>Discussions with our partners including farming and forestry representatives emphasised the critical need for expert and trusted <u>local</u> advice on ELMS, including the Farming in Protected Landscapes programme (FiPI), and support for the NPAs helping to provide this.</p> <p>The current pace and scale of change is creating uncertainty for farming communities. There is a need for clarity over the level of funding and remit of the new ELMS</p>
<p>A stronger mission for connecting people and places (p14)</p>	
<p>10. Should AONBs have a second purpose relating to connecting people and places, equivalent to that of National Parks?</p>	<p>No response</p>
<p>11. Should a strengthened second purpose of protected landscapes follow the proposals set out in Chapter 3 to improve connections to all parts of society with our protected landscapes?</p> <p><i>We propose to amend the current statutory purpose to:</i></p> <ul style="list-style-type: none"> • <i>Highlight the need to improve opportunities and remove</i> 	<p>Yes</p>

Questions <i>(text in italics extracted from the consultation report)</i>	ENPA proposed consultation response
<i>barriers to access for all parts of society • Clearly reference public health and wellbeing as an outcome • Take a more active role in supporting access than just promoting opportunities</i>	
<p>12. Are there any other priorities that should be reflected in a strengthened second purpose?</p>	<p>The statutory purposes have stood the test of time but we are open to them being updated to reflect current ambitions for National Parks and the outcomes the nation is seeking from them.</p> <p>Specific reference to health and well-being and improving access & opportunities for all will formalise and recognise the work NPAs are already doing in relation to both of these objectives.</p> <p>Widening the statutory purposes will have resource implications and there will be a limit to what more NPAs can do on accessibility, inclusion and health and well-being without additional resources.</p> <p>Any changes to the statutory purposes should not lose reference to the “special qualities” of the National Park. These are defined in Management Plans and are an important tool for decision-making, especially in planning decisions.</p> <p>The consultation report makes reference to the Sandford principle, which provides an important guide for decision-making where conflicts between the two statutory purposes cannot be resolved. It is important to note that widening the purposes to include other aspects such as climate change, health and well-being, etc potentially adds to tensions and it will be important to have clear guidance on how these should be resolved.</p> <p>As NPAs we would wish to work closely with Government on any proposed changes to the wording of the statutory purposes and duty</p>

Questions <i>(text in italics extracted from the consultation report)</i>	ENPA proposed consultation response
Managing visitor pressures (p16)	
13. Do you support any of the following options to grant National Park Authorities and the Broads Authority greater enforcement powers to manage visitor pressures? Tick all that apply.	Visitor pressures are generally well managed in Exmoor National Park currently. However we would not object to additional powers which could then be used should the issue arise, although this would have resource implications. Generally these powers reside better with the police or local highway authority
• Issue Fixed Penalty Notices for byelaw infringements	
• Make Public Space Protection Orders (PSPOs)	
• Issue Traffic Regulation Orders (TROs) to control the amount and type of traffic on roads	
14. Should we give National Park Authorities and the Broads Authority and local highway authorities additional powers to restrict recreational motor vehicle use on unsealed routes?	These are not particular issues within Exmoor National Park currently, partly because we have very few legal routes. However we would not object to additional powers which could then be used should the issue arise, although this would have resource implications.
15. For which reasons should National Park Authorities, the Broads Authority and local authorities exercise this power?	
• Environmental protection	Yes
• Prevention of damage	Yes
• Nuisance	Yes
• Amenity	Yes

Questions <i>(text in italics extracted from the consultation report)</i>	ENPA proposed consultation response
• Other [PLEASE STATE]	
16. Should we legislate to restrict the use of motor vehicles on unsealed unclassified roads for recreational use, subject to appropriate exemptions?	We do not have many routes where this is an issue on Exmoor. We are not sure how the proposals in the consultation could be made to work in practice.
17. What exemptions do you think would be required to protect the rights and enjoyment of other users e.g., residents, businesses etc?	Any legitimate access to property and land.
The role of AONB teams in planning (p18)	
18. What roles should AONBs teams play in the plan-making process to achieve better outcomes?	No response
19. Should AONB teams be made statutory consultees for development management?	No response
20. If yes, what type of planning applications should AONB teams be consulted on?	No response
• AONB teams should formally agree with local planning authorities which planning applications should be consulted on.	No response
• AONB teams should be consulted on all planning applications that require an Environmental Impact	No response

Questions <i>(text in italics extracted from the consultation report)</i>	ENPA proposed consultation response
Assessment and are categorised as ‘major development’ as well as Nationally Significant Infrastructure Projects.	
<ul style="list-style-type: none"> • Other [Please state] 	No response
Local governance (p20)	
21. Which of the following measures would you support to improve local governance? Tick all that apply.	
<ul style="list-style-type: none"> • Improved training and materials 	Yes
<ul style="list-style-type: none"> • Streamlined process for removing underperforming members <p><i>Setting clear performance standards and agreed expectations will get the best out of board members and deliver better outcomes. This could include a standard role profile, a shared code of conduct, regular skills audits, and improved training. To empower boards to address poor performance, these measures should be supplemented by performance reviews, fixed-term appointments, and a streamlined process for removing underperforming members</i></p>	Performance management should be dealt with locally within agreed expectations / framework, and with reference to the nominating bodies for the member in question
<ul style="list-style-type: none"> • Greater use of advisory panels <p><i>We would like to see greater integration of advisory panels into the development and implementation of statutory management plans by providing specialist expertise and</i></p>	Yes, but the detailed arrangements of the advisory panels should be something decided locally not imposed as each National Park will be different

Questions <i>(text in italics extracted from the consultation report)</i>	ENPA proposed consultation response
<i>ensuring local voices are heard on decisions that impact local communities</i>	
<ul style="list-style-type: none"> • Greater flexibility over the proportion of national, parish and local appointments <p><i>We disagree with proposal 26 that all members be appointed nationally given the important role locally elected members play in giving the boards democratic legitimacy. Instead, we are considering removing the strict legislative requirements for a specific ratio between appointment types. Boards would still need national, parish, and local authority members but they would have more flexibility to balance diversity and expertise with strong democratic oversight in accordance with the needs of their specific area.</i></p>	<p>It is welcome that the value of both local and national representation on the Boards is recognised.</p> <p>Whilst there may be merit in allowing greater flexibility for example to bring more diversity onto the Boards, the current make-up of the Boards is carefully balanced</p>
<ul style="list-style-type: none"> • Merit-based criteria for local authority appointments <p><i>Another option would be to introduce a more merit-based approach to local nominations, encouraging local authorities to put forward their best candidates considering similar desirable criteria as Secretary of State appointees. This would retain vital democratic accountability while helping to identify the best local representatives to create engaged, diverse, and appropriately skilled boards</i></p>	<p>Local authority appointments are currently determined by the local authority. On Exmoor we have parts of two district and two county councils within the National Park. It is the elected members who represent the geographical areas within the National Park who are usually nominated onto the Authority. This is important to give legitimacy to local decision-making, particularly in planning.</p>
<ul style="list-style-type: none"> • Reduced board size <p><i>Reducing board sizes would simplify decision-making processes, boost efficiency and follow best practice governance models. Proposal 26 recommended capping boards at 12 members, but this may not be appropriate in areas with large numbers of local authorities. We are</i></p>	<p>On Exmoor there are currently 22 Board members and around 60 core staff plus an additional 10-15 project staff. Board members receive a basic annual allowance of around £2,800, with additional allowances for the Chairpersons. This is index linked. The total cost of member allowances and expenses is around £100,000 annually.</p>

Questions <i>(text in italics extracted from the consultation report)</i>	ENPA proposed consultation response
<i>already in discussion with a number of National Park Authorities about potential board reductions on a case-by-case basis. Reductions should not be at the expense of the skills, expertise and diversity needed. In cases where a large board is necessary or advantageous, clear guidance on structuring and organization may boost efficiency</i>	<p>In considering Board size it is important to consider:</p> <ul style="list-style-type: none"> - Balance between Secretary of State, local authority and parish council nominated members - Proportionate representation geographically - Proportionate numbers of members compared to staff - Need for diversity and inclusion, although this can be difficult to achieve within the current system due to the lack of diversity amongst local populations and consequently the locally elected representatives - The independence, role and function of NPAs as special purpose local authorities, not arms-length bodies
<ul style="list-style-type: none"> • Secretary of State appointed chair <p><i>Currently, boards select a chair from amongst their members. Proposal 26 suggested that the chair should be appointed by the Secretary of State, in line with Defra’s public bodies, which we believe could provide greater continuity, strategic direction, and accountability.</i></p>	<p>No.</p> <p>This is not supported as it is important for the Chairperson to be appointed by the other members to ensure they have the support and confidence of the Board. The Chairperson is appointed annually and can serve for six years, providing continuity and experience.</p>
<ul style="list-style-type: none"> • Other [Please state] 	No response
A clearer role for public bodies (p22)	
<p>22. Should statutory duties be strengthened so that they are given greater weight when exercising public functions?</p> <p><i>Public bodies have a huge influence on the protection and management of protected landscapes through their policies, programmes, projects, authorisations, and land management practices. It is therefore essential that they</i></p>	<p>Yes</p> <p>We support these proposals and the strengthening of the statutory duties will enhance the partnership approach we take to preparing and delivering our National Park Management Plan.</p>

Questions <i>(text in italics extracted from the consultation report)</i>	ENPA proposed consultation response
<p><i>take account of the statutory purposes and the relevant management objectives when making decisions relating to protected landscapes, whilst carefully balancing this with the needs of other legitimate land uses such as forestry, agriculture or defence. Proposal 3 highlighted that the existing duties for public bodies to ‘have regard’ to the statutory purposes are too weak. The vagueness of the duties can lead to disagreements about their interpretation and allow damaging practices to occur. We therefore propose strengthening the wording of these statutory duties so that they are given greater weight when exercising public functions.</i></p>	
<p>23. Should statutory duties be made clearer with regards to the role of public bodies in preparing and implementing management plans?</p> <p><i>The current duties are also not clear that public bodies are expected to contribute to the delivery of management plans, which can lead to the underperformance of key partners and under-delivery of management plan objectives. The wording should also be made clearer with regards to the role of public bodies in preparing and implementing management plans. The government will produce guidance for public bodies on the application of the strengthened duties, making it clearer when and how it should be discharged in respect of public functions</i></p>	<p>Yes</p> <p>We agree that this would help to provide greater clarity and buy-in to partner contributions to the Partnership Plan. However, this should not give undue weight to public bodies compared to other non-statutory and local partners.</p>
<p>General power of competence (p24)</p>	
<p>24. Should National Parks Authorities and the Broads Authority have a general power of competence?</p>	<p>Yes</p>

Questions <i>(text in italics extracted from the consultation report)</i>	ENPA proposed consultation response
<p><i>National Park Authorities and the Broads Authority currently have specific powers to carry out activities clearly related to their statutory functions. However, this can create uncertainty around the activities that they can legally undertake, particularly related to commercial operations and partnerships. Given that we would like our lead partners to fully explore the commercial opportunities arising from green finance (described above), we do not want them to be constrained by this limited power of competence. We are considering broadening the legal competence of National Park Authorities and the Broads Authority to a more general power, similar to that of local authorities. We believe this would support a more innovative and proactive role for the protected landscapes and reduce legal risks associated with a wider range of activities such as affordable housing, public health, and sustainable transport, or working beyond their boundaries.</i></p>	<p>We would support legal clarification on the Authorities' general power of competence. This is increasingly important given the need to continue to grow external income and partnerships</p>
<p>25. If you have any further comments on any of the proposals in this document, please include them here.</p>	<p>Whilst we welcome the ambition in the consultation, there is a disconnect between this and the resources available to deliver them. In reality, the ongoing reduction in National Park grant means that we will have to look at reducing what we do, not expanding it. There is a limit to how much external funding or private finance we can attract, and it takes significant resource to do this. As we are a delivery agent of Defra, we will discuss with them where these cuts should fall.</p> <p>One area that we feel should be looked at is the way the National Park grant is allocated, with the aim of reducing the gap between highest and lowest funded NPAs, and recognising the differing abilities of NPAs to raise other sources of income. Given we all have to do the basic functions</p>

Questions <i>(text in italics extracted from the consultation report)</i>	ENPA proposed consultation response
	<p>of running an organisation and delivering services such as planning, the economies of scale are very different for the smaller NPAs.</p> <p>It is disappointing that the Glover report ambitions of a night under the stars for every child, and resources for more Rangers have not materialised.</p> <p>To support NPAs to carry out their functions we would welcome a stronger role from Defra/NE to provide data and monitoring cut to National Park boundaries.</p> <p>From an external perspective, the number of central organisations working for Protected Landscapes creates confusion. We would welcome a refresh and re-purposing of the national bodies.</p> <p>While many in the local community would welcome the NPs having a 3rd purpose covering socio-economic wellbeing, there is a risk that this could divert scarce resources and potentially create more difficulty for already finely balanced decision-making.</p> <p>There is very little in the consultation document about planning and affordable housing. Whilst we recognise that these are being taken forward outside the Landscapes Review through the Government's planning reforms, we would emphasise the significance of these reforms to Protected Landscapes and would welcome closer dialogue between the Department for Levelling Up, Housing and Communities and Protected Landscapes regarding the proposed changes. Issues around housing affordability in National Parks are becoming acute, and we would encourage Government to look at measures being taken elsewhere such as the proposals in Wales to improve planning controls over second homes and increasing council tax, so that housing in the National Parks remains within reach of local communities.</p>

EXMOOR NATIONAL PARK AUTHORITY

5 April 2022

UPDATE ON THE AUTHORITY'S WORK AND APPROACH TO SUSTAINABLE TOURISM

Report of the Head of Planning and Sustainable Development

Purpose of Report: To brief Members on the work and approach of the National Park Authority in relation to sustainable tourism.

RECOMMENDATIONS: The Authority is recommended to:

- (1) NOTE the results of the visitor survey and work undertaken in recent years.
- (2) APPROVE the Authority's representatives (Evelyn Stacey as current Member representative appointed to June 2022 and the Authority's Rural Enterprise Manager) as specialist advisors to the newly formed Visit Exmoor structure (Exmoor Tourism CIC).
- (3) AFFIRM the Authority's role in tourism as set out in Section 5 of the report.

Authority priority: The Exmoor National Park Partnership Plan identifies a priority for 'Thriving tourism built on sustainability'. A key priority for the ENPA Corporate Plan 2022-23 is 'to work with tourism partners to ensure that Exmoor is a leading visitor destination and tourism is promoted and managed sustainably for the benefit of all, with a specific focus on visitor travel (through involvement with County Council Bus Improvement Plans) and launching a 'good business guide' in conjunction with the relaunch of Park Partners'.

Legal and equality implications: Section 65(4) Environment Act 1995 – provides powers to the National Park Authority to "do anything which in the opinion of the Authority, is calculated to facilitate, or is conducive or incidental to:- (a) the accomplishment of the purposes mentioned in s. 65 (1) [National Park purposes] (b) the carrying out of any functions conferred on it by virtue of any other enactment."

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 the Human Rights Act.

Financial and risk implications: There are no additional financial or risk implications arising from this report.

Climate response: As set out in the report our future focus for tourism support will be in the light of the climate emergency.

1. Introduction and context

- 1.1 Tourism is a core means of delivering our second purpose and engaging a range of audiences in the special qualities of the National Park. As the largest sector of Exmoor's economy (accounting for almost two thirds of all employment) it also contributes to achieving our socio-economic duty, whilst our involvement can help foster a more sustainable approach to ensure our first purpose is also met.
- 1.2 Prior to the pandemic the 10 year period 2010 to 2019 saw a 14% increase in overall visitor days, resulting in a real term increase in economic value of 15% when index linked to 2019 prices (Exmoor National Park STEAM survey)
- 1.3 The impact of Covid-19 has been significant. In 2020 there was a 34% drop in visitor numbers, and a 48% decrease in economic impact owing to a loss of secondary spend and a greater proportion of day vs staying visitors owing to restrictions.
- 1.4 Despite some anecdotal evidence of a 'bumper summer' in 2020 the STEAM model estimates a small decrease in overall 'Visitor days' throughout July to September of 1%. Actual visitor numbers rose by 10% over the same period reflecting the higher proportion of day visitors. There is a body of evidence that suggests visitor behaviours changed due to new demographics and more people seeking to spend time in countryside sites vs settlements, meaning some honeypot countryside sites will have been busier than previous years.
- 1.5 Data for 2021 will be available in the early summer of 2022. It is likely that we will again see some significant changes, albeit an overall drop compared to the 2019 baseline given the lockdown at the start of the year and ongoing restrictions.

2. Visitor Survey Results 2021

- 2.1 Between July and December 2021, we completed our latest biennial visitor survey, having postponed it from 2020 due to Covid-19. This provides up to date information on the motivations and satisfaction levels of visitors.
- 2.2 It is a credit to all involved, from communities to businesses and partner organisations, that visitor satisfaction is at an all-time high despite the challenges of both Covid-19 and staff shortages within the hospitality sector. Over 81% of visitors rated their experience of Exmoor as 'very good' with 99% rating their visit as either 'very good' or 'good'. Respondents gave a world-class 'net promoter score' of +81 In terms of recommending a visit to friends and family.
- 2.3 Two thirds of visitors were positively influenced by Exmoor's status as a National Park when deciding to visit and 96% considered the National Park to be well managed and cared for, with 97% planning to return.
- 2.4 Other key findings from the research include:
 - 18% were on their first ever visit to Exmoor, whilst a further 20% had not visited in over 3 years.
 - The top 5 attractors to the area were the landscape, tranquillity, opportunities for outdoor activities, the coastline and the area's wildlife.
 - The top 5 activities undertaken whilst visiting were general sightseeing, walking, eating out, visiting attractions and wildlife watching.
 - Aspects of a visit rated most highly included accommodation, visitor attractions and the area's extensive Rights of Way, whilst aspects with the lowest levels of satisfaction were public transport, public toilets and roads.

- Recent efforts to promote greater use of the consistent Exmoor tourism brand (Exmoor – Dream, Discover, Explore) have paid off with over two thirds now recognising the brand identity.
- The Authority’s efforts in partnership with the tourism industry to further develop food tourism and dark skies also appears to have paid off with a quarter of all visitors stating the Dark Sky Reserve status as a primary attractor to the area and almost half of all visitors citing access to local products as a primary attractor.

2.5 The Appendix provides a summary infographic of key findings, whilst the full report and data are available online under the visitor survey tab of our tourism research page: <https://www.exmoor-nationalpark.gov.uk/living-and-working/info-for-tourism-providers/tourism-research>.

3. Exmoor National Park Authority led tourism work

3.1 In the last couple of years the Authority has placed a significant emphasis on developing new tourism products.

National Park Experiences

3.2 We worked with 8 other English National Park Authorities to deliver a Visit Britain ‘Discover England’ project aimed at creating new products and experiences relevant to the overseas travel trade. We had always seen this as being principally about developing new National Park Experiences for Exmoor (over and above any specific marketing campaign) and the impact of Covid-19 along with the emerging climate emergency provided a good opportunity to refocus the experiences developed on a domestic market. All of the experiences within the collection help to bring the story of the landscape to life and engage visitors with the local community and environment with hands-on immersive experiences. The importance of high quality immersive experiences is now widely recognised by all tourism destinations and experiences are now being developed in all 15 UK National Parks.

Dark Skies Tourism Work

3.3 Having celebrated 10 years as Europe’s first Dark Sky Reserve in 2021, it was an appropriate time to invest further in supporting ‘Astro-Tourism’ opportunities. This is a good example of an opportunity to deliver against both NP purposes and the duty by promoting better protection of our dark skies, encouraging people to engage, enjoy and understand them and allowing tourism businesses to diversify in the shoulder seasons.

3.4 The work, supported by funding from the Hinkley Tourism Action Partnership, has involved a range of elements including:

- 20 businesses supported through training to become accredited as ‘Dark Sky Friendly’
- Creation and launch of the Dark Sky Discovery Trail at Larkbarrow last autumn
- Publication of a new Astronomer’s Guide to Exmoor aimed to experienced enthusiasts
- Support for a new Dark Sky Discovery Hub based within Exford Bridge Tea Rooms, now hosting weekly stargazing evenings and events. work to create a second hub is also under way

- 3.5 Alongside this we have continued to deliver the ever popular **Dark Skies Festival** despite the limitations of Covid-19. Sponsorship and ticket revenue has allowed us to deliver the festival without any financial burden to the Authority, whilst raising our profile significantly and supporting businesses and organisations to help us deliver around 50 dark skies events during the 2-3 week period. The 2022 festival is set to take place from 13th to 30th October.
- 3.6 We are proud to be hosting a significant participatory event on the 28th May 2022 as part of **Green Spaces, Dark Skies**, one of 10 initiatives that form the Governments 'Unboxed: Creativity in the UK' celebration throughout 2022. The Green Spaces Dark Skies project is led by arts organisation Walk the Plank in partnership with technology provider Siemens, the UK National Parks and the National Association of AONBs. Up to 20 events will be filmed with participants (both registered public participants plus professional actors, dancers and technical participants) acting as illuminators as dusk falls, celebrating peoples access to and engagement with national landscapes. The final output will be a high profile media film featuring each event, providing an opportunity to raise Exmoor's profile nationally.

Self-guided Walks

- 3.7 As demonstrated in the visitor survey walking is one of the top activities undertaken by visitors to the National Park. An audit of Exmoor NPA published self-guided walking routes resulted in us identifying a need to rationalise and better brand our core offer as follows:
- Easier Access Walks - Short (less than 1 mile) routes suitable for a very wide range of audiences with different accessibility abilities. This will be the final phase of the project next year and will seek to better disseminate information on the existing offer.
 - Exmoor Explorer Walks – A brand new collection of shorter walks up to approx. 4 miles intended to provide a showcase of Exmoor's special qualities to a range of audiences, and especially aimed at those keen to explore but with less confidence or experience of walking and map reading. Each route is accompanied by free online mapping and video introductions, as well as waterproof / tearproof route guides available to purchase. The collection was launched as part of our post lockdown reopening activity in April last year and were an immediate hit. Significant BBC and ITV coverage resulted in a surge in orders and a second print run was commissioned within 2 months of launch.
 - Exmoor Classics - A new range of longer half to full-day walks currently being developed to replace the now dated Golden Walks series published almost 20 years ago. We hope to have these published in time for the peak season in 2022.
 - Long Distance Walks – Focusing on the key promoted multi-day routes of the South West Coast Path, Two Moors Way, Coleridge Way and Tark Trail.
- 3.8 The approach is supported via a new website at www.exmoorwalks.org.

Eat Exmoor

- 3.9 We continue to work with others on Eat Exmoor to promote local produce, working with retailers and hospitality providers. This focuses on the virtuous circle of supporting the viability of farming on Exmoor to manage the landscapes enjoyed by those that visit Exmoor and providing higher value returns and experiences respectively. A particular focus last year has been on working with retailers to better

badge up products from the local area. In the year ahead we will be seeking to roll this out further and profile the use of local produce whilst supporting young people in a Young Chef competition.

National Park Centres

- 3.10 Our three National Park Centres at Dulverton, Dunster and Lynmouth seek to inform, inspire, and equip users of the National Park. The teams have had to limit their usual activities in the face of restrictions (not only in being closed throughout each lockdown but also restricting activities when open).
- 3.11 Customer satisfaction runs incredibly high for our Centres with customers rating the centres 4.8 out of 5 on average. We have high rankings on the likes of Trip Advisor and Google. Last year Lynmouth won Gold Visitor Information Service of the year in both the Devon and South West Tourism Awards. This year Dunster gained Silver in the Bristol, Bath and Somerset Awards and are a finalist in the South West Awards.
- 3.12 Visitor numbers have shown a slight decline, even pre-Covid (likely as a result of a combination of changes in the way people access information coupled with dated facilities). The further impact of covid means there is a need to reposition the Centres as attractions in their own right.
- 3.13 Retail spend per head has grown, resulting in an increased contribution to the Authority despite the fall in footfall – between May and Feb 21/22 total spend is up 23% despite a 23% reduction in footfall over the same period in 2019/20 (pre Covid). The retail function of the centres not only helps to offset delivery costs but can in its own right contribute to informing, inspiring and equipping visitors to the National Park. The new online shop launched last Spring has performed well, with turnover approaching £13k gross sales in the first year, with limited marketing and no additional staff spend.
- 3.14 The Centre teams are keen to reverse the decline in footfall and with the lifting of restrictions are proactively working to put on a wider range of events and activities running from the Centres. We have also initiated a series of physical improvements to the Centres. These are funded through the National Park Centre ‘spend to save reserve’ with Phase 1 currently being worked up to renew the signage, window graphics and window displays in all three Centres by the end of the year. Phase 2 will include further internal improvements to the displays and interactive interpretation available within the Centres.

4. Working in partnership

Visit Exmoor

- 4.1 The Authority continues to work closely with Visit Exmoor as the Destination Marketing Organisation for Exmoor. Our support for Visit Exmoor is not exclusive and we also work with many other partners that promote the brand and special qualities of Exmoor. However, Visit Exmoor has long been recognised as the only body that focuses specifically on promotion of Exmoor National Park and Greater Exmoor under the Exmoor brand.
- 4.2 Visit Exmoor has recently successfully registered as a Community Interest Company and will now be transitioning from its previous status as an unincorporated association. This reflects the growing professionalism of the organisation and enables it to operate more commercially.

- 4.3 Previously Exmoor NPA had a Member representative with full voting rights on the committee, with the Authority's Rural Enterprise Manager acting as a technical advisor. The transition to a CIC will mean that the committee will now become a 'board' and the committee members the legal 'directors' of the organisation. Whilst there would be nothing stopping an Authority Member seeking appointment to the Visit Exmoor board in their own right, it was not felt appropriate for a Member to represent the Authority as a Director. Visit Exmoor are therefore inviting the Authority to have two non-voting advisors to participate in board meetings anticipating these would be filled by a relevant senior Officer and 1 Member, appointed by the Authority annually.
- 4.4 Some years ago Exmoor NPA undertook to provide annual support to Visit Exmoor recognising their ability to help us deliver our second purpose. The aim was to invest in professional capacity in order that the organisation could demonstrate its potential value to the sector and increase membership/private sector income and as such Exmoor NPA funding would reduce over time.
- 4.5 Visit Exmoor are more visible to the industry than they have been previously and have secured a growing number of bespoke (higher paying) memberships, as well as winning a number of contracts to deliver various marketing and business support initiatives (many stemming from various Covid-19 support funds which will diminish over time). In line with our strategy of tapering funding, coupled with increasing pressures on the Authority's budgets, the level of Exmoor NPA funding has decreased in recent years, with a further 25% reduction anticipated for 22/23 with a total of £7,500 committed from the top slice tourism allocation within the Discretionary Budget approved by Members in the Annual Budget last month
- 4.6 Looking forward, income generation will need to be addressed by Visit Exmoor given the end of Hinkley Tourism Action Partnership funding, tapering support from the Authority and potentially fewer opportunities to deliver contracts with reduced funding following Covid-19 support interventions.

From recovery to renewal

- 4.7 Just over two years ago as Covid-19 first took hold in the UK, Exmoor tourism partners were quick to react to what we anticipated would be a significant impact on the sector. Exmoor NPA led, with the support of Visit Exmoor, the Exmoor Tourism Recovery Plan / Network building on lessons learnt during the Foot and Mouth Crisis, bringing together all the local tourism associations and other stakeholders working within and around Exmoor to provide a co-ordinated response to the unfolding situation.
- 4.8 The Recovery Plan was a dynamic document, updated in line with the cycles of lockdowns and easing of restrictions and was flagged by the Defra Minister to other Government departments as a shining example of the value of partnership working amidst the pandemic and went on to be replicated in many other areas.
- 4.9 Whilst Covid is still with us the lifting of restrictions means that the Recovery Plan has likely served its purpose. Partners in the Exmoor Tourism Network (one of our Partnership Groups allied to the Partnership Plan) will instead look forward and develop a Tourism Renewal Plan focusing on renewing tourism in the wake of Covid-19 whilst renewing our approach in the context of the climate and nature emergencies, focusing on a few key priority areas where joined up working across Exmoor and between organisations is likely to deliver greater results than any organisation can on its own.

5. Reaffirming the Authority's tourism role

5.1 In addition to our role of helping to conserve the landscape that forms the bedrock of Exmoor's tourism activity, the Authority's role in relation to tourism can be summed up as follows:

- Destination and visitor management, helping to provide a quality and sustainable visitor experience:
 - In destination info (National Park Centres, Exmoor Visitor, interpretation materials etc.)
 - Managing a first class rights of way network, toilets, car parks
 - Business training and engagement
 - Product development and events etc.
- Information and intelligence gathering including long-term trends regarding visitor experience and volume and value of tourism
- Supporting the industry to take the lead in terms of outward marketing of Exmoor as a destination
- Facilitation and partnership working including:
 - Exmoor Tourism Network (e.g. joint recovery / renewal plan)
 - Promotion of the Exmoor brand
 - Awareness raising inc. press and media liaison

5.2 A specific focus in the coming year will be on promoting 'good' business practices in light of the carbon and nature emergencies. Another focus will be visitor travel. Over 90% of visitors arrive by private vehicle and limited use of public transport is made during their stay. Whilst we are awaiting an updated carbon footprint for the National Park, transport and in particular visitor travel is likely to account for a significant element. Transport is beyond the direct control of the Authority but we can work with partners to inform and influence plans and to promote more sustainable travel options.

Dan James
Rural Enterprise Manager
March 2022

Appendix: Visitor Survey 2021 infographic of summary results
2469

Appendix: Visitor Survey 2021 infographic of summary results

Summary findings from the 2021 Exmoor Visitor Survey



Over 81% rated their visit as 'very good'
 18% 'good'
 less than 1% rated it as 'fair'
 no one rated it as 'poor' or 'very poor'



Highest areas of satisfaction:

1. Accommodation
2. Visitor attractions
3. Rights of Way

1. Public Transport
2. Public toilets
3. Roads

Lowest areas of satisfaction:



A world-class Net Promoter Score (NPS) 86

Net Promoter Scores can be used to gauge overall satisfaction and loyalty to a brand. Scores can range from -100 to 100. Anything over 50 is considered good, over 70 - world class.



Top 5 attractors:

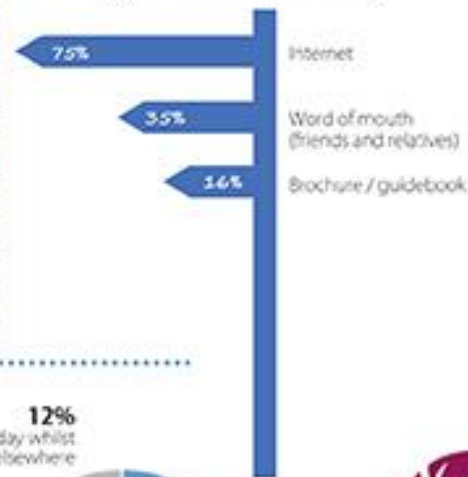
1. Scenery / landscape
2. Tranquility / peace and quiet
3. Outdoor activities
4. Coastline
5. Wildlife

Top 5 activities:

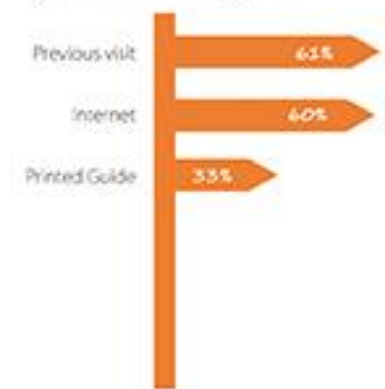
1. General sightseeing
2. Walking
3. Eating out
4. Visiting attractions
5. Wildlife watching

- 96% agree that the National Park seems well managed and cared for
- 96% were aware of Exmoor's designation as a National Park before a visit.
- Almost two thirds were positively influenced by Exmoor's designation as a National Park before visit

Top sources of information used by new visitors prior to trip:



Top sources of information used by all visitors during a visit:



- 18% were on their first ever visit
- 20% on their first visit in over 3 years
- 39% visit more than once a year
- 97% are planning to return
- Remaining 3% unsure



96% arrived by private motor transport.



10% were planning on using public transport whilst here.

12% visited for the day whilst on holiday elsewhere

17% visited for the day from home



Over two thirds of visitors recognise the Exmoor tourism brand.

EXMOOR NATIONAL PARK AUTHORITY

5 April 2022

VISITOR MANAGEMENT AND ENGAGEMENT DURING 2022

Report of the Head of Conservation & Access

Purpose of the report: To present the Visitor Management & Engagement Plan 2022 (see Annex).

RECOMMENDATION: The Authority is recommended to note and approve the Plan.

Authority priority: Support delivery of the Exmoor National Park Partnership Plan – The visitor management and engagement plan is designed to improve access to and engagement with Exmoor’s special qualities.

Legal and equality implications: It is considered there will be no adverse impacts on any protected groups.

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

Financial and risk implications: The financial and risk implications of the recommendations of this report have been assessed as follows: none.

Climate change response: There are not considered to be any climate change mitigation implications from this paper.

1. Introduction / background

- 1.1 In March 2021 we produced a Visitor Management & Engagement Plan to guide the work and resources of the Authority in the year following the beginning of the Covid pandemic. The Plan was approved in March 2021 and was reported on towards the end of the calendar year.
- 1.2 Following internal discussions between ENPA officers since then, it was agreed that there is still a need for a Visitor Management & Engagement Plan for 2022 (see Annex). This is because there is a continuing expectation of increased visitor numbers and considerable uncertainty about the ways that will impact on Exmoor. A Plan is needed to ensure that ENPA uses its resources as effectively as possible, both to ensure that visitors have the highest quality experience and that local communities are clear about how we will manage those visitor pressures.

2. Visitor Management & Engagement Plan 2022

- 2.1 The Visitor Management & Engagement Plan for 2022 sets out the approach that the ENPA teams will take both to its own functions in respect of access and enjoyment, as well as to managing its own facilities (National Park Centres,

carparks, public toilets, rights of way, Pinkery, some functions of the ranger team); it includes its approach to communication with visitors and the community. In summary the plan gives corporate clarity on our approach and makes it clear to the community and our partners how we will go about managing our own assets and our own teams in respect of visitor engagement and management.

- 2.2 The Visitor Management & Engagement Plan 2022 is very much based on last year's Plan, but communications are less focused on safety messages about the pandemic and are now more broadly structured about acting responsibly, taking litter home etc.
- 2.3 Last year we found that the combination of our National Park Centres and a flexible programme of pop-up events enabled us to be responsive to varied visitor needs. We aim to continue that this year.

Rob Wilson North
Head of Conservation and Access
March 2022

Exmoor National Park

Visitor Management & Engagement Plan for 2022

Background

During 2022 ENPA is likely to see a continuation of marginally higher visitor numbers and more diverse audiences following the pandemic, as reflected in the findings from STEAM data and ENPA's latest visitor survey. This reality provides Exmoor with some great opportunities but will also require effective management to help ensure all visitors have a positive experience, that local communities are not adversely affected, and that Exmoor's special qualities are protected. This document lays out a Plan defining how Exmoor National Park Authority will respond using its own resources.

Our approach to the 2022 season

As the 2022 season nears, we have tried to learn the lessons from the past two years and have built an approach that seeks:

- To positively welcome new and repeat visitors in our communications and activities
- To reassure local communities and businesses who are worried about overcrowding, and especially the impact of more visitors on the landscape, but nevertheless need visitors to ensure the survival of the tourism and retail sectors on Exmoor.
- To manage visitors and visitor infrastructure on the ground to ensure that Exmoor offers a high quality experience.
- To engage with visitors, especially those who have never been to Exmoor before (or even the countryside) and are unsure about where to go, what they can and cannot do.

We expect that 2022 could see particularly large numbers of day visitors, who may well travel from further afield than they would normally, though at the same time our evidence has shown that last year there was an increase in those staying longer than a day. People are also likely to plan to have a 'staycation' in 2022. We anticipate that, as in previous years, without positive intervention some people may arrive without pre-booked accommodation, only to find that none is available. Coupled with staff shortages in hospitality the same is likely to occur with food and drink options also being limited and oversubscribed.

Some people have expressed concerns previously over the number of cars, the presence of campervans (with overnight stopovers), the amount of litter, the risk of summer wildfires due to BBQs – all these factors need to be considered.

The Exmoor Tourism Covid-19 Response and Recovery Plan defines key messages and coordinates actions between representatives from ENPA, Visit Exmoor, the National Trust and local tourism associations and TICs. The plan will continue to be reviewed to ensure alignment with this 'on the ground' visitor engagement plan.

Our regular practice is to have rangers available during weekdays carrying our regular duties along with ranger cover at weekends with a focus on visiting key sites. Our National Park Centres provide an opportunity to engage with users of the National Park and give expert advice, inspiration, and information.

In 2022 we need to be able to ensure adequate presence on the ground and to build in resilience to the visitor management and engagement team in order to help manage increased numbers of visitors, staff absences and leave. In effect this capacity will give us a presence that enables us to effectively manage visitors and the infrastructure they use, but it will also enable us to engage with people in a positive way.

In 2022 we expect that we will, once again, have the opportunity to positively engage with new audiences. This matters to us even more than usual in the year that Defra are consulting on the Landscapes Review and considering changes to the ways that Protected Landscapes in England are managed and resourced. This positive engagement will be achieved through our network of National Park Centres (and supported partner centres) at fixed locations in addition to on the ground engagement including pop-up events responding to need.

As previously, we intend to recruit seasonal staff or to use casual staff to support the core ranger team. We will also have in place a formal rota system with back-up personnel in case of illness etc in order that there is a clear system with on call numbers, on duty itineraries etc.

Communication channels

With partners & stakeholders

During 2022 we will use existing communication channels with partners and stakeholders and continue special arrangements for Wimbleball Lake.

We will share the 2022 Plan through the following:

- At the next Exmoor Consultative and Parish Forum
- With Exmoor Hill Farming Network
- Local Access Forum
- National Trust
- Tourism sector Exmoor Rural Crime Initiative
- Local land manager networks – Rec and Access team; Conservation team etc

With national park users

Media interviews, press statements, social media reach, website reach, printed materials, Exmoor Visitor, National Park Centres, and events. Working in close partnership with Visit Exmoor and local tourism organisations.



VISITOR MANAGEMENT AND ENGAGEMENT PLAN FOR 2022

This plan sets out how ENPA will respond to the expected increase in visitor numbers during 2022. Our approach is based on:

Our approach

Before you come:	Be sure to plan your visit to Exmoor carefully (our National Park Centres are here to help)
When you're here:	Be inspired; act responsibly and respectfully; follow the Countryside Code
When you go:	Be careful to leave no litter; leave only footprints and take only memories

Communication

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

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

We will review and update the ENPA web page regularly through the season (BT).

We will use the media and social media to keep people up to date, promote responsible visiting and influence behaviour change where needed (AS).

We will offer Exmoor welcome leaflets promoting responsible visiting and signposting up to date sources of information, along with our flagship tourism publication, 'Exmoor Visitor', to local retail and tourism providers etc – to guide first time visitors and raise awareness of key comms channels (BT, PR, DJ).

We will promote the new Explorer Walk series and develop our Exmoor Classics series for longer walks which also help disperse visitors more widely.

We will continue to engage with the Exmoor Tourism Network to ensure a consistent message and clear communication across visitor facing organisations, building on the joint Tourism Recovery Plan developed over the last two years.

National Park Centres

The Centres will provide an invaluable information service advising visitors of opportunities to enjoy Exmoor responsibly and safely, with up-to-date information on availability and openings. They will help disperse visitors by promoting opportunities beyond key honeypot sites and can be responsive to changes over time. With the easing of Covid-19 restrictions the Centres will be fully operational with film theatres reopen and a programme of events and activities developed. These will help to position the centres as destinations, boosting footfall beyond passing traffic and increasing engagement opportunities.

Other ENPA visitor facilities

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

ENPA presence on the ground

In 2022 we will maintain our ranger presence on the ground, but we will build in more resilience, in the form of new posts and redeployment of staff, to cope with increased numbers of visitors, staff absences and leave.

In 2022 we will not run any of our Big Adventure events as these are staff heavy, encourage large groups and are vulnerable to cancellations and weather. We will instead continue our pop-up events targeted at popular sites where we provide key staff, resources, and activities to help engage with the people who are already there.



Appeal Decision

Site visit made on 23 February 2022

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 March 2022

Appeal Ref: APP/F9498/W/21/3284376

Sparhanger Equestrian Centre & Farm, Barbrook, Lynton, Devon EX35 6LN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr and Mrs Sanders against the decision of Exmoor National Park Authority.
 - The application Ref 62/41/21/017, dated 8 June 2021, was refused by notice dated 12 August 2021.
 - The application sought planning permission for proposed replacement of staff and welfare/office building, retrospective, without complying with a condition attached to planning permission Ref 62/41/19/032, dated 23 March 2020.
 - The condition in dispute is No 2 which states that: *'Prior to 31st March 2021, the windows and doors currently in the application building hereby approved shall all be replaced with replacement windows and doors that are only constructed from natural timber. The replacement windows and doors shall be retained as such thereafter, and any subsequent windows and doors shall only be constructed from natural timber.'*
 - The reason given for the condition is: *'To ensure compliance with Policy CE-S6 of the Exmoor National Park Local Plan 2011 - 2031 by replacing the incongruent windows and doors in the application building with replacement units that are constructed from traditional and naturally sustainable construction materials.'*
-

Decision

1. The appeal is allowed and planning permission is granted for proposed replacement of staff and welfare/office building at Sparhanger Equestrian Centre & Farm, Barbrook, Lynton, Devon EX35 6LN in accordance with application Ref 62/41/21/017, without compliance with condition No 2 previously imposed on planning permission Ref 62/41/19/032, dated 23 March 2020, but subject to the conditions in the attached schedule.

Procedural Matter

2. I have omitted the word 'retrospective' from my decision above as it does not relate to an act of development.

Background and Main Issue

3. Sparhanger is an equestrian centre and working farm centred on its farmhouse within Exmoor National Park. Mapping indicates that the farmhouse dates from at least 1840 and I have no reason to disagree with the Authority's assessment of it as a non-designated heritage asset. Within this context, I am also cognisant of my duty to have regard to the purposes for which National Parks are designated, including to conserve and enhance their cultural heritage.

4. In 2020 the Authority granted permission, under Ref 62/41/19/032, for the replacement of a portacabin housing Sparhanger's staff and welfare/office facilities with the building which now stands in its place. The building has a mixture of uPVC and aluminium windows and doors and condition No 2 of the 2020 permission required their replacement in timber by 31 March 2021.
5. The main issue, therefore, is whether or not condition No 2 is reasonable or necessary, having regard to the character and appearance of the area, with particular reference to the farmhouse as a non-designated heritage asset.

Reasons

6. Policy SE-S3 of the Exmoor National Park Local Plan 2011-2031 (adopted 2017) (Local Plan) considers business development in the countryside. It allows for the replacement of existing buildings where there would be no significant increase in building size, and where there would be enhancement to the site, where necessary to deliver an overall acceptable scheme in landscape terms.
7. Policy CE-S6 1. b) of the Local Plan states that the materials and design elements of a new building should complement the local context through the use of traditional and natural sustainable building materials. I do not interpret this to impose an absolute requirement that each and every finish material must be traditional before a building can be found to be complementary. Rather, site specific circumstances should be taken into consideration, and there are particular circumstances I find to be relevant at the appeal site.
8. The photographic evidence before me shows that the portacabin that has been replaced was of a highly utilitarian, prefabricated appearance and of modern construction. The building that has replaced it, even with uPVC and aluminium doors and windows, is much more traditional and sophisticated, being clad in timber, with a pitched roof and a quite attractive verandah. This leads the development to result in a clearly enhanced design response for Sparhanger, complementary to its farm and equestrian buildings and the farmhouse itself.
9. As such, it is my conclusion that condition No 2 is not reasonable or necessary, having regard to the character and appearance of the area, with particular reference to the farmhouse as a non-designated heritage asset. Without it, the proposal accords with the landscape, heritage and design aims of Policies SE-S3, CE-S4 and CE-S6 of the Local Plan and the National Planning Policy Framework.
10. I therefore conclude that the appeal should be allowed and grant a new planning permission without the disputed condition but retaining those non-disputed conditions from the previous permission that appear still to be relevant. This has required me to update and modify the accord with plans condition, omitting its reference to the removed condition. In the interest of certainty, I have also amended the wording of condition No 3 to bring it in line with the description of development.

Matthew Jones
INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 345/101, 345/102.
- 2) The building hereby approved, within the red line area on the approved drawing number 345/102, shall only be used in association with Sparhanger Equestrian Centre and Farm (edged in blue on the aforementioned plan). The building shall not be sold off, let out or otherwise disposed of from Sparhanger Equestrian Centre and Farm.
- 3) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 and the Town & Country Planning Use Classes Order 1987 as amended (or any order revoking and re-enacting those Orders with or without modification), the building hereby approved shall not be used other than as a staff and welfare/office building associated with Sparhanger Equestrian Centre and Farm.



Appeal Decision

Site visit made on 1 February 2022

by Alison Fish BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 March 2022

Appeal Ref: APP/F9498/W/21/3282023

The Hazery, Luxborough, Watchet, Somerset TA23 0SD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Aiden Dermody against the decision of Exmoor National Park Authority.
 - The application Ref 6/20/21/101, dated 8 January 2021, was refused by notice dated 18 June 2021.
 - The development proposed is a new domestic entrance.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised on 20 July 2021. Insofar as it is relevant to this appeal, I have taken the Framework into account in reaching my decision.

Main Issue

3. The main issue is the effect on the character and appearance of the National Park.

Reasons

4. The appeal site is located within a wooded valley with the Washford River running along the valley bottom. The road is set up from the river and runs along its southern side. The land south of the road rises steeply, with woodland covering much of its slope. To the north of the river, the land rises more gently and it is on this side that 'The Hazery' is located, a large stone dwelling under a thatch roof. The land on either side of the river, between the road and the host dwelling is relatively level before it rises steeply to the north behind The Hazery. This results in a highly attractive and picturesque scene.
5. I accept that the scheme has been carefully considered in relation to physical and technical compliance. The point of access is in a location which does not require the removal of trees or hedgerows given the existence of a timber post and rail fence at the proposed point of access and excavated material would be banked back against the new access structure and given a turf finish to reduce its visual impact. In addition, the use of natural stone to the exposed faces of the proposed development utilises a material which is prevalent in the local area and in this respect, I agree that there is no conflict with the relevant parts

- of Policies AC-S2, CE-D1, CE-S6 of the LP which seek, in summary and amongst other things, the use of appropriate local materials.
6. However, I find that the proposal would be a stark, substantial, man-made structure in an otherwise predominantly natural landscape. I accept that the visual impact of the proposal would not be wide ranging, and that the proposed works would only be visible from the point of access from the highway. However, the access would be 10 metres wide this point and from here, the scale of the structure, it's macadam finish to the surface and the provision of metal railings above the stone vehicle impact barrier would result in a development which would be highly visible, with an overtly domestic appearance and as such, would result in significant harm to the picturesque character and appearance of the area.
 7. The appellant advises that the stone bridge on the existing access is both unsafe and not within their control. I have not been provided with a structural report and whilst I understand that the appellant has no lawful entitlement to undertake such work, neither have I been specifically directed to visible elements of the bridge which indicate it is unsound. In the absence of evidence relating to the structural condition of the bridge, I can only give this limited weight.
 8. The appellant highlights that a number of the consultees in the planning application process did not raise any particular areas of concern or that the issues they highlighted could be overcome by the imposition of conditions on any grant of planning permission. I accept that the proposal does not conflict with some of the criteria in the LP policies in respect of flood risk, ecology and rights of way. However, I do not find that the lack of objection or even the lack of comment from consultees, is sufficient justification to set aside the duty in paragraph 176 of the Framework which requires that I give great weight to conserving and enhancing landscape and scenic beauty in the National Park.
 9. Given my findings in respect of the visual impact of the proposed development, I conclude that the proposal would not conserve and enhance the landscape and scenic beauty of the National Park and as a result would be contrary to the relevant parts of Policies GP1, CE-S1, CE-D1, CE-S6, AC-S2 and AC-D1 which together and amongst other things, seek high quality design which reflects local landscape character and conserves and enhances the natural beauty and special qualities of the National Park.

Other Matters

10. The parish council and an interested party have raised the issue of highway safety in respect of visibility at the proposed access and the ability of the access to cater for larger vehicles. The Council advise that the visibility proposed is below the standard required for an access on to a road which is subject to a 60mph speed limit. However, they are satisfied that the road is lightly trafficked and that actual traffic speeds are likely to be significantly below this, such that the proposed visibility is acceptable. They are also satisfied that the layout, width, alignment and position of the gates is such that it could accommodate the traffic likely to be attracted to the site. This concurs with my own observations. As such, the proposal would not have an adverse impact on the highway safety of road users and I find no conflict with Policies AC-S2 and AC-D2 in this respect which, amongst other things, seek to protect road safety interests.

Conclusion

11. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Alison Fish

INSPECTOR

12.1



Committee Report

Application Number:	6/8/21/105
Registration Date:	25-May-2021
Determination Date:	12-Jul-2021
Applicant	Mr N Berry
Agent:	Applicant now acting as agent see email dated 1/6/21
Case Officer:	Yvonne Dale
Site Address:	Lower Cleeve Barns, Cutcombe, Wheddon Cross, TA24 7AS
Proposal:	Proposed conversion of single storey barn to residential use either as self-catering holiday accommodation or low rent housing for local people/people working in the vicinity.
Recommendation:	Approve subject to signed S106 Agreement and conditions
Reason for bringing before Authority Committee:	This application is brought before the Committee in accordance with the approved Scheme of Delegation because the Officers recommendation is contrary to the recommendation of Cutcombe Parish Council.

Relevant History

6/8/08/104 Repair, reconstruction and conversion of barn buildings as part of small business providing accommodation and employment for two adults with learning difficulties working on the farm at Putham Farm, Cutcombe.

Withdrawn 23/06/2008

6/8/09/105 Conversion of 2 barns to 2 no 1 bedroom units of holiday accommodation at Putham Cleeve, Cutcombe.

Refused 18/11/2009

6/8/15/105 Proposed restoration and conversion of two redundant and disused barns to form a single residential dwelling house and covered storage/parking area.

As per additional information 20.08.15 at Barns at Putham Cleeve, Cutcombe.

Refused 25/08/2015

6/8/21/109 Proposed repair and rebuild of timber wall frame and timber cladding of the Linhay, together with installation of new tiled slate roof.

Approved with Conditions 27/08/2021

12.1

Site Description & Proposal

Planning permission is sought for the conversion of a single storey barn to residential use either as self-catering holiday accommodation or as a local needs affordable dwelling at Lower Cleeve Barns, Putham, Cutcombe.

The applicant owns two agricultural buildings (Lower Cleeve Barns) at Putham. These sit within the wider group of buildings that are under separate ownership. The site consists of four other dwellings, the applicant, however, does not own a dwelling at the site.

The existing dwellings were formerly part of the historical Higher Putham agricultural holding and the application building, which is one of two agricultural buildings that are sited close together that are owned by the applicant, is on the site of the former Lower Putham agricultural holding. These are not the original buildings as they were demolished between 1842 and 1888. The barns are currently used for agricultural storage.

The barn, that is the subject of this application, has a natural stone exterior with some more modern infill using breeze blocks with a dual pitched, corrugated metal roof.

The site is accessed via a drive that leads off Popery Lane. The site lies approximately 120km east of Wheddon Cross and is situated in open countryside.

Consultee Representations

South West Water – 25/05/21

The above application is in an area not presently serviced by South West Water and, as such, we have no comment.

SCC Highways Authority – 08/06/21 - Standing Advice - Right of Way should also be consulted as access is via a Restricted Byway WL 6/37

SCC Highways Authority 01/03/2022 - Standing Advice continues to apply

Wessex Water – 08/06/2021 - Thank you for the consultation in respect of the above. Please find attached a map showing the approximate location of our services near the site.

Wessex Water can advise the following:

New drainage and water supply connections

Your builder and plumber should explain how your existing arrangements may be altered to accommodate any new water supply or disposal requirements. If your proposals require new connections to the public water mains please contact us early

12.1

to discuss your requirements, the nearest public water main location can be viewed on the attached map.

The proposal is some distance from the nearest public foul sewer. The planning authority will need to be satisfied with your private arrangements which will be subject to building regulations.

Somerset Wildlife Trust 08/06/2021 - We have noted the above mentioned Planning Application as well as the supporting survey document provided by Quantock Ecology. In general we would support the findings of the survey. We would also support the recommendations in Section 4 of the survey. We would expect that any subsequent recommendations would include a minimum of 1 Bird Box and 1 Bat Box somewhere on the site and also a stipulation that any external lighting should be designed so as to minimise light pollution.

Somerset West and Taunton Council Rural Housing Enabler 14/06/2021 - Affordable Housing

There is a need for affordable housing in Cutcombe. The current Homefinder Somerset figures show a total of 5 households in Bronze band that wish to live in Cutcombe

- 4 x 1 bedroom
- 1 x 2 bedroom

The Housing Needs Survey carried out in 2018 showed a total of 12 households in affordable housing need within Cutcombe and the surrounding parishes (Exford, Exton Luccombe, Luxborough, Timberscombe, Winsford and Wootton Courtenay). Of these, five households identified as wishing to live in Cutcombe.

Therefore, we would support the conversion of the barn in the application to residential use as an affordable home for local people/people working in the vicinity.

Cutcombe Parish Council 21/06/2021 - Cutcombe Parish Council considered this Planning application at its meeting of 15 June 2021. The PC voted unanimously to Object to this proposal on the grounds that it is considered an unsuitable site for a development of the nature proposed and has very poor access.

Cutcombe Parish Council 16/03/2022 - The Parish Council reconsidered the amended application at its meeting of 15 March 2022. As before, the Council objects to the application on the basis that the access and location are unsuitable.

Historic Buildings Officer – 29/06/2021 - Buildings are shown on this site on the 1840s tithe map. They are shown in a different form in the 1880s 1st edition OS map. This shows them in a similar form to how they appear today.

An application from 2009 (6/8/09/105) was supported by an archaeological report and so I see no further need for additional recording.

12.1

Wildlife Conservation Officer – 13/07/2021 - Thank you for consulting us on the application at Lower Cleeve Barns, Cutcombe, Wheddon Cross, TA24 7AS (6/8/21/105). We have looked through the documents associated with the planning application and have the following comments:

Given the type of building and the nature of the proposals we are pleased to note a bat survey has been undertaken at this site (Quantock Ecology, March 2021). As the survey found a bat roosting within the building, as well as additional potential for bats to roost, further surveys have been recommended. These will enable characterisation of the known roost and determine whether other roosts are present. These surveys should be carried out during the core bat survey period, as recommended in the report, and the results should be provided to ENPA prior to the determination of planning. The survey report will need to include details of appropriate mitigation and compensation measures for bats. In addition the report should include recommendations for enhancing the site for wildlife as a result of the proposals.

The site lies within an Impact Risk Zone (IRZ) of several designated sites. However, given the fact this type of proposal is not listed as an issue of concern under the IRZ, there is no requirement to consult Natural England in this instance.

Wildlife Conservation Officer – 14/10/2021 - Thank you for sending the additional survey information required for the application at Lower Cleeve Barns, Cutcombe (6/8/21/105). The survey appears to have been thorough and has confirmed the presence of a common pipistrelle roost within the barn. The report (Quantock Ecology, September 2021) makes no recommendations for mitigation and compensation, as it states that these will be provided once final plans are available and a winter hibernation survey has been undertaken. As the report suggests the building is suitable for hibernating bats, the results of that assessment may lead to a change in the design of the mitigation as it may record species not recorded during the summer emergence surveys. This information should be requested prior to determination; in the meantime, further information could be sought from the ecologist on this issue.

As a bat roost is present, a mitigation licence from Natural England will be required to permit the works. Any recommendations for mitigation and compensation should be secured through the use of a suitable planning condition, subject to any variation required by Natural England as part of the licensing process. Recommendations for enhancements should also be secured.

Wildlife Conservation Officer 09/03/2022 - Thank you for making me aware of the additional information now available for this application. A hibernation survey letter report has recently been submitted.

Quantock Ecology have undertaken a preliminary bat roost assessment (report dated March 2021), three emergence re-entry surveys in August-September 2021 (report

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dated September 2021) and a hibernation survey in January 2022 (letter dated February 2022). Combining the results of the above surveys, the barn proposed for conversion at Lower Cleeve Barns has been confirmed as supporting the following bat roosts:

- Summer day roosts for low numbers of common pipistrelle (maximum count of up to two bats) – one internally and one in a crevice in external stonework
- Hibernation roost for low numbers of common pipistrelle (one bat)

I consider the mitigation and compensation measures proposed in the report to be suitable for the proposed work at this site, but this will be determined by Natural England as part of the licence application once planning consent is in place.

A European Protected Species Licence (EPSL) will need to be obtained from Natural England prior to the start of works, after planning permission has been granted. If you are minded to grant permission, then the recommendations as detailed in Quantock Ecology's letter (February 2022) should be secured by way of appropriate condition including provision of alternative roosts (bat box/adapted tile and hibernation box) and an additional bat box as an enhancement. As there is the option of providing access to the roof space, it should be highlighted in an advisory note that only Type 1F bitumen felt can be used in areas with access for bats, as breathable membranes risk entanglement and death.

Any external lighting associated with the proposal should be positioned and designed to specifically avoid illuminating the installed bat boxes, retained habitats, boundary vegetation and any areas beyond the site. Recommendations are provided in Quantock Ecology's report dated September 2021 which should be followed. A lighting scheme showing how this would be achieved should be submitted to Exmoor National Park Authority for approval before work on site commences.

I note no evidence of breeding birds was recorded in or on the building during the survey. I suggest an advisory making the applicant aware of the potential for nesting birds and the legal protection afforded to them.

Environmental Health Officer - Somerset West and Taunton Council – No Comments Received

Environment Agency South West - No Comments Received

ENPA - Farming and Wildlife - No Comments Received

ENPA - Historic Environment Officer- No Comments Received

ENPA - Historic Environment Advisor - No Comments Received

ENPA - Landscape Officer - No Comments Received

ENPA - ROW and Access Officer - No Comments Received

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ENPA – Ecologist - No Comments Received

Planning Manager - Somerset West and Taunton Council - No Comments Received

Representations

Five public letters of representation and a letter from a solicitor acting on behalf of a neighbouring property have been received. The letters raise concerns and objections in relation to:

- The suitability of the access from Wheddon Cross (Popery Lane), its narrowness, lack of passing places and the ability of the access to sustain further development.
- The buildings not being barns but livestock sheds
- The roof and sides of the lincay were removed before a bat survey was carried out
- The exact use that is being applied for
- Sewerage and waste storage arrangements
- Adjacent land is subject to hunting with hounds held by Badgworthy Land Company.
- There is a young oak situated by the Little Putham boundary.
- Shearwell Data Limited constructed a new road for its and employees use only. It is a private road and residents of Putham have no right to use it without their permission.
- The location and suitability for development and conversion.
- Parking

Policy Context

Exmoor National Park Publication Local Plan (2011 - 2031)

GP1: General Policy: National Park Purposes and Sustainable Development

GP4: General Policy: The Efficient Use of Land and Buildings

CE-S1 Landscape and Seascape Character

CE-D1 Protecting Exmoor's Landscapes and Seascapes

CE-S2: Protecting Exmoor's Dark Night Sky

CE-S3: Biodiversity and Green Infrastructure

CE-S6: Design and Sustainable Construction Principles

CC-S1 Climate Change Mitigation and Adaption

HC-S1: Housing

HC-S2: A Balanced Local Housing Stock

HC-S3: Local Occupancy Criteria for Affordable Housing

HC-D5: Extended Family Dwellings Criteria

HC-D7: Conversion to Dwellings in the Open Countryside

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HC-D13: Replacement of Holiday Occupancy Conditions and Extended Family Occupancy Ties

RT-S1 – Recreation and Tourism

RT-D4 – Non-Serviced Accommodation

CC-S6 – Waste Management

CC-D5 – Sewerage Capacity and Sewage Disposal

RT-D12 – Public rights of way and access

SE-S3 – Business Development in the Open Countryside

AC-D2 – Traffic and Road Safety Consideration for Development

AC-S3 – Traffic Management and Parking

AC-D3 – Parking Provisions and Standards

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

Planning Considerations

This application seeks the proposed conversion of a single storey barn to residential use either as self-catering holiday accommodation or as a local needs affordable dwelling.

The main planning issues in relation to this application, are considered to be the principle of the development, the impact on public rights of way, the impact on highway safety and the impact on neighbouring amenity.

PRINCIPLE OF DEVELOPMENT

Policy GP4 of the Local Plan relates to the efficient use of land and buildings. The policy states that development proposals will be encouraged which demonstrate the efficient use of land and buildings including through:

- a) the redevelopment of brownfield land located within the built extent of the named settlements that does not have a high ecological value; or
- b) the re-use of existing buildings within the built extent of the named settlements, or within or well-related to hamlets and farmsteads.

The preamble to the policy, in particular Paragraph 3.46, states that the re-use of existing buildings provides greater flexibility in terms of the uses considered acceptable in the open countryside - where new build development would not otherwise be permitted except where it is considered to be essential to the operation of a rural land-based business. Not only does this approach provide a use for those redundant buildings that are well-related to an existing building group (i.e., a farmstead or hamlet), but also utilises embodied energy within existing resources, and ensures that Exmoor's landscape is conserved and enhanced.

The proposed development is to comprise the re-use of an existing building. The Local Plan definition of a "hamlet" states that a hamlet is an established, closely

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grouped number of dwellings within a contiguous built form and separate from other named settlements. Putham is a group of buildings which originally formed two agricultural holdings, Higher Putham and Lower Putham. There are four dwellings now at Putham: Higher Putham, Lower Putham, Putham Farm and Little Putham. Given that there are four separate dwellings at Putham, and they are all clustered together, Putham could be considered to be a hamlet and, therefore, the re-use of this existing building is considered to comply with Policy GP3 of the Local Plan.

Policy RT-D4 of the Local Plan relates to non-serviced accommodation and states that proposals for the change of use and conversion of building to non-serviced accommodation will be permitted where they d) relate to the diversification of a rural land-based business, where the building is well related to an existing grouping of buildings.

The subject building is well-related to the existing grouping of buildings at Putham and, therefore, the proposal complies with the policy in this respect. It therefore falls to the Local Planning Authority to consider whether the holiday letting accommodation would be diversification of an existing rural land-based business.

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

It is also important to take account of the preamble to Policy SE-S3 of the Local Plan as this policy relates to business development in the open countryside, and this includes farm diversification. The preamble, namely Paragraph 7.27, sets out that Policy SE-S3 (Business Development in the Open Countryside), aims to provide diversification opportunities for rural land-based businesses which are businesses that manage the land in a way that conserves the National Park's special qualities. Paragraph 7.28 states that in terms of diversification proposals for a rural land-based business, the business should provide full-time employment for at least one member of staff. A small holding that is a hobby farm as a lifestyle choice, which does not directly provide employment for one full-time equivalent person, is unlikely to be considered for such diversification opportunities.

The submitted Planning Statement explains that the applicant has approximately 17 acres of land at Lower Cleeve Barns and owns a further 25 acres at Leigh Farm, Exton where the applicant's family have raised sheep, poultry and cattle and run an existing holiday let.

A recent application, and determined within this Local Plan period, at Higher Putham (6/8/18/107) related to the change of use of chiropractic clinic to holiday letting

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accommodation. The applicant, in that case, had 4.3 acres of agricultural land. The application was put before the Authority Committee for a determination. The application was approved, and the minutes of the meeting reflect Member's reasons for doing so. Members placed "great weight on the core National Park purpose of seeking to foster the social and economic wellbeing of local communities on Exmoor. With this in mind, Members considered this to be a rural land-based business to which Policy RT-D4 applies. Members were satisfied that the proposal is a sustainable location supporting economic development".

For this reason, the Authority was satisfied that the tests for Policy RT-D4 were met and resolved to grant planning permission.

It is considered that, having regard to the above, the applicant has land at Lower Cleeve Barns, amounting to 17 acres. The applicant states that the land currently has a few Exmoor Horn Sheep, and he hopes to expand the flock and will continue to use the land for farming purposes and would be considered a land-based business and therefore the proposal for a holiday let would comply with Policy RT-D4 of the Local Plan as a matter of principle.

Turning to the potential use of the proposed development as local need affordable accommodation, policy HC-S1 of the Local Plan relates to Housing and clause 1 states that the purpose of housing development will be to address the housing needs of local communities. The principal community identified need is for affordable housing with local occupancy ties. Exceptionally, new housing development will be permitted where it addresses an identified local housing need for a) affordable homes that remain affordable in perpetuity, and which will be occupied by local persons in proven housing need in accordance with the local occupancy definition in HC-S3.

Policy HC-S2 relates to a balanced local housing stock. Clause 5 states that for local need affordable dwellings permitted under HC-S1 and HC-D2 or HC-D3, HC-D6 or HC-D7, the dwelling(s) will be affordable by size and type to local people and will remain so in perpetuity. Clause 6 states that for local need affordable dwellings the gross internal area will be 93 square metres or less. Paragraph 6.68 of the preamble to the policy advises that an exception to the 93 square metre floor space would be where the proposal is for the conversion and change of use of an existing building to a dwelling and the existing building is larger than 93 square metres (but not large enough to accommodate more than one dwelling).

In this case, the proposal relates to the conversion of any existing building. The internal floor area is approximately 65 square metres, which is in accordance with the floor space requirements of the policy.

Policy HC-D7 of the Local Plan relates to conversions to dwellings in the open countryside and states that in the open countryside the change of use of non-residential building(s) to a dwelling(s) will be permitted where c) in the case of local need accommodation, the building is located in a hamlet or farmstead where there is

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an existing dwelling. The intended occupant(s) will meet the local need criteria in HC-S3 Local Occupancy Criteria for Affordable Housing, and a planning obligation will be secured to ensure that occupancy of the dwelling(s) is confined to persons in local housing need in perpetuity.

The existing building is considered to be sited within an existing hamlet, as outlined earlier in this report. Subject to securing the necessary planning obligation it is considered that the proposal complies with Policies, HC-S1, HC-S2 and HC-D7 of the Local Plan.

Policy HC-D13 of the Local Plan permits in principle the replacement of holiday occupancy conditions and extended family occupancy ties. The policy allows the replacement of a holiday occupancy condition with an agreement limiting occupancy to local persons in affordable housing need where the occupants meet the requirements of policy HC-S3 local occupancy criteria for affordable housing or persons meeting the requirements of extended family accommodation in accordance with policy HC-D5.

This allows that where the conversion of an existing building to a holiday let has been permitted subject to a holiday let occupancy tie and where the holiday let is no longer required, the occupancy tie can be replaced and its use as a local affordable dwelling or extended family dwelling is acceptable in principle.

Officers consider that the proposed development is acceptable in principle to be converted to either a holiday let (RT-D4) or a local needs affordable dwelling (HC-S2 and HC-D7). As the policies support the principle of the use of a holiday let as a local affordable needs dwelling and vice versa, the application proposal seeks for this provision. It is considered that it would be a pragmatic approach to permit a flexible permission for use as one or the other given that separately both uses are acceptable in principle and policy HC-D13 allows for the holiday accommodation to become local need affordable accommodation.

IMPACT ON THE CHARACTER AND APPEARANCE OF THE EXISTING BUILDING AND LOCALITY

Policy CE-S5 of the local plan relates to the principles for the conversion or structural alteration of existing buildings and states that where a proposal relates to the conversion of any existing building it should 1a) accord with the relevant policies in the Plan in terms of its intended use; b) clearly demonstrate that the building is capable of conversion without substantial reconstruction; c) its proposed use is suitable for the existing building in terms of its intended use and the intensity of that use, in relation to its capacity, structure and character without substantial alteration; where the conversion of a building relates to a change of use to a dwelling, sufficient curtilage space should be provided where the delineation of this space would not individually or cumulatively result in harm to the character of the building or its setting and d) maintains or replaces any existing bat and barn owl roosts. Clause 2 states

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that proposals for the conversion of traditional buildings should also a) ensure the historic fabric and architectural interest of the building, and its setting including the retention of existing traditional and historic features and conserved and enhanced and b) reflect the character and significance of the building and conserve its traditional appearance through sensitive design and the use of traditional materials, detailing and construction principles.

The proposed development accords with the relevant policies of the Local Plan in terms of its intended use as outlined earlier in this report. A structural survey report has been included with the application submission and concludes that “The structure of the existing masonry barn can predominantly be retained for the proposed conversion, with the measures, outlined in this report, in place. The most significant of which being repair/strengthening or replacement of the barn roof.

Therefore, it is confirmed that the masonry barn is capable of conversion without substantial reconstruction”. The existing building is proposed to be converted to a holiday let/local needs affordable dwelling. It will provide one bedroom, a bathroom and an open plan area providing a living/dining room and kitchen. An outside raised terrace area with planting adjacent to the south-east elevation is also proposed. This will be constructed using matching stone from the site.

The external alterations include the replacement of the corrugated metal roof with a natural slate one retaining the existing roof profile whilst raising the height of the roof, the infilling of the existing openings (two on the north-east elevation and one on the south-west elevation) with horizontal timber boarding and timber framed windows. A new timber framed door will also be inserted into an existing opening on the north-east elevation and a timber door will be replaced with a larger, glazed timber framed door on the south-west elevation. The window in the south-east elevation will be replaced with a timber framed window of slightly larger dimensions and a new single pane window will be inserted into the south-west elevation. A new flue will be inserted into the south west roof slope and the proposed plans also show the installation of a bat box on the north-west elevation.

The proposed alterations to the roof include raising its height by approximately 0.92m on the north-west elevation and approximately 1.1m on the south-east elevation. The existing building slopes into the land and there is a rise of approximately 1.5m difference in the floor level from the north-west elevation to the south-east elevation. The raising of the roof height allows the accommodation of sufficient head height whilst retaining the existing roof profile. It is considered that these works would amount to less-than substantial reconstruction.

The building is capable of conversion without substantial reconstruction and is suitable for its intended use as either a one-bedroom holiday let or a one-bedroom local needs affordable dwelling. The proposed plans show the inclusion of two parking spaces and an outside, raised terrace, seating area.

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With regards to clause 2 of policy CE-S5, the proposal does not include the removal of any historic fabric but seeks to repair the existing structure using matching materials, where necessary to conserve and enhance the existing building. The proposed design seeks to reflect the existing character of the building through retaining the existing roof profile, albeit with a higher ridge and through using traditional materials such as slate, natural stone and timber. The proposal also seeks the removal of the existing corrugated metal roof. The existing openings will be used to install new doors and windows with the exception of a new, single pane window opening.

It is considered that the proposed development accords with policy CE-S5 of the Local Plan.

Policy CE-S6 of the local plan encourages the use of traditional, natural, and sustainable materials to ensure that the appearance of new developments conserves and enhances the quality and character of the built environment and will expect the use of traditional, vernacular materials.

The proposed development includes the use of natural slate, natural stone and painted timber framed windows. The existing building benefits from the use of some of these materials and the proposed development seeks to match the existing materials. The existing corrugated metal roof will be replaced with natural slate. It is considered that the proposed materials are acceptable under this policy and comply with policy CE-S6.

Policies CE-S1 and CE-D1 of the Local Plan seek to conserve, enhance, and protect Exmoor's landscapes and seascapes. Policy CE-D1 states that development will be permitted where it can be demonstrated that it is compatible with the conservation and enhancement of Exmoor's landscapes and seascapes.

The proposed development seeks to convert an existing building to a residential use (either as a holiday let or as a local needs affordable dwelling). There is no additional footprint proposed and the building will largely remain as existing, with the exception of the raising of the ridge height of the building and infilling of existing openings. The existing corrugated metal roof will be replaced with a natural slate roof.

It is considered that the development would have an acceptable impact on the wider landscape, the development seeks to conserve and enhance the landscape through the re-use of an existing building, use of traditional materials and it has an acceptable impact on the character and appearance of the landscape and the existing building and is therefore acceptable and complies with policies CE-S1 and CE-D1 of the Local Plan.

IMPACT ON PROTECTED SPECIES AND HABITATS

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Policy CE-S3 of the Local Plan relates to biodiversity and green infrastructure and states that the conservation and enhancement of wildlife, habitats, and sites of geological interest within the National Park will be given great weight.

A preliminary Roost Assessment was carried out by Quantock Ecology in March 2021 and a Hibernation Survey was carried out by Quantock Ecology in January 2022 further to dusk/dawn surveys undertaken between August and September 2021 and these have been submitted alongside the application.

This Authority's Wildlife Officer has commented on the application and advises that the mitigation and compensation measures proposed in the report are suitable for the proposed work at this site, but that this will be determined by Natural England as part of the licence application once planning consent is in place.

She further advises that a European Protected Species Licence (EPSL) will need to be obtained from Natural England prior to the start of works, after planning permission has been granted and that the recommendations as detailed in Quantock Ecology's letter (February 2022) should be secured by way of appropriate condition and a bat lighting condition together with a bird informative should be added.

It is considered that protected species and priority habitats would be materially harmed by the proposed development and the recommendations contained within the wildlife surveys submitted provide suitable mitigation measures and the use of conditions and informatives is required to ensure that the proposals can comply with policy CE-S3 of the Local Plan and statutory legislation and that the conservation status of protected species would be conserved.

IMPACT ON PUBLIC RIGHTS OF WAY

Policy RT-D12 of the Local Plan states that 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.

Public Right of Way WL 6/37 (Restricted Byway) lies approximately 220m to the east of the site, WL 6/37 leads off Popery Lane which lies to the North of the Site and forms the access route from Wheddon Cross through Cutcombe Cross. The proposed development may be visible from the public rights of way to the east; however, it will be viewed in context with the surrounding existing development (including the existing barn that is not proposed to be converted) and the visual impact of the proposed development would be acceptable in this instance.

The proposed development may cause an increase in traffic that uses the restricted byway; however, traffic is already permitted to use the public right of way and it is not considered that the increase would adversely affect the public right of way.

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It is considered that the proposed development would not adversely affect the public rights of way either through its condition, its users' interests or affect its character and appearance. It is considered that the proposed development accords with policy RT-D12 of the Local Plan.

IMPACT ON HIGHWAY SAFETY

The site is accessed via a single width access drive that is shared with all the residential properties at Putham. This access itself is reached via single width lanes. Both of which have sporadic passing places. However, single width access lanes/roads are typical of Exmoor given its rural setting and these routes are existing and serve the existing residential properties at Putham. The proposed use of the building as a holiday let or as a one bedroomed local needs affordable dwelling is not considered to materially increase traffic movements to and from the site. The nature of the development is small scale with low level (or seasonal) vehicle movements

In terms of parking provision, the proposal includes the provision of two dedicated parking spaces and the proposed site plan submitted indicates that the area formerly used as a depot will be used to provide a turning area.

The Highways Authority have not objected to the application and state that their standing advice applies. There is adequate turning space and parking provision proposed to serve the scale of development proposed.

Overall, the proposed development is not considered to cause material harm to highway safety.

IMPACT ON NEIGHBOURING AMENITY

Policy GP1 of the Local Plan states that opportunities must be taken to contribute to the sustainable development of the area and particular attention will be paid to the impact on the amenities of local residents or occupiers of neighbouring properties. Policy CE-S6 states that development should not detrimentally affect the amenities of surrounding properties and occupiers including overlooking, loss of daylight, overbearing appearance, or other adverse environmental impacts.

The proposed site lies within the hamlet of Putham. To the north west of the site lies Higher Putham, Little Putham, Putham Farm and Lower Putham. The nearest property Little Putham lies approximately 45m away from the proposed site.

Five public letters of representation and a letter from a solicitor acting on behalf of a neighbouring property have been received. The letters raise concerns and objections in relation to:

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- The suitability of the access from Wheddon Cross (Popery Lane), its narrowness, lack of passing places and the ability of the access to sustain further development.
 - The buildings not being barns but livestock sheds
 - The roof and sides of the linhay were removed before a bat survey was carried out
 - The exact use that is being applied for
 - Sewerage and waste storage arrangements
 - Adjacent land is subject to hunting with hounds held by Badgworthy Land Company.
 - There is a young oak situated by the Little Putham boundary.
 - Shearwell Data Limited constructed a new road for its and employees use only. It is a private road and residents of Putham have no right to use it without their permission.
 - The location and suitability for development and conversion.
 - Parking

It is considered that highway safety will not be materially affected by the proposed development given its small scale nature and likely low level traffic movements.

The existing building is a traditional stone barn with a corrugated metal roof. A structural survey has been submitted concluding that the building is capable of being converted to the proposed use(s) without substantial alteration.

The applicant has indicated that prior to works been carried out to repair the existing Linhay an ecological survey was carried out in September 2020 that did not uncover any bat activity. Subsequent bat surveys were carried out for the purposes of this application.

As outlined earlier in this report, the proposed use of the converted building as either local need affordable accommodation or as a holiday let is acceptable under the Local Plan.

Details and the acceptability of the waste storage facilities and foul sewerage capacity are considered under Other Matters within this report. These matters, subject to conditions, are considered to be acceptable.

The application does not seek the removal of any trees. The location and parking arrangements are considered earlier in this report.

The applicant has responded to the comments made on behalf of Shearwell Data Limited and states the private access road for Shearwell Data is not used to access the application site. He advises that the access plan shows the intended access along the existing tarmacked lane over which he has full rights of access.

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It is considered that there would not be an unacceptable increase in overlooking. It is also considered that the works would cause no adverse effect on the neighbouring occupiers from overbearing, loss of light or other adverse environmental impacts; therefore, it is judged that the development would have an acceptable impact on the amenity of neighbouring residents, in accordance with policies GP1 and CE-S6 of the Local Plan.

OTHER MATTERS

Policy CC-S6 relates to Waste Management. Paragraph 5.108 of the preamble to this policy states that domestic waste collection in Exmoor is undertaken by contractors on behalf of the Somerset Waste Partnership and the waste is taken to waste recycling and treatment facilities outside the National Park. The proposed site plan shows a dedicated bin storage area to the north of building and adjacent to the access drive.

Policy CC-D5 relates to Sewerage Capacity and Sewage Disposal. The proposed site plan shows the installation of a biodigester located to the north east of the building. No details of the specification of the size or load capacity of the biodigester have been submitted and this will be conditioned for any grant of planning permission.

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 152 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,

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including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

There could be an impact on the climate from the construction process and the sourcing of construction materials, but this would be limited given the scale of the development. The proposal would make use of an existing building and provide accommodation that has the potential to meet a local affordable housing need or to provide holiday accommodation. 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.

Cutcombe Parish Council have commented on the application on the 21st June 2021 and state that they object to this proposal on the grounds that it is considered an unsuitable site for a development of the nature proposed and has very poor access.

Following the submission of additional and amended information, the Parish Council commented on the 15th March 2021 and state that the Council objects to the application on the basis that the access and location are unsuitable.

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

The proposal to convert an existing building to a holiday let/local needs dwelling is supported under HC-D7 and RT-D4. The proposed conversion is sympathetic to the character and appearance of the traditional building. The works are considered to have an acceptable impact on important wildlife interests, subject to appropriate conditions, and there is considered to be no unacceptable impact on highway safety, public rights of way or neighbouring amenity.

On balance, the proposal is considered to comply with the relevant planning policies, and it is recommended that planning permission be approved subject to conditions outline below, and subject to a signed s106 agreement to ensure that the dwelling is for local affordable need accommodation when not in use as a holiday let.

Given the Parish Councils objection and the recommendation within this report to approve the application, under the adopted scheme of delegation the application will need to be considered by Authority Committee for a determination.

Recommendation

Approve subject to signed S106 Agreement and the conditions below:

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

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

2 - The development hereby approved shall not be carried out except in complete accordance with the drawing numbered as 2043.0/101 – Location Plan and date stamped 25 May 2021 and drawings numbered as 2043.0/301 REV B – Proposed Site Plan, 2043.0/302 REV B – Proposed Floor Plan, 2043.0/310 REV B – Proposed Elevations, 2043.03/312 – Proposed Elevations New Construction, 2043.0/303 REV A – Proposed Roof Plan and 2043.0/320 REV B – Proposed Section and date stamped 21 July 2021

Reason: For the avoidance of doubt and to ensure the development accord with the approved details.

3. The application building shall only be used as a local needs affordable dwelling in accordance with the planning obligation dated [to be completed] or a self-contained unit of holiday accommodation in accordance with the requirements of Condition 4 of this permission and for no other purpose including any other use in Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure that the building is not occupied as an open market/ principal residence dwelling in accordance with policies HC-D5 and HC-D13 of the Exmoor National Park Local Plan 2011-2031.

4. When not occupied as a local needs affordable dwelling, the development hereby permitted shall not be occupied other than for the provision of short let holiday accommodation. The building shall not be occupied as a holiday let by any person for a period exceeding 28 days in any calendar year. The owner or operator shall maintain a register of occupants for the holiday accommodation each calendar year. This shall be made available on request for inspection by any duly authorised officer of the Local Planning Authority.

Reason: To ensure that the building is not occupied as an open market/ principal residence dwelling in accordance with HC-D7, HC-D13 and RT-D4 of the Exmoor National Park Local Plan 2011-2031.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or

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without modification), express planning permission shall be obtained for any development within Classes A, B, C, D and G of Part 1 and Classes A, E, F, G and H of Part 14 of the Schedule 2 of the Order.

Reason: To control any subsequent development in the interests of the visual amenities of the locality, to protect the character of this area of the National Park and to ensure the character and appearance of this non-designated heritage asset is maintained.

6. The development hereby approved, shall be carried out in accordance with the recommendations set out in the Hibernation Check report dated 11/02/2022 undertaken by Quantock Ecology and the recommendations set contained in Section 4.3 of the Bat Survey – Emergence and Activity Survey undertaken by Quantock Ecology at Lower Cleeve Barns, Cutcombe and dated 28/09//2021, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proposal meets the requirements within the National Planning Policy Framework 2021, allowing the development to contribute to and enhance the natural and local environment by minimising impacts on and providing net gain for biodiversity, and in accordance with Policy CE-S3 of the Exmoor National Park Local Plan 2011-2031.

7. Prior to the commencement of the development, hereby approved, a European Protected Species Licence, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to secure the ‘strict protection’ of European protected species in accordance with the Conservation of Habitats and Species regulations 2017 and policy CE-S3 of the Exmoor National Park Local Plan 2011-2031

8. The windows and doors in the development hereby approved (including their frames) shall only be constructed from natural timber. The window and doors shall be retained as such thereafter and any subsequent replacements shall accord with the requirements of this condition.

Reason: In the interest of visual amenity and the character and appearance of the building in accordance with policies CE-S6, CE-S1 and CE-D1 of the Exmoor National Park Local Plan 2011-2031.

9. The roof of the development, hereby approved, shall be finished in natural slate and thereafter, natural slate shall be retained on the roofs.

12.1

Reason: To safeguard the visual amenity and landscape character of the National Park in accordance with Policies GP1, CE-S1, CE-D1 and CE-S6 of the Exmoor National Park Local Plan 2011-2031.

10. All services to the buildings in connection with the development hereby approved shall be placed underground.

Reason: In the interest of visual amenity and the character and appearance of the building in accordance with policies CE-S6, CE-S1 and CE-D1 of the Exmoor National Park Local Plan 2011-2031.

11. The external materials to be used in the construction of the development hereby permitted shall match those used in the existing barns.

Reason: In the interest of visual amenity and the character and appearance of the building in accordance with policies CE-S6, CE-S1 and CE-D1 of the Exmoor National Park Local Plan 2011-2031.

12. Prior to its installation, details of the sewage disposal system to be installed, shall be submitted to, and agreed in writing by the Local Planning Authority. These details shall include the feasibility of alternative options.

Reason: In the interests of avoiding pollution of the water environment to accord with policy CC-D5 of the Local Plan.

13. The flue hereby approved shall only be finished in a matt black finish (either painted or powder coated) and shall be retained as such thereafter.

Reason: In the interest of visual amenity and the character and appearance of the building in accordance with policies CE-S6, CE-S1 and CE-D1 of the Exmoor National Park Local Plan 2011-2031.

14. No fascias, including barge boards, shall be fixed to the barn conversions hereby approved. All rainwater goods and soil pipes shall be fixed directly to the external face of the walls of the barn conversions, and they shall be constructed from matt black cast iron or cast aluminium. The rainwater goods and soil pipes shall be retained as such thereafter and any subsequent replacements shall accord with the requirements of this condition.

Reason: In the interest of visual amenity and the character and appearance of the building in accordance with policies CE-S6, CE-S1 and CE-D1 of the Exmoor National Park Local Plan 2011-2031.

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15. Prior to installation, details of the location of the soil pipes, should they run externally, shall be submitted to, and approved in writing by the Local Planning Authority. The soil pipes shall be erected in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and the character and appearance of the building in accordance with policies CE-S6, CE-S1 and CE-D1 of the Exmoor National Park Local Plan 2011-2031.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting those Orders with or without modification), no external lighting shall be attached to the development hereby approved without the prior written agreement of the Local Planning Authority. Any submitted details for external lighting shall including the location, fixtures/fittings type, angle of light spill, level of shielding and lumens levels and a "lighting design for bats", following Guidance note 8 - bats and artificial lighting (ILP and BCT 2018). Once approved the lighting will be installed and operated in accordance with the agreed lighting scheme.

Reason: To safeguard the visual amenity, landscape character and dark night sky of the National Park in accordance with Policies GP1, CE-S1, CE-D1, CE-S6 and CE-S2 of the Exmoor National Park Local Plan 2011-2031.

Informatives

CONDITIONS AND INFORMATIVES

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

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications. It will be necessary to adopt a formal approach and that if changes to

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approved plans are proposed then it will be necessary to make a new planning application. Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

MONITORING OF DEVELOPMENT

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

PERMISSION FOR CONVERSION WORKS NOT REBUILDING

The attention of the applicant is drawn to the fact that this consent is for the conversion of an existing barn without the need for any significant rebuilding. Should the building prove to be incapable of conversion without substantial reconstruction, then a further planning application will be required.

BIRD INFORMATIVE

The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity

PUBLIC RIGHT OF WAY INFORMATIVE

Public rights of way should be open (easy and safe to use) at all times.

Please note the following:

- Care should be taken to avoid obstructing or interfering with the public rights of way or creating a hazard for users. If it is impossible to avoid interference or potential danger, the appropriate legal steps (e.g., path closure application) should be taken in advance of any works. If this is

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likely to be necessary, please contact ENPA (who act on behalf of the Highway Authority) or seek legal advice as soon as possible.

- Any disturbance to the surface of rights of way should be avoided but if any such disturbance does occur due to the owner/occupier or their agents' use of the way, the surface should be reinstated.
- Where planning permission is granted, this does not authorise any person to stop up or divert any public right of way.
- Separate legal steps are needed for this
- The driving of a vehicle is only permitted on a public bridleway/footpath where the driver has lawful authority to do so
- Parking on the public right of way may be deemed to constitute an obstruction
- Changes to the surface/drainage of a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent)
- New furniture (e.g., gates) being needed along a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent)
- Where an increase in vehicular traffic or other alteration in the private use of a public right of way this route is expected as a result of the development, there will be other considerations such as the impact on the maintenance requirements of the right of way.

POSITIVE & PROACTIVE STATEMENT

This Authority has a pro-active approach to the delivery of development. Early preapplication 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 relevant planning considerations have been appropriately addressed to achieve a positive outcome.



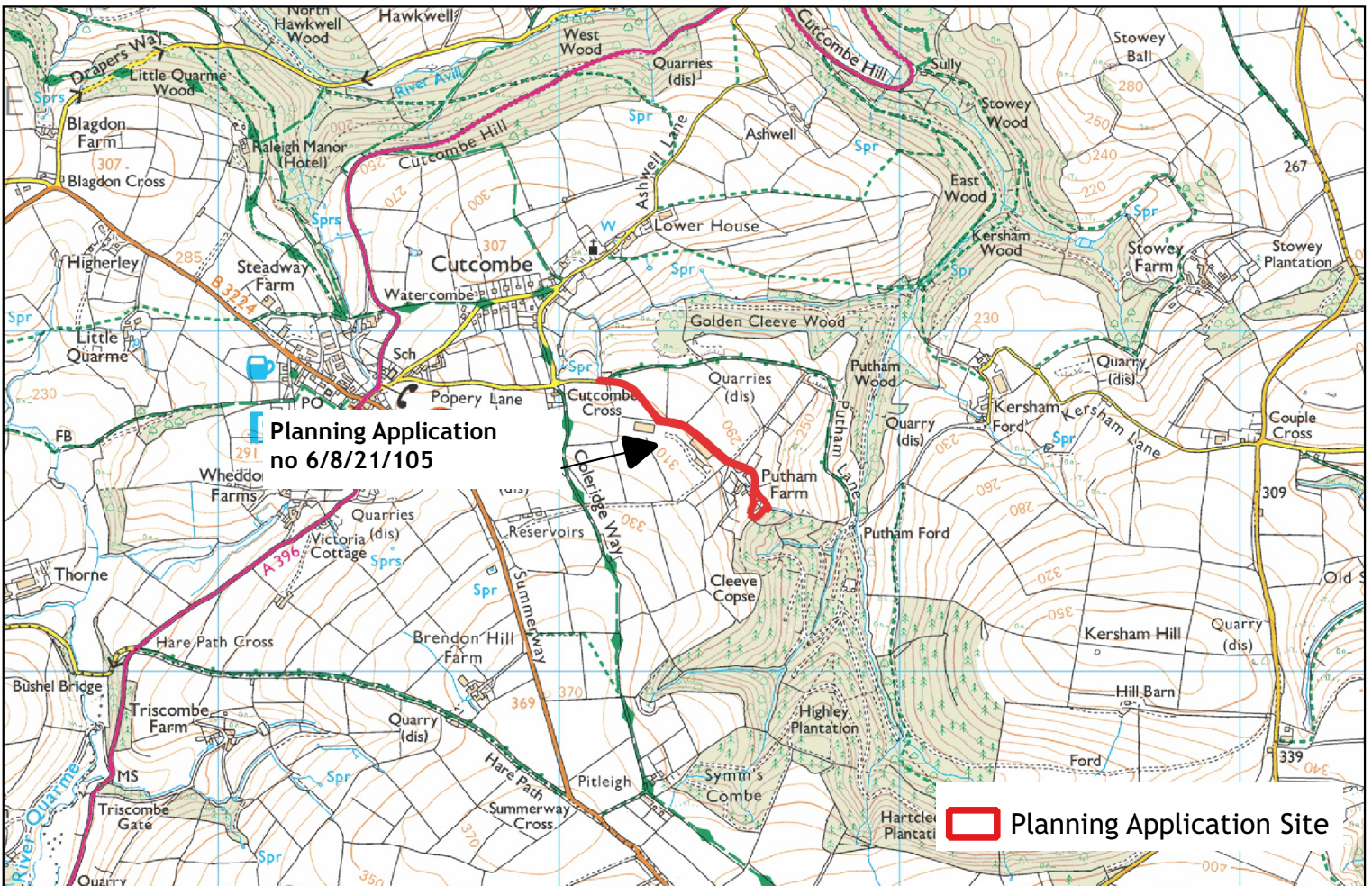
Planning Application
no 6/8/21/105

 Planning Application Site

Site Map

Scale

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Planning Application
no 6/8/21/105

 Planning Application Site

Overview Map

Scale 1:20,000

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Committee Report

Application Number:	6/3/21/120
Registration Date:	15-Dec-2021
Determination Date:	01-Feb-2022
Applicant	Ms. L Tame, South West Lakes Trust
Agent:	
Case Officer:	Tom Jones
Site Address:	Wimbleball Lake, Hill Lane, Brompton Regis, TA22 9NU
Proposal:	Proposed construction of Dark Skies Discovery Hub stargazing and seating area.
Recommendation:	Approval with conditions
Reason for bringing before Authority Committee:	Brompton Regis Parish Council has objected to the application. Also, the facility would be part funded by money secured by ENPA.

Relevant History

6/3/06/105 Provision of 2 disabled parking spaces for wheelyboat users and improved disability access Approved 05/02/2006
6/3/75/011 Propsoed development including Boat Clubhouse, dingy / car parking, kiosk, lodge / flats and lecture room Approved 05/03/1976

Site Description & Proposal

The site is located at the South West Lakes Trust (SWLT) facility at Wimbleball Lake to the east of Brompton Regis. The facility provides outdoor activities including water sports and camping. The facilities operate all year with most activity during the day and between April and September.

The application site falls within the confines of the main hub for visitors, situated to the west of the lake between the activity centre, café, car parks and watersports launch area.

The land is currently managed as grassland with a hay cut taken in late summer. This management regime has been in place for approximately five years.

The proposal seeks the erection of a star gazing hub which would sit within an area of grassland overlooking the lake in a south easterly direction. The design of the hub proposes a low seating area with a circular flat patio style platform in front for the use of telescopes.

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It would be constructed using blue lias random rubble stone walling on its western side. The surface would comprise blue lias paving with a stone centre piece with stainless steel engraved centre to interpret constellations.

Galvanised steel (or steel only depending on availability of products) and timber would be used to create curved seating set into the boundary walls.

Consultee Representations

Brompton Regis Parish Council, 27-January-2022. The Parish Council has objected to the application raising concern with respect to the generation of further traffic to the site and that there are other sites with good access for a dark skies facility. The Parish Council states in their comments that 'SWLT estimates in other applications some 200,000 visitors p.a. and a night time facility can only be expected to increase numbers. Access to the site is only via narrow lanes which is already inadequate for current usage. This issue has repeatedly been raised by the BRPC and residents in response to other proposals to increase facilities at Wimbleball - South West Lakes Trust seems to be trying to incrementally develop a theme park at Wimbleball without regard to issues of access - We feel that this, and other incremental developments at the site, are detrimental to the natural qualities of the area and with regard to this proposal night time visitors can only be expected to negatively affect wildlife - We do not accept the need for the proposed hub at this site. Exmoor is a dark skies reserve and there are many places with good vehicular access for a dark skies facility. We suggest that Haddon Hill car park would be a far better site due to the good access which does not require visitors to navigate our narrow lanes at night.'

Somerset County Council Highways, 21-December-2021. The Highway Authority comments that standing advice applies.

ENPA Public Rights of Way Officer, 23-December-2021. Advises that Public footpath DU1/5 passes just to the east of the proposed development site.

The Officer advises that the used line of the route differs from the legal line in that people walk along the established track which is also a permitted bridleway. The proposed location for a Dark Sky Hub at Wimbleball is entirely appropriate for the recreational use of this area and will help attract visits in the shoulder months. The Dark Sky Discovery Trail referred to in the planning statement was opened in autumn 2021 and is now in use.

The Officer recognises that it is not possible to avoid all interference or potential danger; and that the appropriate legal steps, including path closure application, should be taken in advance of any works. Any disturbance to the surface of rights of way should be avoided, but if any such disturbance does occur due to the owner / occupier or their agents' use of the way, the surface should be reinstated.

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The Officer advises that where planning permission is granted this does not authorise any person to stop up or divert any public right of way. Separate legal steps are needed for this.

The driving of a vehicle is only permitted on a public bridleway / footpath where the driver has lawful authority to do so. Parking on the public right of way may be deemed to constitute an obstruction. Changes to the surface / drainage of a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent). New furniture, such as gates, being needed along a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent). Where an increase in vehicular traffic or other alteration in the private use of a public right of way this route is expected as a result of the development.

Wessex Water, 19-January-2022. Wessex Water objected to the original layout, noting that the site is crossed by a 100mm public water main which appears to conflict with the proposed layout; and advised that Wessex Water do not permit building near or over public water mains; and that a revised drawing showing how the existing public water main will be protected is submitted to the planning authority prior to a planning decision.

South West Water, 04-January-2022. SWW provided a plan showing the approximate location of a public 150mm sewer in the vicinity. South West Water advises that they will need to know about any building work over or within 3 metres of a public sewer or lateral drain.

Met Office, 16-December-2021. No objections.

The ENPA Historic Buildings Officer has made no comment.

The ENPA Wildlife Officer notes that the applicant has described the area as a meadow which is being managed for biodiversity through an annual hay-cut, but which was amenity grassland around 5 years ago; and that the installation would cover less than 1% of the total area of the grassland.

The site lies around 95m west of the edge of Wimbleball Reservoir which is designated as a Local Wildlife Site and is described as a 'man made reservoir of growing importance for wintering wildfowl, passage migrants and breeding birds'. The meadow is likely to provide opportunities for wintering birds, nesting birds, reptiles, amphibians, small mammals and invertebrates. The nearby hedgerow is also likely to be used by foraging and commuting bats. With suitable measures in place, impacts are likely to be negligible. The Officer recommends that an ecological management / enhancement plan is required as a condition.

The ENPA Future Landscapes Officer makes no objection. Full comments are incorporated into the report under the heading 'Impacts on Landscape'.

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No other consultation responses have been received.

Representations

One objection has been received from the owner of a neighbouring property. The representation questions the need for the facility since the night sky can be enjoyed without it and suggests that other locations could accommodate a dark skies site. The representation raises concern with respect to visitors harming amenity, particularly at night; harm to biodiversity; and traffic congestion.

Policy Context

Exmoor National Park Local Plan

GP1 – Achieving National Park Purposes and Sustainable Development
RT-D10 – Recreational Development
RT-S1 - Recreation and Tourism
SE-S1 – A Sustainable Exmoor Economy
CE-S1 – Landscape and Seascape Character
CE-D1 – Protecting Exmoor’s Landscapes and Seascapes
CE-S2 – Protecting Exmoor’s Dark Night Sky
CE-S3 – Biodiversity and Green Infrastructure
CE-S4 – Cultural Heritage and Historic Environment
CE-D3 – Conserving Heritage Assets
CE-S6 – Design & Sustainable Construction Principles
CC-S1 – Climate Change Mitigation and Adaptation
CC-S6 – Waste Management
AC-S1 – Sustainable Transport
AC-D1 – Transport and Accessibility Requirements for new development
AC-D2 – Traffic and Road Safety Considerations for Development
AC-S3 – Traffic Management and Parking
AC-D3 – Parking Provision and Standards
RT-D12 – Access land and rights of way

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

Planning Considerations

The key planning considerations are the principle of development, impact on the landscape, residential neighbouring amenity, highway safety, design and ecology.

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Principle of development

Policy GP1 sets out criteria for achieving National Park Purposes and Sustainable Development. These include high quality design, the efficient use of land, buildings, services and infrastructure; protecting the amenities of local residents and conserve or enhance the quiet enjoyment of the National Park; and supporting the health and socio-economic wellbeing of local communities and encouraging community participation.

Clause 1 of Policy RT-D10 allows recreational development where it supports a sustainable local economy and where it can be demonstrated that the criteria in the Policy can be met. The key criteria are:

- the need for a new building is clearly demonstrated and siting is well related to existing buildings;
- the location together with scale, and intensity of use or activity (including seasonal impacts) is appropriate in relation to the historic environment, wildlife sensitivity, landscape character, visual amenity and existing enjoyment of the area;
- where it cannot be accommodated in a named settlement, the development will enhance the understanding and enjoyment of the special qualities of the National Park, and it can be clearly demonstrated that such a location is essential for development;
- there is adequate access, including by sustainable modes of transport;
- parking can be accommodated unobtrusively and the existing local road network has capacity to service the development (AC-S3); and
- the development will be removed and land restored to its former condition when the building / structure becomes redundant unless planning permission is granted for an alternative use. Environmental enhancement will be encouraged when the land is restored.

Clause 1 of Policy RT-S1 encourages high quality, inclusive visitor experience on Exmoor that actively enhance the understanding and enjoyment of the National Park's special qualities in accordance with the following principles:

- compatible with the quiet enjoyment of the National Park;
- no unacceptable adverse effects on the natural and historic environment;
- contribute towards a sustainable future for Exmoor's local economy and communities;
- support the improved health and wellbeing of people living, working and visiting Exmoor through the benefits of recreation and experience of tranquillity;
- ensure appropriate and safe access by the road network and where possible by walking, cycling, horse-riding and public transport;
- safeguard the existing access network, including public rights of way, and access land; and provide enhancements where opportunities arise (RT-D12);
- respond to opportunities to improve the quality and viability of existing recreation and tourism businesses, through appropriate restoration, extension, expansion or diversification; and

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- of a scale compatible with their location and setting, in accordance with the relevant development management policy considerations for tourism and recreation (policies RT-D1 to RT-D12)

Policy SE-S1 encourages development that would strengthen, enhance and diversify the Exmoor economy, business and employment. Proposals should demonstrate that they will not have an unacceptable adverse impact including in terms of their operations, activity, and scale, on local amenity, landscape character, cultural heritage, sensitive habitats and wildlife.

In the context of the above the Planning Officer notes that Exmoor was designated Europe's first International Dark Sky Reserve in 2011. Since then, the ENPA has sought to not only protect the dark skies, but also raise awareness about their value by engaging the public in opportunities to discover them.

There is an ambition in the Partnership Plan for 'Exmoor to be somewhere you can experience tranquillity, openness, wildness and dark night skies'. There is a priority within this ambition that 'more people are encouraged to discover the magic of Exmoor Dark Sky Reserve'.

The ENPA Corporate Plan for 2021/22 has an action (22) to 'Deliver the Dark Skies Tourism development project including the new Dark Sky Discovery Trail and Hub, business engagement, interpretation and events'.

The Supporting Statement to the application states that 'the project is a simple scheme to provide a Dark Skies Discovery Hub at Wimbleball Lake to complement the International Dark Sky Reserve designation which Exmoor National Park holds.' Allied to this is the opportunity to support the visitor economy in terms of the dark skies as an asset to attract (overnight) visits outside of the peak season and to complement ENPA's Dark Sky Discovery Trail, which was opened in autumn 2021.

The project is proposed in the context of the Exmoor Visitor Survey (2021), which suggests a quarter of visitors to Exmoor are attracted by its designation as a Dark Sky Reserve with 15% participating in stargazing whilst here.

Prior to this project a lack of confidence from businesses to run dark sky events and a lack of a focal point from which to base activities / point people to has prevented the National Park from making progress with Action 22 of the Corporate Plan.

This project provides the first infrastructure to support the safe provision of an outdoor dark sky hub that would enhance people's experience.

The applicant advises that over the last two years ENPA has used funding secured from the Hinkley Tourism Action Partnership (HTAP) to develop Astro tourism developments. This has included the recently launched Dark Sky Discovery Trail at Larkbarrow, supporting an Exmoor Dark Sky Hub at Exford (adaptation of the tea

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rooms to provide a focal point for indoor presentations and info regarding dark skies including interactive planetarium software), training for businesses and establishment of Dark Sky Friendly Business Scheme and enhanced resources for use by the public (including a stargazing guide). The final element is this second hub at Wimbleball. In the absence of an observatory on Exmoor it is considered that this would provide an ideal space for entry level events for people to experience the dark skies safely.

ENPA is providing approximately one third of the funding for the proposed hub using HTAP secured funds.

The Planning Officer agrees with the analysis above and notes that it is the stated objective of the ENPA to see the provision of location specific Dark Skies to act as focal points for entry level astronomers and public engagement.

It is the view of the Planning Officer that the proposal is, in principle, supported by Policy RT-D10, RT-S1 and SE-S1 and would further the objectives of the ENPA Corporate Plan.

It is necessary to consider the detail impacts of the proposed development. This consideration follows.

Impact on landscape

Policy CE-S1, CE-S2 and CE-D1 seek to protect the high quality, diverse and distinct landscapes and seascapes; and to protect Exmoor's Dark Night Sky.

Policy CE-S3 requires development to conserve and enhance wildlife, habitats and sites of geological interest within the National Park will be given great weight.

Policy CE-D1 advises that development will be permitted where it can be demonstrated that it is compatible with the conservation and enhancement of Exmoor's landscape. Policy CE-S2 refers to Exmoor's dark night sky and advises that, among other things, the tranquility and dark sky experience of the Exmoor National Park Dark Sky Reserve and the National Park as a whole, will be maintained and improved.

Wimbleball Lake lies within the Exmoor International Dark Sky Reserve. The location for the proposed stargazing facility is within a designated Dark Sky Discovery Site and sits in close proximity to existing structures and facilities that support recreational activities.

The ENPA Future Landscapes Officer advises that the night sky in the local area has high levels of darkness with measurements taken at nearby Haddon Hill for annual submission to the International Dark-sky Association, as part of the reporting required for Exmoor National Park's Dark Sky Reserve designation. Star gazing and dark sky events occur across the National Park as both part of the annual dark sky festival and

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on a smaller scale throughout the year, with the dark sky discovery trail also opening in 2021.

The Wimbleball activity centre lies within the Enclosed Farmed Hills with Commons landscape character type. The landscape of the surrounding area is typical, with its broad rolling terrain, mostly pastoral farmland and narrow lanes with tall hedgerows. The grounds around the activity centre include woodland blocks, hedgerows and grassland which is a mix of mown grass for camping and recreational use and longer meadow areas managed for biodiversity, with mown pathways. In this respect it is not typical of the landscape character type.

The proposed hub is in a grass area to the south east of the main building, towards the lake. In terms of its design, the 5m diameter paved area would be set into the ground and backed by a curved wall and seating. The soil would be built up behind the wall, creating a sense of a partly sunken feature. Materials include stone paving rubblestone walling and stainless steel. It would seat a small group of people for star gazing. It would be accessed via mown grass paths which are likely to be accessible by wheelchair, although this has not been indicated in the supporting information.

There are two properties nearby, Hill Farm at approximately 100m to the north, which has a shared access with the activity centre and Higher Cowlings at approximately 400m to the south west. It is unlikely that there would be any visibility between these and the hub. Impacts in terms of noise intrusion at night could occur for the closer Hill Farm.

The activity centre takes part in the annual dark skies festival and the dark sky discovery hub would provide a focus for these events and others running through the year. The activity centre is well suited for such a hub, given the facilities already present. The hub as proposed is a small feature which would have minimal landscape impact given its context within the centre.

The Future Landscapes Officer concludes that as the proposed facility is largely at ground level it would have minimal visual impact beyond the immediate surrounds.

The applicant advises that Wimbleball Lake, managed by charity South West Lakes Trust, is an Exmoor Dark Sky Friendly Business. Lighting at the lake is carefully considered and is only present around the main buildings.

It is recognised that a more remote location on the site or elsewhere in Exmoor National Park could offer an enhanced star gazing experience. Rather than locating away from the centre of the visitor site in a more remote location the applicant has selected a site a position near to existing buildings seeks to minimise impact on the landscape.

There is no requirement for the removal of trees or hedges. The remaining grassland will continue to be managed as a meadow for biodiversity.

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Materials are reflective of the local area.

It is the view of the Planning Officer that the proposed development is visually part of the facility that is a man made reservoir with recreational impacts; and that the location, layout and design would have preserve the character and appearance of the landscape.

Impact on ecology

Policy CE-S3 requires development to conserve and enhance wildlife, habitats and sites of geological interest within the National Park will be given great weight.

The proposal would involve the loss of less than 1% of an area that is managed as a meadow through an annual hay-cut, but which was amenity grassland around 5 years ago; and would not involve the removal of trees or hedges.

It is noted that the area is used for seasonal camping.

The applicant advises that the remaining grassland would continue to be managed as a meadow for biodiversity.

The ENPA Wildlife Conservation Officer advises that with suitable management in place, impacts are likely to be negligible.

The Planning Officer recommends that a Construction Environmental Management plan is required, by condition, prior to the commencement of works; and that an Ecology Enhancement Plan is required, by condition, prior to the use of the facility.

Impact on heritage

Policy CE-S4 requires the local distinctiveness, cultural heritage, and historic environment of Exmoor National Park to be conserved and enhanced. Policy CE-D3, Clause 3 specifically seeks to protect heritage assets and their settings. It is noted that Hill Farm, a Grade II Listed Building, lies approximately 100m to the north of the proposed development. It is the view of the Planning Officer that due to distance, topography, intervening vegetation, and the discrete design of the facility there would be no impact on this heritage asset and no impact on its setting.

Impact on the highway and Public Rights of Way

Policy RT-D12 relates to safeguarding access land and Rights of Way in terms of their condition, users' interests and character and appearance. Where a proposal would adversely affect the network it will be necessary to meet a number of criteria

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including that there is a need for the development, that there is no appropriate alternative location and any harm will be kept to a minimum.

The ENPA PROW Officer advises that Public footpath DU1/5 passes just to the east of the proposed development site. The Officer advises that the used line of the route differs from the legal line in that people walk along the established track which is also a permitted bridleway.

It is the view of the Planning Officer that there would be no permanent adverse impact on the public footpath.

The PROW Officer advises that the proposed location for a Dark Sky Hub at Wimbleball is appropriate for the recreational use of this area and would help attract visitors in the shoulder months. It is noted that the Dark Sky Discovery Trail, referred to in the planning statement, was opened in autumn 2021 and is now in use. The location close to footpath DU1/5 would, in the view of the Planning Officer, enhance this new resource.

It is recognised that during construction the potential exists for interference with the use of the footpath and measures would be necessary to ensure the safety of users. This is not a specifically a planning policy matter, but if planning permission were granted the applicant would need to be made aware that formal measures would be required to ensure safety including, if necessary, temporary diversion or closure of the footpath.

Policy AC-D2 requires that development would not prejudice road safety interests. Proposals for new development should also make adequate provision for parking in accordance with policy AC-D3 Parking Provision and Standards.

The applicant advises that the lake attracts approximately 200,000 visitors per annum with both residents and tourists visiting for on water activities, walking, cycling, angling and experiencing the great outdoors on the moor.

The existing facility has formal parking to accommodate 470 cars, with 5 disability spaces, and 12 cycles. The application proposes no additional parking facilities.

It is recognised that the local roads are not designed for high volumes of traffic, but many vehicles safely use the site and there is no known record of accidents. The applicant states that individual events using the facility would accommodate 10 to 15 people. In the context of 200,000 visitors per year this is considered to be a negligible increase. Furthermore, it is likely that a proportion of those visiting specifically for such an event would be day time visitors who would already be on site.

Policy AC-S3 states that the approach to traffic management on Exmoor takes into account the needs of all users including pedestrians, walkers, cyclists, horse-riders, and disabled people, including through the provision of alternative routes to avoid

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busy roads, safer crossing points, and use of shared surfaces where appropriate. New development is typically required to benefit from good access. In addition Policies RT-S1, RT-D10, AC-S1 and AC-D1 encourage development to be sited where public transport is accessible and low carbon travel is possible.

The location is remote from public transport and most people arrive by car. The increase in traffic is likely, however, to be negligible. It is also the case that this facility is necessarily remote, such that it is unlikely that another suitable location would be any better placed to benefit from public transport.

Amenity

Policy CE-S6 requires that development proposals should not detrimentally affect the amenities of surrounding properties and occupiers.

The closest residential neighbour to the application site is Hill Farm, which lies approximately 90m to the north.

One objection has been received from the owner of a neighbouring property. The representation questions the need for the facility; and raises concern with respect to noise disturbance from visitors harming amenity, particularly at night; harm to biodiversity; and traffic congestion.

The Planning Officer considers that the nature, scope and magnitude of the proposed development and related activity is negligible in the context of the existing activity. It may be the case that additional activity occurs outside the core months of April to September. It is not likely that events would be frequent and they would, given the nature of a stargazing activity, have a low impact.

During the construction phase there is likely to be some disturbance to neighbouring landowners. It would be appropriate, therefore, to include a condition requiring a Construction Environmental Management Plan to ensure any harm to amenity is minimised.

Design

Policy CE-S6 requires development proposals to deliver high quality sustainable designs that positively contribute to the setting; use materials and design elements that complement the local context; reinforces landscape character and the positive arrangement of landscape features; have regard to health and well-being; improve safety, inclusivity and accessibility for those who live, work and visit there; would not detrimentally affect the amenities of surrounding properties and occupiers including overlooking, loss of daylight, overbearing appearance; or have any other adverse environmental impacts.

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The applicant advises that the design and location of the hub has been carefully considered through ‘... consultation with a landscape architect, local employees and ENPA representatives’; and that the design has evolved to ‘reduce visual impact, reduce material requirements, and to ensure a good site and local fit.’

As noted previously in this report, rather than locating away from the centre of the visitor site in a more remote location the applicant has selected a site near to existing buildings, seeking to minimise impact on the landscape.

The design utilises local materials where possible, including the stone for the retaining wall and paving. Soil for the retaining wall would be sourced on site reducing the transportation impact of moving materials.

It is the view of the Planning Officer, and with reference to analysis elsewhere in the report, that the development would meet the requirements of Policy CE-S6, noting that a consideration of sustainability of the design and sustainable construction methods follows.

Sustainability

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. Policy GP1 of the Local Plan 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 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. Policy CC-S5 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 seeks to incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.

Paragraph 152 of the National Planning Policy Framework prescribes 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 but it is noted that natural timber would be used to clad the external walls and the use of this natural and sustainable material would lessen the impact on the climate. The

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ongoing use of the building would see a long-term impact on the climate but it is considered necessary to ensure the continued running of the farm in the interests of the proper management of the protected landscape. Officers consider that the impact on the climate resulting from the construction of the proposed development and its ongoing use would not be such that the application should be refused.

Specifically, Policies require development proposals to deliver sustainable designs that incorporate sustainable construction methods; demonstrate the sustainable use of resources; provide adequate access to, and storage for, recycling waste; future proof against climate change impacts, including flood risk, CC-S1; and encourage access by sustainable methods.

The applicant advises that local materials will be used where possible including the stone for the retaining wall and paving; and that soil for the retaining wall will be sourced on site reducing the transportation impact of moving materials.

A key objective of the hub is to facilitate visits outside the peak season. This potentially would reduce pressure on facilities and the local area at peak times.

The site is in Flood Zone 1. There is a very low risk of flooding associated with surface or ground water, rivers or reservoirs. Water run off from the installation would percolate into the surrounding land, meaning there is no risk with respect to increasing flood risk elsewhere.

Other matters

Wessex Water and South West Water advised that a 100mm public water main and a public 150mm sewer are in close proximity to the proposed development. The applicant subsequently moved the position of the structure to avoid harm to these assets.

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires planning applications to be determined in accordance with the development plan unless material considerations indicate other.

The proposed development would further the objectives of the Partnership Plan for Exmoor, including the ambition that 'more people are encouraged to discover the

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magic of Exmoor Dark Sky Reserve'; and the ENPA Corporate Plan 2021/22, which includes an action (Action 22) to 'Deliver the Dark Skies Tourism development project including the new Dark Sky Discovery Trail and Hub, business engagement, interpretation and events'.

It is the view of the Planning Officer that the proposed development meets the requirements of planning policies, as described in this report; and would not result in harm to the environment, specifically the landscape, biodiversity and heritage assets.

There is not likely to be harm to residential amenity.

The increase in traffic and activity would be negligible and there may be benefits through facilitating and encouraging visitors to visit in months other than April to September.

Recommendation

The application is recommended for approval subject to the conditions as below.

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

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

2. The works hereby approved shall not be carried out except in complete accordance with drawings: Location Plan - revised 14th February 2022, Block Plan - revised 14th February 2022; and plan layout and sections, stamped 'File No.3'

Reason: For the avoidance of doubt and to ensure the works accord with the approved details.

3. A Construction Environmental Management Plan shall be submitted to and approved, in writing, by the Local Planning Authority prior to the commencement of development. The preparation of the CEMP will be informed by the advice of an appropriately qualified ecologist. The CEMP will be adhered to during the construction phase.

Reason: In the interests of protecting amenity and enhancing biodiversity.

4. An Ecological Enhancement Plan shall be submitted to and approved, in writing, by the Local Planning Authority prior to the use of the facility. The plan will be implemented in full and maintained in perpetuity.

Reason: In the interests of enhancing biodiversity.

5. No external lighting shall be installed on the development hereby approved unless details have first been submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter be installed and operated fully in accordance with the approved scheme.

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Reason: In the interests of visual amenity, the conservation of protected species and habitats and to protect Exmoor's dark night sky.

Informatives

MONITORING OF DEVELOPMENT

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

POSITIVE & PROACTIVE STATEMENT

This Authority has a pro-active approach to the delivery of development. Early preapplication 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 relevant planning considerations have been appropriately addressed to achieve a positive outcome.

PUBLIC RIGHTS OF WAY

It is a criminal offence to obstruct a right of way unless the necessary legal order has been made, confirmed and brought into effect. Unauthorised obstructions may result in an injunction being served to stop development and/or criminal proceedings being brought against the offender. The court could impose a fine and rule that the obstruction be removed.

Express permission is required for any change to the surface of a right of way. If a change to, or a closure of, a right of way is needed to enable development to be carried out, you must contact ENPA and apply for a Temporary Traffic Regulation Order and / or Diversion or stopping up order under the Town and Country Planning Act 1990.

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WATER / SEWERAGE APARATUS

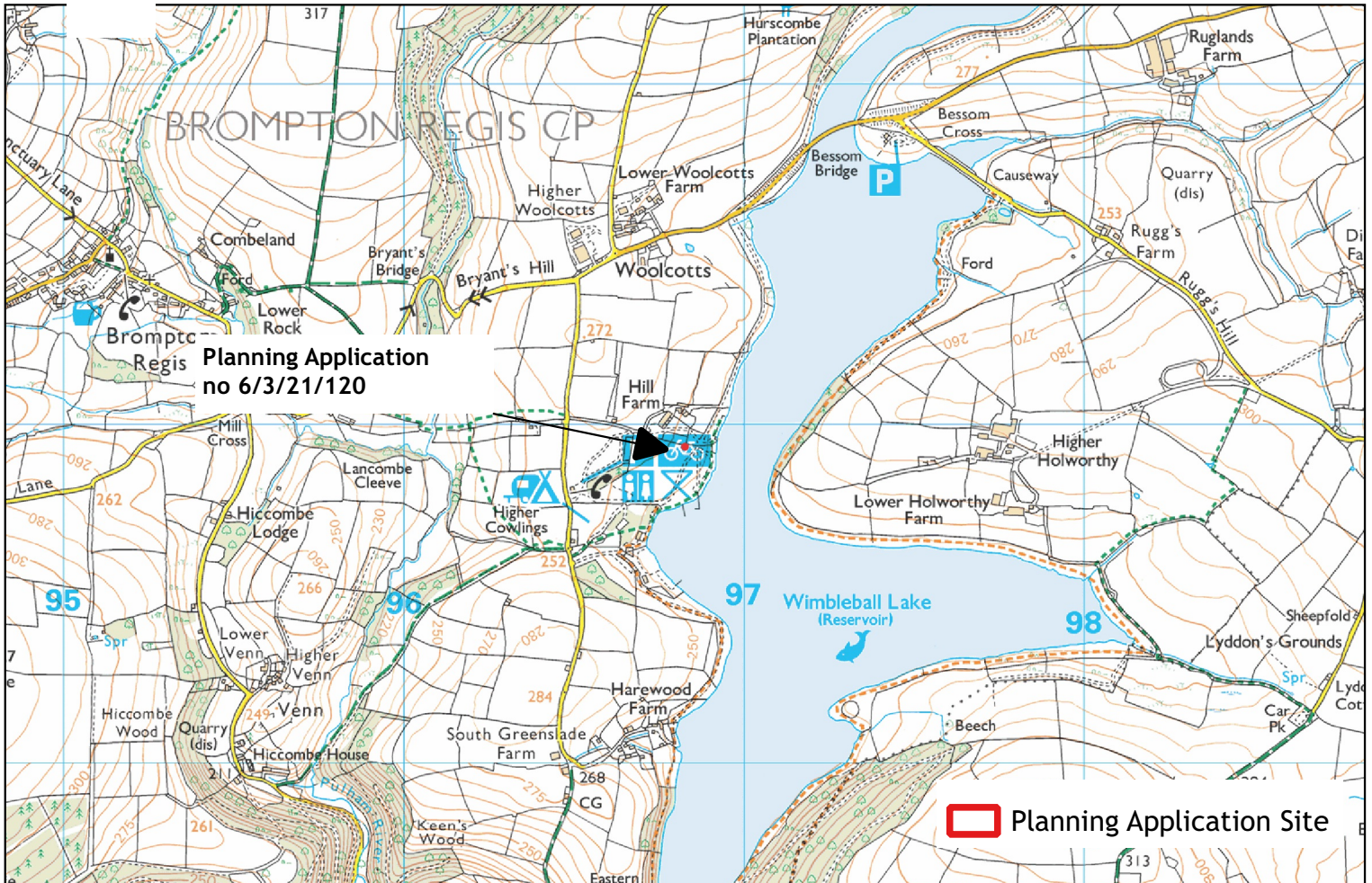
Wessex Water does not permit the build near or build over of public water mains. South West Water advises that they will need to know about any building work over or within 3 metres of a public sewer or lateral drain.

Work affecting a public sewer or water apparatus will require express consent from the Water Authorities.



Site Map
Scale 1:2,500

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Overview Map
Scale 1:20,000

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Application decisions delegated to the Chief Executive

Ref and Grid Ref	Applicant & Location	Decision and Date
62/19/22/001DC	Dr. Robert Schuster Bruce - Proposed Discharge of Condition 4 (2no bat boxes & 2no nest boxes) of application 62/19/20/008. (Discharge of Condition) - Heatherdown Cottage, HOLDSTONE DOWN, COMBE MARTIN, ILFRACOMBE, EX34 0PF	Approved 22-Mar-2022
62/11/22/003DC	Mr D Raymond - Discharge of condition 3 (written scheme of investigation) of approved application 62/11/21/016LB. (Discharge of Condition) - County Gate, Countisbury, Lynton, EX35 6NQ	Approved 22-Mar-2022
GDO 22/05	Mark Weatherlake - Prior notification for the proposed erection of building to store machinery (16.4m x 6.4m). (GDO - Agricultural/Forestry) - Treborough Common - Easting 301200, Northing 135400	GDO - Prior Approval Not Reqd 21-Mar-2022
62/43/22/001	Mr. P Miles, Lynton & Barnstaple Railway Trust - Non-Material amendment - Full - to approved application 62/43/20/003 to allow the removal of a window on the North Elevation and the addition of a Fire Door in the South Elevation to link to Existing Station building. (NMA - Full) - WOODY BAY STATION, PARRACOMBE, BARNSTAPLE, EX31 4RA	Approved 28-Feb-2022
WTCA 22/03	Steve Palmer - Works to Trees in Conservation Area: T1, Eucalyptus: Removal T2, Acacia: Reduction to 25ft T3, Acacia: Reduction to 25ft (WTCA) - THE ARCHERS, DUNSTER, MINEHEAD, TA24 6SD	Approved 22-Mar-2022
WTCA 22/02	Alan Hardgrave - Works to Trees in Conservation Area: T1, Spruce: Removal. T2, Yew: Reduction by 20% to give a new canopy height of 26ft T3, Yew: Reduction by 20% to give a new canopy height of 26ft (WTCA) - NORTHANGER, PRIORY GREEN, DUNSTER, MINEHEAD, TA24 6RY	Approved 22-Mar-2022
62/41/22/012LB	Mr A Cook - Listed building consent for proposed replacement of windows and proposed secondary window (Listed Building Consent) - The Old Sawmills, Road From Rose Cottage To Sparhanger Cross, Barbrook, EX35 6PF	Approved with Conditions 04-Mar-2022

Application decisions delegated to the Chief Executive

Ref and Grid Ref	Applicant & Location	Decision and Date
62/41/22/011	Mr S Dawson - Proposed variation of Condition 11 of approved application 62/41/16/022, to extend the date for the removal of the existing mobile home and any associated paraphernalia, including hardstandings, sheds, gas bottles and fences, to on or before 31st December 2022. (Alteration/Lift Condition) - HIDDEN VALLEY FARM, ILKERTON, BARBROOK, LYNTON, EX35 6PH	Approved with Conditions 21-Mar-2022
6/13/22/102	Mr. Simon Fitton - Proposed erection of veranda. (Full) - EDGCOTT HOUSE, EXFORD, MINEHEAD, TA24 7QG	Approved with Conditions 17-Mar-2022
GDO 22/03	Miss. S Wilson, National Trust - Prior notification for the proposed erection of Potting Shed (2.66m x 6.36m). (GDO - Agricultural/Forestry) - NATIONAL TRUST, ESTATE OFFICE, HOLNICOTE, MINEHEAD, TA24 8TJ	GDO - Prior Approval Not Reqd 17-Feb-2022
GDO 22/02	Mr & Mrs M & S Sanders, M A & S S Sanders - Prior Notification for the proposed demolition of 2no stone buildings. (GDO - Agricultural/Forestry) - THORNE FARM, WHEDDON CROSS, MINEHEAD, TA24 7EZ	GDO - Prior Approval Not Reqd 18-Feb-2022
6/8/22/103DC	Miss. A Clinkscales - Discharge of condition 3 (slate sample) of approved application 6/8/21/112. (Discharge of Condition) - 4, Meadow Close, WHEDDON CROSS, MINEHEAD, TA24 7AU	Approved 16-Feb-2022
6/34/22/102	Mr & Mrs J & Z Willford & Mr R Willford - Lawful development certificate for the existing use of land for the stationing of a residential mobile home for use by seasonal agricultural workers. (CLEUD) - ALLERCOTT FARM, WHEDDON CROSS, MINEHEAD, TA24 7BN	Approved 16-Mar-2022
6/19/22/103DC	Mr D Raymond - Discharge of conditions 3 (Bat Mitigation & Compensation Strategy), 4 (protected species licence) and 5 (slate sample) of approved application 6/19/19/104LB. (Discharge of Condition) - WYCHANGER, LUCCOMBE, MINEHEAD, TA24 8TA	Approved 21-Feb-2022

Application decisions delegated to the Chief Executive

Ref and Grid Ref	Applicant & Location	Decision and Date
6/19/22/102DC	Mr D Raymond - Discharge of conditions 3 (Bat Mitigation & Compensation Strategy), 4 (protected species licence) and 5 (slate sample) of approved application 6/19/19/103. (Discharge of Condition) - WYCHANGER, LUCCOMBE, MINEHEAD, TA24 8TA	Approved 21-Feb-2022
62/41/22/006	Mr. S Glover, Tors Park Estate Ltd - Non-Material amendment - Full - to approved application 62/41/20/021 to allow the addition of a weathervane on the middle tower of Block B. (NMA - Full) - The Tors Hotel, Tors Park, Lynmouth, Devon, EX35 6NA	Approved 16-Feb-2022
6/26/22/101	Ms. C Bird, Roadwater Village Community Shop Ltd - Proposed change of use of part of shop to café, together with new external canopy to patio area. Part Retrospective. (Full) - Roadwater Village Shop, Roadwater, Somerset, TA23 0QY	Approved with Conditions 08-Mar-2022
62/41/22/003	Mr G Crowther - Listed building consent for proposed replacement of windows. (Listed Building Consent) - LEE ABBEY FELLOWSHIP, LEE ABBEY, Lynton, EX35 6JJ	Approved with Conditions 02-Mar-2022
6/40/22/101	Mr P Webb - Proposed drilling of borehole and digging a trench to connect it to the plant within existing building. (Full) - Lyncombe Farm, Exford, Minehead, TA24 7PD	Approved with Conditions 03-Mar-2022
6/34/22/101	Mr & Mrs J & Z Willford & Mr R Willford - Proposed change of use of agricultural building to Use Class B8 (Storage or Distribution). Part Retrospective. (Full) - ALLERCOTT FARM, WHEDDON CROSS, MINEHEAD, TA24 7BN	Approved with Conditions 15-Feb-2022
62/50/21/017DC	Mr J Barton - Discharge of conditions 6, 7, 10 of approved application 62/50/20/004. (Discharge of Condition) - Land in Field to the North of the A39 West of Holwell Wood and Land on Access track to Rowley Barton	Approved 21-Feb-2022
62/62/21/007	Mr G Stanbury - Proposed conversion of barn to dwelling. Resubmission of refused application 62/62/21/004. (Full) - THE GLEBE, TRENTISHOE, PARRACOMBE, BARNSTAPLE, EX31 4QD	Refused 09-Mar-2022

Application decisions delegated to the Chief Executive

Ref and Grid Ref	Applicant & Location	Decision and Date
6/25/21/108	Ms. A Marsden, National Trust - Proposed replacement extension and general alterations to external windows and doors. (Full) - Cloud Farm, Oare, EX35 6NU	Approved with Conditions 25-Feb-2022
62/50/21/014LB	Emma Duncan - Listed Building Consent for the proposed conversion of attached ground floor store to extend dwelling, including refurbishment, repair and other external works. (Listed Building Consent) - The Mill House, Road From Fox Goose Inn To The Mill House, Parracombe, EX31 4PE	Approved with Conditions 28-Feb-2022
62/50/21/013	Ms E Duncan - Proposed conversion of attached ground floor store to extend dwelling, including refurbishment, repair and other external works. (Householder) - The Mill House, Road From Fox Goose Inn To The Mill House, Parracombe, EX31 4PE	Approved with Conditions 28-Feb-2022
6/41/21/105	Mr & Mrs Herrick - Proposed change of use of land for the siting of ground mounted solar panels. (Full) - Land to the side of Foxfield, Foxfield, Track to Treborough Lodge Farm, Treborough, TA23 0QL	Refused 16-Mar-2022
6/31/21/102	Mr Hicks - Lawful development certificate for the proposed stationing of a mobile home within residential garden to provide ancillary accommodation. (CLOPUD) - ASHBEER HOUSE, ELWORTHY, LYDEARD ST. LAWRENCE, TAUNTON, TA4 3PY	Refused 25-Feb-2022