

WRITTEN STATEMENT


Session 1:


SECTION 4 Conserving and Enhancing Exmoor &


SECTION 5 Responding to Climate Change and Managing Resources

EXMOOR NATIONAL PARK LOCAL PLAN 2011 - 2031
EXAMINATION
JUNE 2016

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CONTENTS

1	CE-S2 Landscape Character and CC-S2 Coastal Development	1
	Question 1.1: Do policies CE-S1 and CC-S2 provide adequate protection for the undeveloped character of the Heritage Coast? (NT).....	1
2	Biodiversity and Green Infrastructure	2
	Question 1.2: Is the protection given by policy CE-S3 to the hierarchy of designated sites, protected species, ancient woodlands and veteran trees fully consistent with national policy?	2
3	Cultural Heritage and Historic Environment, Conserving Heritage Assets	5
	Question 1.3 Is the protection given by policies CE-S4 and CE-D3 to heritage assets and their settings fully consistent with national policy, and are these policies likely to be effective? (NT).....	5
4	Principles for the Conversion or Structural Alteration of Existing Buildings	7
	Question 1.4: Are the requirements of policy CE-S5 compatible with the objective of preserving the distinctive landscape and heritage of the National Park and with national policy?	7
5	Small Scale Working or Re-Working for Building and Roofing Stone	9
	Question 1.5: Are the requirements of policy CE-S7, clause 1(f) justified and are they consistent with those of clause 1(b)? (BE).....	9
6	Minerals Safeguarding Areas	11
	Question 1.6: Is the proposed deletion of policy CE-S8 justified?	11
7	Low Carbon and Renewable Energy Development	15
	Question 1.7: Is policy CC-S5 justified in seeking to limit renewable energy development to small-scale schemes? (BE)	15
8	Small Scale Wind Turbines	17
	Question 1.8 Does policy CC-D3 adequately reflect national policy, in particular the Written Ministerial Statement of 18 June 2015 on wind energy development?	17

9	Waste Management.....	19
	Question 1.9 Is there justification for the restrictions that policy CC-S6, clause 6 places on the area from which feedstocks and waste for small-scale anaerobic digestors and waste management facilities may be sourced? (CE)	19
10	Sewerage Capacity and Sewage Disposal	20
	Question 1.10 Is policy CC-D5 fully consistent with what is said in paras 5.127-5.130? For example, would the policy permit use of septic tanks in new development?	20
11	SECTION 4 Conserving and Enhancing Exmoor & SECTION 5 Responding to Climate Change and Managing Resources	22
	Question 1.11 Are the policies in these sections of the Plan sound in all other respects, are they effectively drafted to achieve their intended purpose, and do they provide a clear indication of how a decision-maker should react to a development proposal.....	22

1 CE-S2 Landscape Character and CC-S2 Coastal Development

Question 1.1: Do policies CE-S1 and CC-S2 provide adequate protection for the undeveloped character of the Heritage Coast? (NT)

- 1.1 Exmoor's coast is a designated Heritage Coast which is reflected in the Publication Draft Local Plan ([SD1](#) - paragraph 4.15). A cross reference to policy CE-D1 Protecting Exmoor's Landscapes and Seascapes regarding the protection of the undeveloped coast is proposed to be included within para. 4.15 [[SD5](#) Schedule of Proposed Changes - reference 67 – para. 4.15 Heritage Coast]. Specific reference to the Heritage Coast is also proposed to be included in policy CE-S1 rather than a broad reference to 'significant landscape and seascape attributes' [[SD5](#): reference 72 – CE-S1]. This particular change provides clarity and a clear link to development management policy CE-D1 which contains the policy tests for development within the Heritage Coast and conserving the undeveloped nature of the coast.
- 1.2 Further reference to policy CE-D1 is proposed in the supporting text to policy CC-S2 Coastal Development to ensure there is a coherent policy framework in relation to development on the coast and the aim to conserve the undeveloped nature of Exmoor's Heritage Coast [[SD5](#): reference 126].
- 1.3 [SD5](#) Schedule of Proposed Changes also includes reference to the ([EB49](#)) North Devon and Exmoor Seascape Character Assessment (SCA) in the form of new paragraphs within the supporting text of the Plan and amendments to policy CE-S1 to ensure the SCA is used to inform development proposals within the Heritage Coast [[SD5](#): references 66 and 72].
- 1.4 The National Trust are in agreement with the proposed changes to the supporting text and policy CE-S1 and an outstanding issue relating to policy CC-S2 was resolved through a proposed modification to the policy; as set out in HD1 Statement of Common Ground between Exmoor National Park Authority and the National Trust (Table 1.1 below, changes shown in red).

Table 1.1

Ref	Main Modification
MM1.1 (change agreed to policy CC-S2, clause 2.c) with NT in HD1)	c) is appropriate to the setting and character of the coastline (CE-S1, <u>CE-D1</u>) and does not adversely affect coastal interests including coastal biodiversity and heritage assets; and

2 Biodiversity and Green Infrastructure

Question 1.2: Is the protection given by policy CE-S3 to the hierarchy of designated sites, protected species, ancient woodlands and veteran trees fully consistent with national policy?

- 2.1 It is considered that policy CE-S3 gives significant protection to designated sites, protected species, ancient woodlands and veteran trees within the National Park. The policy and supporting text aim to ensure that these designated sites and protected species are protected from direct or indirect effects of development consistent with paragraphs 113 and 115 of the NPPF. The policy emphasises that the conservation of wildlife should be given great weight, in accordance with the first statutory purpose of National Parks.
- 2.2 A change is proposed to clause 2 of policy CE-S3 to ensure that priority species and habitats are included within this list of significant biodiversity attributes [[SD5](#): reference 89, page 34-35].
- 2.3 The Authority accepts that the policy should include reference to the hierarchy of designated sites, protected species, ancient woodlands and veteran trees to be fully consistent with national policy. The Authority is happy to propose a Main Modification (MM) to the Inspector to make the Policy fully effective in this regard. These further modifications are set out in Table 1.2 below (changes shown in red). These changes reflect clause 4 of Policy CE-S2 Biodiversity in the Draft Local Plan¹ whilst taking account of the need to include reference to priority habitats and species, and ancient woodland and veteran trees.

Table 1.2

Ref	Main Modification (MM)
MM1.2 (incorporating changes set out in SD5 : reference 89, page 34-35)	CE-S3 BIODIVERSITY AND GREEN INFRASTRUCTURE <ol style="list-style-type: none"> 1. The conservation and enhancement of wildlife, habitats and sites of geological interest within the National Park will be given great weight. 2. Development delivery, management agreements and positive initiatives will conserve, restore and re-create priority habitats and conserve and increase priority species identified for Exmoor in the Exmoor Wildlife Research and Monitoring Framework (or successor publication). 3. Sites designated for their international, national or local importance, <u>priority habitats, priority or protected</u>

¹ [Exmoor National Park Draft Local Plan](#) (November 2013)

Ref	Main Modification (MM)
	<p>species, ancient woodland, and or veteran trees will be protected from development likely to have direct or indirect adverse effects including on their conservation objectives of designated sites, including notified features, and ecological functioning of cited habitats and species. <u>Protection will be commensurate with their status, giving appropriate weight to their importance, in accordance with the following principles:</u></p> <ul style="list-style-type: none"> a) Development in, or likely to have an adverse effect on, the conservation objectives of internationally designated sites either directly or indirectly, including on features outside the designated site which support the ecological functioning of cited habitats and species, or on the integrity of the special interest of nationally designated sites will not be permitted. b) Development likely to cause harm to legally protected or important species, or lead to the loss of or damage to their habitats, will not be permitted unless this can be mitigated or then offset so that local populations are at least maintained. c) Development likely to adversely affect local sites designated for their wildlife will not be permitted, unless it can be demonstrated that the need for, and benefits of the development are exceptional and clearly outweigh the loss of biodiversity and this can be mitigated against and compensated for elsewhere. d) Development likely to adversely affect priority species and habitats must be avoided wherever possible (subject to the legal tests afforded to them) unless the need for, and the benefits of the development are exceptional and clearly outweigh the loss of biodiversity and this can be mitigated against and compensated for elsewhere. e) Development resulting in the loss or deterioration of irreplaceable ancient woodland (including ancient semi-natural woodland and plantations on ancient woodland sites) and veteran trees, will not be permitted unless the need for and the benefits of the development are wholly exceptional and clearly outweigh the loss of biodiversity. <p>4. Regionally important geological sites (RIGS) will be safeguarded for their geological and geomorphological interest.</p> <p>5. Where, in exceptional circumstances, the wider sustainability benefits of the development are considered</p>

Ref	Main Modification (MM)
	<p>to outweigh the harm to habitats, species or the geological interest of sites, then measures will be required to first avoid such impacts, and if they cannot be avoided, then to mitigate damage <u>harm</u> and provide appropriate compensatory measures.</p> <p>6. The enhancement of biodiversity and creation of multi-functional green infrastructure networks at a variety of spatial scales, including cross-boundary connectivity to areas adjacent to the National Park, that help support ecosystem services will be encouraged.</p> <p>7. Opportunities will be promoted for habitat management, restoration, expansion that strengthens the resilience of the ecological network, and enables habitats and species adapt to climate change or to mitigate the effects of climate change.</p> <p>8. Green infrastructure that incorporates measures to enhance biodiversity, including matrix <u>dispersal</u> areas identified within the ecological network, should be provided as an integral part of new development.</p>

3 Cultural Heritage and Historic Environment, Conserving Heritage Assets

Question 1.3 Is the protection given by policies CE-S4 and CE-D3 to heritage assets and their settings fully consistent with national policy, and are these policies likely to be effective? (NT)

- 3.1 Policies CE-S4 and CE-D3 are considered to be consistent with the NPPF in terms of the conservation and enhancement of heritage assets and their settings within the National Park. The concerns raised by the National Trust have been considered by the Authority regarding importance of ensuring that the setting of heritage assets is properly assessed in relation to the potential impacts of development proposals. Policy CE-D3 Conserving Heritage Assets specifically has regard to the setting of heritage assets in clause 3. The Historic England good practice advice note relating to the setting of heritage assets is referenced in the supporting text. However, it is considered that this could be more specific and the text suggested by the National Trust is proposed to be reflected in the supporting text.
- 3.2 Additional text proposed regarding the impact of proposals on the setting of heritage assets and reference to detailed guidance provided by Historic England on the setting of heritage assets [[SD5](#): reference 95 – paragraph 4.110].
- 3.3 The National Trust are in agreement with the changes proposed to the supporting text in [SD5](#) and the Authority has resolved outstanding issues with the National Trust regarding policy CE-S4 and the supporting text; set out in HD1 Statement of Common Ground. These further modifications are set out in Table 1.3 below (changes shown in red).

Table 1.3

Ref	Additional Modification (AM) / Main Modification (MM)
<p>AM1.1 - (change agreed to paragraph 4.99 of the Plan with NT in HD1)</p>	<p>4.99 Where heritage assets are likely to be affected by development proposals, these should be identified at pre-application stage. Applications should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance, in order to understand the potential impact of the proposal on their significance. The Exmoor Historic Environment Record should be consulted as a minimum to determine whether or not a heritage asset and/or its setting is likely to be affected and its significance; however the National Park Authority should be contacted if data is required in support of a planning</p>

	<p>application. In some circumstances, a Heritage Assessment may be required. The National Park Authority can provide further guidance and early discussion with officers is also encouraged. Historic England provides guidance through Advice Note 2 Making Changes to Heritage Assets and Good Practice Advice Note 3 The Setting of Heritage Assets.</p>
<p>MM1.3 - (change agreed to clause 4 of policy CE-S4 with NT in HD1)</p>	<p>4. Development proposals likely to affect heritage assets <u>and/or the setting of heritage assets</u> should be supported by a desk-based assessment <u>appropriate to their significance and i.</u> In <u>appropriate certain</u> cases, developers will be required to arrange for archaeological <u>field or historic building</u> evaluations – these should be prepared in accordance with the Conduct of Archaeological Work and Historic Building Recording within Exmoor National Park (Annex 1).</p>

4 Principles for the Conversion or Structural Alteration of Existing Buildings

Question 1.4: Are the requirements of policy CE-S5 compatible with the objective of preserving the distinctive landscape and heritage of the National Park and with national policy?

- 4.1 Policy CE-S5 sets out the key principles specifically relating to the conversion or structural alteration of existing buildings but does not stipulate the use or location of such buildings - this is determined by other policies in the Plan which relate to change of use. The policy sets out general principles for the conversion or structural alteration of existing buildings in the National Park within clause 1. Clause 2 also has particular regard to additional criteria which are specifically related to the conversion of traditional buildings, a definition is included within the supporting text (para. 4.116). Whereas, clause 3 provides criteria relating to non-traditional buildings. As non-traditional buildings may include modern agricultural buildings, additional explanation is provided in the supporting text to ensure appropriate consideration is given to the conversion of this type of building.
- 4.2 Whilst the policy does not directly reference other policies which should be considered in relation to preserving the distinctive landscape and heritage of the National Park, it is considered that the Plan is clear that it should be read as a whole, and the supporting text for policy CE-S5 references appropriate policies and provides additional guidance to inform planning proposals.
- 4.3 The Crown Estate response specifically refers to paragraph 55 of the NPPF which sets out special circumstances where isolated buildings in the open countryside including the *“re-use of redundant or disused buildings and lead to an enhancement to the immediate setting”*. The NPPF sets out national policy relevant to the work of all planning authorities and its content must be balanced against the content of other relevant policy and Acts of Parliament. In the National Park’s case the statutory purposes of National Parks and duties of relevant bodies set out in the Environment Act 1995 (sections 61 and 62)² carry great weight and in themselves provide the context for interpreting policy. Because of the overriding constraints within the National Park recognised in the NPPF³, the limited opportunities for housing development should focus on the delivery of housing to address local and affordable housing needs. This is

² Sections 61 and 62 of the Environment Act amend sections 5 and 11A of the National Parks and Access to the Countryside Act 1949

³ Footnote 9 to paragraph 14 – where specific policies in this Framework indicate development should be restricted.

recognised in the National Parks Circular⁴ as a critical link to the provision of support for commercial and business development in the Parks. Paragraph 78 of Circular 2010 *“The expectation is that new housing will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services.”* It is clear that the expectation in national policy specifically for National Parks is that new housing should be focused on meeting affordable housing needs.

⁴ CE1 - DEFRA (2010) English National Parks and the Broads UK Government Vision and Circular 2010 (para. 76)

5 Small Scale Working or Re-Working for Building and Roofing Stone

Question 1.5: Are the requirements of policy CE-S7, clause 1(f) justified and are they consistent with those of clause 1(b)? (BE)

- 5.1 The intention of clause 1.f) is to ensure that where there are other sustainable sources of suitable building stone, including existing working quarries close to the National Park boundary, that these locally accessible resources would be preferable to extracting building stone from new small-scale quarries or re-working former quarries within the National Park.
- 5.2 Sources close to the National Park boundary may provide a 'locally distinctive source' of stone which is similar geologically to the area where it is required. Capton sandstone quarry near Williton is one such source of local building stone. However, it is recognised that such opportunities are restricted to certain geological areas and will only be suitable for areas of similar geology within the National Park. It is intended to be consistent with 1.b) as the underlying geology determines that sources of building stone will only be found in the surrounding North Devon/West Somerset area – extending to The Quantocks AONB.
- 5.3 The Authority accepts that Policy CE-S7, clause 1.f) could be moved to the position of 1.a) as the approach is intended to be sequential. The Authority is happy to propose a Main Modification (MM) to the Inspector to make the Policy fully effective in this regard. These further modifications are set out in Table 1.4 below (changes shown in red).

Table 1.4

Ref	Main Modification (MM)
MM1.4 – moving sub-clause 1.f) to the position of 1.a) [incorporating SD5 : proposed change to clause 1.h) ref 116, page 51-52]	CE-S7 SMALL SCALE WORKING OR RE-WORKING FOR BUILDING AND ROOFING STONE 1. Proposals for small scale quarries or the reworking of existing small quarries to provide building or roofing stone, including for the repair of heritage assets, will be permitted where it can be clearly demonstrated that: a) £ the local building material cannot be sourced sustainably from elsewhere, including from outside the National Park, and the loss of supply would result in the devaluing of the built fabric of the National Park;

Ref	Main Modification (MM)
	<p>b) a) there is a demonstrable need within the National Park and any minerals won will be for use within the National Park;</p> <p>c) b) proposals would help to provide local employment and reduce 'stone' miles;</p> <p>d) c) there is suitable access and it is of a scale appropriate for its location in the National Park;</p> <p>e) d) it would not adversely affect the landscape character, wildlife, cultural heritage, geodiversity, special qualities, tranquillity of the National Park, or the health or amenity of local communities;</p> <p>f) e) there are no suitable sources of previously used or banked materials that are reasonably available;</p> <p>g) permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion, traffic, tip and quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account any cumulative effects of multiple impacts of individual sites; and</p> <p>h) recognise that some noisy short term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction. But ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties.</p> <p>2. Any waste materials from extraction will be re-used or recycled. A scheme for restoration and after-use of the site should be submitted with the application to ensure that it will be carried out to high environmental standards, based upon conservation and enhancement of landscape character, geodiversity, biodiversity, and the historic environment.</p> <p>3. Conditions may be applied to limit the annual extraction rate.</p>

6 Minerals Safeguarding Areas

Question 1.6: Is the proposed deletion of policy CE-S8 justified?

- 6.1 The Authority is proposing that Policy CE-S8 Minerals Safeguarding Areas (MSAs) and corresponding Map 4.3 are deleted ([SD5](#) Schedule of Proposed Changes, Ref 118-119).
- 6.2 This is in response to representation number 0043/16 – which argued that the extent of safeguarded areas needs to be shown more clearly on the Policies Map to be effective for development management. The Authority originally identified MSAs in line with national guidance⁵; based on the Strategic Stone Study for Somerset & Exmoor⁶ which records a number of building stone sources across the area (sites of former or relic quarries). This data was made available from English Heritage (now Historic England) and used as the basis for the MSAs within the National Park as there are no active quarries or mineral extraction within the National Park.
- 6.3 On closer investigation of the data available it is clear that for the purposes of including the data on a Policies Map, the plotting of point data for the former quarries did not have a high degree of accuracy. This raised further questions regarding our minerals policy approach and whether MSAs were needed in the context of the National Park where demand is low, the resource is extensive, and the policy approach provides for a locally needed supply. The rate of development across the National Park is relatively low and small-scale – therefore the policy approach ensures the achievement of National Park statutory purposes. As the number of former quarries is so extensive across the National Park (Map 4.3 in the Plan – [SD1](#)) there is also the risk of unnecessarily restricting development through safeguarding all the sites identified in the Strategic Stone Study.
- 6.4 Having considered the available evidence, the Authority's position is now that this policy is not required and that the Plan does not need to identify MSAs.
- 6.5 In terms of planning for minerals development within the National Park an established approach has been to provide for small scale extraction of building stone from disused quarries.⁷ Mineral exploration would only be permitted where it would not harm the special qualities of the National Park or local amenity, whereas general mineral extraction would be subject to rigorous examination and would not be permitted where it would cause harm in respect of the National Park statutory purposes – unless demonstrated to be in the public interest.⁸

⁵ DCLG (2012) National Planning Policy Framework, para. 143

- 6.6 The Local Plan provides a permissive approach to small-scale quarries for locally needed building or roofing stone. However, no planning applications have been received for the extraction of building stone during the last Local Plan period (adopted 2005). Building stone is generally sourced if required, from outside the National Park boundary although the building stone type will not always reflect local geology. Permitted development rights allow landowners to win stone reasonably necessary for the purposes of agriculture on their holding – this enables landowners to obtain stone for use in tracks, hedgebanks, stone wall or traditional building repair.⁹ Many developments also utilise the important resource of existing traditional buildings for conversions to dwellings and business premises.
- 6.7 In terms of minerals planning, the ENPA position has regard to a ‘locally needed building stone resource’. There is an extensive building stone resource within the National Park and the relatively low levels of development are unlikely to sterilise future small scale extraction of this resource. Therefore, minerals safeguarding areas are not considered to be needed.
- 6.8 The National Park does not have significant national minerals resources. There are no active quarries in the National Park, and the national status of the National Park means that it is not considered to be an appropriate location for major mineral extraction, reflecting national policy. The National Park has an extensive building stone resource but it is a ‘locally needed building stone resource’ to contribute to the conservation and enhancement of the National Park.
- 6.9 ENPA works closely with neighbouring minerals planning authority to ensure a consistent approach and share evidence. For example, both Somerset and Devon County Councils include the respective area of the National Park in their Local Aggregate Assessments (LAAs). The LAAs for Devon and Somerset demonstrate that there is an adequate availability of crushed rock aggregate mineral resources from outside the National Park, and consequently there is no expectation that major mineral development is required within Exmoor. DCC confirmed this in their response to the consultation draft Local Plan, and SCC did not raise any comments ([SD10](#) DtC Statement, Table 2 Strategic Priority (h) Minerals and Waste, pages 20-21). The Authority has discussed the proposal to delete Policy CE-S8 Minerals Safeguarding Areas with DCC and SCC officers, who have confirmed that they do not object to this (see emails below).

[Planning Practice Guidance](#) (2014) Paragraph: 003 Reference ID: 27-003-20140306 and Paragraph: 004 Reference ID: 27-004-20140306

⁶ EB88 [English Heritage et al. \(2011\) Strategic Stone Study – A Building Stone Atlas of Somerset & Exmoor](#)

⁷ Exmoor National Park Local Plan 2001-2011 (including minerals and waste policies) – Policy M4 Small Scale Re-Working of Disused Quarries

⁸ Ibid – policies M1 Mineral Extraction and M2 Mineral Exploration

⁹ HM Government (2015) General Permitted Development Order 2015 – Schedule 2, Part 6, Class C



Mon 01/02/2016 14:51

Andy Hill <andy.hill@devon.gov.uk>

RE: Exmoor National Park Local Plan

To: Clare Reid

Good afternoon Claire,

Thank you for consulting us on the intended amendments to your Local Plan.

On the matter of mineral safeguarding areas, I can understand your reasoning, as the original proposal to safeguard a very large number of old building stone quarries seems disproportionate in comparison with the likelihood of them reopening or, in particular, becoming sterilised by other development given the constraints on such development within the National Park. It is not considered that the proposed amendment has any adverse effect on adjoining areas (and reflects the approach take in the emerging Devon Minerals Plan), and Devon County Council has no objection.

I recognise the need to take account of the recent petroleum licence that includes part of the National Park, and there are no objections to the amendments to Policy CE-S9 and related text.

Please let me know if you wish to discuss these matters further.

Kind regards

Andy

Andy Hill



Thu 16/06/2016 11:02

Guy Robinson <GRobinson@somerset.gov.uk>

Exmoor NPA draft Plan - minerals

To: Clare Reid

Cc: Joanna Symons

Dear Clare

Good to speak with you.

Thank you for sharing your revised approach to minerals in the Exmoor Local Plan.

We do not object to the deletion of your proposed policy on Minerals Safeguarding Areas. I agree with your reasoning and feel that the retention of such a policy would be very difficult to implement effectively.

Best wishes in your next steps

Guy

Guy Robinson
Senior Planning Policy Officer
Planning policy team – part of [Economy & Planning](#)

“A resilient future for Somerset’s economy and environment – inclusive, productive, prosperous and sustainable”

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Our county plan for 2016-20120 is available [here](#)

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7 Low Carbon and Renewable Energy Development

Question 1.7: Is policy CC-S5 justified in seeking to limit renewable energy development to small-scale schemes? (BE)

- 7.1 Exmoor National Park Authority is supportive of renewable energy as part of its positive approach to climate change mitigation and low carbon development (NPPF paras 17, 94, 97), where schemes are of a suitable scale and located in such a way so as not to detract from the natural beauty, wildlife and cultural heritage of the National Park and its special qualities (NPPF para 14, footnote 9). This is consistent with the role that National Parks are expected to play in being “*exemplars of renewable energy*”, and offering “*important opportunities for renewable energy generation which must not be overlooked, including woodfuels, and micro-hydro, anaerobic digestion (which will also reduce waste), wind and solar power installations appropriate to the national value of the landscape*”. ([CE1](#) English National Parks and the Broads Vision and Circular, paras 46-47, underlining added).
- 7.2 The proposed policy approach in CC-S5 Low Carbon and Renewable Energy Development and CC-D3 Small-scale Wind Turbines is an established and continued policy approach consistent with National Park purposes and supported through consultation. The policies support small scale renewable energy schemes in the National Park that contribute towards meeting domestic, community or business energy needs within the National Park, with the caveat that these should not cause significant harm to the area concerned or the National Park as a whole ([SD1](#) para 5.62). Small scale is defined in para 5.62 relative to the capacity of the local environment and National Park statutory purposes and national policy. It was felt that this was most appropriate, to enable schemes to be assessed on a case by case basis, according to their type, location and setting, rather than setting limits in terms of size or generating capacity, particularly as these could change as technologies develop. The exception is the setting of a height limit for wind turbines, of a maximum of 20m to rotor tip. This proposed maximum height of turbines was the subject of consideration in relation to the characteristics of the Exmoor landscape. The landscape is generally very gently rolling with few vertical elements. Where there are vertical elements these tend to be belts of trees or older buildings such as Church towers, with much of the development in the valleys. Development on the higher land where wind turbines are more efficient are often uncharacteristic of where development is usually located in the Exmoor context. The maximum heights of types of vertical development in these locations may be of tall trees or occasionally church towers is rarely more than 20m, and any development higher than these features, especially with

moving features, would be uncharacteristic and should be avoided if great weight is to be given to protecting the landscape of the National Park.

- 7.3 This policy approach has been successful in enabling renewable energy schemes whilst protecting the special qualities of the National Park. A number of renewable energy schemes have been permitted in the National Park, including community energy schemes (e.g. roof mounted solar panels for village halls), biomass boilers, and small scale wind turbines (under 20m to rotor tip). These wind turbines have been particularly important to provide alternative sources of electricity for remote locations where power lines would detract from the landscape character. They are all single turbines serving one property.
- 7.4 Small scale renewable energy schemes were supported through the Your Future Exmoor consultations: *“In terms of which renewable energy technologies are the most appropriate for Exmoor, most people overall voted in favour of hydro particularly at a micro and community scale. However, there was equal support for solar/photovoltaic’s at a micro scale but much less so at a community or farm scale. Ground source heat pumps and biomass at a micro scale also received a lot of support. Wind turbines at a micro scale obtained much support but there was still support for wind turbines at a farm or community scale. There was strong disagreement to considering large commercial scale wind turbines.”* ([EB1](#) Your Future Exmoor Consultation Events Full Feedback Report, page 18)
- 7.5 The location of large scale, commercial renewable energy development in the National Park is not considered to be consistent with National Park purposes and was not supported through consultation *“In relation to whether we should consider any large commercial wind turbines on Exmoor the overall view was that this type of structure would have a detrimental landscape impact and therefore would not be suitable within a National Park”* ([EB1](#) Your Future Exmoor Consultation Events Full Feedback Report, page 21).

8 Small Scale Wind Turbines

Question 1.8 Does policy CC-D3 adequately reflect national policy, in particular the Written Ministerial Statement of 18 June 2015 on wind energy development?

8.1 The Written Ministerial Statement (18 June 2015) stated that:

When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if:

- *the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and*
- *following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.*

In applying these new considerations, suitable areas for wind energy development will need to have been allocated clearly in a Local or Neighbourhood Plan. Maps showing the wind resource as favourable to wind turbines, or similar, will not be sufficient. Whether a proposal has the backing of the affected local community is a planning judgement for the local planning authority.

- 8.2 The implications of the WMS have been considered by the Authority and a number of Proposed Changes are included in the Schedule ([SD5](#)) to take account of this (Refs 138-141).
- 8.3 In the Publication Draft Local Plan ([SD1](#)), wind turbines could be considered anywhere in the National Park, in line with Policy CC-D3, although para 5.95 recognises that “*Some landscapes, such as moor and heath, including in coastal locations, are so sensitive to intrusive development from vertical structures due to their open vistas and wild character, that it may not be acceptable to have any turbines*”. In order to comply with the WMS requirement to identify ‘suitable areas’ for wind energy development in a Local Plan, a landscape sensitivity assessment was carried out ([EB74](#) Landscape Sensitivity Study for Wind and Solar Development). This indicated that although all the landscape character types have moderate to high sensitivity to wind turbines, small scale turbines could potentially be accommodated, apart from in the open moorland and coastal heaths. A map of suitable areas has therefore been prepared, ([SD5](#) Schedule of Proposed Changes, Ref 140) to show those parts of the National Park where policy CC-D3 would now apply, and amendments to the policy and text are proposed to accompany this ([SD5](#), Schedule of Proposed Changes Ref 138, 139, 141). In response to the Inspector’s initial queries ([EX2](#)), the Authority is proposing that unsuitable areas for small scale wind turbines and freestanding solar arrays will be shown on Map 24 of the suite of Policies Maps,

and as set out in the Authority's response to these initial queries (EX6 ENPA Response to Inspector's Initial Queries, Table 5.1, clarification points, Ref no.26 & Appendix 2).

- 8.4 There are also proposed changes to the policy and text to require that applicants demonstrate that the planning impacts identified by affected local communities and 'communities of interest' such as users of the National Park have been fully addressed and therefore the proposal has their backing ([SD5](#), Schedule of Proposed Changes Ref 139). Proposals within any areas of search allocated in a Neighbourhood Plan will be considered to have the backing of that local community.

9 Waste Management

Question 1.9 Is there justification for the restrictions that policy CC-S6, clause 6 places on the area from which feedstocks and waste for small-scale anaerobic digestors and waste management facilities may be sourced? (CE)

- 9.1 Anaerobic digestion is recognised by the Authority as a potentially beneficial means of dealing with waste in the National Park, particularly for the treatment of farm waste given the predominance of extensive livestock farming on Exmoor. This also has potential benefits in terms of reducing greenhouse gas emissions, and the risk of pollution to watercourses from slurry stores.
- 9.2 Farming in Exmoor is dominated by hill and upland farms, with most farms operating grazing-based livestock production systems, primarily sheep and beef systems (69%). There are very few (less than 1%) dairy, pig or poultry farms. Around 11% of commercial farms include general cropping, around half of these grow crops exclusively for home consumption by their own livestock. ([EB37](#) CCRI State of Farming in Exmoor).
- 9.3 The Pre-Consultation draft Local Plan required that waste facilities (including anaerobic digestors) would only be permitted to serve the needs of individual local communities and did not allow waste to be imported from outside that community. The Crown Estate¹⁰ in its response argued that this would be unworkable, as anaerobic digestors require large amounts of waste to make them viable, and suggested there should be more flexibility within the policy in order to encourage this sustainable form of managing waste and producing green fuel and energy.
- 9.4 The policy was amended following the Draft Local Plan consultation (November – December 2013) to provide flexibility regarding the area where feedstock for anaerobic digestors can be sourced - this has been extended to the whole of the National Park and parishes adjoining the National Park. This is felt to provide sufficient scope for feedstock to be sourced locally to the National Park, without generating significant road miles in the transportation of materials which would counteract the sustainability of dealing with waste locally. Having no restrictions in place may result in adverse traffic safety and environmental issues, in particular the generation of significant numbers of lorry movements transporting materials to the National Park would not be consistent with National Park purposes. Conversely, utilising feedstock from sources within or adjoining the National Park improves sustainability.
- 9.5 The Authority contacted The Crown Estate to suggest that we prepare a Statement of Common Ground regarding this issue, however this was declined as they feel their written representations will suffice.

¹⁰ Representor ID Number [0067](#)

10 Sewerage Capacity and Sewage Disposal

Question 1.10 Is policy CC-D5 fully consistent with what is said in paras 5.127-5.130? For example, would the policy permit use of septic tanks in new development?

10.1 Policy CC-D5 Sewerage Capacity and Sewage Disposal provides a stepped approach to dealing with the sewerage requirements of development. Connection to a public sewer is the preferred approach, in order to ensure that sewage is effectively and efficiently dealt with, and to minimise pollution risks. Where connection to a public sewer is not possible, non-mains sewerage options can be considered, preferably small sewage treatment plant (a package treatment plant), or where not feasible, septic tanks ([SD1](#), para 5.128).

10.2 The Authority accepts that Policy CC-D5 clause 1c) could be rephrased to be clearer regarding the consideration of non-mains sewerage options including septic tanks where connection to a public sewer is not possible (consistent with para 5.128), and is happy to propose a Main Modification to the Inspector to make the Policy fully effective in this regard. These further modifications are set out in Table 1.5 below (changes shown in red).

Table 1.5

Ref	Main Modification (MM)
MM1.5	<p><u>CC-D5 SEWERAGE CAPACITY AND SEWAGE DISPOSAL</u></p> <p>1. Development proposals for, or which require new or extended sewage infrastructure, will be permitted where it can be demonstrated that the facility will pose no unacceptable harm to public health, amenity or environmental quality. The following criteria must also be satisfied:</p> <ul style="list-style-type: none"> a) the appropriate location, scale and design of the infrastructure (CE-S6); b) the use of necessary mitigation measures (including climate change resilience measures), to avoid impacts on surrounding areas including noise, air, soil and water pollution, odour, litter, visual intrusion, and other disturbances; and c) connection to a public mains sewer, where available and physically possible. Where existing capacity is insufficient, proposals should contribute to an integrated and adequate network of this is not the case, proposals for non- mains sewage should first consider a combined sewage treatment <u>system installation, sufficient to meet the needs of existing</u>

Ref	Main Modification (MM)
	<p><u>and proposed development, or if this is not feasible, a system incorporating septic tank(s)</u>. Proposals which require non-mains sewerage must demonstrate that the proposal cannot be connected to a public mains sewer.</p> <ol style="list-style-type: none"> <li data-bbox="360 427 1353 584">2. Satisfactory arrangements should be made to ensure the public sewerage infrastructure can appropriately manage the additional required capacity of the proposal before the development is occupied or activated. <li data-bbox="360 611 1353 898">3. Development proposals which exceed the capacity of private sewerage infrastructure or which do not otherwise include satisfactory arrangements consistent with the requirements of this policy will not be permitted. For development proposals that require new or extended private sewerage infrastructure, this must be provided before the development is occupied or activated to ensure current sewerage capacity is not exceeded. <li data-bbox="360 925 1353 1037">4. Regularly occupied development such as residential buildings will not be permitted in locations likely to be unacceptably affected by the proximity of sewerage infrastructure.

11 SECTION 4 Conserving and Enhancing Exmoor & SECTION 5 Responding to Climate Change and Managing Resources

Question 1.11 Are the policies in these sections of the Plan sound in all other respects, are they effectively drafted to achieve their intended purpose, and do they provide a clear indication of how a decision-maker should react to a development proposal?

11.1 The Authority is satisfied that, with the proposed changes in the Schedule (SD5) and subject to further changes identified in the written statements for soundness, the Plan is sound in all other respects and provides a clear indication of how decisions will be made in response to development proposals.